



City of El Paso – City Plan Commission Staff Report

Revised

Case No: SUSU14-00124 Fresno Place Replat A
Application Type: Resubdivision Combination
CPC Hearing Date: February 12, 2015
Staff Planner: Joaquin Rodriguez, (915) 212-1608
rodriguezjx3@elpasotexas.gov
Location: North of Yarbrough, West of Alameda
Acreage: 4.38
Rep District: 7
Existing Use: Residential
Existing Zoning: RF (Ranch Farm)
Proposed Zoning: RF (Ranch Farm)
Nearest Park: Thomas Manor Park (.7 mi)
Nearest School: Cadwallader Elementary (.1 mi)
Park Fees Required: \$4,110.00
Impact Fee Area: N/A
Property Owner: Damian Lara
Applicant: Damian Lara
Representative: Rey Engineering

SURROUNDING ZONING AND LAND USE

North: RF, (Ranch Farm)
South: RF, (Ranch Farm)
East: R-4, (Residential)
West: R-3, (Residential)

PLAN EL PASO DESIGNATION: G3, Post War

NEIGHBORHOOD INPUT:

Public and personal notice of this hearing was given in accordance with 19.38.010 and 19.38.020. Staff received 4 phone calls from surrounding property owners inquiring as to land use and no opposition to the resubdivision. Staff received ~~no written~~ **one written letter in** opposition to this resubdivision.

APPLICATION DESCRIPTION

The applicant proposes to resubdivide approximately 4.38 acres in the city's lower valley. The proposed subdivision will result in three lots with plat restrictions limiting lots 1 and 2 to agricultural use and restricting the future development of dwelling units on lots 1 and 2. All lots will have access via Fresno Drive. Lots one and two will have access via panhandles of 432 feet and 213 feet respectively. The applicant is requesting the following exceptions:

1. An exception to 19.23.040 section C which discourages panhandle lots in residential districts.
2. An exception to allow for the length of a panhandle to exceed 100 feet.
3. A waiver to the required improvements along Fresno Drive.

Fresno Drive is a local street with substandard improvements including only 20 feet of pavement and no existing sidewalk. The applicant has agreed to dedicate an additional 9 feet of right of way to satisfy their proportionate share of the DSC prescribed 48 feet of right of way.

DEVELOPMENT COORDINATING COMMITTEE

Recommends **approval** of exceptions and **approval of Fresno Place Replat A** on a resubdivision combination basis subject to the following staff comments and condition:

1. The engineer shall include an access easement for an offset turnaround at the end of the panhandle serving lot 1 in accordance with section 9.52.200.5 of the 2009 Fire Code.

Planning Division Recommendation

Planning recommends approval to waiving the required improvements along Fresno Drive in accordance with Title 19, Section 19.10.050 A.1.a:

1. *The City Plan Commission may waive such requirements to provide rights-of-way or street improvements to adjacent substandard roads based on any of the following factors:*
 - a. *Fifty percent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood;*

Planning recommends approval of the exception to allow a panhandle length in excess of 100 feet in accordance with Title 19, Section 19.23.040.C.2:

2. *Residential Uses. The maximum length of the panhandle shall be one hundred feet. The minimum width of the panhandle shall be twelve feet to serve one dwelling unit. A maximum of two dwelling units may jointly use a panhandle, provided that the minimum cumulative width of the panhandle is twenty-four feet. Maintenance of the common driveway, in cases of joint use, shall be ensured by deed restrictions and a note of such deed restrictions shall be placed on the face of the plat. In the event that a property cannot be developed whatsoever without an exception being granted by the city plan commission to allow a panhandle exceeding one hundred feet, any buildings served by such panhandle will be required by the fire marshall to be sprinklered and have a hard wired alarm system. A note shall be added to the recording plat and the subdivision improvement plans indicating whether buildings*

are required to be sprinklered within the subdivision, and which lot numbers have such requirement.

