



City of El Paso – City Plan Commission Staff Report

Case No: SUSU16-00029 Desert South Subdivision
Application Type: Major Combination
CPC Hearing Date: June 16, 2016

Staff Planner: Alfredo Austin, 915-212-1604, austinaj@elpasotexas.gov
Location: North of Mesa and West of South Desert Blvd
Acreage: 1.48 Acres
Rep District: 1

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

Nearest Park: Charyl Ann Duck Pond (.50 miles)
Nearest School: Mitzi Bond Elementary School (1.17 miles)
Park Fees Required: \$1,480
Impact Fee Area: This property is not located in an Impact Fee Service Area.

Property Owner: South Desert Corner, LLC
Applicant: South Desert Corner, LLC
Representative: Roe Engineering

SURROUNDING ZONING AND LAND USE

North: C-3 (Commercial)/Commercial development
South: C-3/sc (Commercial/special condition)/Commercial development
East: C-3 (Commercial)/I-10
West: C-3 (Commercial) /Commercial development

THE PLAN FOR EL PASO DESIGNATION: N/A

APPLICATION DESCRIPTION

The applicant proposes to subdivide 1.48 acres of land for one commercial lot. Primary access to the subdivision is proposed from Mesa Street and South Desert Boulevard. This development is being reviewed under the current subdivision ordinance.

The applicant is requesting an exception to waive improvements along Mesa Street. Mesa is a TXDOT major arterial designated on the City's Bikeway plan. Improvements to Mesa Street are being coordinated through TXDOT's CD Lanes Project.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the request to waive right-of-way improvements along Mesa Street, and **approval** of Desert South 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 Mesa Street 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 Desert South Subdivision on a Major Combination basis.

Planning & Inspections Department-Land Development

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

The Developer/Engineer shall address the following comments.

1. Delineate flood zone boundary limits with BFE's on preliminary plat for Zone "A1". Any development within Special Flood Hazard Areas shall comply with Section 18.60- Flood Damage Prevention and Section 19.19- Stormwater Management Requirements of the City of El Paso's municipal code.
2. Stormwater cannot flow into Mesa St.; state roads are not designed to carry outside flow. EPWU requires retention of all developed stormwater runoff. On the Drainage Plan, show the proposed pond
3. At the improvement plan stage, provide protection to the subdivision from all offsite stormwater runoff that may have an adverse impact on any improvements.

EPWU-PSB Comments

We have reviewed the above referenced subdivision and provide the following comments:

The plat includes a twenty (20) foot wide PSB easement to cover the privately-owned sanitary sewer service line pertaining to 7870 North Mesa Street. EPWU-PSB is not agreement with this option.

The Owner shall dedicate a Utility Easement to accommodate the existing privately-owned sanitary sewer service line pertaining to 7870 North Mesa Street and shall not be labeled "PSB Easement".

Water

Along Mesa Street between Osborne Street and Interstate Highway No. 10 - Desert Boulevard South fronting the subject Property there is an existing twenty-four (24) inch diameter water transmission main. This main is located along the northernmost portion of Mesa Street. This

main is not available for service; no direct service connections are allowed to this main as per the El Paso Water Utilities - Public Service Board Rules & Regulations.

Along Mesa Street between Osborne Street and Interstate Highway No. 10 - Desert Boulevard South there is an existing eight (8) inch diameter water main. This main is located at approximately five (5) feet north of the southernmost Right-of-Way line of Mesa Street.

Within the subject Property there is an existing eight (8) inch diameter water main. EPWU-PSB Records depict this main located parallel to the boundary line common to the subject Property and Block 1, Boykin Commercial District located at approximately twenty (20) feet east of the described common boundary line. This main is available for service.

Within the southernmost portion of the subject Property, north of Mesa Street there is a second water main aligned perpendicular to the above described main. This second main originates from the above-described main; the alignment of this main continues south and transects Mesa Street. This main is also available for service.

Easements will be required within the subject Property for the above-described mains, as well as for the proposed water services. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

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.

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.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

EPWU-PSB requires access to all existing and proposed water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.

