



City of El Paso – City Plan Commission Staff Report

Case No: SUSU12-00018 Gary Lake Subdivision
Application Type: Major Combination
CPC Hearing Date: April 19, 2012
Staff Planner: Raul Garcia, 915-541-4935, garcia1@elpasotexas.gov
Location: North of Gary Lane and West of Boy Scout Lane
Acreage: 1.32 acres
Rep District: 8
Existing Use: Single-family
Existing Zoning: R-2A (Residential)
Proposed Zoning: R-2A (Residential)
Nearest School: Zach White Elementary (1.53 miles)
Nearest Park: Marwood Park (1.37 miles)
Park Fees: \$1370.00
Impact Fee Area: Not in Impact Fee Area
Property Owner: Albert A. and Cristina R. Lanza
Applicant: Albert A. and Cristina R. Lanza
Representative: CAD Consulting Co.

SURROUNDING ZONING AND LAND USE

North: R-3/sp (Residential/special permit)/ Single-family development
South: R-2A (Residential)/ Single-family development
East: R-2A (Residential)/ Single-family development
West: R-2A (Residential)/ Single-family development

THE PLAN FOR EL PASO DESIGNATION: Post-War

APPLICATION DESCRIPTION

The applicant is proposing one single-family panhandle lot measuring 1.32 acres in size with primary access off Gary Lane. The applicant is dedicating 18' of additional ROW on Gary Lane to match the ROW on previously recorded plats on Gary Lane.

The applicant is requesting the following exceptions:

1. To allow for a panhandle lot.
2. To allow for the panhandle length to exceed the 100ft. maximum length.

The applicant is also requesting a waiver of sidewalks pursuant to Section 19.21.010.C.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the exceptions in accordance with Section 19.48.030.A and **approval** of the waiver of sidewalks in accordance with Section 19.21.01.C.1 and approval of Gary Lake Subdivision on a **Major Combination** basis subject to the following comments and conditions:

Per Section 19.10.050.A(1) of the subdivision code, *the City Plan Commission may waive the requirement to dedicate and improve the substandard right-of-way if any of the following factors are met:*

- a. Fifty per cent 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 and have sufficient capacity to handle the increase in traffic to be generated by the proposed development; or,*
- b. The plat is located within the City of El Paso's Extraterritorial Jurisdiction area, is not within the city's annexation path and written documentation from the County of El Paso has been received stating that the substandard road meets all County requirements and the County is willing to accept the dedication of the substandard road;*
- c. For all plats located in the City of El Paso's Extraterritorial Jurisdiction area, written concurrence from the County of El Paso is required prior to the waiver of any dedication and/or improvements.*

Staff recommends that the City Plan Commission waive the requirements to provide additional pavement, curb, and gutter; based on the development meeting factor (a).

Planning Division Recommendation:

Approval with exceptions and waiver of sidewalks and waiver of street improvements. The two exception requests meet the *Criteria of Approval* under Section 19.48.030 and the waiver of sidewalks meets the waiver requirements under Section 19.21.010.C.1 as there are no sidewalks present within the existing unplatted residential neighborhood.

Planning recommends that the City Plan Commission waive the requirement to provide street improvements, pursuant to Section 19.10.050.A.1(a) as fifty percent of the lots within a quarter mile have already been developed and the existing street improvements are in character with the neighborhood and have sufficient capacity to handle the increase in traffic to be generated by the proposed development.

Engineering & Construction Management-Land Development:

We have reviewed subject plats and recommend that the Developer/Engineer address the following comments.

Place a note to both plats stating that all Lots shall be subject to On-Site Ponding if the Lot is further subdivided.

1. Clarify Location Map Scale.
2. Replace Development Services Director to City Engineer.
3. Per Zoning Ordinance Section 20.16.020 C a six foot masonry wall shall be erected along the property line adjacent to the Montoya Lateral.
4. Show 10' E.P.E.CO. utility easement on plans.

