



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

\*\*\*\*REVISED\*\*\*\*

**Case No:** SUSU16-00020 West Gate Village  
**Application Type:** Major Combination  
**CPC Hearing Date:** May 19, 2016  
**Staff Planner:** Joaquin Rodriguez, (915) 212-1608  
[rodriguezjx3@elpasotexas.gov](mailto:rodriguezjx3@elpasotexas.gov)  
**Location:** West of Doniphan and North of Country Club Road  
**Acreage:** 9.094  
**Rep District:** 1  
**Existing Use:** Vacant  
**Existing Zoning:** R-2 (Residential)  
**Proposed Zoning:** R-2 (Residential)  
**Nearest Park:** Rio Grande River Trail #1 (.8 Miles)  
**Nearest School:** Lincoln Middle (1.5 miles)  
**Park Fees Required:** \$30,140  
**Impact Fee Area:** N/A  
**Property Owner:** Winton & Associates  
**Applicant:** Winton & Associates  
**Representative:** TRE & Associates

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

**North:** R-2 (Residential) / Single Family  
**South:** R-2 (Residential) / Single Family  
**East:** R-2 (Residential) / Single Family  
**West:** R-1 (Residential) / Single Family

**PLAN EL PASO DESIGNATION:** G4, Suburban (Walkable)

### **APPLICATION DESCRIPTION**

The applicant is proposing to subdivide approximately 9 acres in the City's upper valley plan area. The subdivision will consist of 22 single family lots ranging in size from 10,000 to 18,000 square feet and a .489 acre private park. Access is provided via Lee Shannon Drive to two private streets; West Gate Drive, and Dove Valley Place. This subdivision is being reviewed under current subdivision ordinance.

The applicant is requesting approval of the following:

1. An exception to sidewalk requirements and approval of a 42' cross section with no sidewalks;

2. An exception to allow for private streets;
3. Approval of an alternative design to allow for an 8' wide raised median at the entrance of West Gate Drive;
4. A waiver to all required **sidewalk** improvements to Lee Shannon Road.

**DEVELOPMENT COORDINATING COMMITTEE**

The development coordinating committee recommends approval of West Gate Village on a Major Combination basis subject to the following conditions:

- ~~1. The applicant will clearly label Lot 18, Block 1 as a "Private Open Space" as defined by Title 19.~~
- ~~2. The applicant will clearly label West Gate Drive and Love Valley Place as "Private Street" as defined by Title 19.~~
3. The applicant will landscape the rear of all double frontage lots with trees designated as median/street/right of way appropriate from the City's Plant and Tree List, to be placed 25-feet on center.

**Planning Division Recommendation**

Planning recommends approval of West Gate Village subject to the following comments:

- ~~1. Remove the note from preliminary plat stating "Shall be improved by City of El Paso"~~
- ~~2. The applicant will include the complete and proper legal description on both the preliminary and final plat~~
3. Staff is recommending that the City Plan Commission require the applicant to landscape the parkway area at the rear of all double frontage lots, as stipulated under Section 19.16.080(D) Double Frontage Lots: 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 planning & economic development director or designee, to provide visual separation between the development and the street.

Planning recommends approval of the request to waive **sidewalk** improvements along Lee Shannon Road in accordance with 19.10.050:

- 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 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; or,**

Planning recommends approval of the exception to allow for a 42 foot street cross section with no sidewalks in accordance with 19.21.010.C(5)

*C. Exceptions. The city plan commission may approve an exception to the requirement for sidewalks on individual streets or within subdivisions:*

- 5. On local streets within an approved subdivision which meet all of the following criteria as determined by the city plan commission:
 
  - a. A characteristic of the neighborhood is that no sidewalks have been required to date,**

*b. The subdivision adjoins or lies within a neighborhood in which buildings or structures have been constructed on at least fifty percent of the lots within the neighborhood, and*

*c. The type of subdivision and intensity of land use is compatible with the character of the neighborhood;*

Planning recommends approval of the request to allow for private streets in accordance with 19.15.150.

Planning recommends approval of the alternative design request in accordance with 19.26.040; the alternative meets or exceeds the intent of the ordinance and provides the same level or greater of protection, service or adequacy of the original requirement.

### **Planning and Inspections Department - Land Development**

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

The Developer/Engineer shall address the following comments.

