



## AGENDA

**PLANNING & ZONING COMMISSION SPECIAL MEETING  
FRIDAY, JUNE 2, 2023, AT 5:30 P.M.  
COUNCIL CHAMBERS, CITY HALL BUILDING  
100 SOUTH MONROE STREET, EAGLE PASS, MAVERICK COUNTY, TEXAS**

VIDEOCONFERENCE: This meeting will also be held by videoconference call. The location where the quorum of the governmental body will be physically present is in Council Chambers at 100 South Monroe, Eagle Pass, Texas, 78852 and it is the intent to have a quorum present at that location. The location where the presiding member is physically present will be open to the public during the open portions of the meeting. A member of the public may testify from a remote location by videoconference at: <https://meet.goto.com/946290837>

### ESTABLISHMENT OF QUORUM

### CITIZENS COMMUNICATIONS

### SELECTION OF CHAIRPERSON

### SELECTION OF VICE-CHAIRPERSON

### MINUTES

1. Approval of the minutes of the May 11, 2023 meeting.

### NEW BUSINESS

2. Consideration and possible action on the Plat Amendment of Lots 2-7 in Block 1 of Debona Heights Addition.
3. Consideration and possible action on the Master Plan of the Santa Maria Estates Subdivision.
4. Consideration and possible action on the preliminary plat of the Santa Maria Estates Subdivision Unit 2.

### OLD BUSINESS

5. Discussion of suggested revisions related to the amendment of Article V of the Parkland Dedication Ordinance.

### 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 May 30, 2023 at 11:15 a.m.

Placido 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 held its Regular Meeting on Thursday, May 11, 2023, at 5:30 p.m. in the City Manager's Conference Room, City Hall, 100 South Monroe Street, Eagle Pass, Texas. All legal notices were duly posted in accordance with State code.

## **ESTABLISHMENT OF QUORUM**

Present: Vice-Chairperson, Luis Velez, and Commission Members: Doris Salinas-Sanchez, and Tiffany Velasquez-Sanchez

Absent: Commission Members, Kenneth Gross, and Aaron Valdez; Interim City Manager, Ivan Morua; and Ex-Officio Member: Mayor, Rolando Salinas, Jr.

Staff Present: Planning Director, Placido Madera; Assistant Planning Director, Mariebelle Rodriguez; and Assistant City Secretary, Ita A. Cortinas

With a quorum being present, Vice-Chairperson Velez called the meeting to order, and the Planning & Zoning Commission considered the following items.

## **CITIZENS COMMUNICATIONS**

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

There were not any comments or concerns submitted.

## **SELECTION OF CHAIRPERSON**

Vice-Chairperson Velez motioned to table the selection of the Chairperson. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

## **SELECTION OF VICE-CHAIRPERSON**

Vice-Chairperson Velez motioned to table the selection of the Vice-Chairperson. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously

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

## MINUTES

1. Approval of the minutes of the April 11, 2023, meeting.

Vice-Chairperson Velez motioned to approve the minutes, with corrections noted before the start of the meeting. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

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

## PUBLIC HEARINGS

2. Public hearing on the proposed final Re-Plat of Lot 21 in Block 2 of Loma Bonita Heights Subdivision Unit 1, including (1) a subdivision variance from the preliminary plat requirement of City of Eagle Pass Code of Ordinances Chapter 23 Section 23-36(a), and (2) a sidewalk waiver including curb and gutter from Section 23-64 governing sidewalks; closing of public hearing and possible action.

Vice-Chairperson Velez opened the Public Hearing at 5:41p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning and Building Department recommend that the Commission recommend that the Eagle Pass City Council grant the subdivision variance to proceed directly to final replat without first having obtained preliminary replat approval as required by the City of Eagle Pass Code of Ordinances Section 23-36(a), and deny a sidewalk waiver request, including curb and gutter, as it does not conform with the criteria set forth in Section 23-64 governing sidewalks, and grant final approval of the proposed Final Replat of Lot 21 in Block 2 of Loma Bonita Heights Subdivision Unit 1, subject to the plat complying with the provisions of Article III of the City of Eagle Pass Code of Ordinances Chapter 23 governing procedures and specifications for Final Plats include the following condition(s):

- A sidewalk be installed along the perimeter of the parcel, adjacent to Bianca Drive and Hilltop Circle prior to plat recordation.
- Construct concrete curb and gutter along the side property, adjacent to Hilltop Circle prior to plat recordation.

Vice-Chairperson Velez opened the Public Hearing at 5:48 p.m.



Commission Member Salinas-Sanchez motioned to approve with the recommendations of the Planning Department. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously

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

3. Public hearing on the request submitted by PWS Holdings 23, LLC for the rezoning of 2.114 acres located in survey 8, Abstract Number 1111, Maverick County, Texas, and being part of and out of Block A of Holly Park Subdivision Unit 5 according to the map of recorded under envelope 48, Side B of the map records of Maverick County, Texas, for reference, said 2.114-acre tract being that certain called 2.1117 acre tract conveyed from Maxey family Limited Partnership, a Texas limited partnership, to Daniel W. Hartman and wife, Irma Alicia Hartman by warranty deed with vendor's lien recorded under Book 560, Page 70 of the official public records of Maverick County, Texas, said 2.114 acre tract also being that certain called 2.117 acre tract conveyed from Kalyk Development, LLC, to Lewis E. Stock by warranty deed recorded under Book 1876, Page 460 of the official public records of Maverick County, Texas, from B-1 Neighborhood Business District to B-3 General Business District; closing of public hearing and possible action.

Vice-Chairperson Velez opened the Public Hearing at 5:50p.m.

Planning Director, Placido Madera provided details on the item and stated that the Planning and Zoning Commission recommend that the City Council prepare and adopt an ordinance granting a zoning district change B-1 Neighborhood Business District to B-3 General Business District for property legally defined as 2.114 acres located in survey 8, Abstract Number 1111, Maverick County, Texas, and being part of and out of Block A of Holly Park Subdivision Unit 5 according to the map of recorded under envelope 48, Side B of the map records of Maverick County, Texas, for reference, said 2.114 acre tract being that certain called 2.1117 acre tract conveyed from Maxey family Limited Partnership, a Texas limited partnership, to Daniel W. Hartman and wife, Irma Alicia Hartman by warranty deed with vendor's lien recorded under Book 560, Page 70 of the official public records of Maverick County, Texas, said 2.114 acre tract also being that certain called 2.117 acre tract conveyed from Kalyk Development, LLC, to Lewis E. Stock by warranty deed recorded under Book 1876, Page 460 of the official public records of Maverick County, Texas, also known as 2423 E. Main Street.

Vice-Chairperson Velez opened the Public Hearing at 5:59 p.m.

Commission Member Velasquez-Sanchez motioned to approve as presented. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Velasquez-Sanchez  
Nays: None

Abstained: None

Absent: Gross, and Valdez

## **OLD BUSINESS**

4. Discussion and possible action on the six (6) month extension requested by TEC Services for the final plat of Benito Garcia Subdivision.

Planning Director, Placido Madera provided details on the item and stated that the Planning and Zoning Commission recommend the Commission grant a six-month extension of the original December 6, 2022, plat approval for the Benito Garcia Subdivision, including the term that the developer connects to the main sewer line before plat recordation.

Commission Member Salinas-Sanchez motioned to approve as presented. Seconded by Commission Member Velasquez-Sanchez. **MOTION PASSES:** Unanimously

Ayes: Velez, Salinas-Sanchez, and Velasquez-Sanchez

Nays: None

Abstained: None

Absent: Gross, and Valdez

5. Discussion of suggested revision related to the amendment of Article V of the Parkland Dedication Ordinance.

An extensive discussion ensued wherein several recommendations for further research and consideration were requested by the Commission.

Not an action item.

## **ADJOURNMENT**

Commission Member Velasquez-Sanchez motioned to adjourn meeting at 7:05 p.m. Seconded by Commission Member Salinas-Sanchez. **MOTION PASSES:** Unanimously

Passed and Approved on \_\_\_\_\_, 2023

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Luis Velez

Vice-Chairperson

ATTEST:

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Ita A. Cortinas  
Assistant City Secretary

**Item #2**



## Planning Department Executive Summary Report TO THE PLANNING AND ZONING COMMISSION

Plat Amendment of Lots 2-7, in Block 1 of Debona Heights Addition

### I. BACKGROUND

#### A. General Information

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

**Property Owner(s):** Jose & Rosa Sarabia | Eagle Pass, Texas 78852  
Maria Dolores Trevino Jimenez | Eagle Pass, Texas 78852  
Marili Rodriguez | Eagle Pass, Texas 78852

**Locations:** 1350 Del Rio Blvd, 1160 Bonnet, and 1110 Bonnet

**Property ID Numbers:** 56469, 7335, 7336, and 7337

**Legal Description(s):**

- Debona Heights Addition, Block 1, Lot 3-5 (W138ft of Lot 3 & the east 20ft of the W138ft of Lots 4 & 5)
- Debona Heights Addition, Block 1, Lot 2
- Debona Heights Addition, Block 1, Lots 3-7 (East 12ft of Lots 3, 4, & 5)
- Debona Heights Addition, Block 1, Lots 3-6 (less the W138ft of Lots 3 & the 20ft of the 138ft of Lots 4 & 5 & part of Lot 6)

**Request:** approval to amend the common property line between Lots 2 and 3, Lots 4 and 5, and Lots 6 and 7 to reflect the existing use of the lots.

#### B. Subject Property Information

**Parcel Size:** 1.033 gross acres

**Topography:** Generally flat

**Existing Use:** Lots 2 and 3 are vacant, Lots 4 and 5 house a child day care business, and Lot 6-7 house as residential dwelling.

**Current Zoning:** Lots 2, 3, 4 and 5 are in the B-1 District and Lots 6 and 7 is in the R-1 District

**Master Plan:** Lots 2, 3, 4 and 5 are in the B-1 District and Lots 6 and 7 are in the R-1 District

#### C. Vicinity Data

The surrounding area is comprised of both residential and commercial developments.

#### D. Infrastructure

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

Access to Lots 2 and 3 is provided by Del Rio Boulevard and Bonnet Avenue via an access easement dedicated via a warranty deed. Lots 4, 5, 6, and 7 have access via Bonnet Avenue.

## 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. 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 commercial 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 *B-1 Neighborhood Business District* and the *R-1 First One-Family Dwelling District*. This design will allow for the continuing development of the community while retaining the neighborhood character and scale while providing utility services in the most efficient and equitable manner.
  - ✓ The subdivision is consistent with the *Street Goal* of the *Master Plan*, as access to the site via Del Rio Blvd and Bonnet Street has been designed to provide the residents of and visitors to Eagle Pass and Maverick County with a street system that will enable them to travel safely and conveniently.
  - ✓ The subdivision is consistent with the *Thoroughfare Goals* of the *Master Plan*, as Del Rio Blvd and Bonnet 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 size of the existing lots and the eventual density of proposed development of Lot 2 and 4 will not adversely impact existing area drainage effectiveness. Retention may be applicable at the time of development of Lots 2 and 3, owned by Mr. Sarabia.
3. The amending plat design is consistent with the residential uses permitted in the *R-1 District* and the commercial uses permitted in the *B-1 District*.
4. 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
  - ✓ *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.

5. 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 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 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.

6. The amending plat will allow for the continued use of the properties that are consistent with the commercial and residential purpose of the *B-1* and *R-1 Districts*, 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 B-1 Neighborhood Business District and the R-1 First One-Family Dwelling District.
- C. The subdivision is warranted because of the necessity to create additional lots for development and because the proposed development is appropriate to accomplish the reasonable use of the property.
- D. The subject property is suitable for development in general conformance with development standards of the B-1 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.

7. 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 6 of this report.

**B. Planning Department Recommendation**

The Planning and Zoning Commission **GRANT** approval of a final plat amendment of *Lots 2, 3, 4, 5, 6, and 7 in Block 1 of Debona Heights Addition*, subject to the plat complying with the provisions of *Article III of City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for Final Plats

**TRANSMITTED** to the parties listed hereafter:

Dirksen Engineering via e-mail  
Planning and Zoning Commission via e-mail  
Eagle Pass Planning Department Report dated May 16, 2023



## **Attachment 1**

Application

Aerial map

Site photos

Plat drawing & Zoomed in Plat



## 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: PLAT AMENDMENT OF LOT 2, THE WEST 138FT OF LOT 3, AND THE EAST 20FT OF THE WEST 138FT OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION

Maverick County Property Identification Number(s): 56469 and 7335

Name of Addition: Debona Heights Addition

Location of Addition: 1350 DEL RIO BOULEVARD

Number of Residential Lots: 1 Number of Commercial Lots: 1 Gross Acreage: 0.3748 AC

Number of New Street Intersections 0 Linear feet of Streets 0

Is Subdivision inside city limits? Yes ☒ No ☐ If so, Zoning District: B-1 NEIGHBORHOOD BUSINESS

Existing Land Use: COMMERCIAL Proposed Land Use: COMMERCIAL

Requested Variances: PROCESS PLAT FOR FINAL APPROVAL AT SAME MEETING

#### PROPERTY OWNER:

Name: Jose A Sarabia

Address: 1510 George St

City: Eagle Pass, Tx 78852

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Signature: Jose A. Sarabia

Contact: JOSE A. SARABIA

Phone: 830 776-2906

Fax: \_\_\_\_\_

E-mail: JSARABIA1@OUTLOOK.COM

Date: 12-06-2022

#### PROPERTY OWNER:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Signature: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date: \_\_\_\_\_

#### APPLICANT/SUBDIVIDER:

Name: Jose A Sarabia  
Address: 1510 George St  
City: Eagle Pass  
State: TX Zip: 78852  
Signature: Jose A. Sarabia

Contact: Jose A. Sarabia  
Phone: 830-776-2906  
Fax: \_\_\_\_\_  
E-mail: JSarabia1@outlook.com  
Date: 12-06-2022

**SURVEYOR:**

Name: Dirksen Engineering  
Address: 107 W SOUTH ST  
City: Uvalde  
State: TX Zip: 78801  
Signature: [Signature]

Contact: Ken Dirksen  
Phone: 830-278-2100  
Fax: 830-278-2102  
E-mail: kendirksen@sbcglobal.net  
Date: 12-06-2022

**ENGINEER:**

Name: Dirksen Engineering  
Address: 107 W SOUTH ST  
City: Uvalde  
State: TX Zip: 78801  
Signature: [Signature]

Contact: Ken Dirksen  
Phone: 830-278-2100  
Fax: 830-278-2102  
E-mail: kendirksen@sbcglobal.net  
Date: 12-06-2022

**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.

Jose A. Sarabia  
Applicant Signature

12-06-2022  
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 Dirksen to act as my agent for all documents pertaining to this subdivision application; (3) the information contained in this subdivision application or accompanying information is true and correct; (4) I will advise the City in writing of any inaccurate, misleading or false statements in the subdivision application or accompanying information; (5) the City will be advised in writing of any change in ownership of the property that is the subject of this subdivision application provided the change of ownership occurs prior to the recording of the final approved plat, if any; and (6) I will liable to the City of Eagle Pass for the completion of all site improvements required by Section 23 of the City's Code of Ordinance until such time as such improvements, if any, shall have been actually completed and accepted by the city.

Jose A. Sarabia  
Owner / Subdivider Signature

12-06-2022  
Date

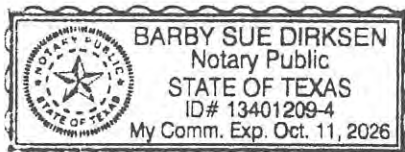
STATE OF TEXAS §

COUNTY OF Uvalde §

Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared Jose A Sarabia (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.