The Subdivision is within Flood Zone C-“Areas of minimal flooding” –

Panel # 480214 0026D, dated January 3, 1997.

(All comments will be addressed prior to recording of the plat.)

Planning - Transportation:

Notes:

1. The existing wood and rockwall encroach onto the Montoya Lateral right-of-way and are to be removed or relocated to the property line.
2. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located 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:

We have reviewed Gary Lake Subdivision, a major final plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is composed of 1 (R-2/A) Single-family residential dwelling lot and applicant is required to pay "park fees" in the amount of \$1,370.00 based on the following calculations:

Fees calculated as follows:

1 (R-2/A) Single-family dwelling lot @ \$1,370.00 / dwelling = \$1,370.00

Please allocate funds under Park Zone: NW-4

Nearest Parks: Braden Aboud & Riverbend LT

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

Water:

2. There is an existing 8-inch diameter water main extending along Gary Lane that is available for service, the water main is located approximately 12.5-feet south from the southern property line.

3. EPWU records indicate a 1-inch water meter serving the subject property. The service address for this meter is 717 Gary Lane.

Sewer:

4. There is an existing 8-inch diameter sanitary sewer main extending along Gary Lane that is available for service, the sewer main is located approximately 4-feet south from the southern property line and approximately 5.5-feet deep from the invert to the top of manhole rim at entrance to the property.

General:

5. 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.

Stormwater:

We have reviewed the subdivision described above and would recommend denial unless the following comments are addressed:

Gary Lake Subdivision – Major Combination

1. Include the following on-site ponding requirements as notes on the final plat. See on-site ponding notes below. On-site Ponding Notes:

1. All lots in the subdivision are subject to on-site ponding. Lot owners are responsible for maintaining adequate provisions to accommodate all stormwater runoff generated from their respective lot plus one-half the runoff generated from all abutting street right-of-ways directly fronting the lot. The pond depth and lot grading requirements are as per approved Grading and Drainage plan for the Subdivision.
2. Walls constructed abutting street right-of-ways shall be constructed with a series of drain pipes allowing the street runoff to be conveyed to the subject property.
3. On-site ponding areas shall have maximum one (vertical) to three (horizontal) side slopes and a maximum depth of twelve (12) inches based on a one hundred year storm.
4. Permanent elevation markers shall be installed to define the levels to be maintained to ensure the effectiveness of on-site ponding. Permanent elevation markers shall not be moved, covered, or altered without written permission from the City Engineer.
5. The City and/or its Representative is granted permanent right of access to inspect the ponding areas and permanent elevation markers.
6. Filling or changing the pond, or allowing the pond to be filled or changed to an elevation greater than established by the permanent elevation markers, is prohibited.
7. On-site ponding areas and permanent elevation markers shall be constructed and inspected prior to building occupancy. Permanent Certificate of Occupancy, required to obtain utility services, will be issued only after the City of El Paso has performed the inspection.
8. No person shall be permitted to impair the functionality of an on-site pond. No more than fifty-percent (50%) of the area of any residential lot conveyed by deed shall be covered by improvements, either temporary or permanent, which shed stormwater, including but not limited to, buildings, driveways, patios, decks or landscaping underlaid with plastic sheeting or other impermeable material.
9. In the event that the functionality of an on-site pond becomes impaired whether by act of man or nature, the owner of the lot on which the impaired pond is located shall perform all corrective actions required to restore that functionality.
10. Any owner notified in writing by the City Engineer of corrective actions required to restore the functionality of an on-site pond or drainage problem on the lot shall comply within forty-five calendar days of receipt of such notice; provided, however, that nothing herein shall prevent the City from mandating an earlier time for commencement of completion during times of emergency, where there is imminent danger of loss of life, limb or property.
11. Owner of property utilizing on-site ponding waives any claim or cause of action against the City, EPWU-PSB, officials or employees, for any death, injury or property damage resulting from alteration of the ponding capacity for that lot, including lack of

maintenance.

