



City of El Paso – City Plan Commission Staff Report

Case No: SUSU15-00078 Valley Creek Unit 5
Application Type: Extension Request to Complete Improvements
CPC Hearing Date: January 7, 2016
Staff Planner: Joaquin Rodriguez, (915) 212-1608
rodriguezjx3@elpasotexas.gov
Location: North of Gomez Road and east of Upper Valley Road
Acreage: 3.8 acres
Rep District: 1
Existing Use: Vacant
Existing Zoning: R-3A/c (Residential/Condition)
Proposed Zoning: R-3A/c (Residential/Condition)
Nearest Park: Valley Creek Park (0.4 mile)
Nearest School: Lincoln Middle (3.5 miles)
Park Fees Required: \$15,070
Impact Fee Area: N/A
Property Owner: Ham Management, LLC., The General Partner of Upper Valley Creek, L.P., Russell Hanson
Applicant: Ham Management, LLC.
Representative: Roe Engineering, L.C.

SURROUNDING ZONING AND LAND USE:

North: R-3A/c (Residential/Condition) / Valley Creek Unit 4 proposed single-family housing

South: PR-1/c (Residential/Condition) / Single-family housing

East: R-3A/c (Residential/Condition) / Single-family housing

West: R-2/C/sp (Residential/Condition/special permit) / Single-family housing

PLAN EL PASO DESIGNATION: G4 Suburban (Walkable)

APPLICATION DESCRIPTION

The applicant is requesting a one-year extension for completion of subdivision improvements. In accordance with Section 19.28.010(A) of the previous subdivision code the city plan commission may grant up to two one-year extensions of time for completion of the required subdivision improvements. The subdivider has completed approximately 20% of the required improvements and has provided an irrevocable letter of credit in the amount of 125% of the estimated cost of the remaining improvements.

CASE HISTORY

The City Plan Commission approved Valley Creek Unit 5 June 27, 2013.

DEVELOPMENT COORDINATING COMMITTEE

The development coordinating committee recommends approval. If approved, this extension will be valid until January 7, 2017. Failure to complete the required improvements within the provided time and applicable extensions shall require the applicant to resubmit a subdivision application pursuant to the current requirements of Title 19.

Planning Division Recommendation

Planning recommends **approval** of the extension request

Planning and Inspections Department - Land Development

No objections. The applicant has provided an irrevocable letter of credit as stated on the application.

Capital Improvement Program

No Comments Received.

El Paso Water Utilities

No Comments Received.

Streets and Maintenance Department

No Comments Received.

El Paso County 911 District

No Comments Received.

El Paso Fire Department

No Comments Received.

Central Appraisal District

No Comments Received.

El Paso Electric Company

No Comments Received.

Texas Gas Company

No comments received.

Attachments

1. Location map
2. Aerial map
3. Preliminary Plat
4. Final Plat
5. Application
6. Letter of Credit
7. Cost estimate of remaining improvements.

ATTACHMENT 2

Valley Creek Unit Five



ATTACHMENT 3



ATTACHMENT 5



**CITY PLAN COMMISSION APPLICATION FOR
EXTENSION TO COMPLETE SUBDIVISION IMPROVEMENTS**

DATE: 11-18-2015 FILE NO. SUSU15-00078

1. SUBDIVISION NAME: VALLEY CREEK UNIT FIVE
2. DATE REQUESTED: 11-18-2015
3. DEVELOPER'S NAME: UPPER VALLEY L.P., BY HAM MANAGEMENT, LLC, ITS GENERAL PARTNER
ADDRESS: 5045 AMEN CORNER DRIVE
PHONE: 915-842-0111
4. ENGINEER'S NAME: ROE ENGINEERING, L.C., BRADLEY ROE
ADDRESS: 601 N. COTTON STREET, SUITE 6, EL PASO, TEXAS 79902
PHONE: (915) 533-1418
5. SUBDIVISION FILING DATE: 01-07-2014
6. REASON FOR REQUEST: AFTER THE PLAT WAS FILED THE BOTTOM FELL OUT OF THE MARKET
THERE HAS BEEN VERY LITTLE ACTIVITY AS TO NEW HOME CONSTRUCTION IN THE UPPER VALLEY.
THE PERCENTAGE OF PUBLIC IMPROVEMENTS APPROXIMATELY 20 PERCENT COMPLETE, GRADING, SOILS
ANALYSIS AND ROAD WAY EXCAVATION.
7. PROPOSED COMPLETION SCHEDULE: 01-07-2017
(Attach Documents)

I certify that the statements made in this application for **Time Extension to Complete Subdivision Improvements** are true and correct, and I agree to be bound by the Completion Schedule finally adopted and approved by the City Plan Commission.

**Effective September 1, 2014, a 3% technology fee has been added to all Planning application fees.*


Signature of Applicant

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

AT THE DISCRETION OF THE DEPUTY DIRECTOR OF PLANNING AN APPLICATION FOR EXTENSION TO COMPLETE SUBDIVISION IMPROVEMENTS MAY BE SUBMITTED NO MORE THAN SIXTY (60) DAYS PAST THE REQUIRED COMPLETION DATE PROVIDED THAT A PENALTY FEE OF \$1,000.00 DOLLARS BE PAID IN ADDITION TO ALL OTHER FEES THAT WOULD OTHERWISE BE CHARGED FOR A PROPERLY SUBMITTED REQUEST FOR EXTENSION APPLICATION.