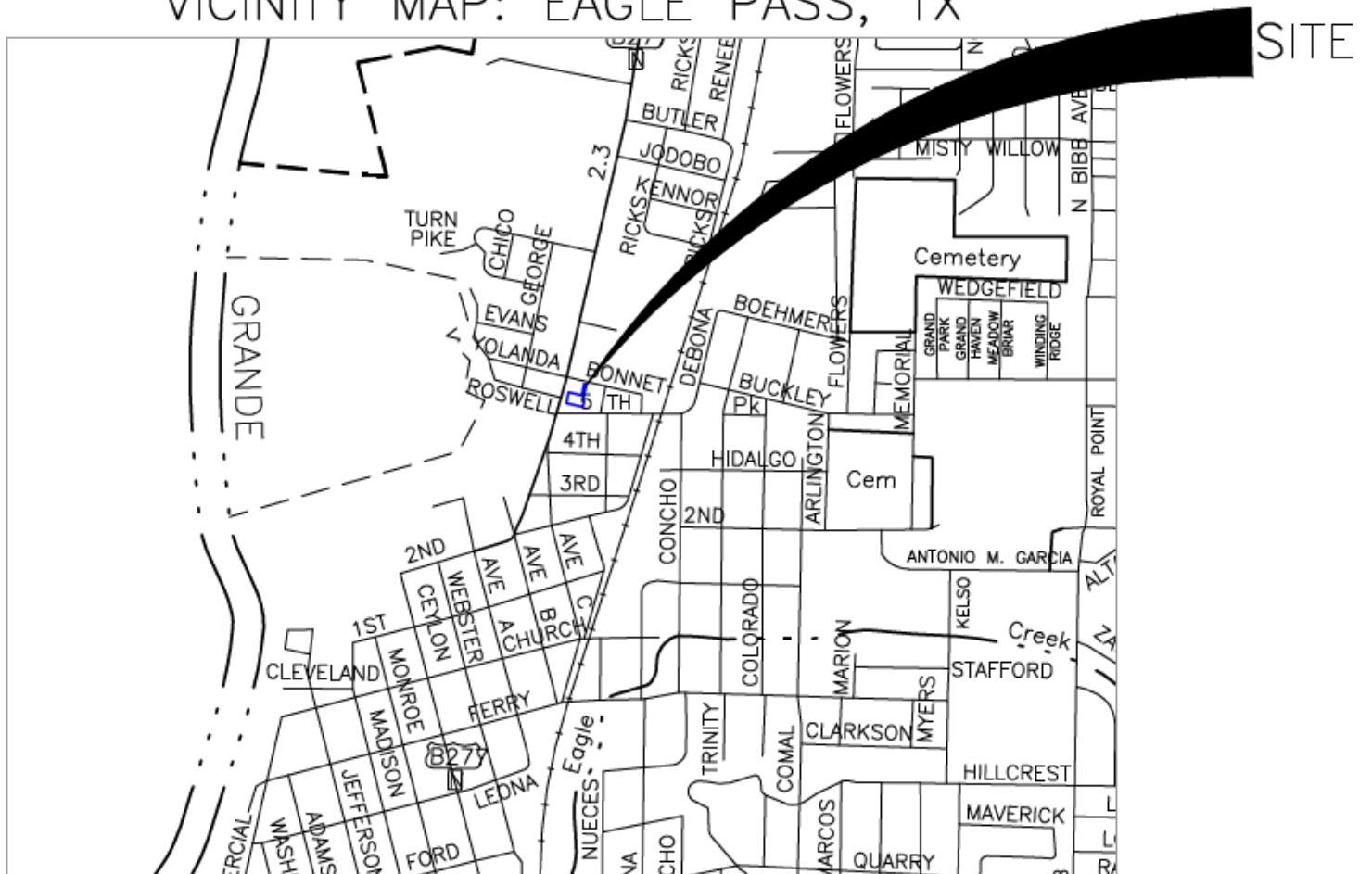
Given under my hand and seal of office, this the 6th day of December, 2022.

Barby Sue Dirksen  
Notary Public, State of Texas





VICINITY MAP: EAGLE PASS, TX









PLAT AMENDMENT OF LOT 2, THE WEST 138FT OF LOT 3, AND THE EAST 20FT OF THE WEST 138FT OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION

Being 0.3748 acre, composed of Lots 2 and parts of Lots 3, 4, and 5, Block 1 of the DeBona Heights Addition as shown on the plat recorded in Volume 1, Page 13 of the Maverick County Map Records, and described in Tract Three-A and Three-B of conveyance document to Rosa Maria Navarro Sarabia recorded in Document Number 2218054 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, Grid.) (All corners called for as being set are marked on the ground with ½" steel stakes with plastic identification caps stamped "DIRKSEN/6260" attached unless otherwise noted or shown.)

**BEGINNING** at a steel stake set (SPC: N:13449779.49, E:1488439.69) in the east line of U.S. Highway 277, at the common west corner of Lots 1 and 2, for the southwest corner of the herein described tract;

**THENCE** N 12°34'05" E, 100.00 feet to a steel stake set at the common west corner of Lots 3 and 4, at the southwest corner of a tract described in conveyance document to Marili De Los Santos Rodriguez recorded in Document Number 218019 of the Maverick County Official Public Records for a northwest corner of the herein described tract;

**THENCE** S 77°19'51" E, 116.90 feet to a steel stake set in the common line of Lots 3 and 4 for a reentrant corner of the herein described tract;

**THENCE** N 12°34'05" E, 100.00 feet to a steel stake found in the south line of Bonnet Avenue and the north line of Lot 5 for a northwest corner of the herein described tract;

**THENCE** S 77°19'51" E, 19.86 feet to a steel stake found at the northwest corner of a tract described in conveyance document to Alexis Jimenez Davila recorded in Document Number 218502 of the Maverick County Official Public Records for a northeast corner of the herein described tract;

**THENCE** S 12°34'05" W, 150.00 feet to a steel stake set in the common line of Lots 2 and 3 for a reentrant corner of the herein described tract;

**THENCE** S 77°19'51" E, 13.23 feet to a steel stake set at the common corner of Lots 2, 3, 6, and 9 for a southeast corner of the herein described tract;

**THENCE** S 12°34'05" W, 50.00 feet to a steel stake set in the west line of Lot 9, at the common corner of Lots 1 and 2 for a southeast corner of the herein described tract;

**THENCE** N 77°19'51" W, 150.00 feet to the **POINT OF BEGINNING** containing a total of 0.3748 acre of land within the herein described boundary as surveyed by Dirksen Engineering on November 29, 2022.

STATE OF TEXAS )  
COUNTY OF MAVERICK )

OWNER'S DEDICATION, CERTIFICATION, AND ATTESTATION

THE OWNERS OF THE LAND SHOWN ON THIS PLAT AMENDMENT 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 \_\_\_\_\_  
JOSE A. SARABIA

STATE OF TEXAS )  
COUNTY OF MAVERICK )

BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED, JOSE A. SARABIA 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

WE THE UNDERSIGNED CERTIFY THAT PLAT AMENDMENT OF LOT 2, THE WEST 138' OF LOT 3, AND THE EAST 20' OF THE WEST 138' OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION 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 PLAT AMENDMENT OF LOT 2, THE WEST 138' OF LOT 3, AND THE EAST 20' OF THE WEST 138' OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION 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 LOT 2, THE WEST 138' OF LOT 3, AND THE EAST 20' OF THE WEST 138' OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION 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 NOVEMBER 14, 2022 ON THE GROUND UNDER MY SUPERVISION AND THE MONUMENTS SHOWN ARE WITHIN THE POSITIONAL TOLERANCE REQUIRED BY 22TAC SEC 663.15.

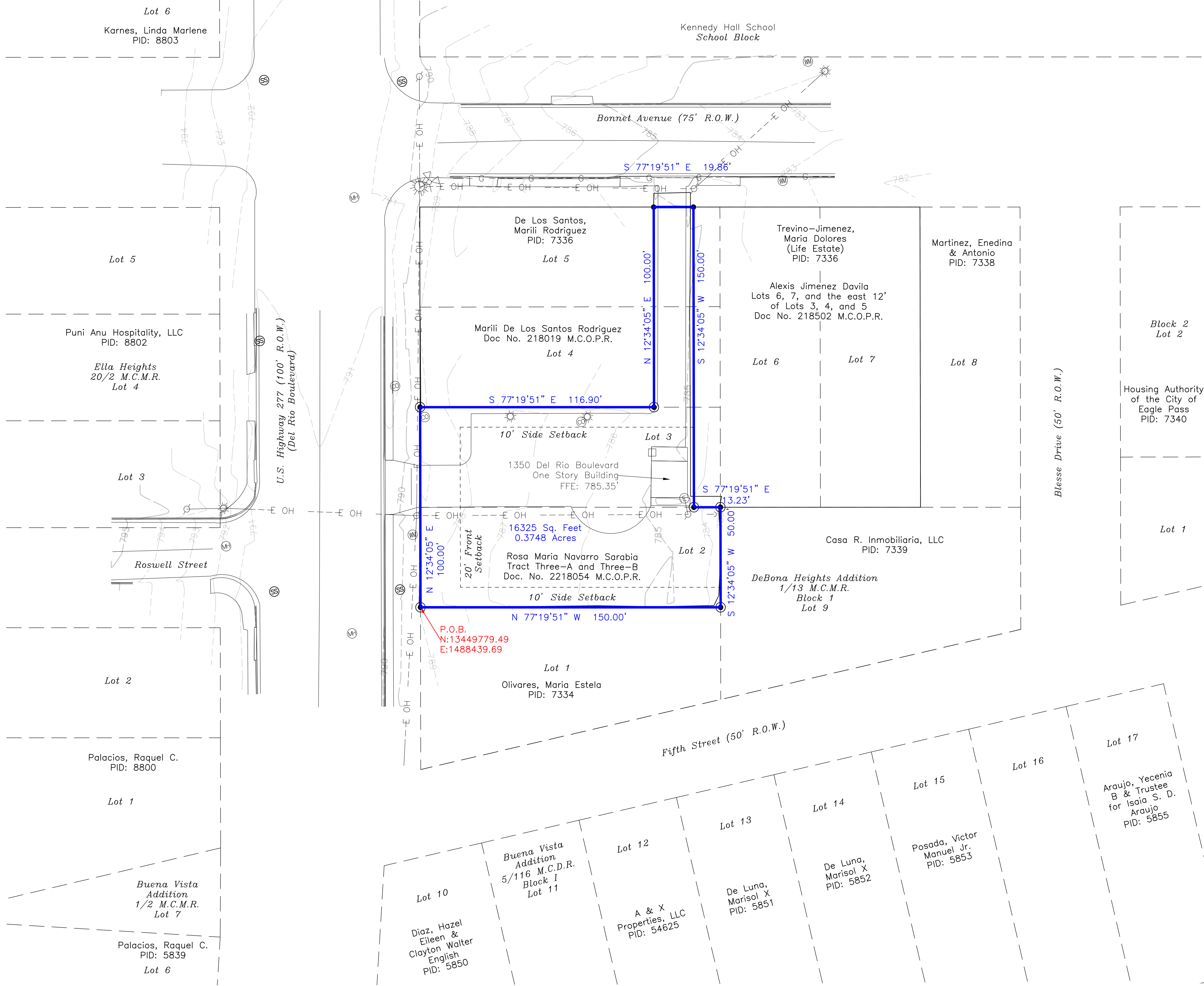
PRELIMINARY DO NOT RECORD FOR ANY PURPOSE

KENNETH R. DIRKSEN, P.E. 82628, R.P.L.S. 6260  
DIRKSEN ENGINEERING PROJECT 22-2794

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

SIGNATURE NOTARY PUBLIC STATE OF TEXAS

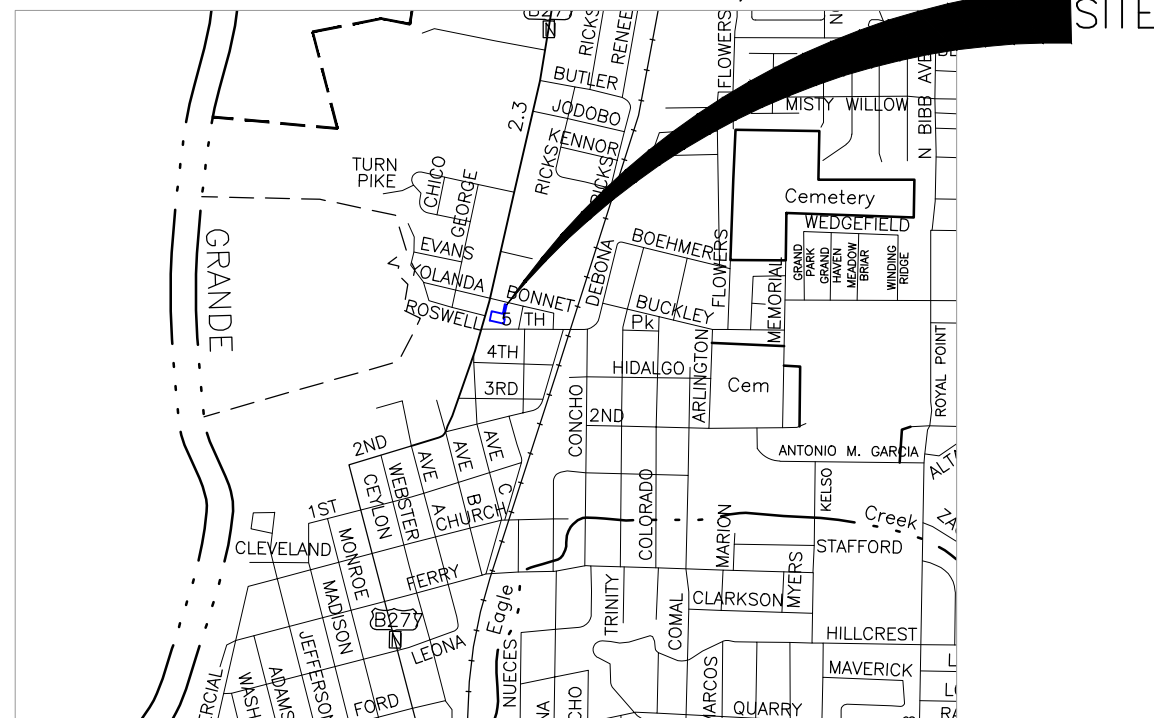
MY COMMISSION EXPIRES ON: \_\_\_\_\_



NOTES:

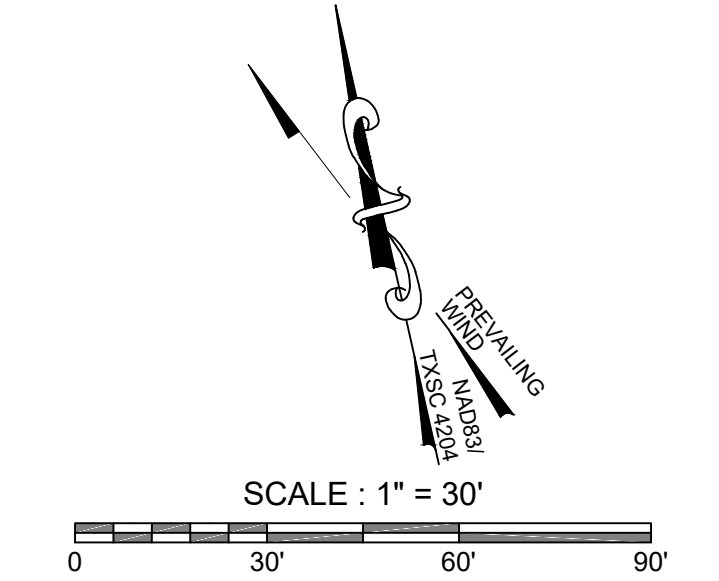
1. AMENDING PLAT OF LOT 2, THE WEST 138' OF LOT 3, AND THE EAST 20' OF THE WEST 138' OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION. THIS PLAT AMENDS THE PLAT PREVIOUSLY RECORDED IN THE MAP RECORDS OF MAVERICK COUNTY, VOLUME 1, PAGE 13.
2. NO DEED RESTRICTIONS ARE RECORDED. NO NEW DEED RESTRICTIONS ARE PROPOSED.
3. THE LAND SHOWN ON THIS PLAT IS IN THE CITY OF EAGLE PASS IN MAVERICK COUNTY, ZONED B1 - NEIGHBORHOOD BUSINESS DISTRICT. FRONT SETBACK - 20'. SIDE SETBACK - 10'.
4. THE SUBDIVISION SHOWN ON THIS PLAT IS LOCATED IN ZONE X AREA OF MINIMUM FLOOD HAZARD, AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 4832C0451D FOR MAVERICK COUNTY, TEXAS, 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.