Additionally, planning offers the following comments:

1. The engineer shall include a note on the final recording plat and the subdivision improvement plans indicating whether buildings are required to be sprinklered within the subdivision, and which lot numbers have such requirement.
2. Deed restrictions for joint maintenance of the shared panhandle shall be recorded concurrently with the plat.

Planning recommends **approval** of the plat

Planning and Inspections Department - Land Development

We have reviewed subject plats and recommend **Approval**.

The Developer/Engineer shall address the following comments.

1. Add to general notes on preliminary and final plats: All storm water runoff shall be addressed within the subdivision limits and shall comply with all provisions of (DSC, 19.19.010A) and (DDM, 11.1).

Parks and Recreation Department

We have reviewed **Fresno Place Replat "A"**, a major combination plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is composed of three (3) lots zoned "R-F" which allows the use of Single-family dwellings; applicant shall be required to pay "Park fees" in the amount of **\$4,110.00** based on Residential subdivision requirements calculated as follows:

Three (3) "R-F" Single-family Lots = 3 dwellings at a rate of \$1,370.00 per dwelling = **\$4,110.00**

Please allocate generated funds under Park Zone: **MV-4**

Parks with-in Park zone: **J.P. Shawver** & **Pueblo Viejo**

Nearest Park **Thomas Manor** is located with-in Park Zone MV-2

If density/acreage is increased /decreased or the property zoning /use changes, then "Park fees" will be re-assessed based on applicable conditions.

El Paso Water Utilities

1. EPWU does not object to this request.
2. Water and sanitary sewer service for the panhandle lots shall be provided at the property line adjacent to the public right-of-way. Extension of service (privately-owned service line) to each dwelling unit shall be the responsibility of the customer. Water service will be installed outside proposed driveway. No vehicular traffic is allowed over the water meter boxes.

Water:

3. There is an existing 6-inch diameter water main extending along Fresno Drive that is available for service, the water main is located approximately 11-ft east from the center line of the right-of-way.

4. EPWU records indicate an active 1-inch water meter serving the subject property. The service address for this meter is 201 Fresno Drive.

5. Previous water pressure from fire hydrant #1034 located approximately 260-ft south of the south eastern subject property line has yielded a static pressure of 90 (psi), a residual pressure of 80 (psi), and a discharge of 1,061 gallons per minute.

6. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

7. There is an existing 8-inch diameter sanitary sewer main extending along Fresno Drive that is available for service, the sewer main is located approximately 15-ft east from the eastern subject property line.

General:

8. 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.

El Paso Department of Transportation

No comments received.

El Paso County 911 District

No comments received.

El Paso Fire Department

EPFD recommends **approval** subject to plat illustrating conformance with Section 19.23.040 of the Subdivision code. The following need to be noted on the Plat.

19.23.040 Lots—Determination and regulation of size.....Flag or Panhandle
Lots.....Residential Uses. The maximum length of the panhandle shall be one hundred feet. The minimum width of the panhandle shall be twelve feet to serve one dwelling unit. A maximum of two dwelling units may jointly use a panhandle, provided that the minimum cumulative width of the panhandle is twenty-four feet. Maintenance of the common driveway, in cases of joint use, shall be ensured by deed restrictions and a note of such deed restrictions shall be placed on the face of the plat. In the event that a property cannot be developed whatsoever without an exception being granted by the city plan commission to allow a panhandle exceeding one hundred feet, any buildings served by such panhandle will be required by the fire marshal to be sprinklered and have a hard wired alarm system. A note shall be added to the recording plat and the subdivision improvement plans indicating whether buildings are required to be sprinklered within the subdivision, and which lot numbers have such requirement.

Per Requirements of the 2009 Fire Code D103.4 Dead ends. Dead-end fire apparatus access roads in excess of 250 feet (76.2 m) shall be provided with width and turnaround-provisions in accordance with Table D103.4 Dead ends 9.52.200.5.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

Texas Gas Company

No comments received.

