



City of El Paso – City Plan Commission Staff Report

Case No: SUSU12-00017 North Desert Palms
Application Type: Resubdivision Final
CPC Hearing Date: March 22, 2012
Staff Planner: Nathaniel Baker, (915) 541-4192, bakernt@elpasotexas.gov
Location: East of McCombs Street and North of Dyer Street
Acreage: 12.118 acres
Rep District: 4
Existing Use: Vacant
Existing Zoning: C-1/C & C-4/C (Commerical/Conditions)
Proposed Zoning: C-1/C & C-4/C (Commercial/Conditions)
Nearest Park: Shearman Park (.93 miles)
Nearest School: Desertaire Elementary School (0.74 miles)
Park Fees Required: \$35,870
Impact Fee Area: This property is located within the Northeast Impact Fee Service Area.
Property Owner: Tropicana Building Corp.
Applicant: Tropicana Building Corp.
Representative: CEA Group

SURROUNDING ZONING AND LAND USE

North: RF/ Vacant (Ranch-Farm)

South: C-4 (Commerical) / Commercial uses

East: C-3/SP (Commercial/Special Permit) & M-1SC (Light Manufacturing/Special Permit) / Storage

West: C-4 (Commerical) & M-1/SP (Light Manufacturing/Special Permit) / Storage, Auto Clinic

THE PLAN FOR EL PASO DESIGNATION: Suburban (Drivable).

APPLICATION DESCRIPTION

The applicant proposes to resubdivide 12.118 acres of land for commercial and multifamily development. The applicant proposes one multifamily lot of 9.734 acres with a maximum of 172 multifamily units and one commercial lot of 2.384 acres. Primary access is proposed from Dyer Street. The applicant is also proposing to vacate the existing 52' ROWs with this plat. A 30' PSB easement and 56' access and utility easement are being retained (as shown in the shaded area).

CASE HISTORY

On August 11, 2011 the City Planning Commission approved North Desert Palms on a resubdivision preliminary basis.

CURRENT REQUEST

The applicant has submitted North Desert Palms on a resubdivision final basis reflecting no changes from the approved preliminary plat.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of North Desert Palms on a Resubdivision Final basis.

Planning Division Recommendation

Planning recommends approval.

Engineering & Construction Management - Land Development

We have reviewed subject plan recommend Approval; the Developer/Engineer needs to address the following comments:

No Objections

1. Applicant shall continue coordinate with FEMA, for the requirements for developing in a Special Flood Hazard flood plain area, a CLOMR and LOMR is required; (grading permit shall not be issued until FEMA comments in regard CLOMR application is submitted).
2. Developer / Engineer shall comply with section 18.60 Flood Damage Prevention of the El Paso Municipal Code prior to recording of the plat, if applicable.
3. Applicant shall coordinate with the U.S. Army Corps of Engineers for the requirements and compliance of the Clean Water Act; 401 and/or 404 permits may be required.

The Subdivision is within Flood Zone "A1" and "C"-As Designated in Panel # 480214 0015D, dated January 3, 1997.

EPDOT

The Department of Transportation does not object to the final plat with the following condition:

1. Per the TIA, the developer is responsible for the following proportionate share of the cost for a traffic signal for mitigation at the following intersection: a. \$41,131.00 (19.37%) at Dyer & Sean Haggerty

Notes:

1. The property is located along the Dyer Rapid Transit System (RTS) corridor. Location of bus turn bays and bus stops shall be coordinated with Sun Metro.
2. Access and proposed improvements to Dyer Street shall be coordinated with TXDOT.
3. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Parks and Recreation Department

Please note that per restrictive covenants, applicant is proposing a maximum of 172 Multi-family dwelling units for Lot 1, Block 1 and General Commercial use for Lot 2, Block 1, therefore, applicant shall be required to pay "Park fees" for a total amount of \$35,870.00 based on the following calculations:

Fees calculated as follows:

Commercial acreage 2.38 (rounded to two decimals) @ \$1,000.00 per acre = \$2,380.00

172 Multi-family dwelling units @ \$680.00 per unit = \$116,960.00
Total "Park" fees = \$119,340.00
Less "Park fees" already paid for "Desertaire Estates" on 05/23/08 = \$83,470.00
Balance = \$35,870.00

NOTE: Please note that "North Desert Palms" was previously submitted as "Desertaire Estates" and applicant had already paid "Parkland fees" in the amount of \$83,470.00 which shall be deducted from the required "Park fees" for this subdivision.