City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085

ATTACHMENT 6



Irrevocable Letter of Credit

Letter of Credit Number: 90900281
Issue Date: December 01, 2015

P.O. Box 99100
El Paso, TX 79999-9100
P. (915) 532-1000
F. (915) 747-1025
weststarbank.com

Beneficiary:
City of El Paso
2 Civic Center Plaza
El Paso, Texas 79901

Applicant:
Upper Valley Creek, LP
P.O. Box 220630
El Paso, Texas 79913

At the request and for the account of Upper Valley Creek, LP (the "Account Party") we, WestStar Bank, 500 North Mesa Street, El Paso, Texas 79901 ("Bank") hereby establish our Irrevocable Letter of Credit in favor of the City of El Paso (the "City") in the amount of \$163,783.63. Available with us at our above office by payment of draft(s) drawn on us and accompanied by a signed and dated statement worded as follows:

"The undersigned, Designee of the City Manager of the City of El Paso, hereby certifies that the Account Party is in default and the amount drawn under the Bank Letter of Credit number 90900281 represents the amount due to the City of El Paso as a result of such default."

This Letter of Credit is given for the benefit of the City of El Paso as security for the completion of subdivision improvements required under the City of El Paso Subdivision Code, Title 19.08, as it relates to the completion and installation of all public improvements of the Valley Creek Unit 5, and expires on December 01, 2016, it is a condition of this letter of credit that such expiration date shall be deemed automatically extended, without written amendment, to each December 1st and May 1st thereafter, unless at least sixty (60) days prior to such expiration date we send written notice to you at your address above by overnight courier or registered mail that we elect not to extend the expiration date of the letter of credit beyond the date specified in such notice or until the Account Party has completed such subdivision improvements and is released or discharged by the City of El Paso.

We hereby agree that each draft drawn and presented to us in compliance with the terms and provisions of this Letter of Credit will be duly honored by payment to you within one business day of receipt if presented to the above bank on or before the day the Letter of Credit expires.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication No. 600.

WestStar Bank

By: 
Henry Tinajero
Its: Senior Vice President

Date: 12/3/15

ATTACHMENT 7

DEVELOPMENT COST ESTIMATE FOR: VALLEY CREEK UNIT FIVE					
ITEMS	QTY.	UNIT	UNIT PRICE	COST	TOTAL
CLEARING AND GRADING EXCAVATION - EARTHWORK INCLUDES STREETS	11	LOT	\$750.00	\$8,250.00	
SUBTOTAL FOR CLEARING AND GRADING:					\$8,250.00
EROSION/SEDIMENT CONTROL FILTER FABRIC FENCE/ TEMPORARY GRAVEL BASIN		L.S.		\$1,000.00	
SUBTOTAL FOR EROSION/SEDIMENT CONTROL:					\$1,000.00
STREETS					
HEADER CURB	983.19	L.F.	\$7.50	\$7,373.93	
LIGHTING/ILLUMINATION 300' O.C.	3.00	EACH	\$1,950.00	\$5,850.00	
BASE COURSE/H.M.A.C. (6" BASE, 1 1/2" HMAC)	2,381.87	S.Y.	\$13.57	\$32,321.98	
SUBTOTAL FOR STREETS:					\$45,545.90
GAS MAIN					
GAS MAIN	11.00	LOT	\$700.00	\$7,700.00	
SUBTOTAL FOR GAS MAIN:					\$7,700.00
WATER LINES					
PAVEMENT CUT	1.00	EACH	\$3,000.00	\$3,000.00	
8" WATER MAIN	931.00	L.F.	\$18.00	\$16,758.00	
FIRE HYDRANT 500' O.C.	1	EACH	\$3,913.00	\$3,913.00	
WATER TAP SERVICES	11	EACH	\$400.00	\$4,400.00	
SUBTOTAL FOR WATER LINES:					\$28,071.00
SEWER LINES					
PAVEMENT CUT	1.00	EACH	\$3,000.00	\$3,000.00	
8" SEWER MAIN	411.00	L.F.	\$18.00	\$7,398.00	
MAN HOLES 500' O.C.	2	EACH	\$3,200.00	\$6,400.00	
SEWER TAP SERVICES	11	EACH	\$250.00	\$2,750.00	
SUBTOTAL FOR SEWER LINES:					\$19,548.00

<u>ITEMS</u>	<u>QTY.</u>	<u>UNIT</u>	<u>UNIT PRICE</u>	<u>COST</u>	<u>TOTAL</u>
MISCELLANEOUS					
CITY MONUMENTS	3	EACH	\$454.00	\$1,362.00	
STREET SIGNS	3	EACH	\$350.00	\$1,050.00	
UNDERGROUND ELECTRICAL SERVICES	11	EACH	\$1,500.00	\$16,500.00	
CONSTRUCTION MATERIALS TESTING, SOILS/CONCRETE/ASPHALT	1	L.S.	\$2,000.00	\$2,000.00	
SUBTOTAL FOR MISCELLANEOUS:					\$20,912.00
SUBTOTAL FOR CLEARING AND GRADING:					\$8,250.00
SUBTOTAL FOR EROSION/SEDIMENT CONTROL:					\$1,000.00
SUBTOTAL FOR STREETS:					\$45,545.90
SUBTOTAL FOR GAS MAIN:					\$7,700.00
SUBTOTAL FOR WATER LINES:					\$28,071.00
SUBTOTAL FOR SEWER LINES:					\$19,548.00
SUBTOTAL FOR MISCELLANEOUS:					\$20,912.00
TOTAL:					\$131,026.90
125% GUARANTEE FOR IMPROVEMENTS AS PER CODE					\$163,783.63
GRAND TOTAL:					\$163,783.63