



City of El Paso – City Plan Commission Staff Report

Case No: SUSU13-00053 Mesa Grande Center Subdivision
Application Type: Resubdivision Combination
CPC Hearing Date: July 25, 2013
Staff Planner: Nathaniel Baker, (915) 541-4192, bakernt@elpasotexas.gov
Location: East of Remcon Circle and south of North Mesa
Acreage: 0.97 acres
Rep District: 8
Existing Use: Commercial
Existing Zoning: C-3 (Commercial)
Proposed Zoning: C-3 (Commercial)
Nearest Park: White Spur
Nearest School: Mitzi Bond Elementary
Park Fees Required: \$970
Impact Fee Area: N/A
Property Owner: El Paso Mesa Grande Center, LLC
Applicant: Burger Engineering, LLC
Representative: Burger Engineering, LLC

SURROUNDING ZONING AND LAND USE

North: C-1/sc (Commercial/special contract) / Commercial and parking

South: C-3 (Commercial) / Commercial and parking

East: C-3 (Commercial) / Commercial and parking

West: C-3 (Commercial) / Commercial and parking

PLAN EL PASO DESIGNATION: Suburban (Walkable)

APPLICATION DESCRIPTION

The applicant proposes to plat a single lot because a portion of it exists in tract form. They are requesting a waiver to street reconstruction. Currently the North Mesa Street and Remcon Circle street cross-sections include sufficient pavement, median, and right-of-way widths, and a 5-foot sidewalk with no parkway.

DEVELOPMENT COORDINATING COMMITTEE

he Development Coordinating Committee recommends **approval** of the waiver request as it complies with Section 19.10.050.A.1.a of the municipal code, which states that street improvements and/or rights-of-way may be waived when *fifty percent 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. In this case, more than three quarters of the lots within a quarter mile are already developed and the existing street improvements are in character with the neighborhood and have sufficient capacity. The DCC recommends **approval** of Mesa Grande Center Subdivision on a Resubdivision Combination basis.

Planning Division Recommendation

Planning recommends **approval** of the waiver request as it complies with Section 19.10.050.A.1.a of the municipal code, which states that street improvements and/or rights-of-way may be waived when *fifty percent 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.* In this case, more than three quarters of the lots within a quarter mile are already developed and the existing street improvements are in character with the neighborhood and have sufficient capacity. Planning recommends **approval** of Mesa Grande Center Subdivision on a Resubdivision Combination basis.

City Development Department - Land Development

No objections

Parks and Recreation Department

Please note that this subdivision is zoned "C-3" thus meeting the requirements for multi-family dwellings use restricted to a maximum of 29 dwelling units per acre, therefore, park fees will be assessed based on the following:

1. **If** gross density waiver is granted by the Planning Department or designee and covenants are provided restricting all residential uses, then applicant shall be required to pay "park fees" in the amount of **\$970.00** based on requirements for Non-residential subdivisions calculated as follows:

Non-residential acreage 0.97 (rounded to two decimals) @ \$1,000.00 per acre = **\$970.00**

1. **If** subdivider fails to provide proof of gross density waiver with the filing of the final plat and /or gross density waiver **is not** granted by the Planning Department or designee, then applicant shall be required to pay "Park fees" in the amount of **\$19,040.00** based on the following calculations:

Subdivision acreage 0.9685 @ maximum 29 units per acre = 28.09 dwellings

28 Multi-family dwellings @ a \$680.00 per unit = **\$19,040.00**

Please allocate generated funds under Park Zone: **NW-5**

Parks with-in Park Zone NW-5: **H. T. Ponsford & Paul Harvey**

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

El Paso Water Utilities

1. EPWU does not object to this request.

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

Water:

3. There is an existing 12-inch diameter water main extending along Mesa Street that is available for service, the water main is located approximately 7-ft south from the center line of the right-of-way.

4. There is an existing 24-inch diameter transmission water main extending along Mesa Street. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

5. There is an existing 8-inch diameter water main extending along Remcon Circle that is available for service, the water main is located approximately 30-ft east from the center line of the right-of-way.

6. There is an existing 8-inch diameter and a 12-inch diameter water mains extending along a 50-ft wide utility easement within the subject property between Remcon Circle and Mesa Street.

7. New fire hydrant (if public) shall connect to existing 8-inch diameter water main along Remcon Circle. Proposed fire line service shall connect to existing 8-inch diameter water main along Remcon Circle with separate tap if proposed fire hydrant is intended to be a public fire hydrant. If proposed fire hydrant is private then proposed fire line service may connect to private fire hydrant.