- ~~1. Provide contour lines for 200 feet beyond all the boundaries.~~
- ~~2. Provide typical street and lot drainage cross section on preliminary plat.~~
- ~~3. A 6' (foot) high rock wall constructed by Developer will be required abutting Borderland Spur Drain.~~
- ~~4. Label street classifications on typical cross sections.~~
- ~~5. Minimum West Gate street crown shall be minimum 2.0 percent.~~
- ~~6. Add note to typical street cross sections: Street pavement values shall be determined by CBR report in compliance with Subdivision Improvements Design Standards.~~
- ~~7. Show tie to monument at the SW corner labeled by bearing and distance.~~
- ~~8. Label lot 18 as private on both preliminary and final plats.~~
- ~~9. Include the following on site ponding requirements as notes on the Final Plat:
  - ~~a. 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.~~
  - ~~b. 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.~~
  - ~~c. 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.~~
  - ~~d. 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.~~
  - ~~e. The City and/or its Representative is granted permanent right of access to inspect the~~~~

- ~~ponding areas and permanent elevation markers.~~
- ~~f. 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.~~
  - ~~g. 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.~~
  - ~~h. 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.~~
  - ~~i. 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.~~
  - ~~j. 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.~~
  - ~~k. 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.~~
  - ~~l. These on-site ponding requirements shall be enforced by injunctive relief without the requirement for bond or other security.~~
  - ~~m. 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.~~

### **Capital Improvement Program – Parks**

We have re-reviewed **West Gate Village**, a major combination plat map and on behalf of CID Parks Planning Division we offer Developer / Engineer the following “revised” comments:

Please note that this subdivision is composed of **22 lots** zoned “R-3” required to comply with the parkland dedication ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space** in the form of “Parkland or fees”; Applicant is proposing a **0.48-Acre** “Private Park” and has requested that this private park facility be consider to satisfy the required “Parkland” based on **Section 19.20.090** provisions.

Per above mentioned Section 19 provisions, one acre of "Private Parkland" counts as credit for one-half acre of the required parkland; per the following calculations, applicants meets the minimum requirements per **Chapter 19.20 - Parks & Open Space**.

Proposed **0.48-Acre** "Private Park" at a 50% Parkland credits . . . . = **0.24-Acres**

**22** Single-family lots at a rate of one acre / every 100 dwelling units = **0.22-Acres**

**Meets and exceed the minimum requirements by 0.02-Acres**

Also, please note that we have received & reviewed copy of the proposed "Private Park" improvement plans and have provided letter of comments in need of coordination by the Applicant/Engineer/Consultants; in order for applicant to receive the "Parkland" credits the following needs to be addressed prior to plat recordation:

1. All improvement plan comments based on letter need to be addressed and improvement plans need to be stamped approved by Land Development.
2. Need recorded written agreement / covenants restricting the use of the facility for park and recreation purposes only and for the maintenance responsible party which will run with the land and cannot be amended or removed without the consent of the City Council – Provide copy for review and approval by Legal as to content.

This subdivision is located within Park Zone: **NW-8**

Nearest Parks: **Valley Creek** & **Rio Grande Trail North**

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

~~We have reviewed **West Gate Village**, a major combination plat map and on behalf of CID Parks Planning Division we offer Developer / Engineer the following comments:~~

~~Please note that this subdivision is composed of **22 lots** zoned "R-3" and is required to comply with the parkland dedication ordinance Title 19—Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space** in the form of "Park fees" based on Residential subdivisions requirements; Applicant shall be required to pay "Park fees" in the amount of **\$30,140.00** calculated as follows:-~~

~~————— **22 (R-2) Single family dwelling lots @ \$1,370.00 / dwelling = \$30,140.00**~~

~~Please allocate generated funds under Park Zone: **NW-8**~~

~~Nearest Parks: **Valley Creek** & **Rio Grande Trail North**~~

~~Also, please note that Applicant is proposing a "Private Park" and has requested that this private park facility be consider to satisfy the required "Parkland / fees"; we have received copy or the proposed improvement plans and in order for this Department to grant full or partial "Parkland" credits in lieu of "Park fees" the following comments need to be addressed prior to plat recordation:~~

- ~~3. A 5' wide concrete sidewalk needs to be provided on all street frontages along West Gate Dr.;~~
- ~~4. Main playground structure needs to be larger in size as minimum size requirement is not being met;~~

- ~~5. Need recorded written agreement / covenants restricting the use of the facility for park and recreation purposes only and for the maintenance responsible party which will run with the land and cannot be amended or removed without the consent of the City Council.~~
- ~~6. Need to provide acreage calculated from the nearest property line (Street ROW line) to exclude the parking space areas.~~
- ~~7. Parkland credit calculations shall be at a rate of one acre of private parkland counted as one half acre credit.~~
- ~~8. If required parkland dedication (0.44 acres) cannot be completely satisfied by the "private park", any remaining requirement can be satisfied with payment of "Park fees".~~

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

### **Capital Improvement Program – Transportation**

No comments received.