12. These on-site ponding requirements shall be enforced by injunctive relief without the requirement for bond or other security.
13. The conveyance of property permitting on-site ponding shall declare in conspicuous language in the deed that the property is subject to on-site ponding requirements, maintenance of elevation markers, standing water on lot, and ingress and egress for inspection as stated on the plat.

El Paso Fire Department:

The fire department needs will be satisfied pursuant to the Subdivision Code section 19.23.4 sub section (C) (2) "Residential uses:" That per the applicant, who agrees to comply with required sprinkler system installation and the hard wired alarm system to fully installed in any and all structures, then the fire department will withdrawal its current position of the "denial" therefore providing the necessary "APPROVAL" and allow a recommendation for the project.

911

No comments received.

Sun Metro:

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 & 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
 - e. Deed for property to be dedicated as parkland.
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. Exception Request
6. Waiver of Sidewalk Request
7. Application

ATTACHMENT 1

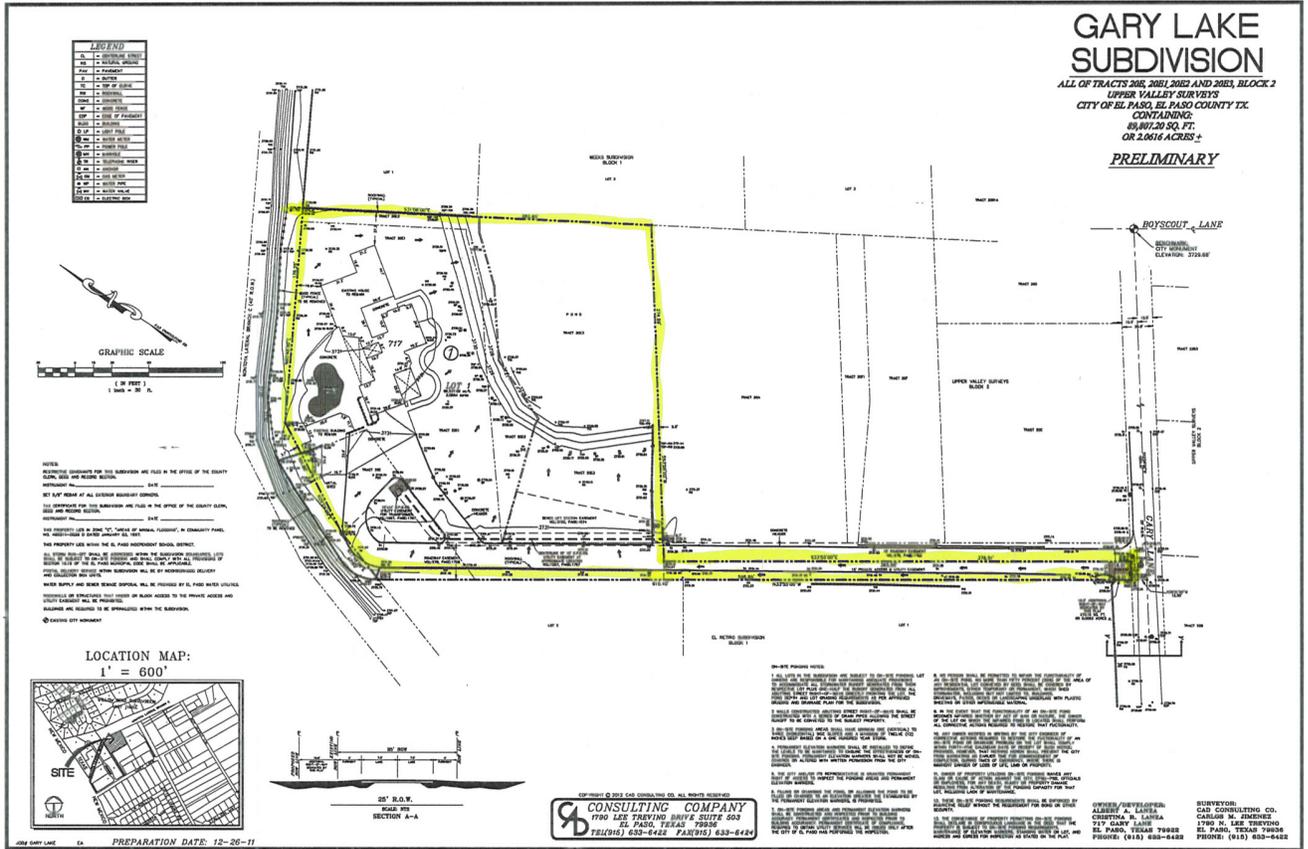


GARY LAKE SUBDIVISION

ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 5

February 29, 2012

Planning, Research &
Development Department
Att: Raul Garcia

Gary Lake Subdivision

RE: Request for Variance for the property legally as Lot 1, Block 1, Gary Lake Subdivision (Being Tracts 20E, 20E1 and 20E2, Block 2, Upper Valley Surveys), City of El Paso, El Paso County, Texas.

The reason for the Modification request is because Lot 1, Block 1 exceeds the minimum 200 feet requirement for a Pen-Handle Lot which we have @ 510.41 feet.

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

Respectfully,

Carlos M. Jimenez
CAD Consulting Co.
1790 Lee Trevino, Ste. 503
El Paso, TX 79936

ATTACHMENT 6



April 05, 2012

Planning, Research &
Development Department
Att: Raul Garcia

Gary Lake Subdivision

RE: Request for sidewalk waiver for the property legally as Lot 1, Block 1, Gary Lake Subdivision (Being Tracts 20E, 20E1 and 20E2, Block 2, Upper Valley Surveys), City of El Paso, EL Paso County, Texas.

