



City of El Paso – City Plan Commission Staff Report

Case No: SUSU15-00072 Copia Pond
Application Type: Resubdivision Combination
CPC Hearing Date: January 7, 2016

Staff Planner: Nelson Ortiz, 915-212-1606, OrtizNX@elpasotexas.gov
Location: East of Copia and South of Altura
Acreage: 3.52
Rep District: 2
Existing Use: Vacant
Existing Zoning: R-4 (Residential) & R-4/sp (Residential/special permit)
Proposed Zoning: R-4 (Residential) & R-4/sp (Residential/special permit)

Nearest Park: Adjacent to Memorial park
Nearest School: Austin High School (0.189 mile)
Park Fees Required: N/A
Impact Fee Area: N/A

Property Owner: City of El Paso / El Paso Water Utilities
Applicant: El Paso Water Utilities
Representative: Dorado Engineering

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / single-family development
South: R-3/H (Residential/ Historic) / Memorial park
East: R-4 (Residential) / single-family development
West: R-4 (Residential) / single-family development

PLAN EL PASO DESIGNATION: O1 Preserve

APPLICATION DESCRIPTION

The applicant proposes to re-subdivide existing portions of recorded lots and unimproved rights-of-way for a stormwater pond. Unimproved portions of Aurora St., Stevens St., Lebanon St. and alleys will be vacated by this replat. The applicant has submitted an exception request to allow the abutting dead-end alleys to remain due to topographic conditions. Additionally, the applicant is dedicating a 10' utility easement to relocate existing lines and facilities. Access to the subdivision is proposed from Stevens St. and Aurora Street. The subdivision was reviewed under the current subdivision code.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was published in the El Paso Times on November 18, 2015 and a notice was mailed to all property owners within 200 feet of the subject property. The Planning Division did receive one phone call inquiring about the request.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the exception request. The proposed development and existing conditions meet the criteria for approval under Section 19.48.030. Staff recommends **approval** of Copia Pond on a Resubdivision Combination basis subject to the following comments.

Planning Division Recommendation:

Approval of the exception request as the proposed development and existing conditions meet the criteria for approval under Section 19.48.030 and approval of Copia Pond on a Resubdivision Combination basis.

Land Development:

We have reviewed subject plats and recommend **Approval**, no objections.

El Paso Water Utilities (Water and Sewer):

1. EPWU's planning and development section does not object to this request.
2. The existing water mains along the alley between Lebanon Ave. & Louisville and along Stevens will be required to be looped with the storm water project.
3. The existing sanitary sewer mains along the alley between Aurora Ave. & Lebanon Ave. and along Stevens St. will be removed and/or abandoned within the subject property and relocated as required by the storm water project.

Parks and Recreation:

We have **re-reviewed** **Copia Pond Subdivision**, a resubdivision combination plat map and on behalf of CID Parks & Planning Division we offer no objections to this proposed "Ponding Area" provided the following "**revised**" comments are addressed:

1. Improvement plans for proposed ponding area where it abuts Memorial Park need to be coordinated with this Department / Parks Department.
2. Alley Block 8 and Alley Block 7 are existing alleys that are proposed to be vacated, thereby created dead-end alleys. Per Section 19.15.160.D.6, Dead-end alleys shall not be permitted unless a permanent or temporary turnaround is provided. The following standards shall apply:
 - a. In subdivisions subject to subsection (B)(1) above, turnarounds shall be provided with a minimum radius of thirty-five feet;
 - b. In all other subdivisions, turnarounds shall be provided with a minimum radius of thirty-two feet;
 - c. In instances where dead-end alleys will clearly be permanent, turnarounds shall be surfaced in accordance with subsection (B)(1) or (B)(2), as applicable;
 - d. In instances where dead-end alleys are of a temporary nature, turnarounds shall be improved with a minimum six-inch-base of crushed limestone
3. The cul-de-sac/turnaround on Lebanon shall comply with Section 19.15.160.D.6, detailed in Item 1, above.
4. In all cases where ROW is being vacated, the abutting property owner would need to sign off on the plat.
5. Please note that purpose for this Subdivision replat is for a El Paso Water Utilities (PSB) "**Ponding Area**" which; under the Municipal Code is considered a "Public facility" therefore, meeting the requirements to be excluded from the calculation for parkland

dedication ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 Parks and Open Space** as noted below:

19.20.060 - Exclusions from Dedication Requirements.

Exclusions. The following shall be excluded from the calculation for parkland dedication. In all instances, the burden of proof shall be on the subdivider to demonstrate that the plat meets the requirements of this chapter:

H. Land shown within a subdivision, whether residential or nonresidential, which is designated for use as a "Public facility".