### **El Paso Water Utilities**

We have reviewed the subdivision and provide the following comments:

EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the proposed utility easement(s) 24 hours a day, seven (7) days a week. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintain on the above referenced utility easement(s) without EPWU's written consent.

A looped water system extension will be required to provide service to the subject property. All costs associated with the extensions of water mains are the responsibility of the Owner/Developer.

#### **Water:**

There is an existing 8-inch diameter water main extending along the north side of Lee Shannon Road, approximately 16-feet south of and parallel to the northern right-of-way line of Lee Shannon Road. This water main is available for service.

EPWU records indicate no meters serving the subject property.

Previous water pressure from fire hydrant #8471 located approximately 995-feet west of Lottie Lane has yield a static pressure of 68 (psi), a residual pressure of 60 (psi), and a discharge of 919 gallons per minute.

#### **Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main that extends along the south side of Lee Shannon Road, approximately 12-feet north of and parallel to the southern right-of-way line of Lee Shannon Road. This sewer main is available for service.

#### **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.

**Streets and Maintenance Department**

No comments received.

**El Paso Electric Company**

No Objections.

**Sun Metro**

Sun Metro does not oppose this request.

**El Paso County 911 District**

No comments received.

**El Paso Fire Department**

No comments received.

**Central Appraisal District**

No objections.

**Texas Gas Company**

No comments received.

**Additional Requirements and General Comments:**

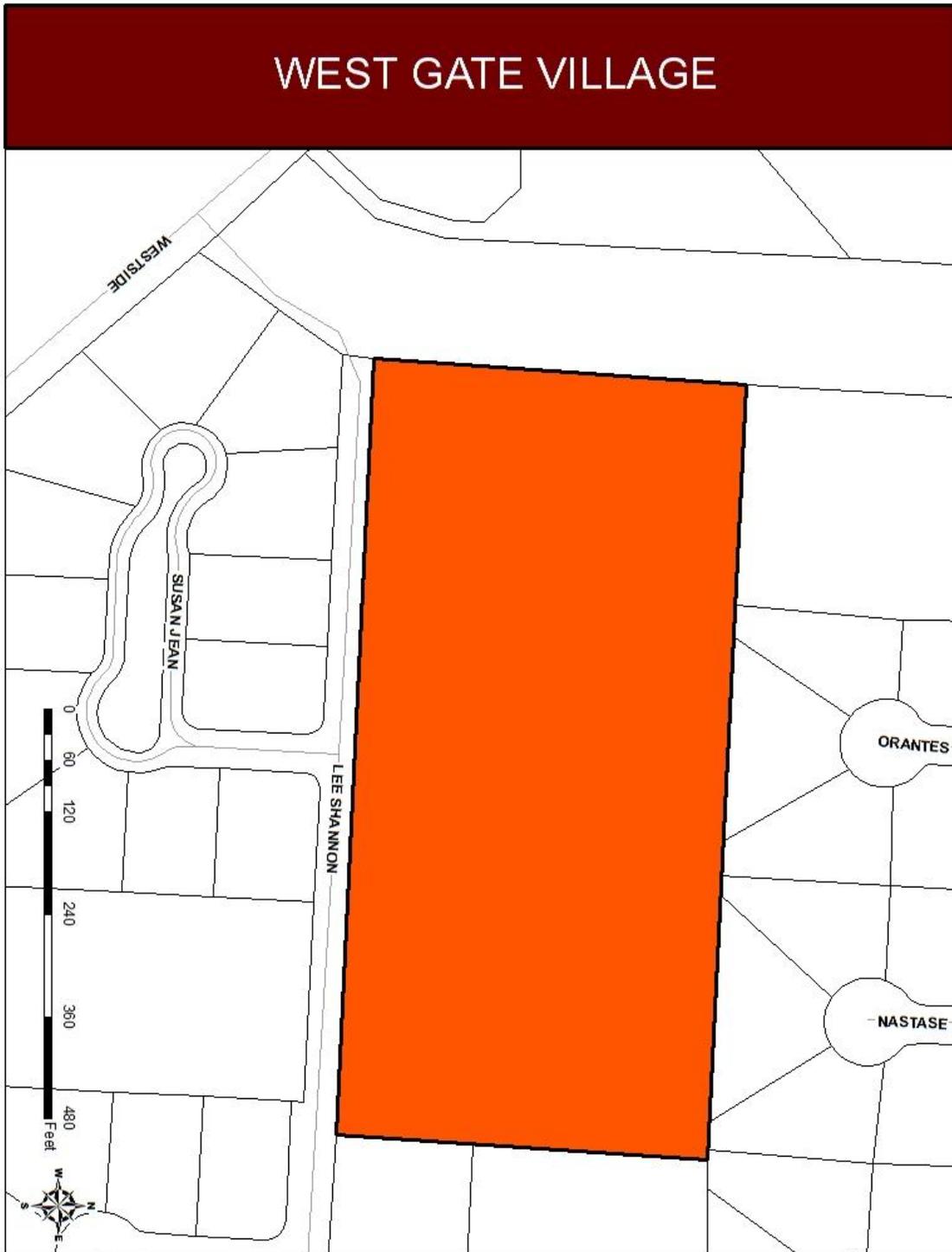
1. Submit to the Planning and Inspections Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable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