Previous water pressure readings conducted on fire hydrant number 3549 located along Mesa Street (north) and east of Osborne Street have yielded a static pressure of 74 pounds per square inch (psi), residual pressure of 72 psi, discharge of 1,061 gallons per minute (gpm). 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 Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer

As per the water and sewer installation order (EPWU-PSB Record) pertaining to 7870 North Mesa Street, the existing sanitary sewer service line that pertains to this address discharges unto

the existing sanitary sewer main that is located within Interstate Highway No. 10 - Desert Boulevard South. This existing main is located at approximately 175 feet east of the boundary line common to both, the subject Property and Boykin Commercial District subdivision. The alignment of the described main is also approximately parallel to the described common boundary line. The owner of the subject property is to provide an easement to 7870 North Mesa Street to cover the described existing service line. If an easement is not provided, then the service line must be relocated at no cost to the El Paso Water Utilities – Public Service Board. All costs associated with the easement acquisition or the relocation work shall be the responsibility of the Owner/Developer.

Along Interstate Highway No. 10 - Desert Boulevard South there is an existing eight (8) inch diameter sanitary sewer main fronting the subject Property. Records depict the alignment of this main continuing towards the south with an alignment parallel to the boundary line common to the subject Property and Block 1, Boykin Commercial District. This main is located at approximately 175 feet east of the described common boundary line. This main continues south, transects Mesa Street to discharge unto an existing fifteen (15) inch diameter sanitary sewer main that extends along Mesa Street. The 15-inch diameter main is located at approximately eight (8) feet north of the southern Right-of-Way line of Mesa Street. The 8-inch diameter sanitary sewer main is available for service.

General

Interstate Highway No. 10 - Desert Boulevard South, as well as Mesa Street are Texas Department of Transportation (TxDOT) rights-of-way. All proposed water and sanitary sewer work to be performed within Interstate Highway No. 10 - Desert Boulevard South, as well as along Mesa Street right-of-way requires written permission from TxDOT.

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. 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 **Desert South Subdivision**, a minor 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 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 **\$1,480.00** based on Non-residential subdivision requirements calculated as follows:

Non-residential acreage **1.48** (rounded to 2 decimals) @ \$1,000.00 / acre =
\$1,480.00

Please allocate generated funds under Park Zone: **NW-7**

Nearest Park is located with-in Park Zone NW-4: **White Spur**

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

TXDOT

The recommendation of TXDOT is not to approve any access to this property until the CD lanes project is completed.

Streets & Maintenance

No objections.

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. Waiver request
6. Application