VICINITY MAP: EAGLE PASS, TX



SCALE: 1" = 2000'

PLAT AMENDMENT OF LOT 2, THE WEST 138FT OF LOT 3, AND THE EAST 20FT OF THE WEST 138FT OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION



|                          |          |
|--------------------------|----------|
| LEGEND — EXISTING        |          |
| BOUNDARY LINE            | —        |
| SET 1/2" STEEL STAKE     | ●        |
| FOUND MONUMENT           | •        |
| SANITARY SEWER           | — S —    |
| SANITARY SEWER MANHOLE   | ⊙        |
| SANITARY SEWER CLEANOUT  | ⊙        |
| STORM SEWER MANHOLE      | ⊙        |
| PLAT LINE                | ---      |
| DEED LINE                | ---      |
| EASEMENT LINE            | ---      |
| SETBACK LINE             | ---      |
| FENCE LINE               | -x-x-x-  |
| GAS LINE                 | -G-G-    |
| WATER LINE               | -W-W-    |
| WATER VALVE/METER        | ⊙        |
| OVERHEAD ELECTRIC        | — E OH — |
| TELEPHONE                | — T —    |
| 911 ADDRESS              | 919      |
| FIRE HYDRANT             | ⊙        |
| LUMINAIRE                | ⊙        |
| FINISHED FLOOR ELEVATION | FFE      |

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# 22-2794

PROJECT NAME & ADDRESS  
PLAT AMENDMENT OF LOT 2, THE WEST 138' OF LOT 3, AND THE EAST 20' OF THE WEST 138' OF LOTS 4 AND 5, BLOCK 1, DEBONA HEIGHTS ADDITION  
Eagle Pass, TX

SHEET TITLE

FINAL PLAT

PREPARED FOR:

Jose A. Sarabia  
1510 George Street  
Eagle Pass, Tx 78852

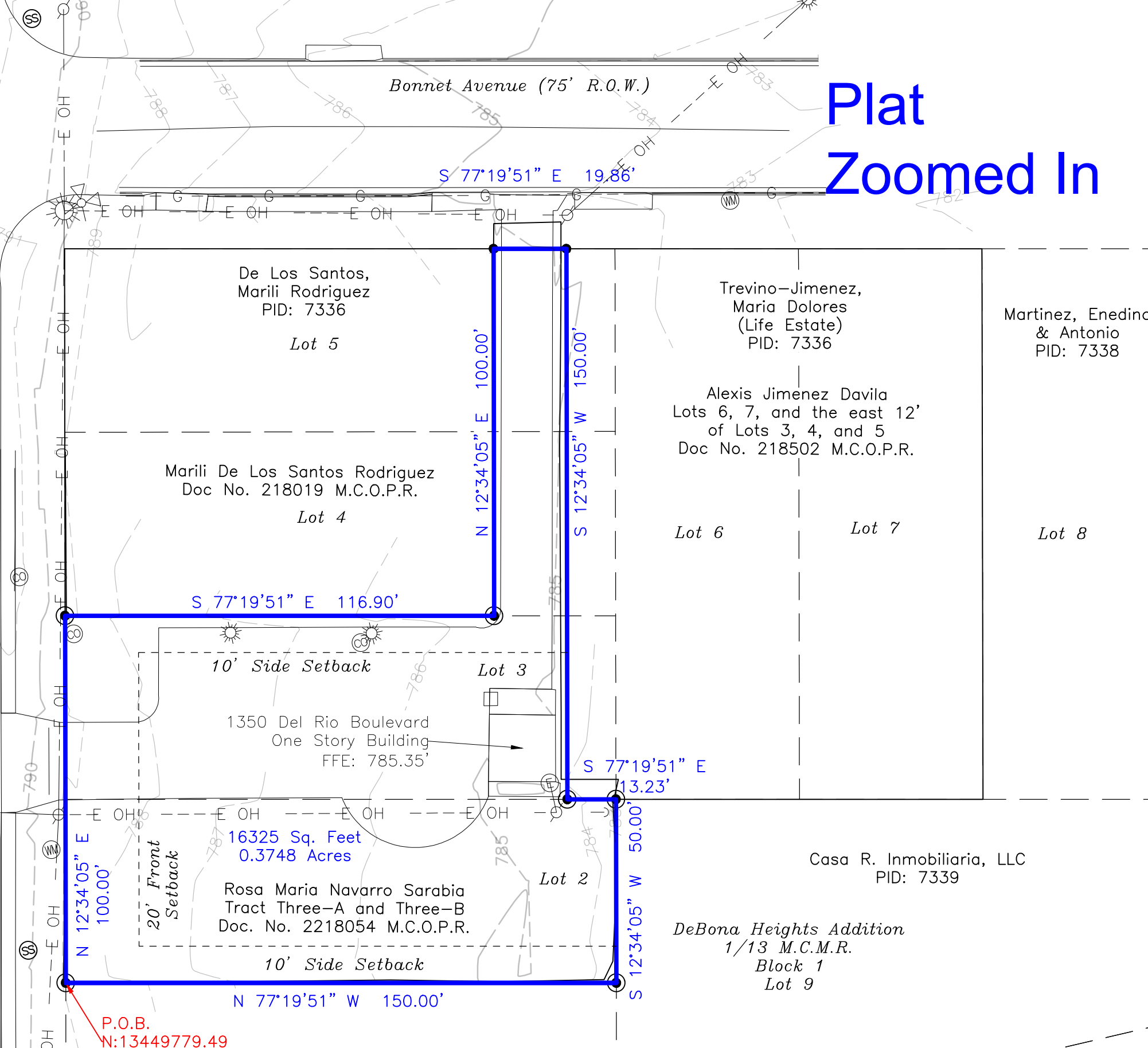
SHEET

1  
OF 1 SHEETS

DES'D : KRD  
DRAWN : KRD  
APP'VD : KRD  
DATE : 12-06-2022



# Plat Zoomed In





## **Attachment 2**

Engineer Report  
Fire Flow Test Copy

# 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](mailto:kendirksen@sbcglobal.net)

December 6, 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 of Lot 2, the west 138ft of Lot 3 and the east 20ft of the west 108ft of Lots 4 and 5, Block 1, Debona Heights Addition

To Whom It May Concern:

## Introduction:

Plat Amendment of Lot 2, the west 138ft of Lot 3 and the east 20ft of the west 108ft of Lots 4 and 5, Block 1, Debona Heights Addition is located at 1350 Del Rio Boulevard. The Maverick CAD Tax ID Numbers 56469 and 7335.



RECEIVED  
14820 VB



**Development**

De Bona Heights was platted in 1930. The current property was sold by aliquot description in 1985. This plat amendment will officially plat the boundaries that were created by aliquot description.

**Street Development**

The lot has frontage on Del Rio Highway and Bonnet Ave. Both streets are developed with pavement, curb & gutter and sidewalk. No additional development is needed.

**Water Development**

Water service is provided by Eagle Pass Water Works on both Del Rio Highway and Bonnet Avenue. Water service is existing to the lot, no new water service is required.

Fire protection is provided by a fire hydrant located at the intersection of Del Rio Highway and Bonnet Ave. The pressure and flow at this fire hydrant was tested and is attached to this report. This development is not adding a new lot and so is not increasing the demand for fire protection.

**Sanitary Sewer Facilities**

Sanitary sewer is provided along Del Rio Highway. Sanitary sewer service is existing. A 30 year waste water agreement is not needed.

**Drainage Development**

The soil is Copita clay loam. 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 plain panel are attached to this report.

Drainage from this site is eastward across the lot. The intended land use is residential. This re-subdivision will be developed by constructing a residential structures on both lots. Runoff increase from pre-development conditions to developed is 0.8 cfs to 2.7 cfs in the 100 year storm. This increase is small and no additional development of storm water detention is required.

Hydraulic Calculations for the plat amendment 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 Del Rio Highway and Bonnet Avenue.

**Gas Service**

No gas service is required for this plat amendment.

**Construction Cost**

No public utilities will be constructed for this project.

Your review of this plat amendment 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.



# WATER FLOW TEST REPORT

HYDRANT # \_\_\_\_\_  
LOCATION: Bonnet & Del Rio Blvd.  
DATE 12/1/22  
TEST BY: Martin Aguilar

## DATA

### FLOW HYDRANT(S)

|                | Hydrant # 1 | Hydrant # 2 | Hydrant # 3 |
|----------------|-------------|-------------|-------------|
| SIZE OPENING:  | 2.5         |             |             |
| COEFFICIENT:   | 0.9         |             |             |
| PITOT READING: | 28          |             |             |
| GPM:           | 888         | 0           |             |

TOTAL FLOW DURING TEST: 888 GPM

STATIC READING: 30 PSI

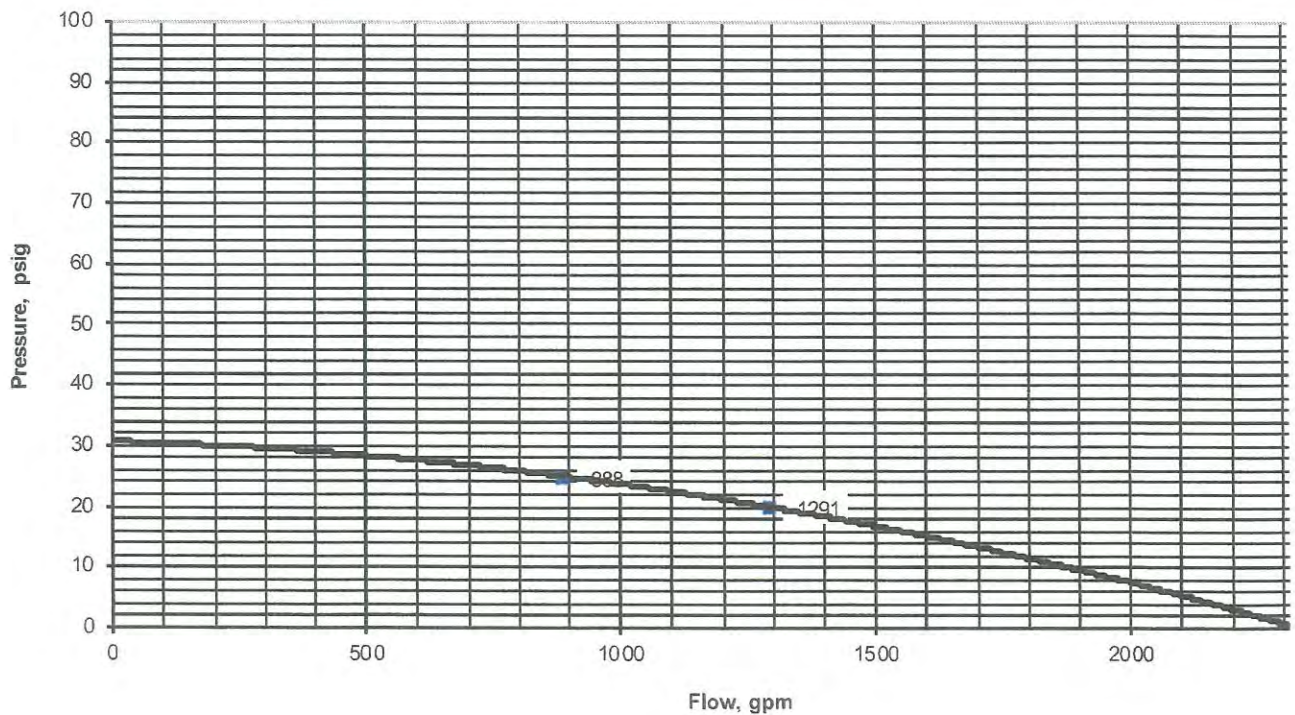
RESIDUAL: 25 PSI

RESULTS: AT 20 PSI RESIDUAL 1291 GPM

AT 0 PSI 2336

REMARKS: Normal pressure at this location Per Mr. Molina

Witness: Juan Molina- EPWW



**Attachment 3**  
**Mater Plan and Zoning Map**

The map shows the intersection of Bonnet Ave. and Fifth St. The proposed station site is highlighted in yellow and labeled 'H.P.' (Heavy Platform). The map also shows the existing station area and the proposed extension of the line. The map includes labels for 'BLVD.', 'SWELL', 'FIFTH ST.', and 'BONNET AVE.'.

**Item #3**





**Planning Department Executive Summary**  
**REPORT TO THE PLANNING AND ZONING COMMISSION**  
**Master Plan of Santa Maria Estates Subdivision**

## **I. BACKGROUND**

### **A. General Information**

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

**Property Owner:** MVN Enterprises, LLC I Eagle Pass, Texas 78852

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

### **B. Vicinity Data**

The site is located south of the Latigo Apartments and Legacy Villas off Legacy Boulevard, and north of 57 Heights Subdivision.

### **C. Infrastructure**

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

Access to the site is provided by Legacy Boulevard and Spur 16, also known as the Extension of Second Street. This phase will also connect to Calle De Los Santos located in the 57 Heights Subdivision.

## **II. RECOMMENDED FINDINGS OF FACT**

### **A. Conclusions**

1. The applicant's request contains sufficient information for consideration by the Planning and Zoning Commission. Information contained in this report and the Commission's public meeting will be used as part of the City Council's deliberation process for preliminary approval of the subdivision.
2. The subdivision is consistent or will be consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV in Eagle Pass Code of Ordinances Chapter 23*:
  - ✓ *Section 23-61* governing streets and two points of vehicular access for ingress and egress to the subdivision
  - ✓ *Section 23-62* governing alleys and easements
  - ✓ *Section 23-63* specific use easements
  - ✓ *Section 23-64* governing sidewalks
  - ✓ *Section 23-66* governing sanitary sewage disposal system
  - ✓ *Section 23-67* governing potable water supply and fire flow
  - ✓ *Section 23-68* governing storm drainage
  - ✓ *Section 23-69* governing the size, width, depth, shape and orientation of lots, and the minimum building setback lines
  - ✓ *Section 23-71* governing the installation and inspection of utility lines
  - ✓ *Sec. 23-94* governing fences for all new subdivisions

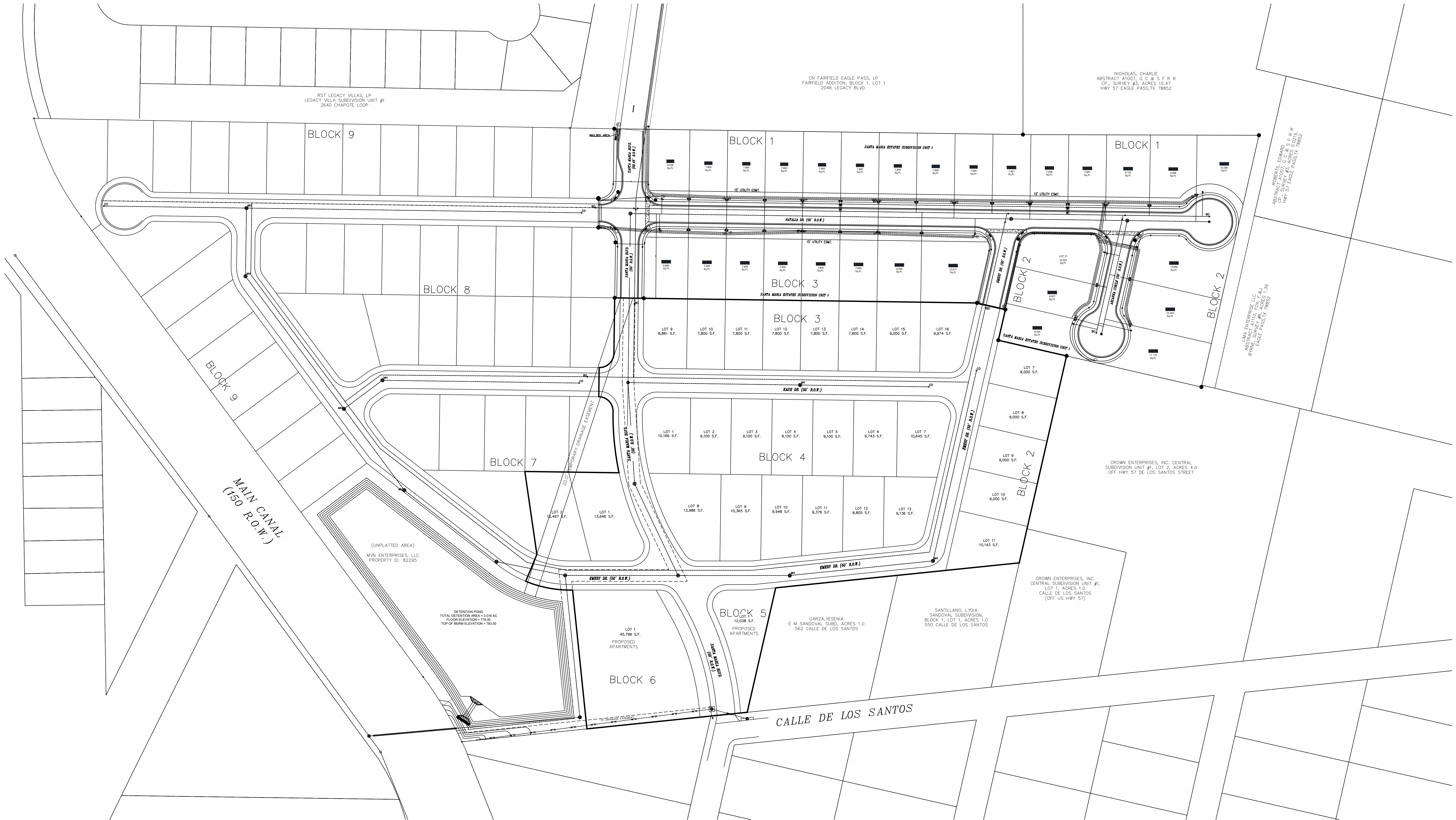
Engineering Report for the subdivision is enclosed.