Additional Requirements and General Comments:

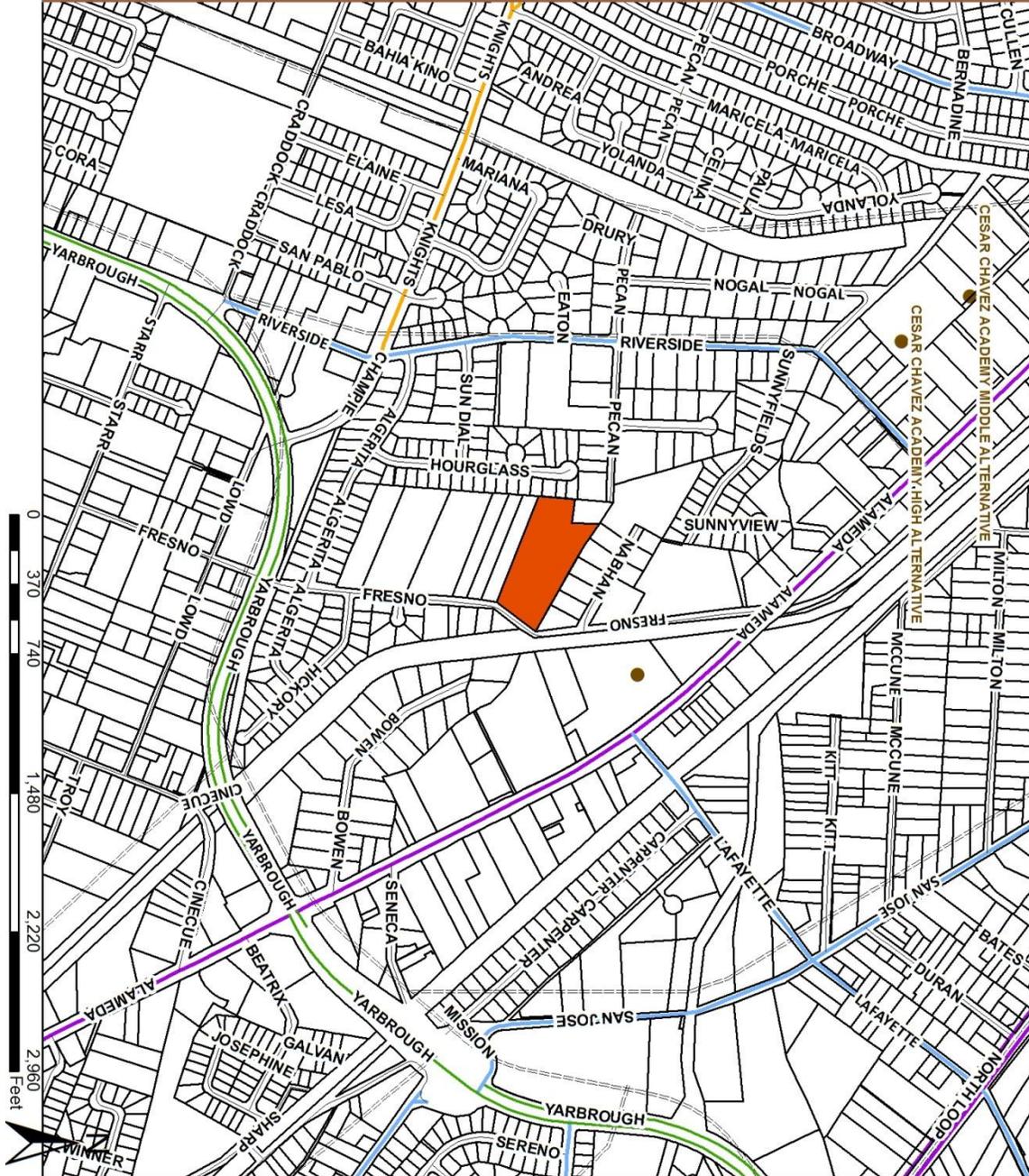
1. Submit to the Planning and Inspections Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. 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.