El Paso Electric Company:

EPE requests to maintain easement rights of all existing lines, as shown in the attached image. If the lines are to be relocated please call in to 915-351-4224 to be assigned a Designer/Engineer who can assist in the design and removal of the lines.

Texas Gas Company:

No comments received.

AT&T:

No comments received.

Time Warner Cable:

Time Warner Cable has aerial and underground facilities within the property description shown on the documents. TWC does reserve the right to have access to any applicable utility easements on the property for the purpose of future construction or maintenance. The owner and/or lessee of said property may also be responsible for the relocation/removal of any structure interfering with access to these easements, if necessary.

Sun Metro:

No comments received.

El Paso Fire Department:

No comments received.

911:

No comments received.

Additional Requirements and General Comments:

1. Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.
3. Applicant shall include the 10' utility easement in the plat dedication statement.
4. Remove zoning information from the preliminary plat.

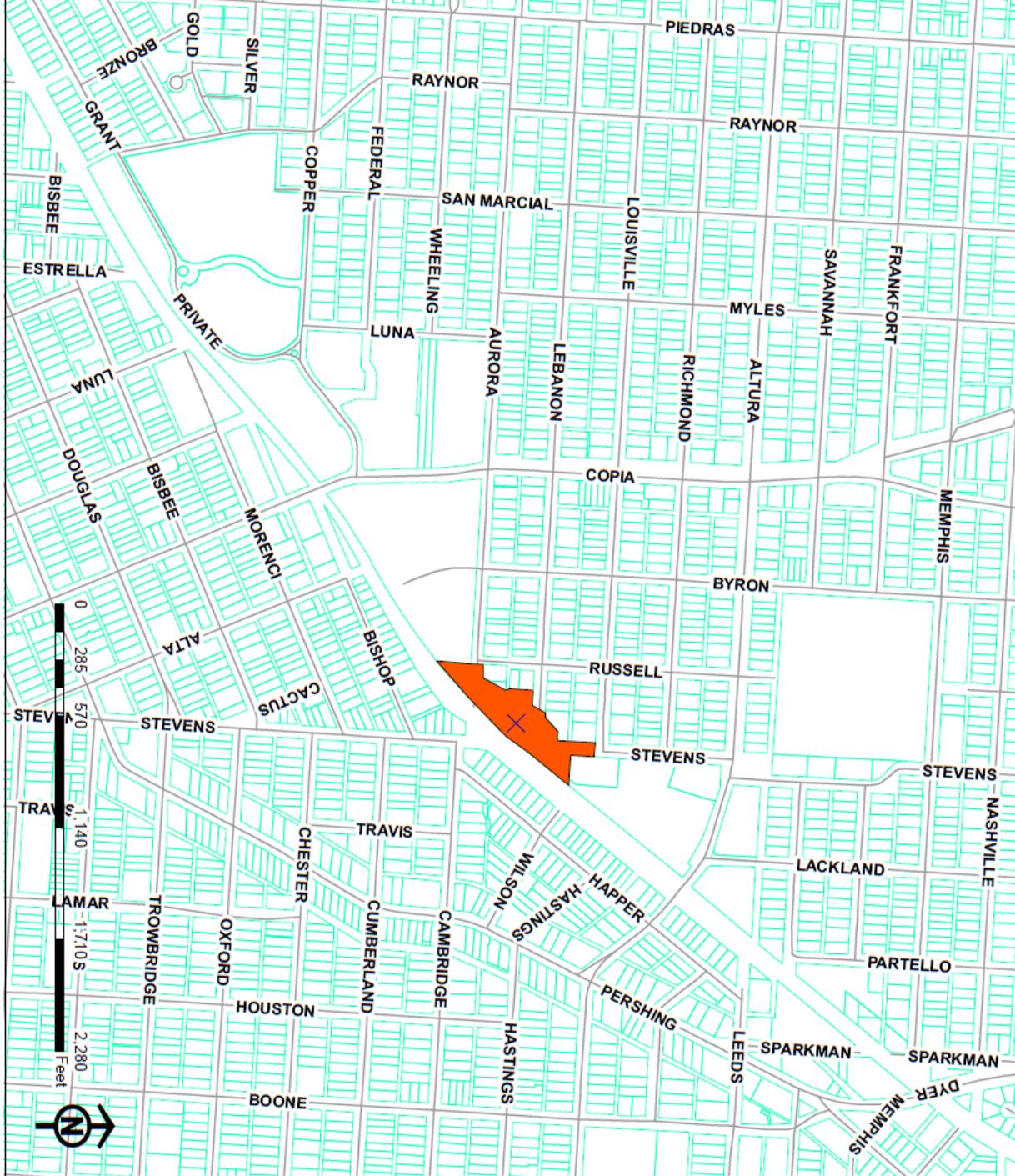
5. ROW vacation note should read "...to be vacated by this **replat**".