Please allocate funds under Park Zone: NE-7

Nearest Park: Montalvo (zone NE-5)

Nearest Park(s) within zone: Northern Lights & Northeast Regional

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

El Paso Water Utilities

1. EPWU does not object to this request.
2. The subject property is located within the City of El Paso Northeast Impact Fee Service Area. Impact fees will be assessed by the City of El Paso at the time of platting and collected by EPWU prior to the issuance of a Building Permit.
3. Label the Utility Easement separately from the 30-foot PSB Easement.

Water

4. Along Dyer Street between Angora Loop North Street and Ashley Road, there is an existing twelve (12) inch diameter water main. This 12-inch diameter water main is dedicated to serve McGregor Range exclusively; no service is available from this main.
5. Along Dyer Street between Angora Loop North Street and Ashley Road, there is an existing sixteen (16) inch diameter water main. Water service is available from this 16-inch diameter water main. The Owner is responsible for all water main extension costs.
6. Previous water pressure readings from a fire hydrant located at the north intersection of Dyer Street and Angora Loop have yielded a static pressure of 90 pounds per square inch, a residual pressure of 82 pounds per square inch, a pitot pressure of 52 pounds per square inch, and a discharge of 3414 gallons per minute.
7. 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.
8. In the event that the City of El Paso Fire Department requires additional fire hydrants or on-site fire protection systems within the private properties, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. Easements may be required to accommodate each fire hydrant.

Sanitary Sewer

9. Along Dyer Street there exists a fifteen (15) inch diameter sewer main fronting the subject property.

General

10. The Owner/Developer is responsible for the acquisition of all required off-site and on-site easements. EPWU-PSB requires access to the proposed water and sanitary sewer facilities and

appurtenances within easements 24 hours a day, seven (7) days a week. The Owner/Developer is responsible for all sanitary sewer main extension costs.

11. Dyer Street is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and/or sanitary sewer work to be performed within Dyer Street right-of-way requires permits from TxDOT.

12. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

13. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

14. The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

15. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

16. Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB.

17. EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.

18. EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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

Stormwater has reviewed the final plat and has the following comments:

1. The plat notes indicate a portion of the proposed subdivision is located within Flood Zone A1, a Special Flood Hazard Area. Coordinate with FEMA, USACE, and the City of El Paso to meet the CLOMR and LOMR requirements for development in a Special Flood Hazard Area. EPWU approval of the subdivision will be subject to FEMA approval of a CLOMR.

2. Protect the subject property from stormwater runoff from the adjacent undeveloped terrain.

3. Provide an acceptable inspection and maintenance agreement for private facilities in accordance with Section 19.19.040.

4. EPWU recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

Sun Metro

No comments received.

El Paso Fire Department

No comments received.

911

No comments received.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

Texas Gas Company

No comments received.

Canutillo Independent School District

No comments received.