ATTACHMENT 1

DESERT SOUTH SUBDIVISION

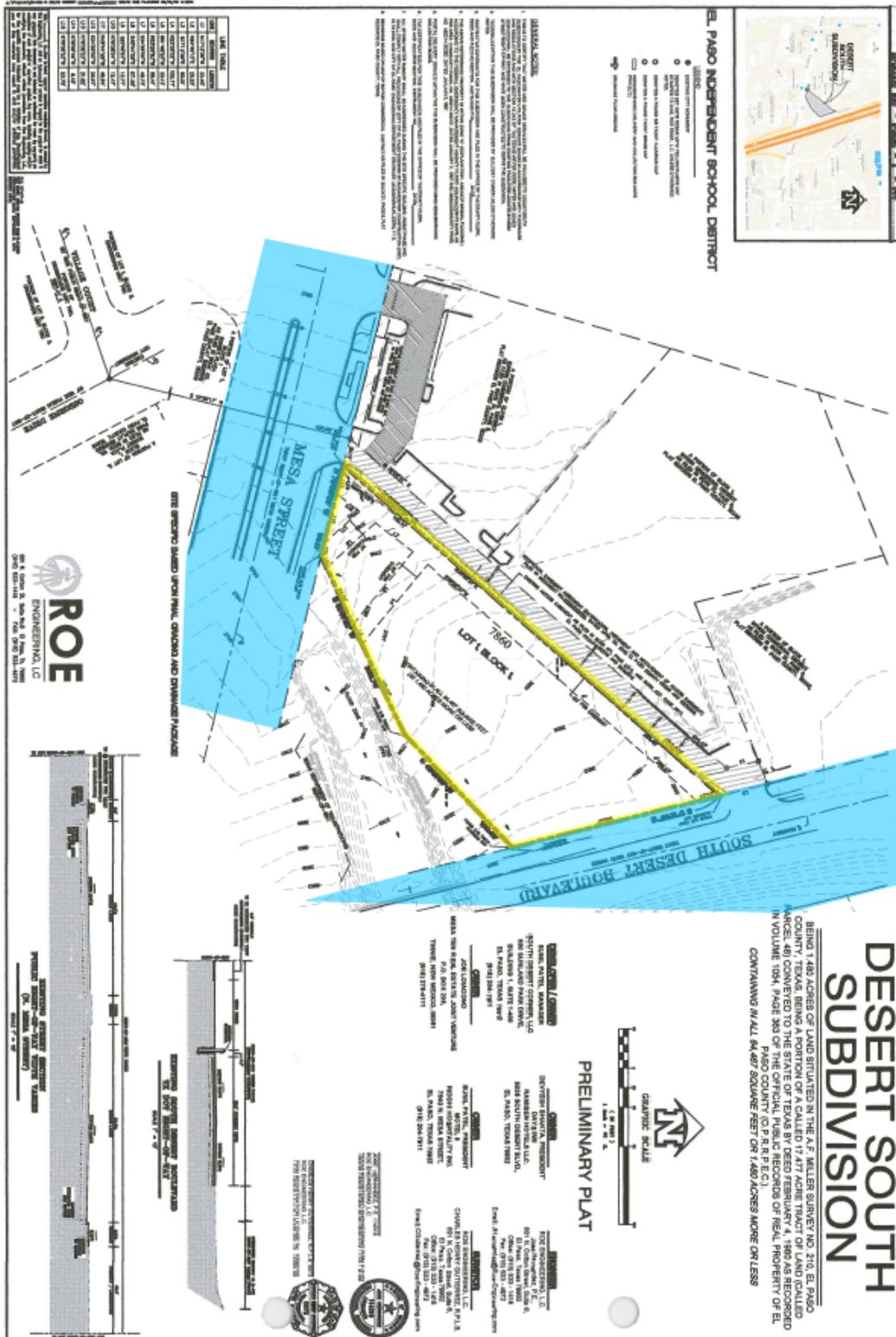


ATTACHMENT 2

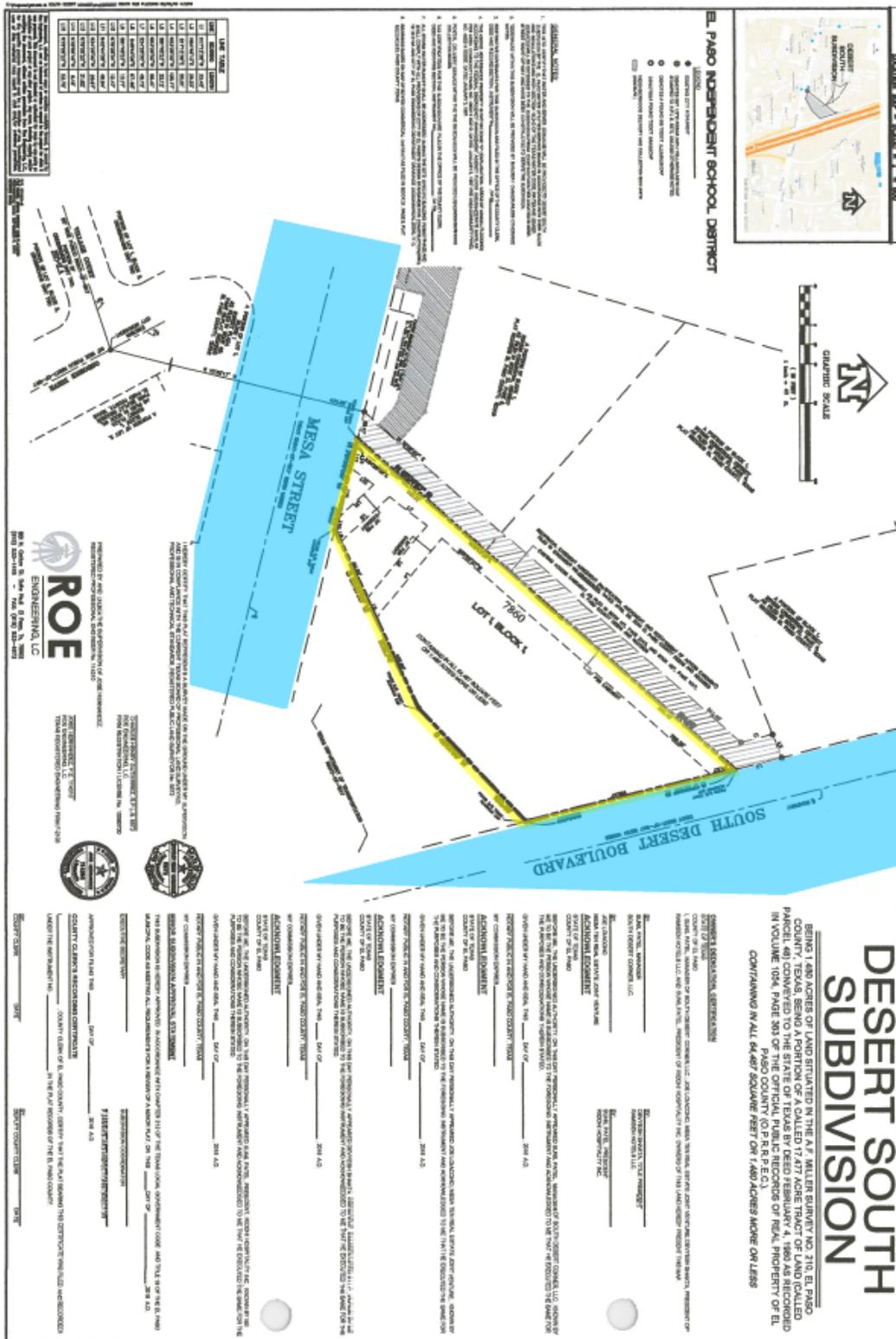
DESERT SOUTH SUBDIVISION



ATTACHMENT 3



ATTACHMENT 4



ATTACHMENT 5



5/16/2016

El Paso Planning and Inspections
Armida Martinez, Planner
801 Texas Street
El Paso, Texas 79901

RE: South Desert Subdivision 1.480 Acres
7860 Mesa Street

Dear Ms. Armida Martinez, Planner

We are requesting a wavier for the of the requirement of a 10' hike and bike path. There is no existing Hike and Bike Trail on either side of the said parcel, there are existing sidewalks and improvements for the property.

If you have any questions please call. (915)533-1418.

Respectfully,

Hector Porras,
Partner Planning and Operations Manager

ATTACHMENT 6



CITY PLAN COMMISSION APPLICATION FOR MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 05-17-2016 FILE NO. SUSU16-00029
 SUBDIVISION NAME: SOUTH DESERT SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
BEING 1.480 ACRES OF LAND SITUATED IN THE A.F. MILLER SURVEY NO. 210, EL PASO COUNTY, TEXAS,
BEING A PORTION OF A CALLED 17.477 ACRE TRACT OF LAND (CALLED PARCEL 48), CONVEYED TO THE
STATE OF TEXAS BY DEED FEBRUARY 4, 1980 AS RECORDED IN VOLUME 1054, PAGE 363,
OF THE OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF EL PASO COUNTY (O.P.R.R.P.E.C.).

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____	Total No. Sites	_____	_____
