



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

**Case No:** SUSU12-00016 Festiva Hills Addition Replat “A”  
**Application Type:** Resubdivision Combination  
**CPC Hearing Date:** April 19, 2012

**Staff Planner:** Justin Bass, (915) 541-4930, [bassjd@elpasotexas.gov](mailto:bassjd@elpasotexas.gov)  
**Location:** West of Mesa Street and North of Festival Drive  
**Acreage:** 1.10 acres  
**Rep District:** 1  
**Existing Use:** Vacant  
**Existing Zoning:** P-R2 (Residential)  
**Proposed Zoning:** P-R2 (Residential)

**Nearest Park:** Galatzan Park (1.34 miles)  
**Nearest School:** Green Elementary School (adjacent to north)  
**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:** Edwards Homes Inc. & Ronald and Sunshine Salas  
**Applicant:** CAD Consulting Company  
**Representative:** CAD Consulting Company

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

**North:** R-3 (Residential)/ School  
**South:** A-2/sc (Apartment/ special contract)/ Multi-family residential development  
**East:** P-R2 (Planned Residential)/ Vacant  
**West:** P-R2 (Planned Residential)/ Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Suburban.

### **APPLICATION DESCRIPTION**

The applicant is proposing to replat three lots within Festiva Hills Addition. The purpose of the replat is to relocate a 20-ft drainage easement within the development. Access to the subject lots will remain from Buckley Drive. This subdivision is being reviewed under the current subdivision code.

Festival Drive, which abuts the rear of the subject lots, is an existing minor arterial on the Major Thoroughfare Plan and is currently substandard with 70-feet of right-of-way. The subdivision code requires a 78-foot minor arterial right-of-way at this location. 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 agrees that factor (a) does apply in this situation.

### **CASE HISTORY**

Festiva Hills Addition was filed of record on May 10, 2004.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of Festiva Hills Addition Replat "A" on a **Resubdivision Combination** basis, subject to the following conditions and requirements:

Staff is also recommending that the City Plan Commission require the applicant to landscape the parkway area on Festival Drive, as stipulated under Section 19.23.040(H) *The city plan commission may require that a parkway at the rear of a double frontage lot be landscaped or other aesthetic treatment be provided by the subdivider, subject to the approval of the city plan commission to provide a visual and physical separation between the development and the street.* Staff also recommends that if the City Plan Commission requires landscaping, that the condition be coordinated with the El Paso Department of Transportation where it conflicts with site visibility standards, utilities, and parkway illumination. For the type of landscaping, staff recommends the developer select trees designated as median/street/right of way appropriate from the City's Plant and Tree List, to be placed 30-feet on centers.

### **OPEN SPACE ADVISORY BOARD**

**Unanimously approved.**

### **Planning Division Recommendation:**

***Approval with waiver.*** In this case, more than fifty percent (50%) of the lots within a quarter mile of the subject property are developed; and the existing Festival Drive is both in character with the surrounding neighborhood and operates at its intended capacity.

### **Engineering & Construction Management - Land Development**

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

1. **Erosion Control Wall** is required at the property line of **Festival Drive R.O.W.**

**The Subdivision is within Flood Zones C; Panel 480214 0028C, dated February 5, 1986.**

### **Planning – Transportation**

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 **Festiva Hills Addition Replat "A"** a resubdivision combination plat and offer Developer / Engineer the following "**revised**" comments:

Please note that all lots with-in this subdivision are zoned "P-RI" thus meeting the requirements for Single-family, Two-family and Multi-family dwellings use restricted to a maximum of 7 units per acre, however, applicant has submitted covenants restricting the use to one Single-family dwelling unit per lot therefore, the following shall apply:

1. **If** gross density waiver is granted by the Planning Department or designee, then, this subdivision density is not being increased, as evidenced by the original subdivision and replat, therefore, is excluded from the calculation for parkland dedication ordinance as per Title 19 – Subdivision & Development Plats, **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*)

Subdivision is located with-in Park Zone: **NW-3**

Nearest Parks within adjacent zone **NW-2: Galatzan & Crestmont**

### **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 Buckley Way that is available for service, the water main is located approximately 10-feet north from the center line of the right-of-way.
3. There is an existing 12-inch diameter water main that extends along Festival Drive fronting the southern boundaries of the Subject Property.
4. There is an existing 24-inch diameter water transmission main that extends along Festival Drive fronting the southern boundary of the Subject Property. No service connections are allowed to this water main as per the EPWU-PSB Rules and Regulations.

5. Previous water pressure reading from fire hydrant # 6659 located at the southeast intersection of Buckley Way and Cactus Pointe, have yielded a static pressure of 100 (psi) pounds per square inch, a residual pressure of 80 (psi) pounds per square inch and a discharge of 1210 (gpm) gallons per minute.

6. The owner should, for his own protection and at his own expense, may be required to be 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 Buckley Way that is available for service, the sewer main is located approximately 5-feet south from the center line of the right-of-way.