Attachments

1. Location map
2. Aerial map
3. Preliminary plat
4. Final Plat
5. Waiver Request
6. Application
7. Opposition Letter

ATTACHMENT 1

Fresno Place Replat A



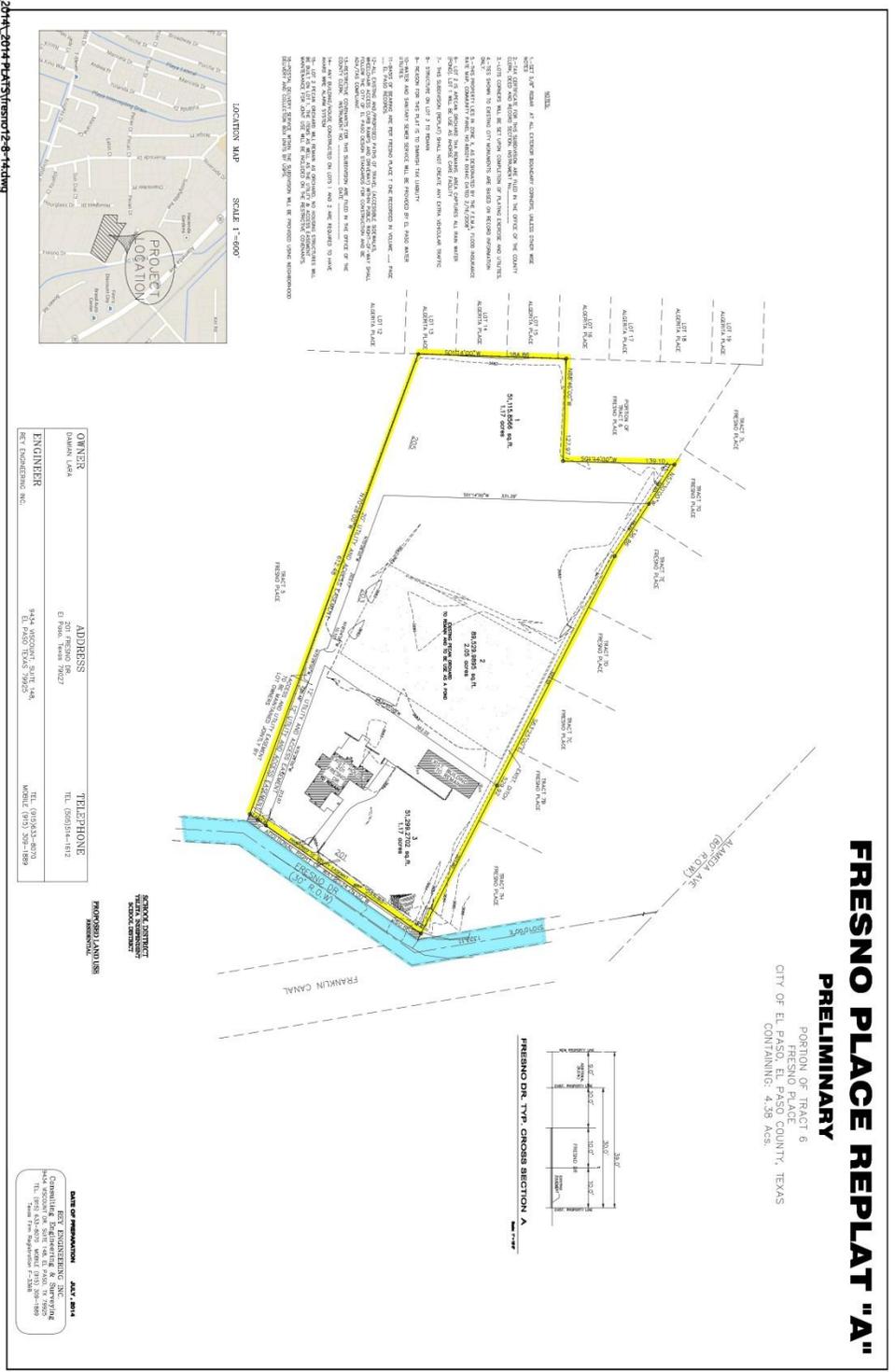
ATTACHMENT 2

Fresno Place Replat A



ATTACHMENT 4

P:\2014\2014 Plans\1514-0012-0-1.dwg



ATTACHMENT 5

REY ENGINEERING Inc.
9434 Viscount Suite 148
El Paso, Texas 79925
(915) 633-8070 Office
(915) 633-8060 Fax
(915) 309-1889 Mobile
e-mail: reye1942@msn.com
Wednesday, January 28, 2015

TO: Mr. Joaquin Rodriguez
Subject: Request to City Planning Commission for Waivers on Fresno Place Replat A,
Subdivision, El Paso, Texas, as follows:

- a) Panhandle lots exceed 100 ft. length (Section 19.23.040.)
- b) 9 ft. extra ROW is being dedicated by subject plat as per Section 19.15.050 (D) as per DSC Section 19.15.110. No sidewalks and parkways will also require a waiver as per Section 19.10.050 (A)(1)

If any questions, please do not hesitate to call.

Respectfully:



Enrique Rey P.E.

ATTACHMENT 6



CITY PLAN COMMISSION APPLICATION FOR
MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 8 DEC 2014 FILE NO. SUSU14-00124
SUBDIVISION NAME: FRESNO PLACE REPLAT A

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
PORTION OF LOT 6, BLOCK 1, FRESNO PLACE,
CITY OF EL PASO, EL PASO CO., TEXAS

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	<u>R-F</u>	<u>4.78</u>	<u>3</u>
School	_____	_____			
Commercial	_____	_____	Total No. Sites		<u>3</u>
Industrial	_____	_____	Total (Gross) Acreage	<u>4.78</u>	

3. What is existing zoning of the above described property? R-F Proposed zoning? SDME

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 . EXISTING PECAN BOUNDARY (LOT 2)