3. 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.
4. 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* and the *R-3(A) Apartment 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* and the *R-3(A) Apartment 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 the *R-3(A) Apartment 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* and the *R-3(A) Apartment 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.

5. The approval of this Master Plan request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 4 of this report.

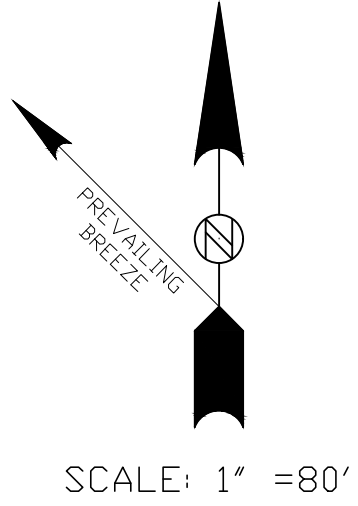
**B. Planning Department Recommendation**

The Planning and Zoning Commission **GRANT** the Master Plan for Santa Maria Estates Subdivision subject to plan to comply with the provisions of *City of Eagle Pass Code of Ordinances Chapter 23 Section 23-13.1* governing subdivision plat submittal requirements.





PRELIMINARY MASTER PLAN  
SANTA MARIA ESTATES SUBDIVISION  
32.70 ACRES



UNIT 3  
26 RESIDENTIAL LOTS  
TOTAL ACREAGE: 6.49

UNIT 1  
29 RESIDENTIAL LOTS  
TOTAL ACREAGE: 7.92

UNIT 4  
24 RESIDENTIAL LOTS  
TOTAL ACREAGE: 10.07

UNIT 2  
28 RESIDENTIAL LOTS  
TOTAL ACREAGE: 8.22

| MASTER PLAN SUMMARY TABLE |                           |         |               |
|---------------------------|---------------------------|---------|---------------|
| UNIT                      | # LOTS                    | ACREAGE | AVG. LOT SIZE |
| 1                         | 29                        | 5.93    | 8,909 Sq. Ft. |
| 2                         | 28                        | 5.87    | 9,128 Sq. Ft. |
| 3                         | 26                        | 4.95    | 8,301 Sq. Ft. |
| 4                         | 24                        | 5.40    | 9,803 Sq. Ft. |
| EASEMENT AREA             |                           | 0.48    |               |
| DETENTION AREA            |                           | 2.67    |               |
| TOTAL R.O.W.              |                           | 7.40    |               |
| TOTAL                     | 107                       | 32.70   |               |
| LOT DENSITY               | 107/32.70= 3.27 LOTS/ACRE |         |               |

PARKLAND DEDICATION REQUIREMENTS IF CONSIDERED BY DEVELOPER

PARKLAND FORMULA (ACRES) =  $8 \times \text{LOTS} \times 3.6 / 1000$

PARKLAND FEE IF NOT GIVING LAND = \$1,150/LOT

1st Unit: DEVELOPER WILL PAY THE REQUIRED PARKLAND FEE/LOT FOR 29 LOTS

PARKLAND REQUIRED FOR REMAINING UNITS:  $8 \times 78 \times 3.6 / 1000 = 2.25$  ACRES

PARKLAND OPTIONS FOR REMAINING UNITS:

- GIVE 2.25 ACRES TO THE CITY FOR PARKLAND
- PAY \$1,150/LOT=\$1,150 x 78 = \$89,700 IN LIEU OF CITY PARKLAND

PRELIMINARY  
—FOR REVIEW ONLY—

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND NOT INTENDED FOR CONSTRUCTION, BIDDING, OR PERMIT PURPOSE. THEY ARE PREPARED BY, OR UNDER THE SUPERVISION OF: TERRA TECH ENGINEERING AND CONSTRUCTION SERVICES

- NOTES:
- The Detention Pond will be Platted with the last Subdivision Unit.
  - All Units of lots to be developed have to have at least 5 acres of total land.
  - The area of this Subdivision lies inside the limits of the City of Eagle Pass, Texas.
  - No portion of the property shown hereon is within Zone AE, Special Flood Hazard Area as shown on Flood Insurance Rate Map No. 48323C0453D, 48323C0455D dated April 4, 2011 for Maverick County, Texas and Incorporated Areas.
  - All easements shall be kept clear of fences, building, plantings and other obstructions.
  - Verify all underground utility service lines as required.
  - Zoning will be (R-2) Residential: Second One-Family Dwelling District.
  - The Developer will decide whether to pay or donate for Parkland as the Units get developed.

| LEGEND |                            |
|--------|----------------------------|
|        | SET 1/2" IRON ROD          |
|        | FOUND 1/2" IRON ROD        |
|        | PROPOSED LUMINAIRE         |
|        | PROPOSED MANHOLE           |
|        | PROPOSED SEWER CLEANOUT    |
|        | PROPOSED BLOW-OFF ASSEMBLY |
|        | PROPOSED FIRE HYDRANT      |
|        | PROPOSED STOP SIGN         |
|        | PROPOSED YIELD SIGN        |
|        | PROPOSED WATER LINE        |
|        | PROPOSED SEWER LINE        |
|        | PROPOSED GAS LINE          |
|        | BOUNDARY LINES             |
|        | BUILDING SETBACK           |
|        | CONTOUR LINES              |
|        | EASEMENT                   |
|        | UNIT DIVISION              |

| CURVE TABLE |         |             |            |
|-------------|---------|-------------|------------|
| CURVE       | RADIUS  | DELTA ANGLE | ARC LENGTH |
| C1          | 25.00'  | 90°00'00"   | 39.27'     |
| C2          | 25.00'  | 90°12'36"   | 39.36'     |
| C3          | 25.00'  | 89°47'24"   | 39.18'     |
| C4          | 25.00'  | 90°00'00"   | 39.27'     |
| C5          | 15.50'  | 51°48'23"   | 14.01'     |
| C6          | 50.00'  | 24°20'39"   | 21.24'     |
| C7          | 50.00'  | 129°10'23"  | 112.72'    |
| C8          | 50.00'  | 129°25'12"  | 112.84'    |
| C9          | 15.50'  | 51°48'23"   | 14.01'     |
| C10         | 25.00'  | 77°57'05"   | 34.01'     |
| C11         | 15.50'  | 51°48'23"   | 14.01'     |
| C12         | 30.00'  | 15°24'32"   | 13.45'     |
| C13         | 30.00'  | 126°23'31"  | 110.30'    |
| C14         | 30.00'  | 113°28'36"  | 99.03'     |
| C15         | 50.00'  | 28°06'36"   | 24.53'     |
| C16         | 15.50'  | 51°48'23"   | 14.01'     |
| C17         | 25.00'  | 102°02'50"  | 44.53'     |
| C18         | 25.00'  | 77°56'00"   | 34.00'     |
| C19         | 25.00'  | 102°04'00"  | 44.53'     |
| C20         | 25.00'  | 77°56'00"   | 34.00'     |
| C21         | 25.00'  | 90°00'00"   | 39.27'     |
| C22         | 25.00'  | 90°12'36"   | 39.36'     |
| C23         | 25.00'  | 89°47'24"   | 39.18'     |
| C24         | 25.00'  | 89°59'59"   | 39.27'     |
| C25         | 25.00'  | 102°04'00"  | 44.53'     |
| C26         | 150.00' | 64°01'31"   | 167.61'    |
| C27         | 150.00' | 77°57'05"   | 18.99'     |
| C28         | 100.00' | 53°03'36"   | 10.20'     |
| C29         | 25.00'  | 60°55'14"   | 26.58'     |
| C30         | 425.00' | 15°53'49"   | 117.92'    |
| C31         | 425.00' | 11°59'51"   | 103.83'    |
| C32         | 475.00' | 12°30'24"   | 103.68'    |
| C33         | 475.00' | 14°43'24"   | 122.06'    |
| C34         | 25.00'  | 116°24'55"  | 50.80'     |
| C35         | 150.00' | 37°49'21"   | 99.02'     |
| C36         | 100.00' | 15°55'05"   | 27.20'     |
| C37         | 25.00'  | 127°37'03"  | 35.68'     |
| C38         | 25.00'  | 52°22'57"   | 22.86'     |
| C39         | 25.00'  | 127°37'03"  | 35.68'     |
| C40         | 15.50'  | 51°52'22"   | 14.03'     |
| C41         | 50.00'  | 74°54'28"   | 65.37'     |
| C42         | 477.91' | 20°55'36"   | 174.59'    |
| C43         | 497.91' | 21°38'55"   | 187.84'    |
| C44         | 50.00'  | 104°28'54"  | 91.15'     |
| C45         | 50.00'  | 0°16'07"    | 0.23'      |
| C46         | 50.00'  | 103°59'17"  | 90.75'     |
| C47         | 15.50'  | 51°44'24"   | 14.00'     |
| C48         | 25.00'  | 52°22'57"   | 22.86'     |
| C49         | 150.00' | 8°58'38"    | 23.50'     |
| C50         | 150.00' | 6°36'27"    | 17.30'     |
| C51         | 200.00' | 37°49'21"   | 132.03'    |
| C52         | 25.00'  | 60°55'14"   | 26.58'     |
| C53         | 425.00' | 35°41'7"    | 28.96'     |
| C54         | 425.00' | 8°40'23"    | 71.75'     |
| C55         | 425.00' | 9°24'04"    | 69.73'     |
| C56         | 425.00' | 2°41'33"    | 18.97'     |
| C57         | 647.96' | 11°28'23"   | 128.75'    |
| C58         | 475.00' | 21°56'21"   | 181.88'    |
| C59         | 25.00'  | 115°37'40"  | 50.45'     |
| C60         | 150.00' | 53°03'36"   | 13.30'     |
| C61         | 200.00' | 65°57'40"   | 230.25'    |
| C62         | 238.07' | 0°00'02"    | 0.00'      |

PRELIMINARY MASTER PLAN  
SANTA MARIA ESTATES SUBDIVISION  
32.70 ACRES  
EAGLE PASS, TEXAS, MAVERICK COUNTY

TERRATECH ENGINEERING  
AND CONSTRUCTION SERVICES  
3292 El Indio Hwy, Eagle Pass, Texas,  
(830)-773-0579  
ajl@terratechengineering.com  
FIRM #14118  
www.terratechengineering.com



PROPERTY OWNER:  
MVN Enterprises, LLC  
Eagle Pass, TX 78852

JOB: 0137-18  
DESIGNED: AJL  
DRAWN: AJL  
CHECKED: JAL, JFC

SCALE: 1" = 80'  
APRIL 28, 2020



**Item #4**



## Planning Department Executive Summary Report TO THE PLANNING AND ZONING COMMISSION

### Preliminary Plat Approval of the Santa Maria Estates Subdivision Unit 2

#### I. BACKGROUND

##### A. General Information

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

**Property Owner:** MVN Enterprises, LLC I Eagle Pass, Texas 78852

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

**Property ID Number:** 82295 and 82296

**Legal Description:** Being a 10.26 acre tract of land out of a 32.884 tract of land conveyed to MVN Enterprises, LLC, recorded in Volume 1664, Page 158-163, deed records, Maverick County, Texas, situated in Survey 3, G. C. & S. F. R. R. CO, Abstract 1007, and Survey 6, Fox & Bryne, Abstract 1110

**Request:** preliminary plat approval to subdivide an approximately 10.26-acre tract into 28 residential lots and 2 multi-family lots and allow the developer to install improvements.

##### B. Subject Property Information

**Topography:** The highest point on this property is near the northeastern portion of the subject property. Runoff from proposed subdivision naturally drains towards the Southwestern portion of the property where it is captured by an existing detention pond that was sized for all proposed future developed units (total of 32 plus acres) and was constructed during the first unit.

**Vegetation:** Native light brush

**Existing Use:** Vacant and undeveloped

**Current Zoning:** R-2 Second One-Family Dwelling District

**Proposed Zoning:** Lot 1 in Block 5 and Lot 1 in Block 6 will be petitioned to be rezoned from R-2 Second One-Family Dwelling District to R-3(A) Apartment District.

**Master Plan:** None

##### 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, gas, and garbage service.

Access to the site is provided by Legacy Boulevard and Spur 16, also known as the Extension of Second Street. This phase will also connect to Calle De Los Santos located in the 57 Heights Subdivision.

## 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 Commission's deliberation process for preliminary approval of the subdivision. Please refer to Attachment 1.
2. The site is located within the boundary of the *City of Eagle Pass Master Plan Map*. Please refer to Attachment 3 for a copy of the *Master Plan Map*. The *City of Eagle Pass Master Plan* emphasizes the importance of maintaining the character of the City's residential and commercial neighborhoods.
  - ✓ 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* and *R-3(A) Apartment 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 an existing detention pond constructed in the development of unit 1.
3. The subdivision design is consistent with the residential purpose of the *R-2 Second One-Family Dwelling District* and *R-3(A) Apartment District*.
4. The subdivision is consistent with City design and specifications, as the subsequent development of the site will be required to conform to the following sections of *Article IV in Eagle Pass Code of Ordinances Chapter 23*:
  - ✓ *Section 23-61* governing street layout, right-of-way and pavement width, street names, streetlights, and road construction testing, two points of access
  - ✓ *Section 23-62* governing alleys and utility easements



- ✓ *Section 23-64* governing sidewalks
- ✓ *Section 23-65* governing cross-walkways
- ✓ *Section 23-66* governing sanitary sewage disposal system
- ✓ *Section 23-67* governing potable water supply and fire flow
- ✓ *Section 23-68* governing storm drainage
- ✓ *Section 23-69* governing the size of building lots, including lot width, lot depth, lot orientation, building setback areas, and lot grading.
- ✓ *Section 23-71* governing the installation and inspection of utility lines.
- ✓ *Section 23-94* governing fences

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

5. 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*.
6. The subdivision is subject to cash contribution in lieu of land dedication. The rate shall be set at a rate of \$1,150.00 per dwelling unit for single family, \$750.00 per dwelling unit for multi-family.
7. The subdivision of the property is in conformance with the provisions of the *Master Plan* and the *Eagle Pass Code of Ordinances* by facilitating the following benefits:
  - Protect private rights while considering public health, safety, and welfare.
  - Provide efficient and economical ways to move people and goods outside the City by an adequate plan for streets and highways.
  - Guide future development in an orderly manner, by stages according to a pattern, so that the City may have balanced land use.
  - Encourage a diversified economic base and encourage public and private investments in land and improvements.
  - Prevent and eliminate blight and slums, making the City attractive to people, commerce, and industry.
  - Create the desire for a more pleasing appearance of the City and incorporate into its physical development the basic principles of good design.
  - Protect and preserve the identity of each neighborhood through use of the guidance provided by the *Master Plan* and the *Code of Ordinances*.
  - Locate all land uses on land best suited for their needs, arranged in such a way as to be mutually beneficial and functional, with ample area to meet long-term needs.

- Establish a proper relationship between open space, developed areas, building bulk, light and air space, in all future development programs of land use.
  - Encourage and abet the development of civic, cultural, and other public and quasi-public buildings in harmonious and functional groupings.
8. 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* and *R-3(A) Apartment 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* and the *R-3(A) Apartment 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 the *R-3(A) Apartment 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* and the *R-3(A) Apartment District*.
  - E. The subdivision will benefit the City as a whole and will not be detrimental to nearby land uses of a similar nature.
  - F. The subsequent development will be designed and conditioned to comply with all applicable subdivision criteria and standards of the City of Eagle Pass.

Please refer to Attachment 3 for a copy of the *Zoning Map*.

9. The approval of this preliminary plat request is warranted, as the project conforms to the *City of Eagle Pass Master Plan* and the *City of Eagle Pass Code of Ordinances* as noted in Conclusion 1 through and including Conclusion 8 of this report.