Commercial	<u>1.480</u>	<u>1</u>	Total (Gross) Acreage	<u>1.480</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? C-3 Proposed zoning? C-3

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)
Surface to Proposed Drop Inlet and RCP to existing drainage channel through existing RCP and headwall

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 Scale of 1" = 40' on plat for ease of presentation

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 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

SUNIL PATEL, MANAGER, SOUTH DESERT CORNER, LLC., 600 SUNLAND PARK DRIVE,
 BUILDING 1, SUITE 1-400, EL PASO, TEXAS 79912 (915) 204-7911
 DEVYESH BHAKTA, PRESIDENT, DAYS INN (RAMIBEN HOTELS LLC.) 5035 SOUTH DESERT
 BLVD., EL PASO, TEXAS 79932
 JOE LOIACONO, MESA TEN REAL ESTATE JOINT VENTURE, P.O. BOX 236, TINNIE,
 NEW MEXICO, 88351 (915) 276-4111
 SUNIL PATEL, PRESIDENT, MOTEL 6 (RIDDDHI HOSPITALITY INC.) 7840 N. MESA STREET,
 EL PASO, TEXAS 79932 (915) 204-7911

12. Owner of record _____
 (Name & Address) (Zip) (Phone)
13. Developer Same as above _____
 (Name & Address) (Zip) (Phone)
14. Engineer Roe Engineering, L.C. Bradley Roe 601 N. Cotton Street, El Paso, Texas 79902 _____
 (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.

SUNIL PATEL, MANAGER,
 SOUTH DESERT CORNER, LLC.,

DEVYESH BHAKTA, PRESIDENT,
 DAYS INN (RAMIBEN HOTELS LLC.)

JOE LOIACONO,
 MESA TEN REAL ESTATE JOINT VENTURE,

SUNIL PATEL, PRESIDENT,
 MOTEL 6 (RIDDDHI HOSPITALITY INC.)