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 Title I (General Provisions) Chapter 1.04 - Vested Rights



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

12. Owner of record DAMIAN LAEB 201 FRESNO DR.
(Name & Address) EL PASO, TX 79927 (505) 544-1612
(Zip) (Phone)

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

14. Engineer REV. ENG. 9434 VISCOUNT DR. STE 105
(Name & Address) EL PASO, TX 79925 (915) 433-8070
(Zip) (Phone) (915) 309-1839 MOB

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

OWNER SIGNATURE: 
 REPRESENTATIVE: 

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

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

Attachment 7

To the City Plan Commission of El Paso:

We, Ruben & Sandy Cortez, are opposed to the re-subdivision of a portion of tract 6, Fresno Place, due to the fact that the property would not be used for said purpose. Mr. Lara has ulterior motives for the re-subdivision. He already has a religious store occupying the residence on Fresno which is zoned for residential usage. Also, the said property currently stands with abandoned vehicles. In speaking to the neighbors we are adamantly opposed of bringing in more property owners who will occupy and use said property for unintended purposes.

The Lower Valley Water District #1 has shortened the irrigation season and thus viable farming would not be sustained. The re-subdivision would also cause more noise and traffic to surrounding neighbors.

We respectfully ask the Commission to decline the subdivision of a portion of tract 6, Fresno Place.

Sincerely concerned neighbors,

Ruben & Sandy Cortez
7976 Nabhan Dr.
El Paso, TX 79915
(915) 479-5411

Enclosed

Pictures of religious store and abandoned vehicles on Mr. Lara's property