This is a request for a sidewalk waiver for the above property on 717 Gary Lane on the request from the City of El Paso Traffic Department for sidewalks. This is in reference to Section 13.04.070 (shown below) and because there are no existing sidewalks along Gary lane.

If you have any questions, please call me at 633-6422.

Thank You

Carlos M. Jimenez/Enrique Ayala
CAD Consulting Co.

13.04.070 - Installation of sidewalk on property on which building permit issued.

The city engineer or his designee shall inspect each piece of property on which a building permit has been issued or for which a building permit has been applied for, and shall determine whether the property is provided with sidewalks. If there is no sidewalk on the part of the street or streets abutting on the property, the city engineer or his designee shall proceed under Section 13.04.040 of this chapter to order such sidewalk installed, unless the city council authorizes that such sidewalk may be waived because of the location of the building, the probable conditions of traffic, or other pertinent conditions existing in the neighborhood. Such finding shall not deprive the city of its authority to order the installation of sidewalks at any subsequent time, as provided in Section 13.04.040 of this chapter.

(Ord. 16982 § 3 (part), 2008; Ord. 13956 § 17, 1999; Ord. 13152 § 109, 1997; Ord. 12248 (part), 1995; Ord. 9292 § 1, 1988; prior code § 19-14.2)

(Ord. No. 17391, § 5, 8-24-2010, eff. 9-1-2010)

ATTACHMENT 7



CITY PLAN COMMISSION APPLICATION FOR MAJOR SUBDIVISION COMBINATION APPROVAL

DATE 3/1/12 FILE NO. SUSU12-00018

SUBDIVISION NAME: GARY LAKE SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
TRACTS JOE, JOE1 & JOE2, BLOCK 2
UPPER VALLEY SURVEYS

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>1.3223</u>	<u>1</u>	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	_____	_____	Total (Gross) Acreage	<u>1.3223</u>	_____
Industrial	_____	_____			

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
16W HANDLE LENGTH

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 19.49- Vested Rights (See Attached).

12. Owner of record ALBERT A. & CRISTINA R. LAWRA 633-6422
(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: \$2,088.00

OWNER SIGNATURE: Albert Lawra Christina Lawra
REPRESENTATIVE: _____

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