Attachments

1. Location map
2. Aerial map
3. Final plat
4. Preliminary plat
5. Exception request
6. Application

ATTACHMENT 1

COPIA POND SUBDIVISION



ATTACHMENT 2

COPIA POND SUBDIVISION



ATTACHMENT 5

DORADO ENGINEERING GROUP

2717 E. Yandell El Paso, Texas (915) 562-0002 Fax (915) 562-7743

December 8, 2015

Mr. Nelson Ortiz – Senior Planner
City of El Paso
Planning and Inspections Department
801 Texas Ave
El Paso, TX 79901

RE: Copia Pond – Request for Exception to allow existing alley to dead end.

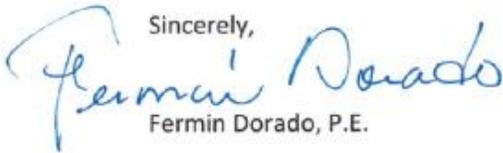
Mr. Ortiz

The owner of the proposed **COPIA POND SUBDIVISION**, is respectfully requesting an exception to allow an existing alley to dead end. Our request is to dead end a portion of alley Block 7, Altura Park Subdivision which was platted back in 1910. Our request is based on the following:

1. The existing alley is physically already a dead end alley.
2. The topographic condition of the area, a twenty foot drop does not permit the alley to continue past its current location.
3. The proposed subdivision plat does not affect the existing condition or use of the proposed section of the existing alley.
4. The vacation of a portion of the alley will not be detrimental to the public health, safety or welfare, or injurious to other property within the area and will not have the effect of preventing the orderly use and enjoyment of other land within the area or adversely affect the rights of owners or residents of surrounding property;

Based on the reasons numerated above the vacation of the portion of the existing alley block does not have a negative impact on the neighborhood.

We thank you for all your assistance.

Sincerely,

Fermin Dorado, P.E.

ATTACHMENT 6



**CITY PLAN COMMISSION APPLICATION FOR
RESUBDIVISION COMBINATION SUBDIVISION APPROVAL**

DATE: 09-23-15 FILE NO. SUSU15-00072
 SUBDIVISION NAME: COPIA POND SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
ALL OF LOTS 6-11, 15-24, A PORTION OF LOTS 3-5, BLOCK 7, AND A PORTION OF ALLEY BLOCK 7, AURORA PARK SUBDIVISION AND A PORTION OF LOTS 10-14, BLK 8, AURORA PARK SUBDIVISION AND A PORTION OF LOT 2, BLK 1, S.W. CHILDREN HOME ESTATES AND A PORTION OF MEMORIAL PARK, AND A PORTION OF AURORA, STEVENS LEBAARD STREETS
2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	/	/	Office	/	/
Duplex	/	/	Street & Alley	/	/
Apartment	/	/	Ponding & Drainage	<u>3.52</u>	<u>1</u>
Mobile Home	/	/	Institutional	/	/
P.U.D.	/	/	Other (specify below)	/	/
Park	/	/		/	/
School	/	/		/	/
Commercial	/	/	Total No. Sites	/	/
Industrial	/	/	Total (Gross) Acreage	/	/
3. What is existing zoning of the above described property? R-4 Proposed zoning? SAME
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes X No
5. What type of utility easements are proposed: Underground Overhead Combination of Both X
6. What type of drainage is proposed? (If applicable, list more than one) ON SITE
7. Are special public improvements proposed in connection with development? Yes X No POND
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes No X
 If answer is "Yes", please explain the nature of the modification or exception
9. Remarks and/or explanation of special circumstances: DRAINAGE PROJECT BEING PAID BY THE CITY OF EL PASO
10. Improvement Plans submitted? Yes No X
11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes No X
 If yes, please submit a vested rights petition in accordance with Title 1 (General Provisions) Chapter 1.04 - Vested Rights

- 12. Owner of record CITY OF EL PASO TX
(Name & Address) (Zip) (Phone)
- 13. Developer CITY OF EL PASO TX
(Name & Address) (Zip) (Phone)
- 14. Engineer T. DONATO ENR. 2717 YAUDELL 79903-915562
(Name & Address) (Zip) (Phone) 0002

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

OWNER SIGNATURE: *Cynthia Adams*
 REPRESENTATIVE: *Fernando Rendon*

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