4. Preliminary Plat
5. Application
6. Exception Request

ATTACHMENT 1

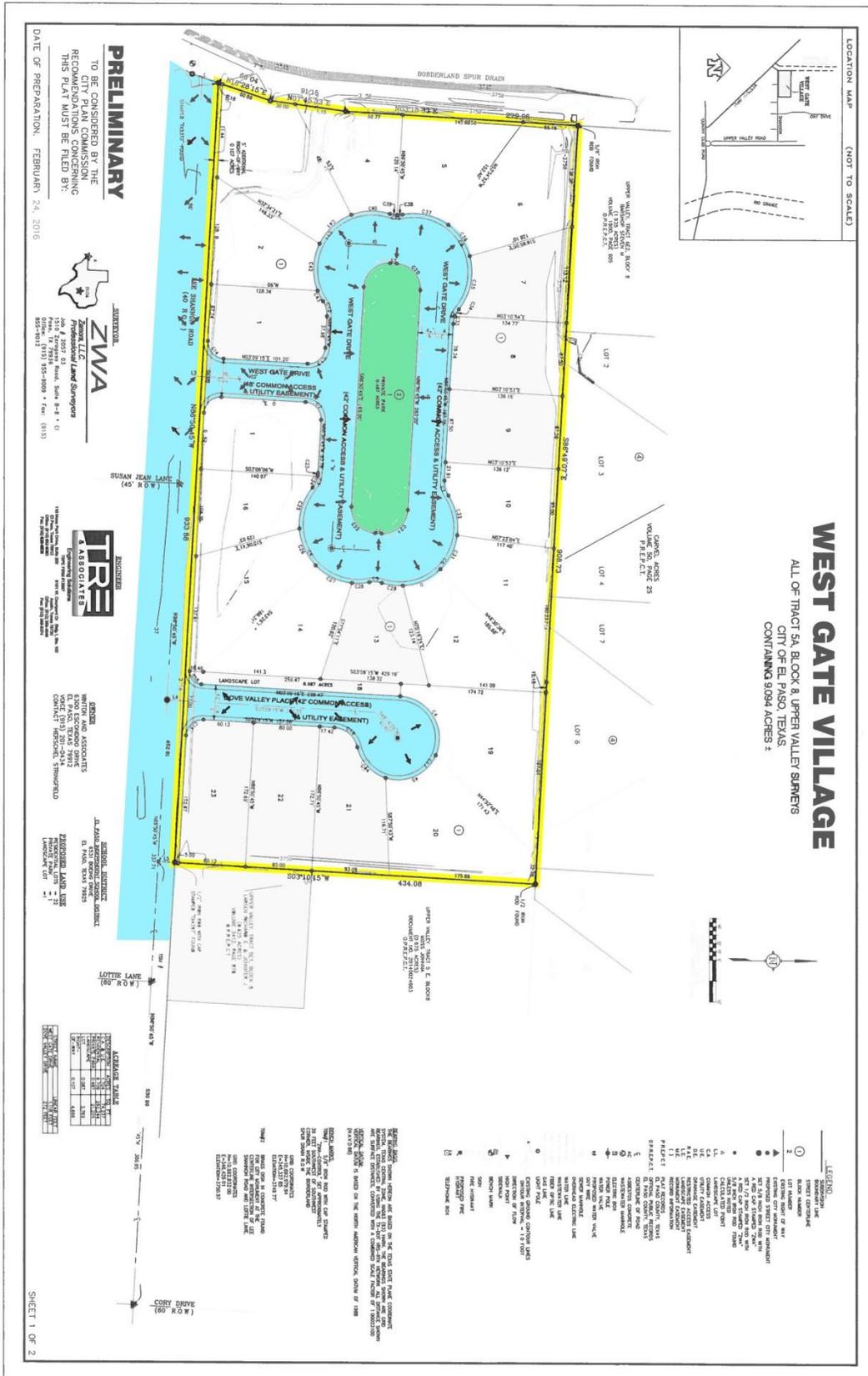


ATTACHMENT 2

WEST GATE VILLAGE



# ATTACHMENT 3





# ATTACHMENT 5



## CITY PLAN COMMISSION APPLICATION FOR MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 04/26/16 FILE NO. SUSU16-00020

SUBDIVISION NAME: West Gate Village (formerly known as Lee Shannon Subdivision)

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
ALL OF TRACT 5A, BLOCK 8, UPPER VALLEY SURVEYS, CITY OF EL PASO, TEXAS. CONTAINING 9.094 ACRES ±.

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	<u>6.709</u>	<u>22</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	<u>0.107</u>	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	Private Park	<u>0.487</u>	<u>1</u>
School	_____	_____	Common Access & Utility Easement	<u>1.704</u>	_____
Commercial	_____	_____	Total No. Sites	<u>24</u>	_____
Industrial	_____	_____	Total (Gross) Acreage	<u>9.094</u>	_____
Landscape Lot	<u>0.087</u>	<u>1</u>			

3. What is existing zoning of the above described property? R2 Proposed zoning? N/A

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 X

6. What type of drainage is proposed? (If applicable, list more than one)  
ON-SITE PONDING IS PROPOSED FOR THIS SUBDIVISION.

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: N/A

10. Improvement Plans submitted? Yes X 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 X

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 Winton & Associates, 6300 Escondido Drive, El Paso, Texas 79912 (915) 201-0434  
 (Name & Address) (Zip) (Phone)
13. Developer Winton & Associates, 6300 Escondido Drive, El Paso, Texas 79912 (915) 201-0434  
 (Name & Address) (Zip) (Phone)
14. Engineer TRE & Associates, 110 Mesa Park Drive, Suite 200, El Paso, Texas 79912 (915) 852-9003  
 (Name & Address) (Zip) (Phone)