**B. Planning Department Recommendation**

The Planning and Zoning Commission recommends that the City Council **GRANT** preliminary plat approval of the *Santa Maria Estates Subdivision Unit 2* subject to the final plat complying with the provisions of *Article III* of *City of Eagle Pass Code of Ordinances Chapter 23* governing procedures and specifications for final plats.

**TRANSMITTED** to the parties listed hereafter:

TEC Services via e-mail  
 Planning and Zoning Commission via e-mail  
 Eagle Pass Planning Department Report dated May 17, 2023

## **Attachment 1**

### **Application**



## PLANNING DEPARTMENT

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

### SUBDIVISION APPLICATION

TYPE OF SUBDIVISION (check one):

☒ Preliminary

☐ Final

☐ Replat

☐ Amendment ☐ Short Form Final

Property Legal Description: Being a 10.26 acre Tract of land out of a 32.884 acre tract...recorded in Vol. 1664, Page 158-163, D.R.M.C.

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

Name of Addition: Santa Maria Estates Subdivision Unit 2

Location of Addition: Off Legacy Blvd./ Santa Maria Blvd.

Number of Residential Lots: 28 Number of Commercial Lots: 2 Gross Acreage: 10.26

Number of New Street Intersections: 3 Linear feet of Streets: 2,567

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

Existing Land Use: Vacant Proposed Land Use: Residential

Requested Variances: None at this time.

#### PROPERTY OWNER:

Name: Santa Maria Subdivision, LLC

Address: 2205 Zacatecas

City: Eagle Pass

State: TX Zip: 78852

Signature: [Signature]

Contact: Morris Libson

Phone: 830-968-6268

Fax: N/A

E-mail: morrislj@sbcglobal.net

Date: 4/13/23

#### PROPERTY OWNER:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

Signature: \_\_\_\_\_

Contact: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date: \_\_\_\_\_

#### APPLICANT/SUBDIVIDER:



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

Contact: Aaron J. Libson  
Phone: 830-773-0579  
Fax: 830-773-7312  
E-mail: ajlibson@terratechengineering.com  
Date: 4/13/23

**SURVEYOR:**

Name: J.J. Ruiz  
Address: 3292 El Indio Hwy  
City: Eagle Pass  
State: TX Zip: 78852  
Signature: 

Contact: Aaron J. Libson  
Phone: 830-773-0579  
Fax: 830-773-7312  
E-mail: ajlibson@terratechengineering.com  
Date: 4/13/23

**ENGINEER:**

Name: Aaron J. Libson  
Address: 3292 El Indio Hwy  
City: Eagle Pass  
State: TX Zip: 78852  
Signature: 

Contact: Aaron J. Libson  
Phone: 830-773-0579  
Fax: 830-773-7312  
E-mail: ajlibson@terratechengineering.com  
Date: 4/13/23

**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

4/13/23  
Date

**STATEMENT OF OWNER/SUBDIVIDER**

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

  
Owner / Subdivider Signature

4/13/23  
Date

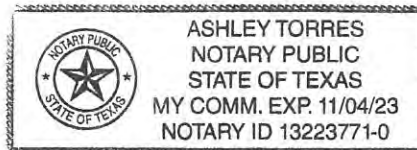
STATE OF TEXAS §

COUNTY OF MAVERICK §

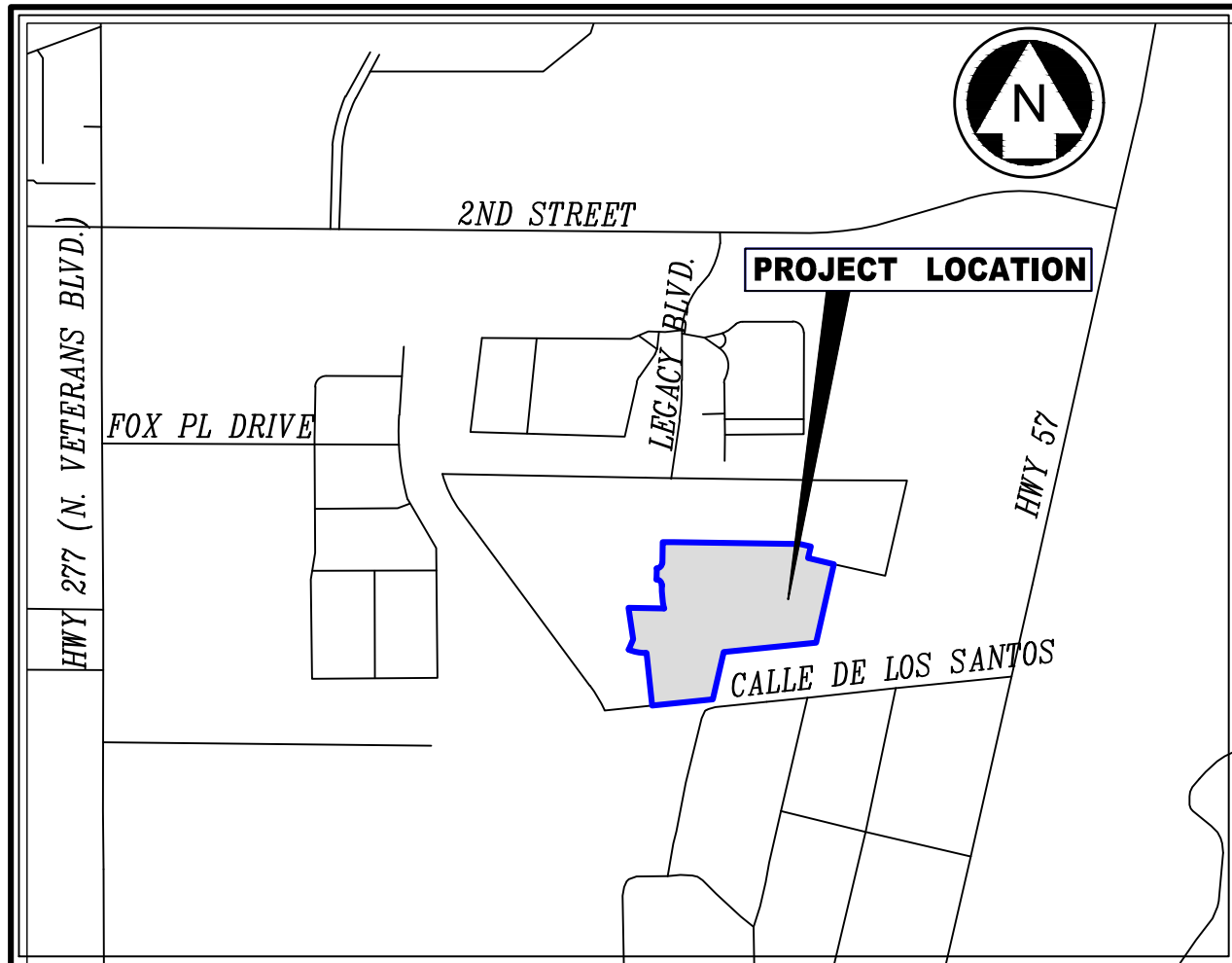
Before me, the undersigned authority, a notary public for the State of Texas, on this day personally appeared MORRIS LIBSON (Name), PROPERTY OWNER (Title), known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that he executed the same for the purpose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

Given under my hand and seal of office, this the 13th day of April, 2023.

  
Notary Public, State of Texas







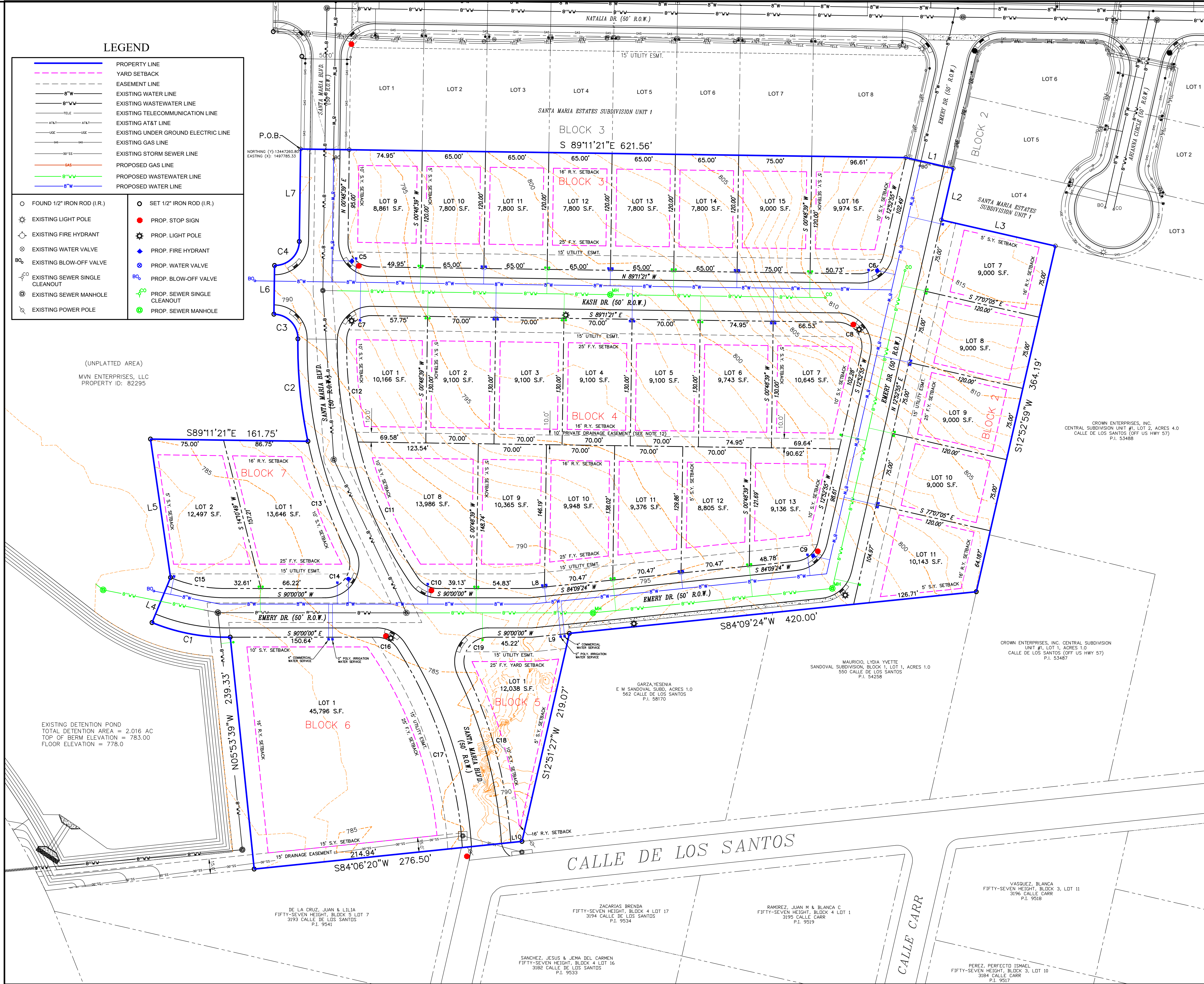
| Line # | Length  | Bearing       |
|--------|---------|---------------|
| L1     | 50.00'  | S 77°02'02" E |
| L2     | 54.30'  | S 1°52'05" W  |
| L3     | 120.00' | S 77°02'02" E |
| L4     | 50.00'  | N 22°22'43" E |
| L5     | 143.68' | N 08°45'56" W |
| L6     | 50.00'  | N 00°46'54" E |
| L7     | 95.00'  | N 00°48'39" E |
| L8     | 15.28'  | S 84°09'24" W |
| L9     | 38.41'  | N 84°09'24" E |
| L10    | 11.52'  | S 84°06'20" W |

| Curve # | Length  | Radius  | Chord Bearing | Chord Distance |
|---------|---------|---------|---------------|----------------|
| C1      | 82.30'  | 200.38' | N 79°23'16" W | 81.13'         |
| C2      | 105.91' | 475.00' | N 05°24'21" W | 105.69'        |
| C3      | 39.28'  | 25.00'  | N 44°16'04" W | 35.36'         |
| C4      | 39.27'  | 25.00'  | N 45°48'39" E | 35.36'         |
| C5      | 39.27'  | 25.00'  | N 44°11'21" W | 35.36'         |
| C6      | 34.00'  | 25.00'  | S 51°50'47" W | 31.44'         |
| C7      | 39.24'  | 25.00'  | N 45°50'34" E | 35.34'         |
| C8      | 44.54'  | 25.00'  | S 38°09'13" S | 38.88'         |
| C9      | 31.10'  | 25.00'  | S 48°31'09" W | 29.13'         |
| C10     | 24.36'  | 25.00'  | N 62°04'56" W | 23.41'         |
| C11     | 153.34' | 425.00' | S 2°49'42" E  | 152.51'        |
| C12     | 106.13' | 425.00' | N 06°20'19" W | 105.83'        |
| C13     | 122.17' | 475.00' | S 19°19'40" E | 121.83'        |
| C14     | 50.92'  | 25.00'  | S 31°39'07" W | 42.56'         |
| C15     | 61.77'  | 150.36' | N 79°23'18" W | 61.33'         |
| C16     | 25.00'  | 25.00'  | S 61°21'51" E | 23.96'         |
| C17     | 217.50' | 425.00' | S 18°04'06" E | 215.12'        |
| C18     | 182.03' | 475.00' | N 14°38'57" W | 180.92'        |
| C19     | 50.45'  | 25.00'  | N 32°11'10" E | 42.32'         |