8. There is an existing 8-inch diameter sanitary sewer main that extends along Festival Drive fronting the southern boundary of the Subject Property.

**General**

9. 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**

1. 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.

**El Paso Fire Department**

No comments received.

**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 3-ft landscape easement from plat graphic.
  - All lettering on the plat shall be legible.

**Attachments**

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

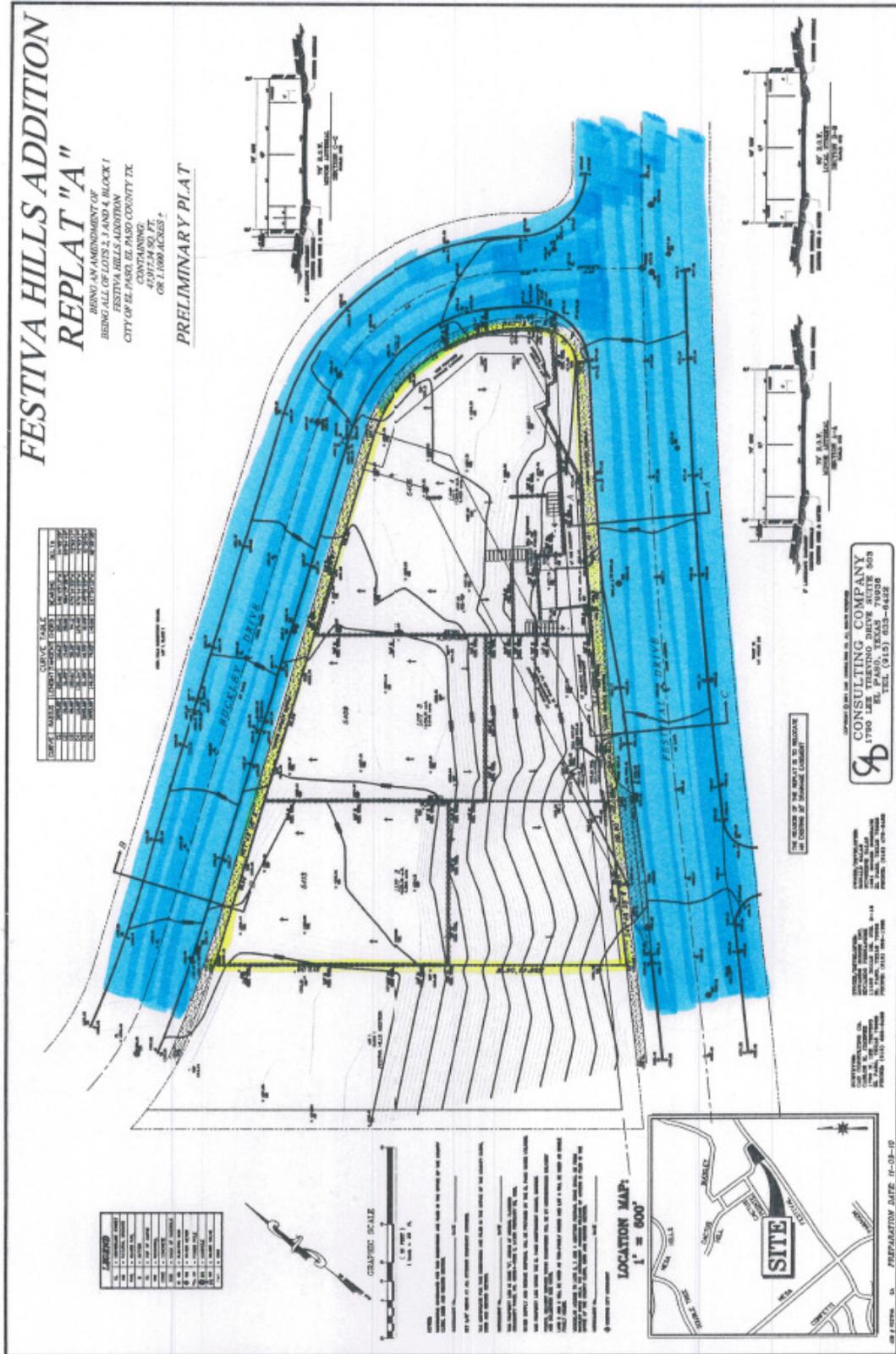
ATTACHMENT 1



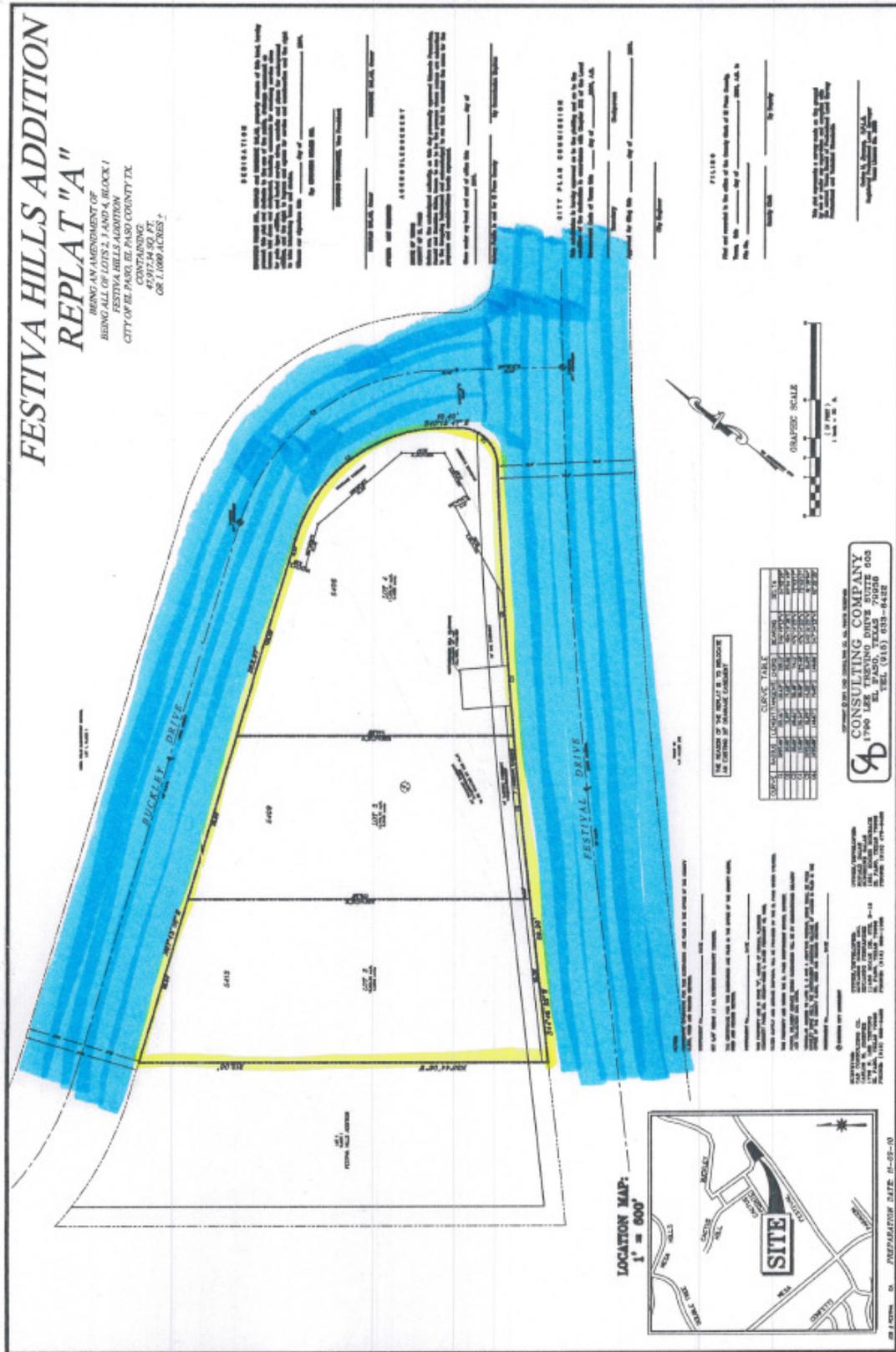
ATTACHMENT 2



**ATTACHMENT 3**



**ATTACHMENT 4**



**ATTACHMENT 5**



CITY PLAN COMMISSION APPLICATION FOR  
RESUBDIVISION COMBINATION APPROVAL

DATE: 11/08/11 FILE NO. SUSU12-00016  
 SUBDIVISION NAME: FESTIVAL HILLS ADDITION REPLAT. A

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
Lots 2, 3 & 4, Block 1  
FESTIVAL HILLS ADDITION

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	<u>1.10 ac.</u>	<u>3</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	_____	_____	_____
Commercial	_____	_____	Total No. Sites	_____	<u>3</u>
Industrial	_____	_____	Total (Gross) Acreage	<u>1.10</u>	_____

3. What is existing zoning of the above described property? PR2 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)  
 \_\_\_\_\_  
 \_\_\_\_\_

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  E.I.A. 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)



- EDWARDS HOMES**
12. Owner of record RONALD SALAS - SUNSHINE SALAS 356-1925  
 1621 ROGER BOMBACH, EL PASO, TX 79936 (95) 857-5664  
 (Name & Address) (Zip) (Phone)
13. <sup>SUNSHINE</sup> Developer CAD CONSULTING CO. 1790 LEE TRAVINO 633-6422  
 (Name & Address) (Zip) (Phone)
14. Engineer SALVADOR NUNEZ, P.E. 7100 Westwind Dr., Ste 270  
 (Name & Address) (Zip) (Phone)  
 El Paso, TX 79912 (915) 585-8011

CASHIER'S VALIDATION  
 FEE: \$1,083.00

OWNER SIGNATURE: Ronald Salas  
 REPRESENTATIVE: ~~Sunshine Salas~~  
 Eduardo Fernandez

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