City of El Paso – City Plan Commission Staff Report

Case No:	SUSU12-00001 El Retiro Subdivision Replat "A"
Application Type:	Resubdivision Combination
CPC Hearing Date:	January 26, 2012
Staff Planner:	Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov
Location:	West of Boy Scout Lane and North of Gary Lane
Acreage:	0.45-acre
Rep District:	8
Existing Use:	Vacant
Existing Zoning:	R-2A (Residential)
Proposed Zoning:	R-2A (Residential)
Nearest Park:	Marwood Park (1.14 miles)
Nearest School:	Zach White Elementary School (1.50 miles)
Park Fees Required:	N/A
Impact Fee Area:	This property is not in an impact fee area and is not subject to impact fees.
Property Owner:	Eugenio & Ana Mesta
Applicant:	CAD Consulting Company
Representative:	CAD Consulting Company

SURROUNDING ZONING AND LAND USE

North: R-2 (Residential)/ Single Family Residential Development
South: R-2A (Residential)/ Single Family Residential Development
East: R-2A (Residential)/ Single Family Residential Development
West: R-2A (Residential)/ Single Family Residential Development & Vacant

THE PLAN FOR EL PASO DESIGNATION: Residential.

APPLICATION DESCRIPTION

The subdivider proposes to replat the subject property to remove a note that was placed on the original plat restricting construction of a residence on the lot. Access is from Gary Lane, via a private access easement.

The plat has been granted vested rights under the previous subdivision code.

The following modification is being requested:

- To allow for a panhandle in excess of the 200-ft maximum length permitted by the previous subdivision code.

CASE HISTORY
El Retiro Subdivision was approved on a Major Combination basis by the City Planning Commission on February 11, 1999.

DEVELOPMENT COORDINATING COMMITTEE
The Development Coordinating Committee recommends **pending** of El Retiro Subdivision Replat "A" on a **Resubdivision Combination** basis subject to the following conditions and requirements:

The Development Coordinating Committee is in agreement with the modification requests based on Reason 2 of Section 19.04.170, pending approval of the plat.

Planning Division Recommendation:
Approval with modification. In this case, Reason 2 is met as the property owner must cross a lateral to access the property.

Engineering & Construction Management - Land Development
We have reviewed subject plan recommend **Approval**; Developer/Engineer needs to address the following comments:

The Subdivision is within Flood Zone C-"Areas of minimal flooding" – Panel # 480214 0026 D, dated January 3, 1997.

EPDOT
The Department of Transportation has no objections to the proposed plat.

Note:

1. All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction

Parks and Recreation Department
We have reviewed **El Retiro Subdivision Replat "A",** a resubdivision combination plat map and offer Developer / Engineer the following comments:

Please note that this subdivision density is not being increased, as evidenced by the original subdivision and replat, however, applicant needs to provided proof of paid "Park fees" in order for this subdivision to be excluded from the calculation for parkland dedication as required per ordinance Title 19 - Subdivisions**, Chapter 19.20 - Parks & Open Space** as noted below.

Section 19.20.060 - Exclusions from dedication requirement.

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:

A. A residential replat of an area where the density has not been increased from the original subdivision, as evidenced by the original subdivision and replat. In the case of a replat where parkland was not originally provided, the parkland requirements shall prevail; ***(Ord. 16882 § 2 (part), 2008)***

Please allocate funds under Park Zone**: NW-4**

Nearest Parks: **Braden Aboud** **&** **River Bend**

El Paso Water Utilities
1. EPWU does not object to this request

Water:

2. There is an existing 8-inch diameter water main extending along the private utility easement that is available for service, the water main is located approximately 5-feet east from the center right-of-way line.

Sewer:

3. There is an existing 8-inch diameter sanitary sewer main extending along the private utility easement that is available for service, the sewer main is located approximately 5-feet west from the center right of way line.

General:

4. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

EPWU Stormwater Division
No comments received.

El Paso Fire Department
No objections. Please note: IFC 2009 section Fire department access roads 503.2.3 surface. Access road shall be an all-weather surface. Design and maintain to imposed loads of fire apparatus.

911
No comments received.

Sun Metro
No comments received.

Central Appraisal District
No comments received.

El Paso Electric Company
No comments received.

Texas Gas Company
No comments received.

El Paso Independent School District
No comments received.

Additional Requirements and General Comments:

1. Submit to the Planning and Economic Development 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 address the following comments prior to recordation:
    - Remove 18-foot right-of-way dedication from plat graphic as this right-of-way was dedicated per the original plat.
    - Per Section 19.16.060(L), provide deed restrictions regarding the use of on-site ponding for the subject property.
    - Per Section 19.16.080(F), provide covenants ensuring maintenance of common driveway.

