



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** SUSU15-00009 Lamb Subdivision Replat A  
**Application Type:** Resubdivision Combination  
**CPC Hearing Date:** March 12, 2015

**Staff Planner:** Jeff Howell, (915) 212-1607, [howelljb@elpasotexas.gov](mailto:howelljb@elpasotexas.gov)  
**Location:** North of North Loop and East of Yarbrough  
**Acreage:** 1.265 acres  
**Rep District:** 7

**Existing Use:** Single family home / Vacant  
**Existing Zoning:** C-1, C-1/sc (Commercial District/special contract)  
**Proposed Zoning:** C-1, C-1/sc (Commercial District/special contract)

**Nearest Park:** Lomaland Park (.56 mi.)  
**Nearest School:** Hillcrest Middle School (.60 mi.)  
**Park Fees Required:** \$1,260.00  
**Impact Fee Area:** N/A

**Property Owner:** Green Balloon, LLC  
**Applicant:** Sitework Engineering  
**Representative:** Sitework Engineering

### **SURROUNDING ZONING AND LAND USE**

**North:** C-1/sc / Commercial Development  
**South:** C-1 / Commercial Development  
**East:** R-3 / Single-Family Residential  
**West:** R-3 / Single-Family Residential

**PLAN EL PASO DESIGNATION:** G3, Post-War

### **APPLICATION DESCRIPTION**

The applicant is proposing to re-subdivide 1.265 acres, combining two lots into one lot for commercial use and relocate an easement. Access to the subdivision is proposed from North Loop Drive. The applicant has submitted a request to waive ROW improvements on North Loop Drive, which is TXDOT right-of-way. The subdivision was reviewed under the current subdivision code.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommendation is **pending** of Lamb Subdivision Replat A on a Resubdivision Combination basis subject to the following comments.

**Planning Division Recommendation:**

Staff recommendation is **pending** of Lamb Subdivision Replat A on a Resubdivision Combination basis. Staff recommends **approval** of request to waive ROW requirements in accordance with Section 19.10.050.A.1.

Staff recommends approval based on following section of code, specifically:

**Section 19.10.050.A.1.** (Roadway participation policies—Improvement of roads and utilities within and or abutting the subdivision)

*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 and Inspections Department - Land Development**

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

**Parks and Recreation Department**

We have reviewed **Lamb Subdivision Replat "A"**, a resubdivision combination plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-1/sc" meeting the requirements for Non-residential uses as well as for Multi-family dwellings use restricted to a maximum of 29 dwelling units per acre, however, applicant has submitted preliminary covenants restricting the use to general commercial purposes only and prohibiting all residential uses therefore, "Park fees" will be assessed based as follows:

1. **If** gross density waiver is granted by the Planning Department or designee and a copy of the final recorded covenants is provided restricting all residential uses, then applicant shall be required to pay "Park fees" in the amount of **\$1,260.00** based on Non-residential subdivision requirements calculated as follows:

Non-residential acreage 1.26 (rounded to two decimals) @ \$1,000.00 per acre = **\$1,260.00**

Please allocate generated funds under Park Zone: **MV-3**

Nearest Parks: **E.L. Williams** & **Lomaland**

**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**

We have reviewed the subdivision described above and provide the following comments:

1. EPWU does not object to this request.
2. North Loop Dr. is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Dr. right-of-way requires written permission from TxDOT.

**Water:**

3. There is an existing 12-inch diameter water main extending along North Loop Rd. that is available for service, the water main is located approximately 13-ft south of the property's southern boundary line.
4. Previous water pressure from fire hydrant #4339 located at the north east corner of North Loop Rd. and Martha Way, has yield a static pressure of 95 (psi), a residual pressure of 60 (psi), and a discharge of 1113 gallons per minute.
5. 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.
6. EPWU records indicate an active 3/4-inch water meter serving the subject property. The service address for these meters is 8131 North Loop Rd.

**Sanitary Sewer:**

7. There is an existing 12-inch diameter sanitary sewer main that extends along North Loop Rd. that is available for service. The main is located approximately 32 feet south of the property's southern boundary line.
8. EPWU records indicate two (2) sanitary services to the subject property. The service address for these services are 8117 and 8131 North loop Rd.

**General:**

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.

**Sun Metro**

No comments received.

**El Paso Department of Transportation**

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.