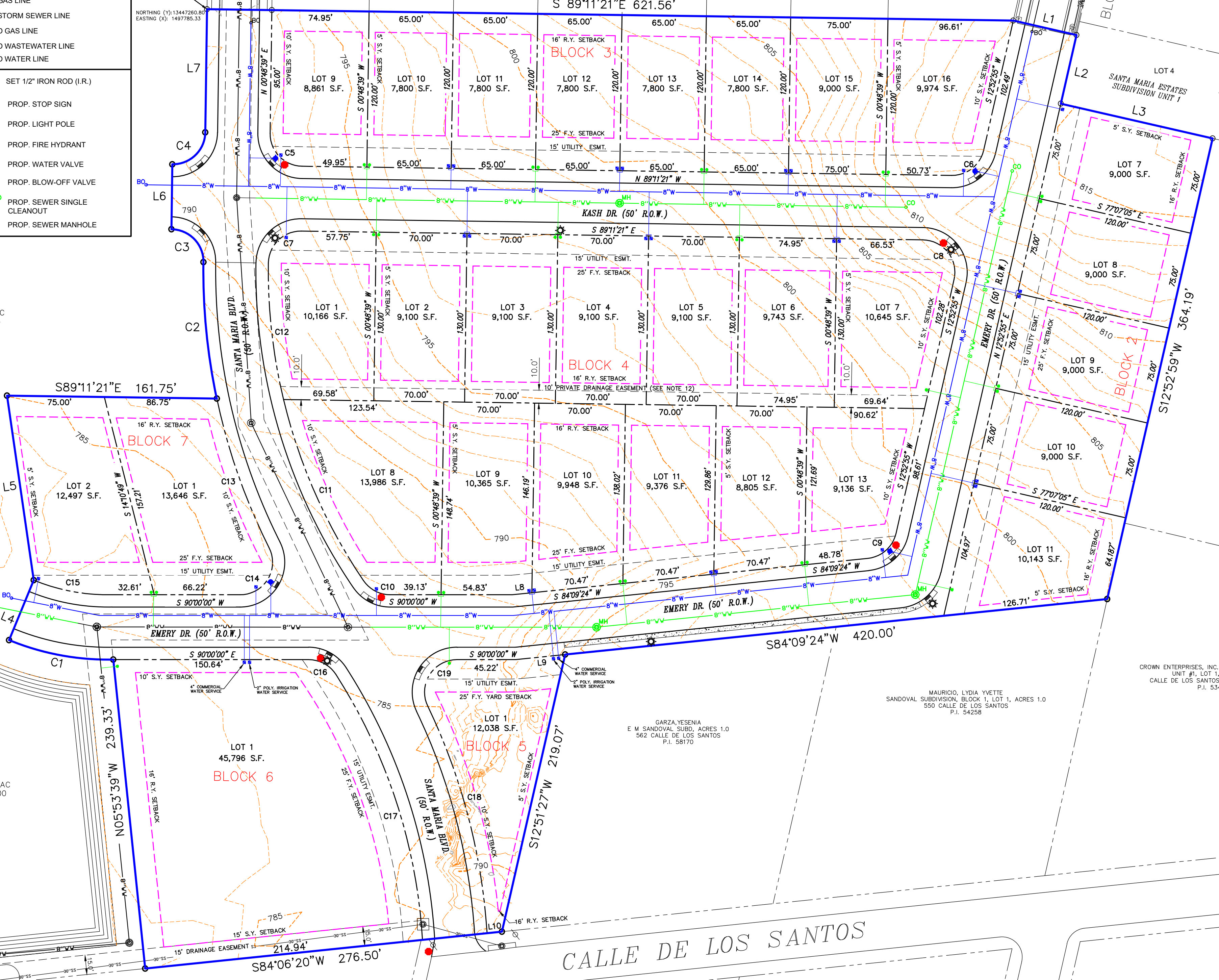
| LOT | BLOCK   | SQUARE FEET | ACRES | 911 PHYSICAL ADDRESS |
|-----|---------|-------------|-------|----------------------|
| 7   | BLOCK 2 | 9,000       | 0.207 | 1917 EMERY DR.       |
| 8   | BLOCK 2 | 9,000       | 0.207 | 1921 EMERY DR.       |
| 9   | BLOCK 2 | 9,000       | 0.207 | 1925 EMERY DR.       |
| 10  | BLOCK 2 | 9,000       | 0.207 | 1929 EMERY DR.       |
| 11  | BLOCK 2 | 10,143      | 0.233 | 1933 EMERY DR.       |
| 12  | BLOCK 2 | 8,860       | 0.203 | 2707 KASH DR.        |
| 13  | BLOCK 3 | 7,800       | 0.179 | 2709 KASH DR.        |
| 14  | BLOCK 3 | 7,800       | 0.179 | 2713 KASH DR.        |
| 15  | BLOCK 3 | 7,800       | 0.179 | 2717 KASH DR.        |
| 16  | BLOCK 3 | 7,800       | 0.179 | 2721 KASH DR.        |
| 17  | BLOCK 3 | 7,800       | 0.179 | 2725 KASH DR.        |
| 18  | BLOCK 3 | 9,000       | 0.207 | 2729 KASH DR.        |
| 19  | BLOCK 3 | 9,000       | 0.207 | 2733 KASH DR.        |
| 20  | BLOCK 3 | 9,000       | 0.207 | 2737 KASH DR.        |
| 21  | BLOCK 4 | 10,143      | 0.233 | 2708 KASH DR.        |
| 22  | BLOCK 4 | 9,100       | 0.209 | 2712 KASH DR.        |
| 23  | BLOCK 4 | 9,100       | 0.209 | 2716 KASH DR.        |
| 24  | BLOCK 4 | 9,100       | 0.209 | 2720 KASH DR.        |
| 25  | BLOCK 4 | 9,100       | 0.209 | 2724 KASH DR.        |
| 26  | BLOCK 4 | 9,743       | 0.224 | 2728 KASH DR.        |
| 27  | BLOCK 4 | 10,645      | 0.244 | 2732 KASH DR.        |
| 28  | BLOCK 4 | 13,986      | 0.321 | 1936 EMERY DR.       |
| 29  | BLOCK 4 | 10,365      | 0.238 | 1940 EMERY DR.       |
| 30  | BLOCK 4 | 9,948       | 0.228 | 1944 EMERY DR.       |
| 31  | BLOCK 4 | 9,376       | 0.215 | 1948 EMERY DR.       |
| 32  | BLOCK 4 | 8,805       | 0.202 | 1944 EMERY DR.       |
| 33  | BLOCK 4 | 9,136       | 0.210 | 1936 EMERY DR.       |
| 34  | BLOCK 5 | 12,038      | 0.276 | 1953 EMERY DR.       |
| 35  | BLOCK 6 | 45,796      | 1.051 | 1961 EMERY DR.       |
| 36  | BLOCK 7 | 13,646      | 0.313 | 1960 EMERY DR.       |
| 37  | BLOCK 7 | 12,496      | 0.287 | 1964 EMERY DR.       |

NOTES:

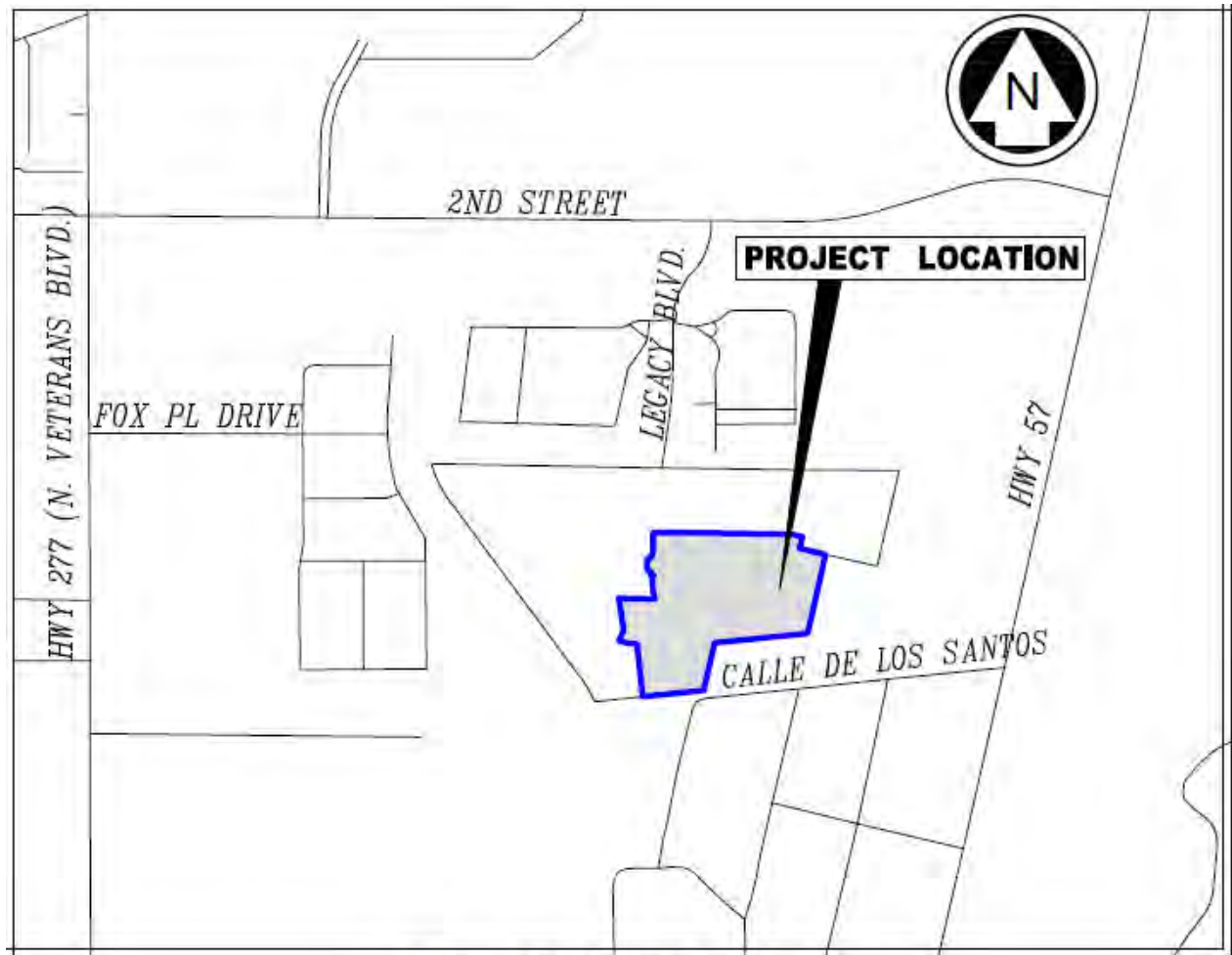
- THIS SUBDIVISION PLAT OF 10.26 ACRES HAS (28) TWENTY-EIGHT RESIDENTIAL SINGLE-FAMILY LOTS, (2) TWO MULTI-FAMILY LOTS, AND CONTAINS APPROXIMATELY 2,567 LINEAR FEET OF NEW STREETS.
- THE AREA OF THIS SUBDIVISION LIES INSIDE THE LIMITS OF THE CITY OF EAGLE PASS, TEXAS.
- NO PORTION OF THE PROPERTY SHOWN HEREON IS WITHIN ZONE A, SPECIAL FLOOD HAZARD AREA AS SHOWN ON THE FLOOD INSURANCE RATE MAP NO. 48323C04550, DATED APRIL 4, 2011 FOR MAVERICK COUNTY, TEXAS AND INCORPORATED AREAS.
- ALL LOTS WITHIN THIS SUBDIVISION SHALL BE CONVEYED LEGAL ACCESS TO ALL EASEMENTS, RIGHT-OF-WAYS, AND SUBDIVISION DETENTION FACILITIES.
- ALL EASEMENTS SHALL BE KEPT CLEAR OF FENCES, BUILDINGS, PLANTINGS, AND ANY OTHER OBSTRUCTIONS, UNLESS OTHERWISE NOTED ON PLAT SHEET.
- HOUSING CERTIFICATION-NO MORE THAN ONE (1) SINGLE-FAMILY DETACHED DWELLING SHALL BE LOCATED ON EACH LOT ZONED AS "R-2".
- VERIFY ALL UNDERGROUND UTILITY SERVICE LINES AS REQUIRED, PRIOR TO EXCAVATING.
- ALL LOTS IN BLOCKS 2,3,4, & 7 PART OF THIS SUBDIVISION PLAT WILL BE ZONED AS "R-2" SECOND ONE-FAMILY DWELLING DISTRICT. LOT 1 OF BLOCK 5 AND LOT 1 OF BLOCK 6 WILL BE ZONED AS "R-3(A)" APARTMENT DISTRICT.
- THE FRONT YARD (F.Y.) SETBACK IS 25 FEET FOR ALL LOTS.
- THE REAR YARD (R.Y.) SETBACK IS 16 FEET FOR ALL LOTS. THE SIDE YARD (S.Y.) SETBACK IS 5 FEET FOR ALL MIDDLE LOTS, AND 10 FEET FOR ALL CORNER LOTS, UNLESS OTHERWISE INDICATED ON PLAT SHEET.
- SET 1/2" I.R. AT ALL CORNERS EXCEPT INDICATED.
- PRIVATE DRAINAGE EASEMENT IS 10' WIDE MEASURED FROM REAR PROPERTY LINE AND IS INSIDE LOTS 1-7 OF BLOCK 4. PRIVATE DRAINAGE EASEMENT AREA MAY BE FENCED IN PROVIDED THAT A FENCE OPENING, AS WIDE AND AS DEEP AS DRAINAGE DITCH WITHIN EASEMENT AREA, IS LEFT OPEN AND UNOBSTRUCTED AT BOTTOM OF FENCE, ON BOTH OPPOSITE ENDS OF REAR LOT CORNERS, WHERE RUNOFF WILL PASS THROUGH.











## VICINITY MAP

SCALE: NTS

## **Attachment 2 Engineering Report**



To: Placido Madera

City of Eagle Pass Planning Director

From: Aaron J. Libson, P.E.

Date: April 12, 2023

Reference: Preliminary Engineering Report for Santa Maria Estates Subdivision Unit 2

Dear Mr. Madera,

Santa Maria Subdivision, LLC, owner of a tract of land legally described as 'Being a 10.26 Acre tract of land out a 32.70 acre tract...recorded in Vol. 1664, page 158-163, D.R.M.C.', in Eagle Pass, Maverick County, Texas, has requested the services of TerraTech Engineering and Construction Services, Inc. (TEC Services) to design and process a residential subdivision plat of the subject property.

### ***General Description***

The total plat area will be 10.26 acres and will be subdivided into (28) twenty-eight residential lots and (2) two multi-family lots. This subdivision is the 2<sup>nd</sup> Unit of the overall development and will be known as Santa Maria Estates Subdivision Unit 2. 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. The subject property is inside the Eagle Pass City Limits.

All Lots in Blocks 2,3,4, & 7 that are part of this Subdivision Plat will be zoned as R-2: Second one-family dwelling district. Lot 1 of Block 5 and Lot 1 of Block 6 will be zoned as R-3(A): Apartment District. Please see the Plat sheet for reference.

### ***Drainage***

#### ***General Drainage Description***

The proposed use of these lots are for residential purposes with no portion of this property being within a FEMA special flood hazard area as shown on flood insurance rate map NO. 48323C0455D, dated April 4, 2011. The highest point on this property is near the Northeastern portion of the subject property. (Refer to the topography on the attached Plat sheet). Runoff from the proposed subdivision naturally drains towards the Southwestern portion of the property where it is captured by an existing detention pond that was sized for all of the proposed future developed units (total of 32+ acres) and was constructed during the 1st unit development.



### Drainage Conditions

Drainage calculations shown below are for the area pertaining to the 2<sup>nd</sup> Unit development of Santa Maria Estates Subdivision Unit 2 of which an underground storm sewer system has been designed to convey runoff into the existing detention pond that was constructed in the Unit 1 development of Santa Maria Estates. The existing detention pond that was constructed during the 1<sup>st</sup> unit development was sized for the entirety of the property (32+ acres) with developed runoff conditions, of which the proposed 10.26 acre area of this 2<sup>nd</sup> unit are included. No detention pond calculations are shown in this report given the pond was approved by the City of Eagle Pass during the preliminary and final platting stages of the 1<sup>st</sup> unit development. The existing detention pond will remain private until the last phase of this area is developed, of which the pond will be included in the Plat area and become part of the City's public drainage infrastructure.

The hydraulic calculations were analyzed using the Rational Method ( $Q=CiA$ ). A summary of the hydraulic calculations used to size the proposed underground storm sewer system for this new development are shown below:

### Pre- Development Conditions

| STORM RUNOFF CALCULATIONS ( RATIONAL METHOD, Q=CIA) |                    |                    |                                             |                        |                        |                 |                        |                 |                        |                 |
|-----------------------------------------------------|--------------------|--------------------|---------------------------------------------|------------------------|------------------------|-----------------|------------------------|-----------------|------------------------|-----------------|
|                                                     |                    |                    |                                             |                        | 2-Year Design Storm    |                 | 5-Year Design Storm    |                 | 10-Year Design Storm   |                 |
| Drainage Area No.                                   | Drainage Area (sf) | Drainage Area (Ac) | Time of Concentration, T <sub>c</sub> (min) | *Runoff Coefficient, C | **Intensity, I (in/hr) | Runoff, Q (cfs) | **Intensity, I (in/hr) | Runoff, Q (cfs) | **Intensity, I (in/hr) | Runoff, Q (cfs) |
| PRE-DVLD                                            | 915,584            | 21.02              | 10.00                                       | 0.33                   | 5.11                   | 35.44           | 6.66                   | 46.20           | 8.03                   | 55.70           |

\*Reference Storm Drainage and Sediment Control Appendix, Tables 1 and 2

\*\*Reference NOAA Atlas 14, Volume 11, Version 2

### Post- Development Conditions

| STORM RUNOFF CALCULATIONS ( RATIONAL METHOD, Q=CIA) |                    |                    |                                             |                        |                        |                 |                        |                 |                        |                 |
|-----------------------------------------------------|--------------------|--------------------|---------------------------------------------|------------------------|------------------------|-----------------|------------------------|-----------------|------------------------|-----------------|
|                                                     |                    |                    |                                             |                        | 2-Year Design Storm    |                 | 5-Year Design Storm    |                 | 10-Year Design Storm   |                 |
| Drainage Area No.                                   | Drainage Area (sf) | Drainage Area (Ac) | Time of Concentration, T <sub>c</sub> (min) | *Runoff Coefficient, C | **Intensity, I (in/hr) | Runoff, Q (cfs) | **Intensity, I (in/hr) | Runoff, Q (cfs) | **Intensity, I (in/hr) | Runoff, Q (cfs) |
| A1                                                  | 183,763            | 4.22               | 10.00                                       | 0.60                   | 5.11                   | 12.93           | 6.66                   | 16.86           | 8.03                   | 20.33           |
| A2                                                  | 198,350            | 4.55               | 10.00                                       | 0.60                   | 5.11                   | 13.96           | 6.66                   | 18.20           | 8.03                   | 21.94           |
| A3                                                  | 3,398              | 0.08               | 10.00                                       | 0.60                   | 5.11                   | 0.24            | 6.66                   | 0.31            | 8.03                   | 0.38            |
| A4                                                  | 45,797             | 1.05               | 10.00                                       | 0.80                   | 5.11                   | 4.30            | 6.66                   | 5.60            | 8.03                   | 6.75            |
| A5                                                  | 11,046             | 0.25               | 10.00                                       | 0.60                   | 5.11                   | 0.78            | 6.66                   | 1.01            | 8.03                   | 1.22            |
| A6                                                  | 3,584              | 0.08               | 10.00                                       | 0.60                   | 5.11                   | 0.25            | 6.66                   | 0.33            | 8.03                   | 0.40            |
| E1                                                  | 15,133             | 0.35               | 10.00                                       | 0.60                   | 5.11                   | 1.07            | 6.66                   | 1.39            | 8.03                   | 1.67            |
| E2                                                  | 3,254              | 0.07               | 10.00                                       | 0.60                   | 5.11                   | 0.23            | 6.66                   | 0.30            | 8.03                   | 0.36            |

