



City of El Paso – City Plan Commission Staff Report

(REVISED)

Case No: SUSU16-00025 Simon Grant Subdivision
Application Type: Major Combination
CPC Hearing Date: June 2, 2016

Staff Planner: Alfredo Austin, 915-212-1604, austinaj@elpasotexas.gov
Location: West of Dyer and South of Hondo Pass
Acreage: .3823 Acres
Rep District: 2

Existing Use: Commercial
Existing Zoning: C-3 (Commercial)
Proposed Zoning: C-3 (Commercial)

Nearest Park: Nolan Richardson Park (.75 miles)
Nearest School: Moye Elementary School (.13 miles)
Park Fees Required: \$400.00
Impact Fee Area: This property is not located in an Impact Fee Service Area.

Property Owner: Eisenberg Family Limited Partnership
Applicant: Eisenberg Family Limited Partnership
Representative: Sitework Engineering

SURROUNDING ZONING AND LAND USE

North: C-3 (Commercial)/Commercial development
South: C-3 (Commercial) /Commercial development
East: C-3/sc (Commercial/special condition) /Commercial development
West: C-3 (Commercial) /Commercial development

THE PLAN FOR EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable)

APPLICATION DESCRIPTION

The applicant proposes to subdivide .3989 acres of land for one commercial lot. Primary access to the subdivision is proposed from Dyer Street and Maxwell Avenue. This development is being reviewed under the current subdivision ordinance.

The applicant is requesting an exception to waive improvements along Dyer Street and Maxwell Avenue. Dyer is a TXDOT major arterial designated on the City's Bikeway plan. The applicant is dedicating an additional 5' of ROW along Dyer. Maxwell Avenue is a local street consisting of 50' of ROW. The applicant is dedicating and improving an additional foot of ROW in order to

provide a 5' sidewalk along Maxwell.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the request to waive right-of-way improvements, and **approval** of Simon Grant Subdivision on a Major Combination basis subject to the following comments:

Planning & Inspections Department-Planning Division Recommendation

Planning recommends **approval** of the request to waive improvements along Dyer Street and Maxwell Avenue in accordance with Section 19.10.050.A:

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.*

Planning recommends **approval** of Simon Grant Subdivision on a Major Combination basis.

Planning & Inspections Department-Land Development

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

EPWU-PSB Comments

We have reviewed the subdivision and provide the following comments:

EPWU does not object to this request.

Water:

There is an existing 6-inch diameter water main extending along the north side of Maxwell Road, approximately 16-feet south of and parallel to the northern right-of-way line of Maxwell Road. This water main is available for service.

There is an existing 6-inch diameter water main extending along the east side of Dyer Street (U.S. Highway 54), approximately 42-feet west of and parallel to the eastern right-of-way line of Dyer Street (U.S. Highway 54). This water main is available for service.

EPWU records indicate a vacant ¾-inch water meter (inactive meter) serving the subject property. The address for this meter is 8953 Dyer St.

Previous water pressure from fire hydrant #1500 located at northwest corner of Dyer Street (U.S. Highway 54) and Maxwell Road has yield a static pressure of 102 (psi), a residual pressure of 84 (psi), and a discharge of 1342 gallons per minute.

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.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along the south side of Maxwell Road, approximately 20-feet north of and parallel to the southern right-of-way line of Maxwell Road. This sewer main is available for service.

There is an existing 12-inch diameter sanitary sewer main that extends along the west side of Dyer Street (U.S. Highway 54), approximately 15-feet east of and parallel to the western right-of-way line of Dyer Street (U.S. Highway 54). This sewer main is available for service.

Dyer St. is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Dyer St. right-of-way requires written permission from TxDOT.

General:

EPWU requires a new service application to provide additional 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.