**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

ATTACHMENT 1

LAMB SUBDIVISION REPLAT A



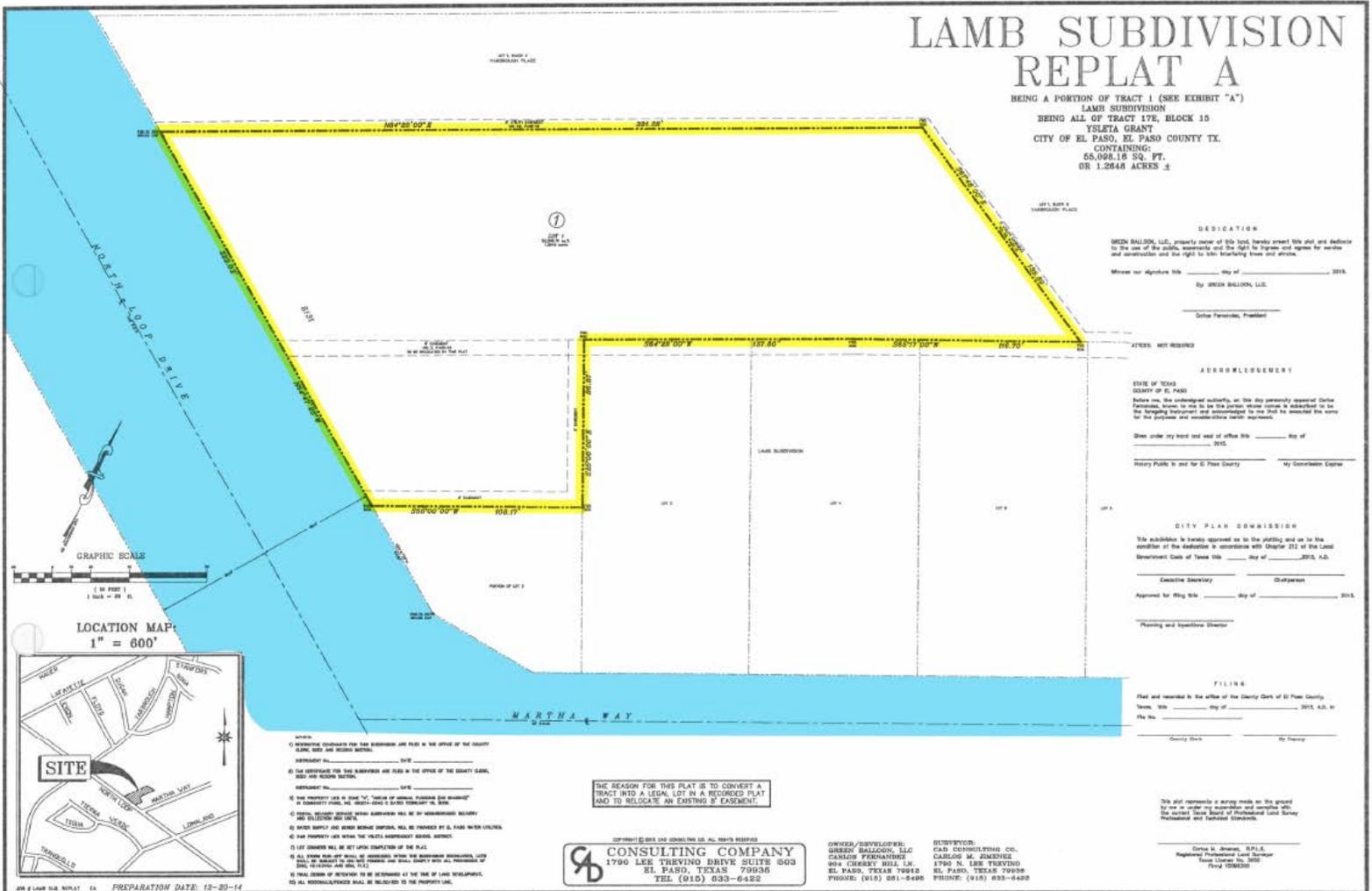
ATTACHMENT 2

LAMB SUBDIVISION REPLAT A





**ATTACHMENT 4**



# LAMB SUBDIVISION REPLAT A

BEING A PORTION OF TRACT 1 (SEE EXHIBIT "A")  
LAMB SUBDIVISION  
BEING ALL OF TRACT 17E, BLOCK 10  
YSLETA GRANT  
CITY OF EL PASO, EL PASO COUNTY TX.  
CONTAINING:  
55,096.18 SQ. FT.  
OR 1.2648 ACRES ±

**DEDICATION**

GREEN BALLGON, LLC, property owner of this land, hereby amends this plat and dedicates to the use of the public, successors and the City for drainage and access for service and construction and the right to site bracketing trees and shrubs.

Witness my signature this \_\_\_\_\_ day of \_\_\_\_\_, 2015.  
By: GREEN BALLGON, LLC.  
Celia Fernandez, President

**ACKNOWLEDGEMENT**

STATE OF TEXAS  
COUNTY OF EL PASO

I, the undersigned authority, on this day personally appeared Celia Fernandez, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Notary Public in and for El Paso County My Commission Expires \_\_\_\_\_

**CITY PLAN COMMISSION**

This subdivision is hereby approved as to the platting and as to the compliance of the subdivision in accordance with Chapter 212 of the Land Development Code of Texas with \_\_\_\_\_ day of \_\_\_\_\_, 2015, A.D.

City Secretary City Planner  
Approved by City Clerk \_\_\_\_\_ day of \_\_\_\_\_, 2015.