\*Reference Storm Drainage and Sediment Control Appendix, Tables 1 and 2

\*\*Reference NOAA Atlas 14, Volume 11, Version 2

Proposed Storm Sewer Conduit Table

| CONDUIT TABLE |          |           |             |            |           |               |               |           |             |             |               |        |          |
|---------------|----------|-----------|-------------|------------|-----------|---------------|---------------|-----------|-------------|-------------|---------------|--------|----------|
| LINE ID       | INLET ID | LINE SIZE | LINE LENGTH | LINE SLOPE | FLOW RATE | CAPACITY FULL | VELOCITY AVE. | INVERT UP | INVERT DOWN | RIM ELEV UP | RIM ELEV DOWN | HGL UP | HGL DOWN |
|               |          | (IN)      | (FT)        | (%)        | (CFS)     | (CFS)         | (FT/S)        | (FT)      | (FT)        | (FT)        | (FT)          | (FT)   | (FT)     |
| A1            | MH-1     | 30        | 50.19       | 0.74       | 25.70     | 38.93         | 5.24          | 778.37    | 778.00      | 783.64      | 783.00        | 782.11 | 781.95   |
| A2            | MH-2     | 30        | 189.35      | 0.76       | 25.70     | 38.54         | 5.24          | 779.81    | 778.37      | 785.64      | 783.64        | 783.16 | 782.52   |
| A3            | I-1      | 30        | 116.58      | 0.83       | 25.70     | 39.95         | 5.24          | 780.78    | 779.81      | 786.06      | 785.64        | 783.99 | 783.59   |
| A4            | I-2      | 24        | 27.50       | 1.02       | 12.85     | 24.72         | 4.09          | 781.56    | 781.28      | 786.06      | 786.06        | 784.70 | 784.63   |

**\*Please reference Sheet 16 of Plans for Storm Sewer Trajectory and Line Profiles showing Capacity**

*Drainage Conclusions and Recommendations*

The proposed underground storm sewer system was sized according to parameters specified in Division G of the Eagle Pass Public Works Specifications Manual pertaining to stormwater runoff. The proposed system and the existing detention pond have been verified and will be able to handle the developed runoff from the proposed development. Please refer to construction plans for location of drainage structures and/or any additional details.

***Street***

Access to this subdivision will be via existing Legacy Blvd and Calle De Los Santos (off 57 Heights Subdivision) once the road improvements part of this development are completed. Santa Maria Estates Subdivision, when fully developed in it's entirety (32+ acres) will now have (2) two points of ingress/egress that can be utilized and which complies with the City of Eagle Pass ordinance requirement and Master Plan Vision on promoting interconnectivity throughout the City and it's many developments. The proposed streets are to be asphalt pavement with 2' wide concrete curb and gutter as per city specifications or better. Approximately 2,567 linear feet of new streets will be created as part of Santa Maria Estates Subdivision Unit 2. A geotechnical report that was completed and submitted to the City during the 1<sup>st</sup> unit development is attached to the submittals for this project as a reference for the proposed street design. Please refer to construction plans for street trajectory and details.

Luminaries are proposed throughout the subdivision and spaced as per City ordinance requirements. Fire hydrants are also proposed and spaced throughout the proposed development as per City ordinance requirements. Please refer to construction plans for locations and details.

***Water Service***

The proposed development will be served from an existing 8" water main line that's located off the continuation of Santa Maria Estates Blvd., and was left for future continuation during the 1<sup>st</sup> unit development of Santa Maria Estates Unit 1. All water lines in this area are operated and owned by Eagle Pass Water Works System. Please refer to construction plans for location of all services, hydrants, valves, and main line trajectory.

***Sanitary Sewer Service***

The proposed development will be served by an existing 8" wastewater line that was left for future connection during the construction of Santa Maria Estates Unit 1. Please refer to the construction plans for details related to the proposed wastewater distribution system for the new unit, including location

of all proposed manholes and wastewater services. All wastewater main lines in this area are operated and owned by Eagle Pass Water Works System.

### ***Other Utilities***

This development will have access to other utilities such as electrical, internet/phone, and natural gas. The proposed lots will have access to all utilities as per the construction plans. Natural gas service will be provided by Texas State Natural Gas and electricity will be provided by AEP. Spectrum and/or AT&T will provide phone/internet utility services. All natural gas lines in this area are owned and operated by Texas State Natural Gas. All other proposed utilities are owned and operated by the specific utility company handling such services.

### ***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 present utilities given the existing infrastructure in place.

Should you have any additional questions concerning this report, please contact Aaron J. Libson, P.E. at (830)-773-0579 or [ajlibson@terratechengineering.com](mailto:ajlibson@terratechengineering.com)

Sincerely,

Aaron J. Libson, P.E.

TerraTech Engineering & Construction Services, Inc. (TEC Services)



04/12/2023

**Santa Maria Estates Subdivision Unit 2  
Development Cost Estimate**

**Summary**

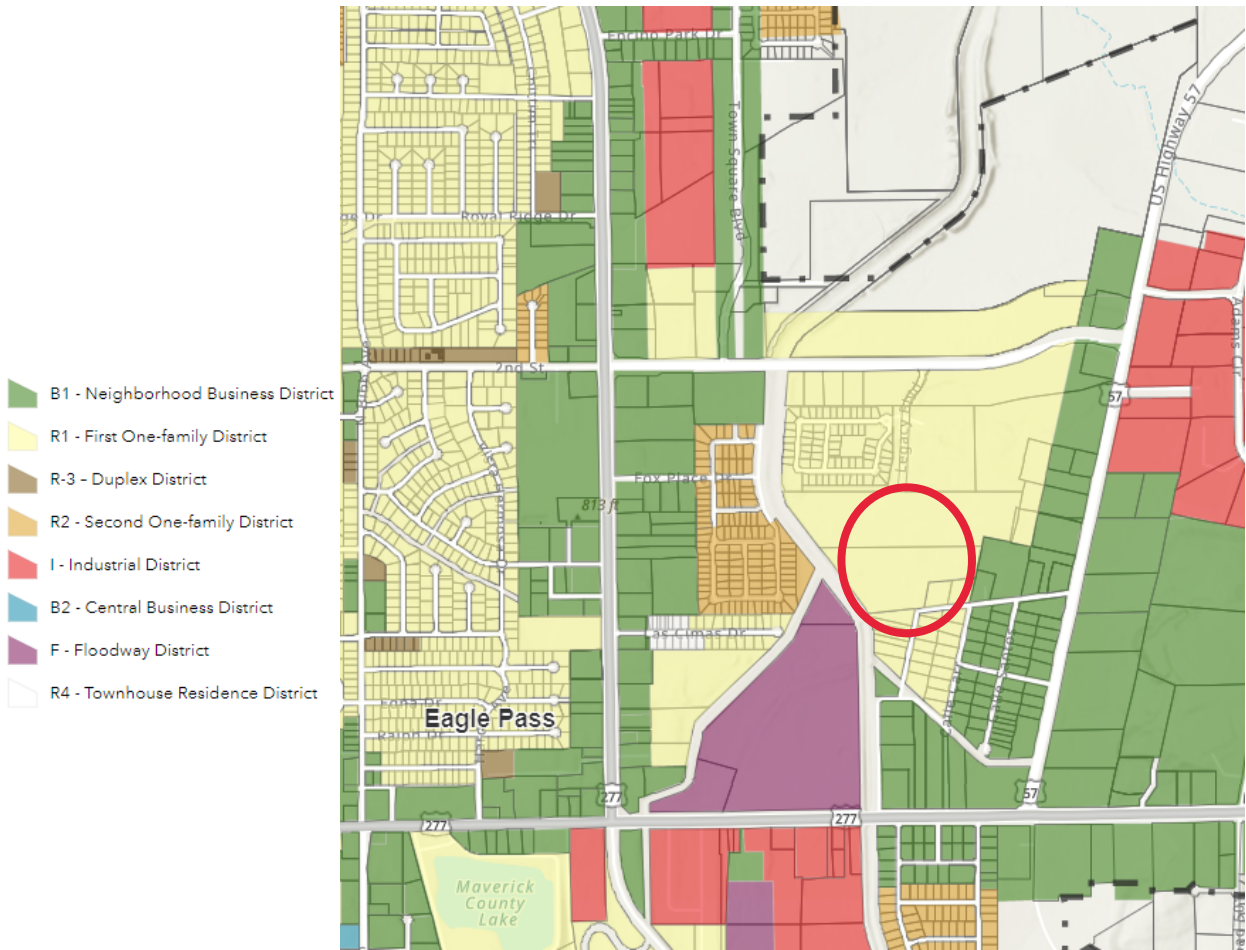
|                                        |                  |
|----------------------------------------|------------------|
| 1) Street ROW System...                | \$414,000        |
| 2) Water Distribution...               | \$192,000        |
| 3) Wastewater System...                | \$167,000        |
| 4) Underground Stormwater System...    | \$90,000         |
| 5) Electrical & Street Light System... | \$50,000         |
| <hr/>                                  |                  |
| <b>TOTAL:</b>                          | <b>\$913,000</b> |

**NOTE:** This is an Estimation; Prices may vary based on vendor, contractor, and market conditions.

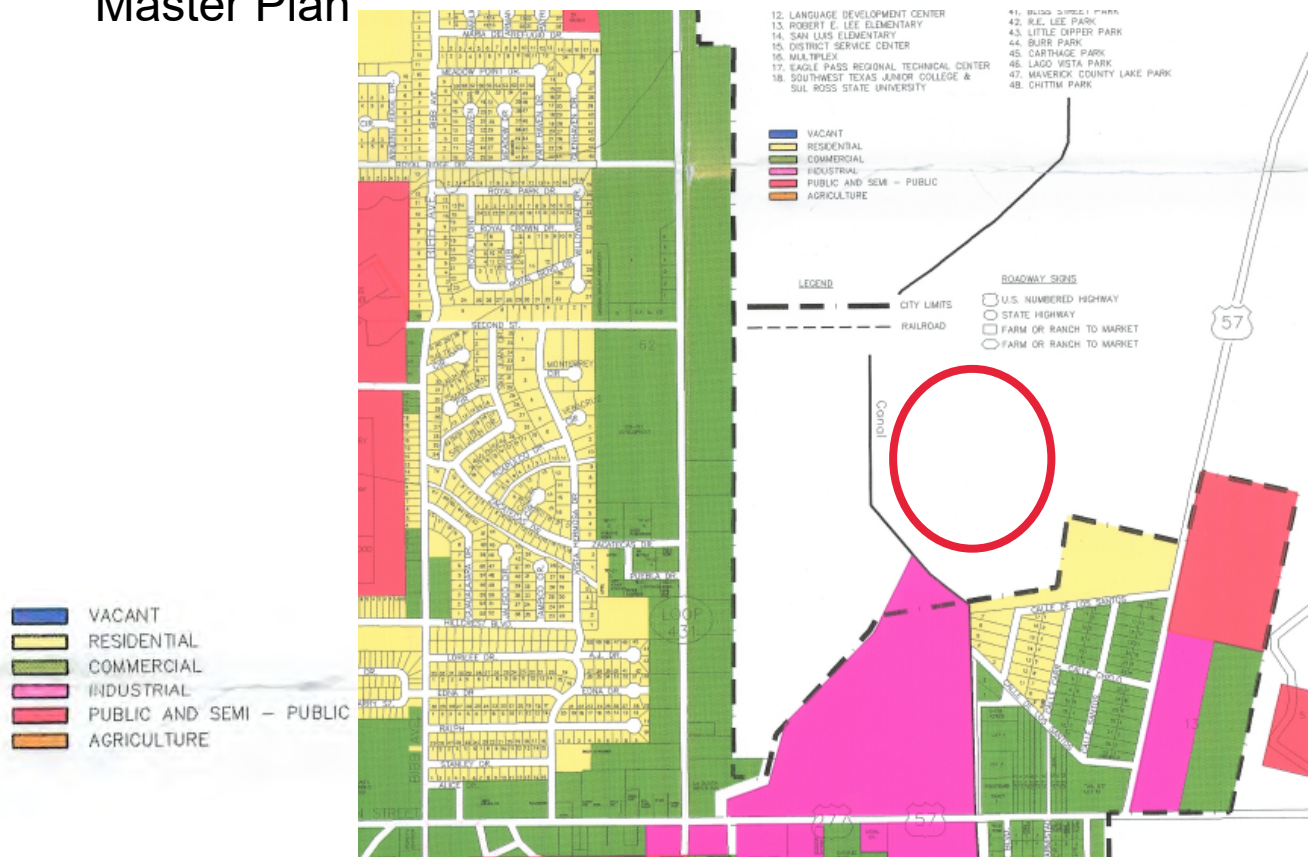


**Attachment 3**  
**Master Plan & Zoning Map**

# Zoning Map



# Master Plan



**Item #5**

## **ARTICLE V. - PARKLAND DEDICATION**

### **Sec. 23-75. - Purpose.**

This Article is adopted by the Eagle Pass City Council in accordance with the city's home rule powers granted under the Texas Constitution, and the laws of the State of Texas including but not limited to Texas Local Government Code Chapter 212, as may be amended.

The City of Eagle Pass recognizes that public park and recreation areas are valuable assets that advance the public's health, safety and welfare. New residential development in the city and its ETJ creates the need for additional parks to cater to the additional use created by the new population. Parkland dedication and development fees are recognized as a fair, reasonable, and uniform method of financing these assets that does not impose an unfair burden on new or existing residential properties. The intent is to require new development to pay its proportionate costs that are associated with providing new or expanded parks and conservation areas, so they are borne by the new homeowners who are responsible for creating the additional demand.

The city is required to demonstrate there is a "rough proportionality" between the dedication required from a developer and the demand from occupants of residents in the development. The city has met that requirement by determining that new residents' demands for parks will be the same as those of existing residents.

### **Sec. 23-76 Applicability.**

- (a) This Section applies to a landowner or developer who develops land for residential use located within the city and its ETJ.
- (b) Non-residential use is exempt.
- (c) This Article does not apply to activities involving the remodeling, rehabilitation, or other improvements to an existing residential structure, or to the rebuilding of a damaged structure where no additional residential units are created.
- (d) If a dedication requirement was paid or encumbered prior to the amendment of this Article, then subsequent development for the subject tract to which the dedication requirement applies may be subject to vesting as set forth in Chapter 245 of the Texas Local Government Code. However, if there is an increase in the number of dwelling units on the site to be developed from what was originally proposed, then there shall be an additional proportional increase in the dedication requirement.

### **Sec. 23-77 General Requirements**



- (a) The City Manager, or designee, shall administer this Article, with certain review, recommendation and approval authorities being assigned to the Parks and Recreation Board, Planning and Zoning Commission, and other city departments as needed.
- (b) As a condition of subdivision development, a developer of residential property shall be required to dedicate land for parks, pay of a fee-in-lieu thereof, construct park improvements, or a combination of these options. The particular form of the requirement will be at the sole discretion of the city. In addition to the land dedication, a developer of residential property shall pay a park development fee which will be used to pay the costs of developing the raw dedicated land into a functioning park.
- (c) The total amount of land dedicated for the development, public or private, shall be dedicated:
  - In fee simple by filed deed, if dedicated to the city; and
  - Prior to the issuance of any site development building permits for multi-family development.
  - Prior to recordation of the final plat for a single family, duplex, or townhouse development, or
  - For a phased development, the entire park shall be platted concurrently with the plat of the first phase of the development.
- (d) The required land dedications and schedules of fees are attached hereto as Appendix “A”. They are incorporated and made a part of this Article for all purposes.