Parks and Recreation

We have reviewed **Simon Grant**, 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 zoned "C-3" meeting the requirements for Non-residential uses (General commercial) as well as for Multi-family dwellings use (Apartments) restricted to a maximum of 29 dwelling units per acre however, applicant has submitted copy of preliminary covenants restricting the use to Non-residential (General commercial) therefore, "Park fees" will be assessed as follows:

1. **If applicant provides copy of final signed/recorded covenants restricting the use to Non-residential (General commercial) and if gross density waiver is granted by the City Manager or the Planning Department designee, then Applicant shall be required to pay "Park fees" in the amount of \$400.00 based on Non-residential subdivision requirements calculated as follows:**

Non-residential acreage **0.40** (rounded to 2 decimals) @ \$1,000.00 / acre = **\$400.00**

This subdivision is located with-in "Park Zone": **NE-3**

Nearest Parks: **Nolan Richardson & Todd Ware**

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

CAD

No objections.

TXDOT

No comments received.

El Paso Independent School District:

No comments received.

911:

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. Improvement waiver request
6. Application

ATTACHMENT 1

SIMON GRANT

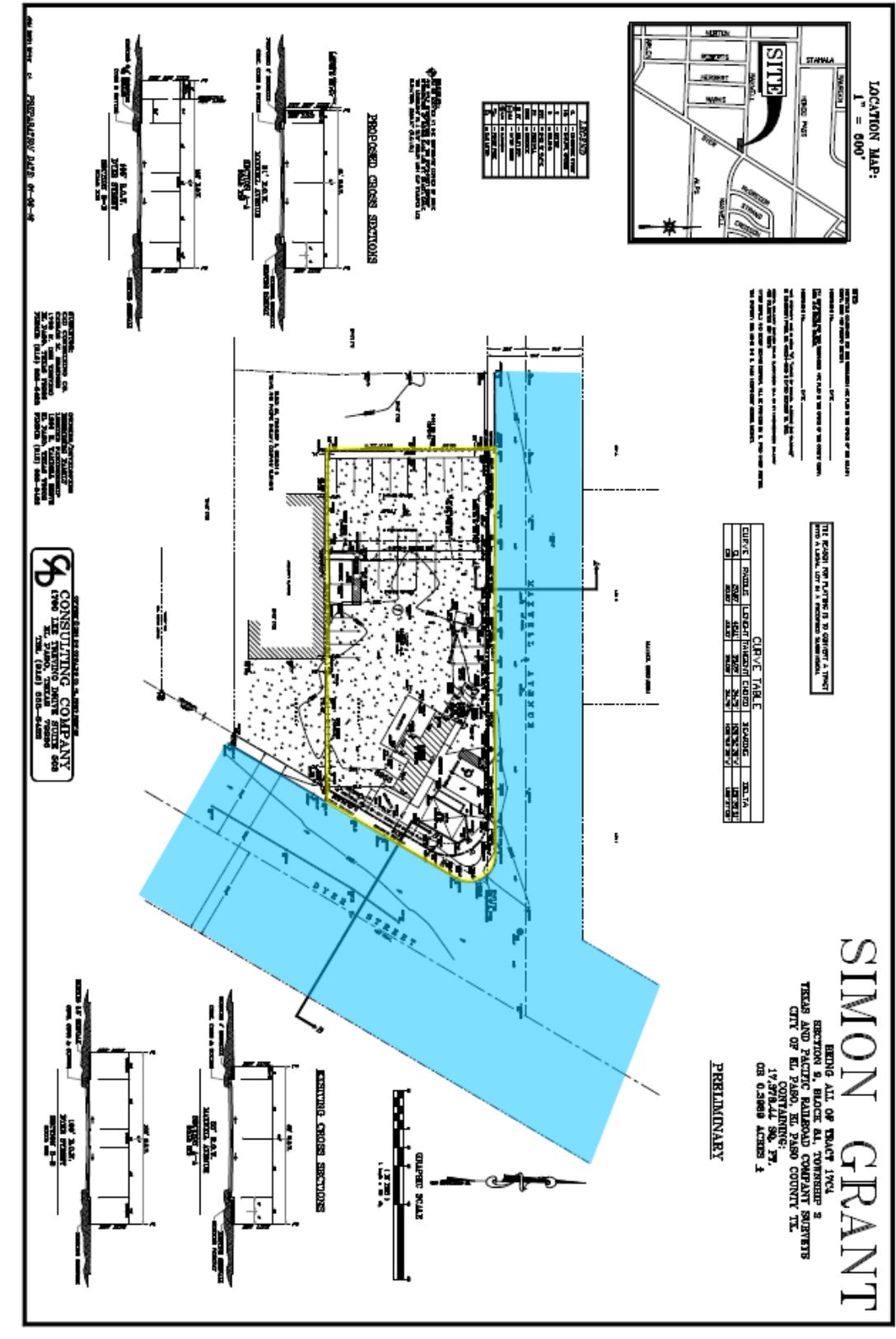


ATTACHMENT 2

SIMON GRANT



ATTACHMENT 3



ATTACHMENT 5



May 6, 2016

SENT VIA EMAIL

Mr. Alfredo Austin
CITY OF EL PASO – Planning Department
811 Texas Street
El Paso, TX, 79901

PROJ: SIMON GRANT SUBDIVISION
RE: REQUEST OF STREET IMPROVEMENTS WAIVER

Dear Alfredo Austin,

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 Maxwell Drive and Dyer Street as indicated on your 5-day review comments letter. We are hereby seeking relief from the current street right-of-way width standards, sidewalk, Bike & Hike path and landscaped parkway requirements.

Neither Maxwell Drive nor Dyer Street are 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. Tommy Razloznik / PSRBB Commercial Group