*\*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 6**



Engineering Solutions

May 18, 2016

**Hand Delivered**

Mr. Joaquin Rodriguez  
Planning & Inspections  
811 Texas Ave.  
El Paso, Texas 79901

**Re: West Gate Village (f.k.a. Lee Shannon Subdivision)  
Major Combination Subdivision Approval  
TRE Job No.: 1762-11319-14**

Dear Mr. Joaquin Rodriguez,

On behalf of Winton & Associates, we are hereby submitting a comment response letter for **West Gate Village (f.k.a. Lee Shannon Subdivision)** with a request for alternative design for the following proposals:

- Removal of sidewalks, thereby reducing private street & utility easement width by ten (10') feet through the application of "Exceptions" #1 under Section 19.21.010 of El Paso City Ordinance.
- Proposed divide entry road at intersection of West Gate Drive and Lee Shannon Road per Section 19.26.040 of El Paso City Ordinance.
- Proposed private streets within the subdivision per Section 19.15.150 of El Paso City Ordinance.
- Waiver of sidewalk improvements to Lee Shannon Road per Section 19.21.010 of El Paso City Ordinance.
- Proposed right-of-way width of forty-two (42') feet for a cul-de-sac of less than three hundred (300') feet in length per Section 19.48 of El Paso City Ordinance.

If you should have any questions or require additional information, please contact me or Roberto S. Romero, P.E. at (915) 852-9093. Thank you in advance for your assistance on this matter.

Sincerely,

**TRE & Associates, LLC**

A handwritten signature in blue ink, appearing to read 'Changho Yi', is written over the printed name.

Changho Yi, E.I.T.  
Project Manager

CY:RR:ms  
Enclosures

cc: TRE & Associates, LLC – File  
Mr. Herschel Stringfield; Winton & Associates  
Mr. Nathaniel Stringfield; Winton & Associates

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www.tr-eng.com TBPE Firm No. 13987