**Use of Parkland Dedication Fees.**

- (a) Funds shall not be used for employee wages and/or equipment associated with the operation and maintenance of parks.
- (b) The parkland dedication fund shall not be used for city staff overhead expenses. However, indirect costs reasonably incurred in connection with park land acquisition and development are authorized, but are limited to a maximum of ten (10) percent of total acquisition and/or development costs.
- (c) All parkland dedication and park development fees will be deposited in a separate fund. Funds shall be used solely for the acquisition or leasing of park land and the development, improvement, or enhancement of new and existing parks. All expenditures shall be administered in accordance with the purchasing requirements of the city, as amended.

**Sec. 23-78 Park Land Dedication Guidelines and Requirements.**

Any land dedicated under this Article must be suitable for park uses and meet requirements in this Article. The following guidelines and requirements shall be used in the dedication and design of park land.

When considering parkland dedication, the developer should meet with the Parks and Recreation Department (PARD) before a development application is submitted to evaluate the suitability of the land. Additionally, PARD may request a site visit as a part of its determination. The following information may be required as a part of the process prior to accepting land for a public park dedication:

Commented [P1]: Great addition!

Commented [CJL2R1]: OK

1. Lot dimensions or metes and bounds acreage of park land to be dedicated.
2. Total acreage of floodplain, and the acreage of land located outside the floodplain.
3. A tree survey.
4. A slope analysis; and
5. An environmental survey identifying critical environmental features, such as, but not limited to, species, habitat, and water features.

#### **General Guidelines.**

Any park land dedicated to the city pursuant to the terms, conditions and requirements under this Article must be suitable for park uses and meet the following guidelines:

- (a) A current title report must be provided with the land dedication.
- (b) Wherever possible, park sites should be located contiguous with school sites or other public or nonprofit agency land to make maximum use of common facilities.
- (c) Encumbrances. Free and clear of any and all liens and encumbrances that interfere with its use for park purposes. This includes overhead utility lines or easements of any type which might limit the land's use as a park. The city's representatives must be authorized to make onsite inspections of the property for the purposes of determining site suitability and identification of any visual hazards or impediments to park development and use.
- (d) Environmental Assessment. If the property owner or developer has any form of environmental assessment on the tract, a copy of that assessment shall be provided to the city. The city may initiate and/or require the developer to initiate specific environmental studies or assessments if the visual inspection of the site gives rise to the belief that an environmental problem may exist on the site. The employment of consultants necessary to evaluate any environmental issues relating to the site may be required by the city, providing the city makes such determination in good faith. If an environmental hazard is identified on the site, the developer must remove the hazard prior to its acceptance into

the park system of the city. The city will not accept parkland dedication sites encumbered by hazardous and or waste materials or dump sites.

- (e) Utilities. The developer shall be responsible for the minimum utilities listed below.
  - i. A three-quarter ( $3/4$ ) inch metered water supply located 12 feet behind the curb at a location acceptable to the director of public works. The developer must demonstrate that there is sufficient water utility line capacity to serve the park.
  - ii. A six-inch sewer stub ten feet behind the curb at a location acceptable to the director of public works.
  - iii. An electricity supply that is readily available at the park site and provision of electrical lines at a location acceptable to the director of parks and recreation.
- (f) Soils if disturbed should be restored, and the soil stabilized by vegetative cover by the developer prior to dedication to the city.
- (g) Parks should be easy to access and open to public view, so they benefit area development, enhance the visual character of the city, protect public safety, and minimize conflict with adjacent land use.
- (h) The property owner shall pay all taxes or assessments owed on the property up to the date of acceptance of the dedication by the City. A tax certificate from the County Tax Assessor shall be submitted with the dedication or plat.

#### Land Requirements.

- (a) The city recognizes that maintaining many small parks is difficult and costly; therefore, it will not normally accept a dedication that is smaller than 5 acres of contiguous land.
- (b) Land parcels that are unsuitable for development are typically unsuitable for a park. Hence, potential land to be dedicated should be selected prior to a subdivision being platted and acquired as a part of the development process.
- (c) The land should have well-drained and suitable soils.
- (d) The city will not normally accept land in floodplain. However, at the discretion of the city, consideration may be given to land that is in the floodplain or may be considered "floodable" if it is suitable for park improvements, or it is part of a conservation corridor or area. In instances where it contributes to a conservation corridor, the floodplain should be left in its natural condition, but allow for improvements consistent with floodplain use such as trails, picnic areas, etc. In instances, where land in floodplains is accepted as part of a dedication requirement, it shall bet on a three for one (3:1) basis. That is, three (3) acres of floodplain will be equal to one (1) acre of park land, but not more than 25% of a

**Commented [P3]:** Recommend to not accept dedication that is smaller than 3.5 acres. However, we propose to add a clause to be able to accept land smaller or require larger than 3.5 acres if the size of development justifies the need.

**Commented [CJL4R3]:** 3.5 is fine. The word "normally" gives the city the flexibility to deviate from the 3.5 minimum if it wishes to do so.

dedication can be met by land in a floodplain. Additional floodplain land may be accepted as a donation in addition to the required dedication.

- (e) Detention/retention areas may not be used to meet dedication requirements but may be accepted as a donation in addition to the required dedication. If accepted as part of the park, the detention/retention area design must meet the city's specific specifications.
- (f) Sites should not be severely sloping or have unusual topography which would inhibit the land's use as a park.
- (g) At least twenty-five percent (25%) of the perimeter of a park should abut a public street.
- (h) No more than two (2) sides of a park may abut the rear of homes.
- (i) A park must incorporate visible, attractive and suitable means of ingress and egress proportionate to the size and amenities in the park.
- (j) Sites with existing trees or other scenic elements are preferred.

#### **Sec. 23-79 37 Fee-in-Lieu of Park Land.**

The city may, from time to time, require that a fee be submitted in lieu of land dedication in amounts as set forth in Appendix A for some or all land dedications. Such fees shall be due at the same time as park development fees are due for final plating.

#### **Section 23-80 Park Development Fee.**

In addition to the park land dedication requirements, park development fees are established herein, sufficient to develop public parks in ways that meet the city of Eagle Pass' standards. Park Development Fees are supplementary to, and not in substitution of, the land dedication requirement, or payment of the fee-in-lieu of land dedication requirement.

The amount of development fees assessed to a development and the basis for the calculation is as shown in Appendix A. The process for the approval and collection of development fees shall be the same as for the park land dedication requirements as specified in Section 23-77. The park development fees shall be processed simultaneously with the park land dedication requirements.

#### **Section 23-81 Public Park Improvement in Lieu of Park Development Fees**

With approval of the city, a developer may elect to construct required park improvements in lieu of paying the associated development fee as set forth herein. In such event facilities and improvements provided by a developer shall be constructed on lands dedicated as public park land and shall be designed and installed to meet the terms, conditions, and requirements under

**Commented [P5]:** Recommend to increase to at least 50% to increase visibility of park.

**Commented [PM6R5]:** Is 25% typical in other city ordinances?

**Commented [CJL7R5]:** It varies among cities, so 50% is fine.

**Commented [P8]:** Request more clarification on this from Dr. Crompton.

Recommend for fencing abutting homes to be maintained by homeowner. Park side to be furnished and maintained by the City. Minimum fencing standard to be privacy picket fences. However, other fencing may be approved by the City upon request.

**Commented [CJL9R8]:** This wording is fine.

**Commented [PM10]:** Ricky and Jorge, do we want to add a clause that states these facilities and improvements require approval from the Parks Director to avoid the lower quality products you mentioned?



this Article, and in accordance with related federal, national, state or local codes including but not limited to the following:

1. International Play Equipment Manufacturer's Association (IPEMA).
2. Consumer Product Safety Commission (CPSC) Handbook for Public Safety.
3. American Society for Testing and Materials (ASTM and ASTM F08).
4. Accessibility Standards for Play Areas through the ADA Accessibility Guidelines (ADAAG).
5. Illuminating Engineering Society of North American (IESNA RP-6-01); and
6. Sports Turf Management Association (STMA).

#### **General Requirements for Public Park Improvements**

- (a) A park site plan, developed in cooperation with the city is submitted and approved by the city prior to submission of final plat or upon application for a site building permit, whichever is applicable.
- (b) Any public park improvements must be shown on the site plan or construction plan unless the city authorizes another method of approval.
- (c) Detailed plans and specifications for park improvements hereunder shall be due and processed in accordance with the procedures and requirements pertaining to public improvements for final plats and for building permit issuance, whichever is applicable.
- (d) All plans and specifications shall meet or exceed the city's standards in effect at the time of submission.
- (e) If the improvements are constructed on land that has already been dedicated to and/or is owned by the city, then the developer must post payment and performance bonds equal to park development fees or value of the park agreed upon, whichever is greater to guarantee the payment to subcontractors and suppliers and to guarantee the developer completes the work in accordance with the approved plans, specifications, ordinances, and other applicable laws. This includes guaranteeing performance in lieu of completing the park improvements prior to final plat recordation.
- (f) Park improvements may be constructed on park land dedicated to the city or, if approved by the city, improvements may be made in an existing or proposed city park.
- (g) For a public park, the developer shall be required to provide a two-year maintenance bond that is equal in amount to the twenty percent (20%) of the construction cost of said park improvements and manufacturers' letters stating any play structure, equipment, and

safety surfaces were installed in accordance with the manufacturers' installation requirement.

- (h) For a public park, the developer shall provide a copy of the application and subsequent inspection report prepared by the State Department of Licensing and Regulation or their contracted reviewer for compliance with the Architectural Barriers Act, codified as Vernon's Ann. Civ. St. art 9102.
- (i) For a public park, all manufacturers' warranties shall be provided for any equipment installed in the park as part of these improvements.
- (j) For a public park, upon issuance of a Certificate of Completion and Acceptance, the developer shall warrant the improvements for a period of two (2) years.
- (k) For a public park, the developer shall be liable for any costs required to complete park development if:
  1. Developer fails to complete the improvements in accordance with the approved plans; or
  2. Developer fails to complete any warranty work.
- (l) All public park improvements shall be inspected by the city while construction is in progress and when complete to verify park requirements have been satisfied.
- (m) Once the public park improvements are constructed, and after the city has accepted such improvements, the developer shall convey such improvements to the city free and clear of any lien or other encumbrances.
- (n) The public park improvements will be considered complete with a Letter of Completion and Acceptance from the city and will be issued after the following requirements are met:
  1. Improvements have been constructed in accordance with the approved plans.
  2. Improvements have been inspected and reviewed by city staff and confirmed that they are in accordance with the terms, conditions and requirements under this Article.

#### **Section 23-82 Credit for Park-like Facilities included in a Development.**

- (a) Up to fifty percent (50%) of the fee-in-lieu of land and park development fees paid by a developer may be eligible for reimbursement if private park-like amenities are included within a subdivision, since they are likely to absorb some of the demand generated by the new homes that would otherwise have to be accommodated by public parks.

**Commented [P11]:** Recommend to add that a list of acceptable park equipment and amenities will be provided by the Parks & Recreation Department. All park equipment and amenities must be approved the Parks & Recreation Department.

**Commented [CJL12R11]:** This wording is fine.

- (b) Since residents are likely to use other public parks beyond the facilities offered within a development, the fifty percent (50%) retained for deposit in the city's parkland dedication fund is for the purpose of defraying the incremental financial burden a private subdivision will impose on the public park system in Eagle Pass.
- (c) When considering elements that are eligible for such a credit, the overarching criterion to be met is that the amenities must be outdoor park-like facilities, since they are substituting for park provision. Facilities eligible for credit are those minimal supplementary facilities typically incorporated into an Eagle Pass park, such as open play areas (minimum of 2 contiguous acres); playground equipment; basketball or volleyball courts; or walking and jogging trails. Yards, setbacks, and other open areas that are required by the city's Municipal Code are not eligible for credit.
- (d) For credit to be given for private facilities, private ownership, and maintenance of the open space and/or facilities must be provided for in perpetuity by recorded agreement, covenants, or restrictions which run with the land in favor of future owners of the property and which cannot be defeated or eliminated without the written consent of the city or its successors.
- (e) The restrictive covenants shall provide that, in the event that any private owner of the private parkland fails to maintain same according to the standards of the city, the Parks and Recreation Director and the city may enter the parks and open space to maintain same. The cost of such maintenance shall be charged to those persons having the primary responsibility for maintenance of the parks and open space, and the city will have the right to seek reimbursement.
- (f) Items that qualify for credit should be credited on a cost basis. The cost of the items (validated by the developer's invoices) should be deducted from the dedication fee (up to a maximum of fifty percent (50%) the developer would otherwise have to pay.
- (g) All private amenities that are accepted for credit must be constructed prior to the application for the final unit building permit. For a phased property, they should be completed by the final unit of the first phase.

#### **Sec. 23-83. Reimbursement for City Acquired Park Land.**

Since it is frequently less expensive to acquire land ahead of development, the city may acquire land for parks in advance of actual or potential development. If the city acquires park land in this manner, then it may require subsequent dedications to be fee-in-lieu of land only. They will serve to reimburse the city for the cost(s) of acquisition.

### Section 23-84 Submitting Park Fees.

Any fees required to be paid in cash pursuant to this Article shall be remitted:

- a. Prior to the issuance of any site development building permits for multi-family development, or mixed development; or
- b. At the time of plat recordation for single family, duplex, or townhouse development; however
- c. All development in the ETJ must pay fees at the time of plat recordation.

**Commented [P13]:** Partial payment instead? Say 50%

**Commented [CJL14R13]:** There is no reason to discount in the ETJ because (a) the ETJ folks are likely to use Eagle Pass park facilities because they have none in their area; and (b) they pay no property taxes to the city and so do not contribute their fair share to the operating costs of parks..

### Section 23-85 Ordinance Review

The city shall review the fees established and the amount of park land dedication required in this Article at least once every five (5) years during its consideration of the annual budget. Failure to review by the City Council shall not invalidate this ordinance.

### Section 23-86 Right to Refund.

The city shall account for all fees-in-lieu of land and all development fees paid under this Article with reference to the individual plat(s) involved. Any fees paid for such purposes must be expended by the city within seven (7) years from the date received by the city for acquisition and/or development of a park as required herein. Such funds shall be considered to be spent on a first-in, first-out basis.

If not so expended, the landowners of the property on the expiration of such period shall be entitled to a prorated share of such sum without interest, computed on a square footage of area basis. The owners of such property must request such refund within one (1) year of entitlement, in writing. Failure to timely submit the required application for refund shall constitute an absolute waiver of any right to the refund.

**Section 118-75 Effective Date and Publication.** This Ordinance shall become adopted.....If any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.



## Appendix A.

### Parkland Dedication—Land Component

#### City Parks:

Community Parks: 134.1 acres.

Neighborhood Parks: 26.3 acres

Ballfields: 26.2 acres

Linear Park: 8.3 acres

Colonias Parks: 26.1 acres.

**Total Park Acreage: 221.0 acres**

**City Population: 28,694**

**Ratio:**  $28,698/221 = 1$  acre of parks for every 129 residents

Single Family Unit (SFU) Occupancy = 3.6; SF ratio:  $129/3.6 = 36$ .

Multi Family Unit (MFU) Occupancy = 2.3; ratio:  $129/2.3 = 56$

Assume Market Value of 1 acre of land for new development is \$20,000

Fee-in-Lieu of land for:

SF is  $\$20,000/36 = \$555$

MF is  $\$20,000/56 = \$357$

### Parkland Dedication—Development Component.

Average Cost per acre of park development = \$300,000

Development Cost for:

SFU is  $\$350,000/36 = \$972$

MFU is  $\$350,000/56 = \$625$

#### Total Parkland Dedication Fee:

**SFU;  $\$555 + \$972 = \$1,527$**

**MFU:  $\$357 + \$625 = \$982$**

**Commented [PM15]:** What is the formula for calculating land donation requirement for a development? For SF is it 1 acre of parkland per 36 lots based on the information under "Ratio:"

**Commented [CJL16R15]:** (1) Developers are not making a "donation"; it is an exacted dedication. This distinction in the wording is important and has legal implications.(2) Yes, that is correct-- 1 acre of park land for every 36 SF lots.

**Commented [P17]:** How would market value be determined?

**Commented [PM18R17]:** Would we need to hire a third part consultant periodically to set the market value? I saw that referenced about San Antonio in Dr. Crompton's reports.

**Commented [CJL19R17]:** In a small city like Eagle Pass the city does not need to hire a consultant to do this. The data likely are posted by the County Appraisal office on their web site. Either a city staffer or one of Kelly's team could review either market sales of land in the past two years in Eagle Pass and come up with a per acre cost; or simply aggregate all the CAP land use values for (say) the 2022 appraisal year and divide that number by the acreage of properties in the city boundaries.

**Commented [CJL20R17]:** Oops "Kelsey's team"