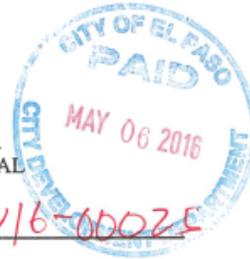
Waiver of Improvements Request.doc

444 EXECUTIVE CENTER, SUITE 134 • EL PASO, TX • 79902

PHONE: (915) 351-8033 • FAX: (915) 351-8055

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ATTACHMENT 6



CITY PLAN COMMISSION APPLICATION FOR
MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 5/6/16 FILE NO. SUSU16-00025
SUBDIVISION NAME: SIMON GRANT

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
TRACT 1764, SECTION 9, BLOCK B1,
TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	<u>0.016</u>	<u>1</u>
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____	Total No. Sites	_____	_____
Commercial	<u>0.382</u>	<u>1</u>	Total (Gross) Acreage	<u>0.398</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? C3 Proposed zoning? C3
4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? N/A Yes _____ 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)
SURFACE SHEET FLOW TO ADJACENT STREETS
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 X No _____
If answer is "Yes", please explain the nature of the modification or exception
STREET IMPROVEMENT WAIVER
9. Remarks and/or explanation of special circumstances: REASON FOR PLATTING IS TO
CONVERT A TRACT INTO A LOT IN A RECORDED SUBDIVISION
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 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 EISENBERG FAMILY UNITED PARTNERSHIP
1201 E. YANDELL DR., ELP TX 79902 915-351-8033
(Name & Address) (Zip) (Phone)

13. Developer _____
(Name & Address) (Zip) (Phone)

14. Engineer SITENWORK ENGINEERING
444 EXECUTIVE CENTER ELP TX 79902 915-351-8033
(Name & Address) (Zip) (Phone)

**Effective September 1, 2014, a 3%
Technology fee has been added to all
Planning application fees.*

OWNER SIGNATURE: Eisenberg Family LP
By: JJ SGA Management LLC
By: ELL
Emmet Eisenberg, VP
REPRESENTATIVE: _____

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



JORGE GARCIA
SITENWORK ENG.
REPRESENTATIVE

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 212-0085