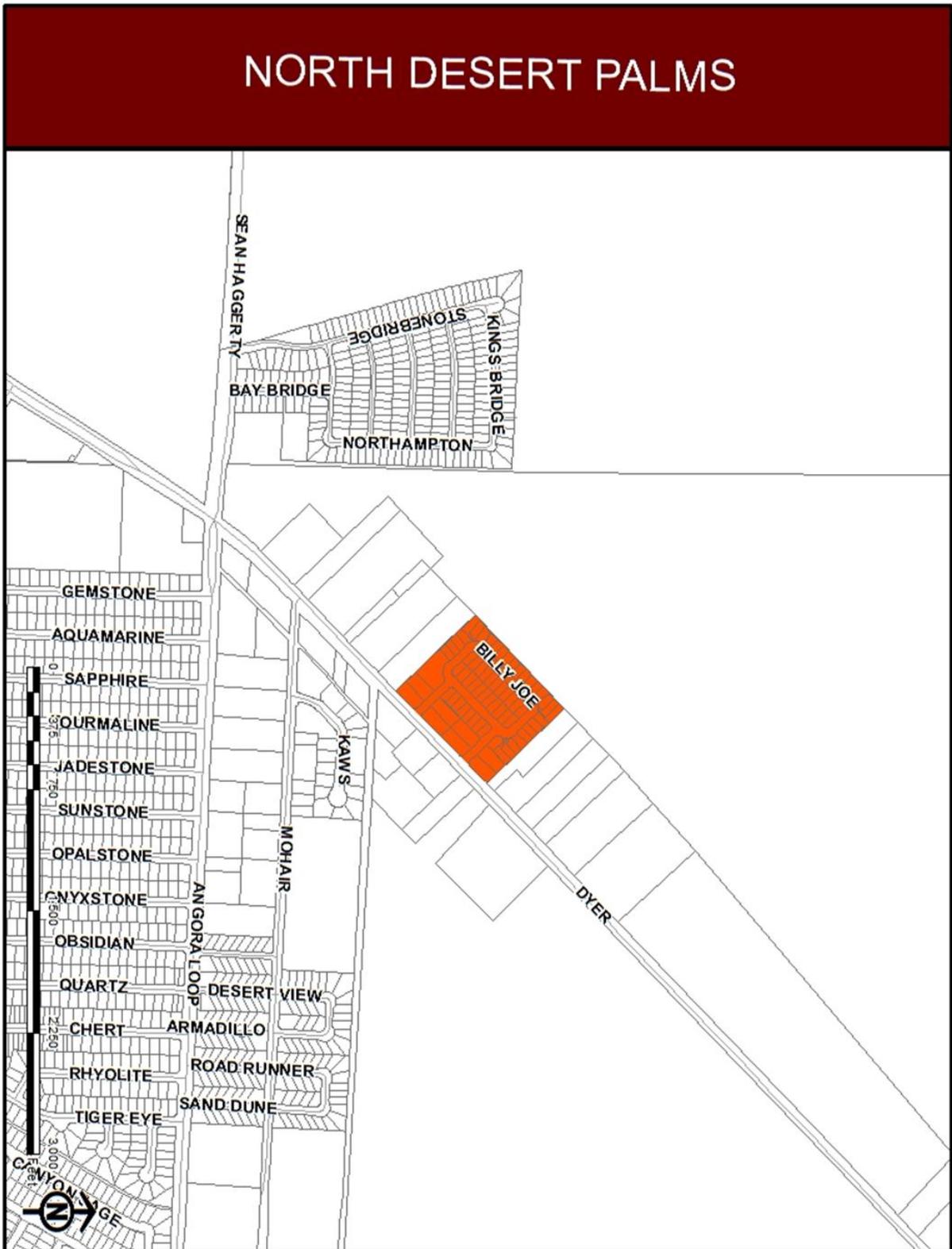
Additional Requirements and General Comments:

1. Submit to the Planning & 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.

Attachments

1. Location map
2. Aerial map
3. Final plat
4. Application

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 4



**CITY PLAN COMMISSION APPLICATION FOR
RESUBDIVISION FINAL APPROVAL**

DATE: 2/7/12

FILE NO. SUSU12-00017

SUBDIVISION NAME: North Desert Palms

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
A replat of all lots of blocks 1, 2, and 3, Robert Todd Way, Lisa Anne Way, and
 Billy Joe Circle, of Desertaire Estates, City of El Paso, El Paso County, Texas

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	<u>9.734</u>	<u>1</u>	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	Total No. Sites	_____	<u>2</u>
Commercial	<u>2.384</u>	<u>1</u>	Total (Gross) Acreage	<u>12.118</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? R 5 Proposed zoning? A-U, C-4

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 _____

6. What type of drainage is proposed? (If applicable, list more than one)
Surface Flow to Storm sewer system and ultimately discharge into an on-site retention basin.

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

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 R/A

9. Remarks and/or explanation of special circumstances: A dedicated left turning lane is being proposed on Dyer Street within development limits.

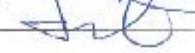
10. Improvement Plans submitted? Yes _____ No X

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).

- | | | | |
|-----|-----------------|---|----------------|
| 12. | Owner of record | Tropicana Building Corp. 4655 Cohen Dr. 79924 | (915) 821-3550 |
| | | (Name & Address) | (Zip) (Phone) |
| 13. | Developer | Tropicana Building Corp. 4655 Cohen Dr. 79924 | (915) 821-3550 |
| | | (Name & Address) | (Zip) (Phone) |
| 14. | Engineer | CEA Group 4712 Woodrow Bean Sta. F 79924 | (915) 544-5212 |
| | | (Name & Address) | (Zip) (Phone) |

CASHIER'S VALIDATION
 FEE: \$932.00

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.