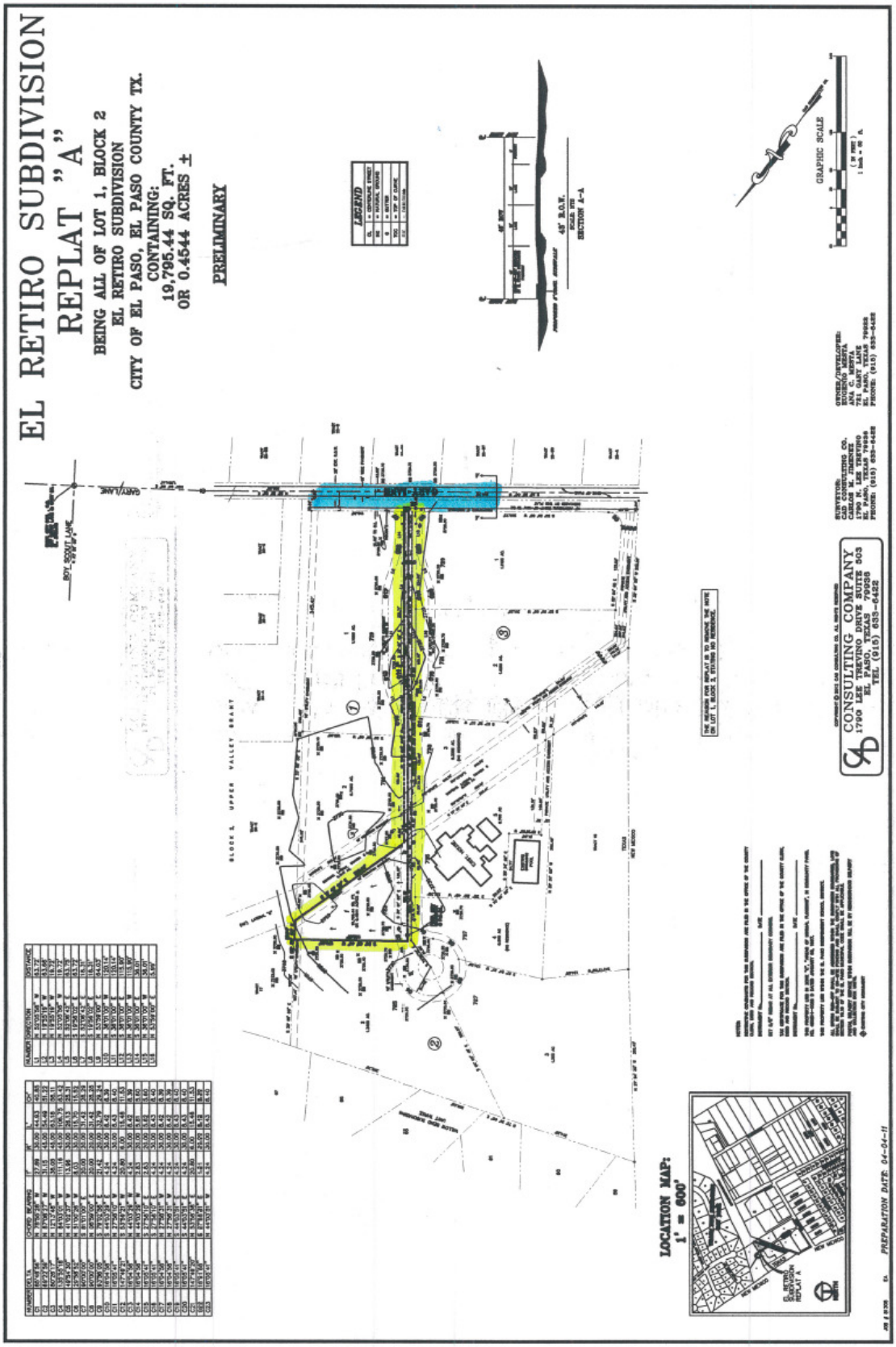
Attachments

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

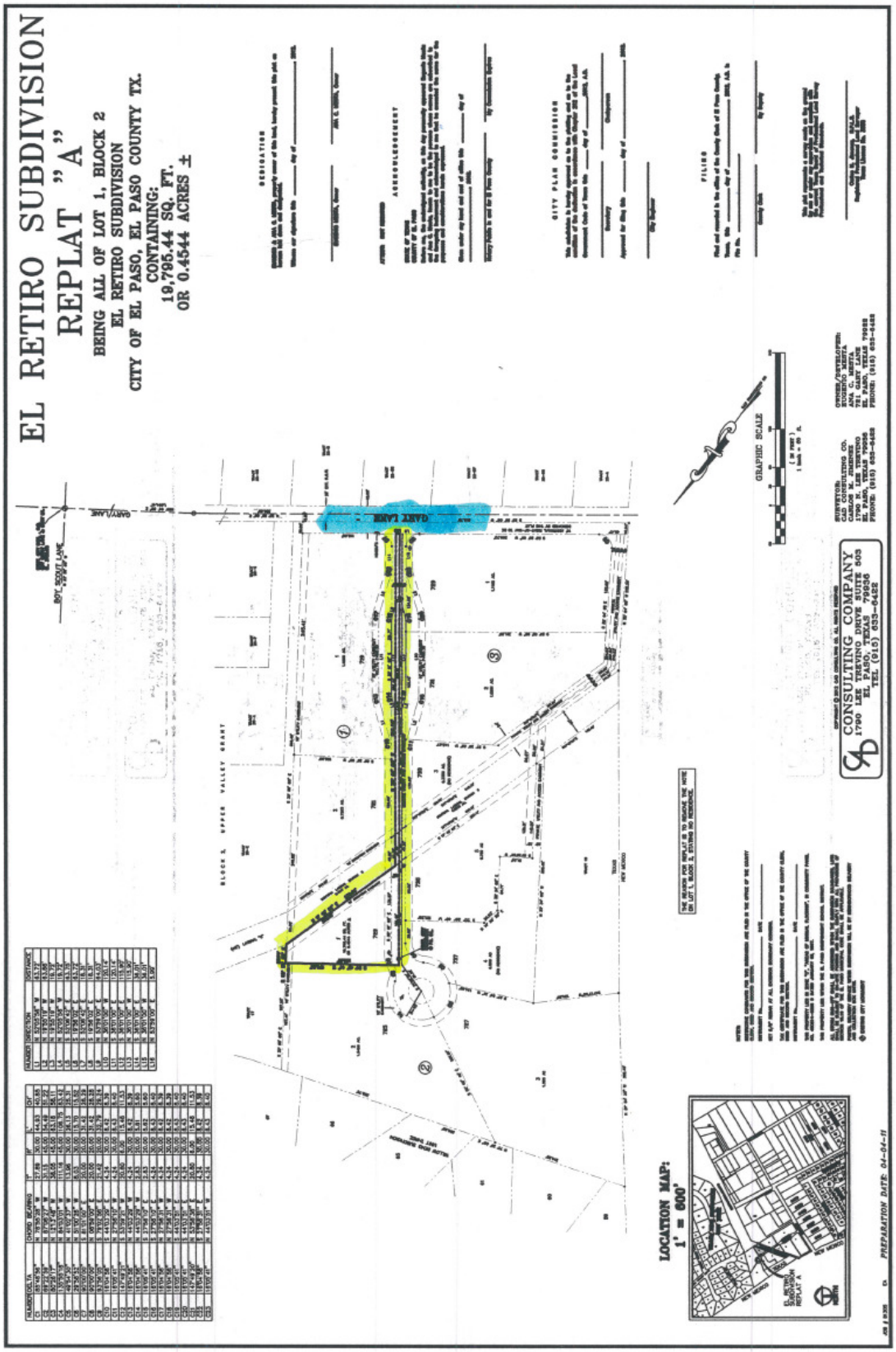
ATTACHMENT 1

ATTACHMENT 2

ATTACHMENT 3



ATTACHMENT 4



ATTACHMENT 5

December 21, 2011

Planning, Research &
Development Department
Att: Raul Garcia

El Retiro Subdivision Replat "A"

RE: Request for Variance for the property legally as Lot 1, Block 2, El Retiro Subdivision Replat "A", (Being Lot 1, Block 2, El Retiro Subdivision), City of El Paso, EL Paso County, Texas.

The reason for the Modification request is because Lot 1, Block 2 exceeds the minimum 200 feet requirement for a Pen-Handle Lot which we have @ 518.96 feet.

Should you have any questions concerning this proposal, please contact us at your convenience at (915) 633-6422.

Respectfully,

Carlos M. Jimenez

ATTACHMENT 6

CITY PLAN COMMISSION APPLICATION FOR
RESUBDIVISION COMBINATION APPROVAL

DATE:_____ FILE NO. SUSU12-00001

SUBDIVISION NAME: EL RETIRO SUBDIVISION REPLAT A

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
LOT 1, BLOCK 2
EL RETIRO SUBDIVISION

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	0.4544	1	Office		
Duplex			Street & Alley		
Apartment			Ponding & Drainage		
Mobile Home			Institutional		
P.U.D.			Other (specify below)		
Park					
School					
Commercial			Total No. Sites		1
Industrial			Total (Gross) Acreage	0.4544	

3. What is existing zoning of the above described property? R-2A Proposed zoning?_____

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes ✓ No_____.

5. What type of utility easements are proposed: Underground____ Overhead____ Combination of Both____.

6. What type of drainage is proposed? (If applicable, list more than one)
ON-SITE PONDING

7. Are special public improvements proposed in connection with development? Yes _____ No ✓.

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes ✓ No _____
If answer is "Yes", please explain the nature of the modification or exception_____

9. Remarks and/or explanation of special circumstances:_____

10. **Improvement Plans submitted?** Yes _____ No ✓

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 _____

If yes, please submit a vested rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record EUGENIO & ANA C. MESTA
(Name & Address) (Zip) (Phone)

13. Developer
(Name & Address) (Zip) (Phone)

14. Engineer CAD CONSULTING CO. 633-6422
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
FEE: $1,083.00

OWNER SIGNATURE: Eugenio Mesta Ana Mesta

REPRESENTATIVE:

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