Planning and Zoning Director

**FILING**

Filed and recorded in the office of the County Clerk of El Paso County Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 2015, A.D. in File No. \_\_\_\_\_

County Clerk By: Notary

- 1. THE REASON FOR THIS PLAT IS TO CONVERT A TRACT INTO A LEGAL LOT IN A RECORDED PLAT AND TO RELOCATE AN EXISTING EASEMENT.
- 2. THE PROPERTY IS BEING REDEVELOPED AS A RESIDENTIAL DEVELOPMENT.
- 3. THE PROPERTY IS BEING REDEVELOPED AS A RESIDENTIAL DEVELOPMENT.
- 4. THE PROPERTY IS BEING REDEVELOPED AS A RESIDENTIAL DEVELOPMENT.
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- 8. THE PROPERTY IS BEING REDEVELOPED AS A RESIDENTIAL DEVELOPMENT.
- 9. THE PROPERTY IS BEING REDEVELOPED AS A RESIDENTIAL DEVELOPMENT.
- 10. THE PROPERTY IS BEING REDEVELOPED AS A RESIDENTIAL DEVELOPMENT.

**CONSULTING COMPANY**  
1790 LEE TRINING DRIVE SUITE 603  
EL PASO, TEXAS 79936  
TEL (910) 635-6452

**OWNER/DEVELOPER:**  
GREEN BALLGON, LLC  
CARLOS FERNANDEZ  
504 CHESSY HILL LN.  
EL PASO, TEXAS 79910  
PHONE: (910) 581-8408

**SURVEYOR:**  
CAR CONSULTING CO.  
CARLOS M. ZEMERIE  
1790 N. LEE TRINING  
EL PASO, TEXAS 79936  
PHONE: (910) 635-6452

This plat represents a survey made on the ground for use in order to locate and describe with the correct Texas Board of Professional Land Survey established and certified standards.

Celia M. Alvarez, RPLS  
Registered Professional Land Surveyor  
Texas (License No. 2002)  
Texas 75062-0202

**ATTACHMENT 5**



February 26, 2015

**SENT VIA EMAIL**

**Mr. Jeff Howell**  
**CITY OF EL PASO – Planning Department**  
**811 Texas Street**  
**El Paso, TX, 79901**

**PROJ: LAMB SUBDIVISION REPLAT A**  
**RE: REQUEST OF STREET IMPROVEMENTS WAIVER**

Dear Jeff Howell,

On behalf of the Owner, and according to Title 19.10.050 of the Municipal Code, we are submitting this petition to waive the street improvements on North Loop Drive as indicated on your 5-day review comments letter. We are hereby seeking relief from the construction of the bike/hike lane requirement and for the existing configuration of North Loop to remain.

We believe that +50% of the lots within a quarter mile of the proposed development have already been developed and the existing street improvement is in character with the neighborhood.

We understand North Loop Drive is not compliant with the current City Code; however, we believe that granting the waiver will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.

We are submitting this letter along with a subdivision application.

Sincerely,  
**SiteWork Engineering, LLC**

A handwritten signature in black ink, appearing to read 'Jorge A. Garcia', is written over a horizontal line.

Jorge A. Garcia, PE  
Project Engineer/Owner Representative

cc Mr. Carlos Lievanos, AIA – LIEV Architecture  
Mr. Carlos Fernandez – Green Balloon, LLC

Waiver of Improvements Request.doc

**ATTACHMENT 6**



CITY PLAN COMMISSION APPLICATION FOR  
RESUBDIVISION COMBINATION APPROVAL

DATE: 2/19/15 FILE NO. SUSU15-00009  
SUBDIVISION NAME: LAMB SUBDIVISION REPLAT A

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
TRACT 17 E, BLOCK 15, YULETA GRANT &  
A PORTION OF TRACT 1, LAMB SUBDIVISION

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	_____	_____	_____	_____	_____
School	_____	_____	Total No. Sites	_____	<u>1</u>
Commercial	<u>1.26</u>	<u>1</u>	Total (Gross) Acreage	<u>1.26</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? C1 Proposed zoning? C1

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No N/A

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 LOT PONDING

7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No X

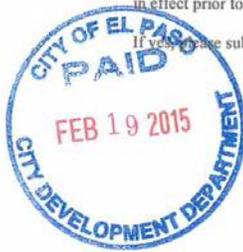
8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No X  
If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: \_\_\_\_\_

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 Section 19.47- Vested Rights (See Attached).



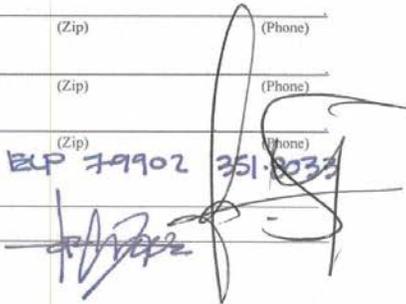
GREEN BALLON LLC

- 12. Owner of record \_\_\_\_\_  
(Name & Address) (Zip) (Phone)
- 13. Developer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)
- 14. Engineer SITELINK ENGINEERING \_\_\_\_\_  
(Name & Address) (Zip) (Phone)

444 EXECUTIVE CTR STE 134, BLP 79902 351-8033

CASHIER'S VALIDATION  
FEE: \$1,083.00

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.