Sanitary Sewer:

8. There is an existing 15-inch diameter sanitary sewer main extending along Mesa Street that is available for service, the sewer main is located approximately 50-ft south from the center line of the right-of-way.

9. There is an existing 8-inch diameter sanitary sewer main extending along Remcon Circle that is available for service, the sewer main is located approximately 5-ft west from the center line of the right-of-way. Said main dead-ends about 245-ft south of Mesa Street.

General:

10. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced utility easements without the written consent of EPWU-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, or any structure that will interfere with the access to the utility easements. There shall be at least 5-foot setback from the easement line to any sign or structure.

11. All easements dedicated for public water and sanitary sewer facilities shall comply with the El Paso Water Utilities-Public Service Board (EPWU-PSB) Easement Policy. The utility easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU-PSB requires access to the existing water, appurtenances, and meters within the easement 24-hours a day, seven (7) days a week.

12. EPWU requires a new service application to provide service the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenance.

EPWU Stormwater Division

No comments received.

El Paso Fire Department

No comments received.

911

No comments received.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

Texas Gas Company

No comments received.

School District

No comments received.

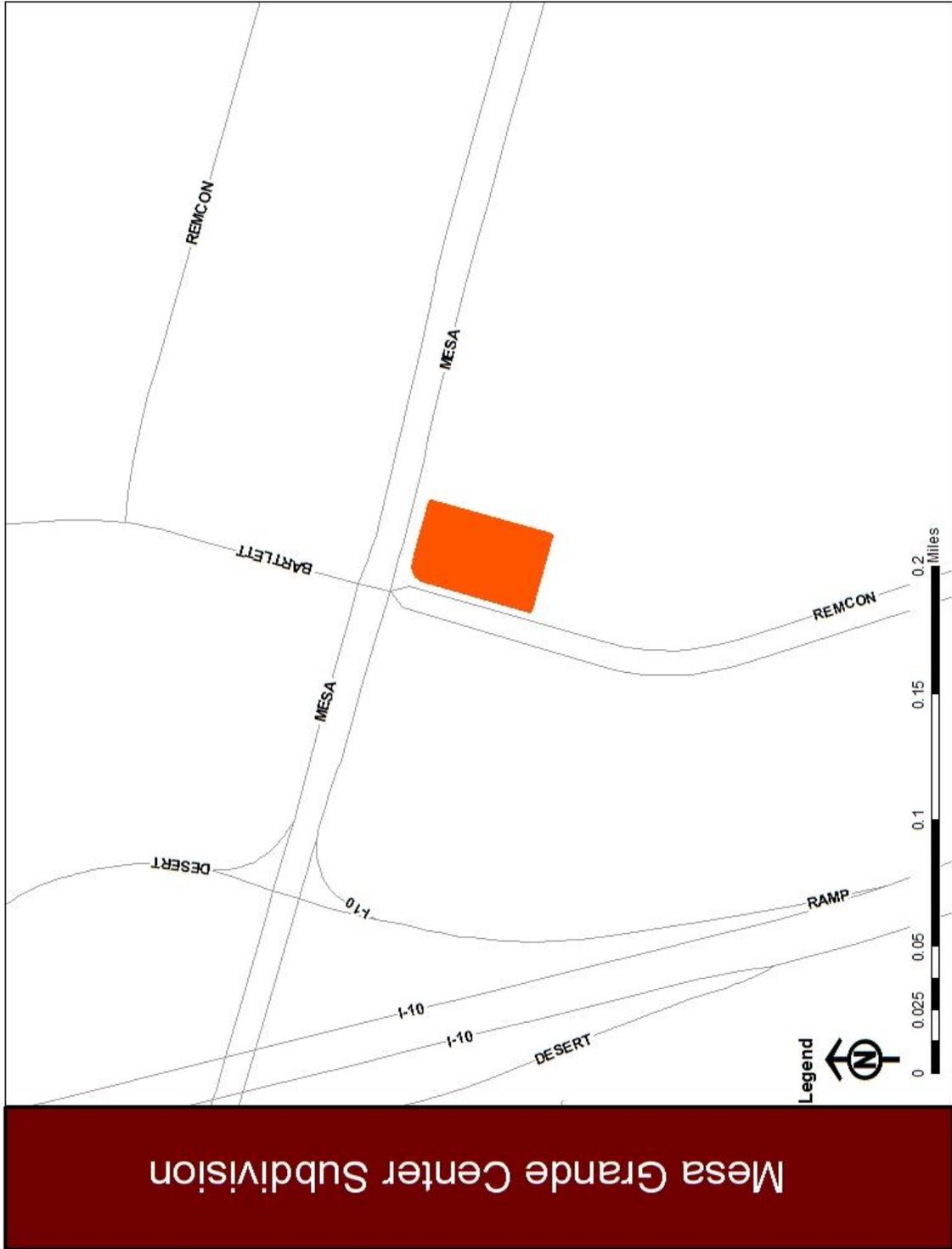
Additional Requirements and General Comments:

1. Submit to the City 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.

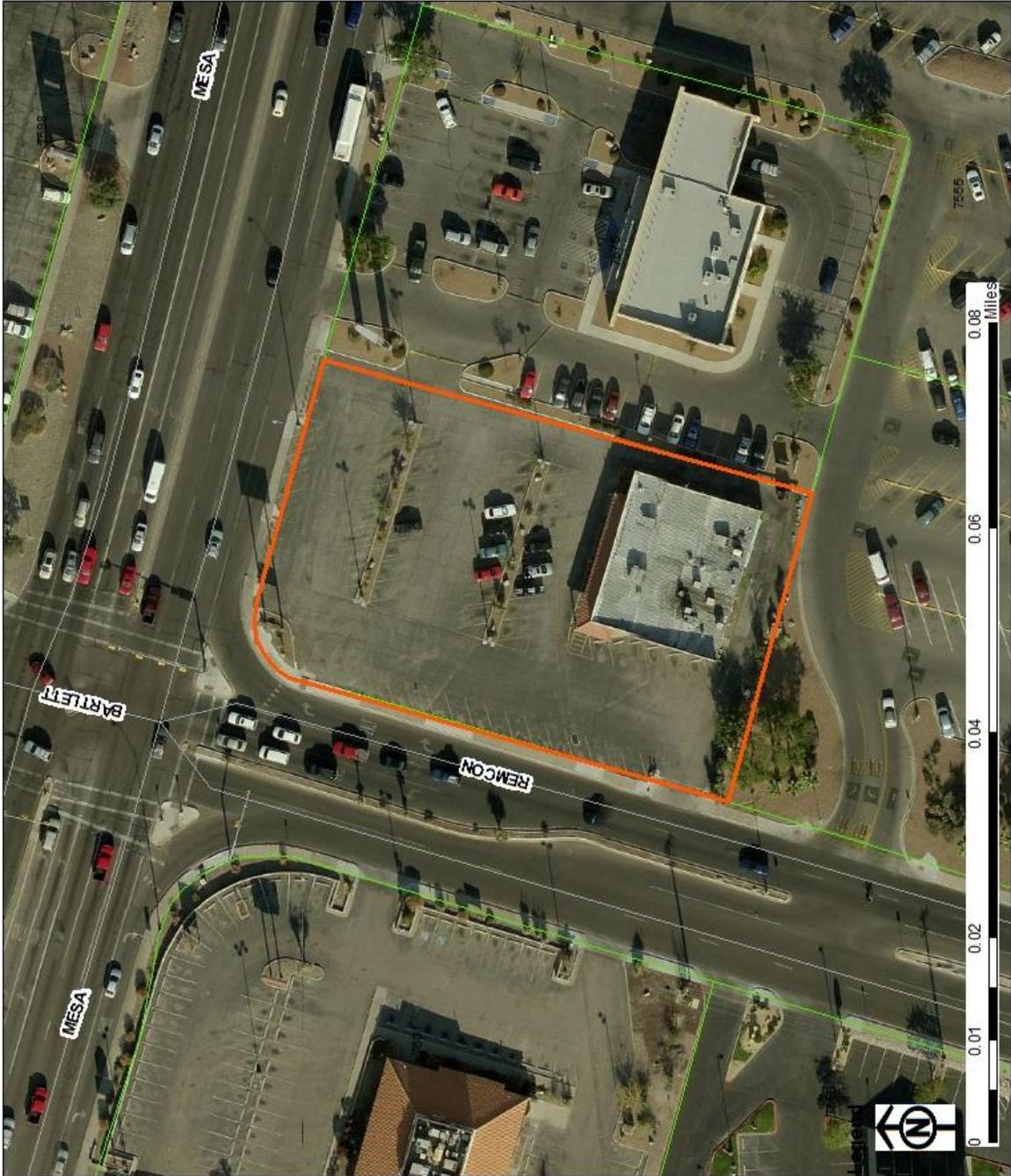
Attachments

1. Location map
2. Aerial map
3. Preliminary Plat
4. Final Plat
5. Application
6. Waiver Request

ATTACHMENT 1

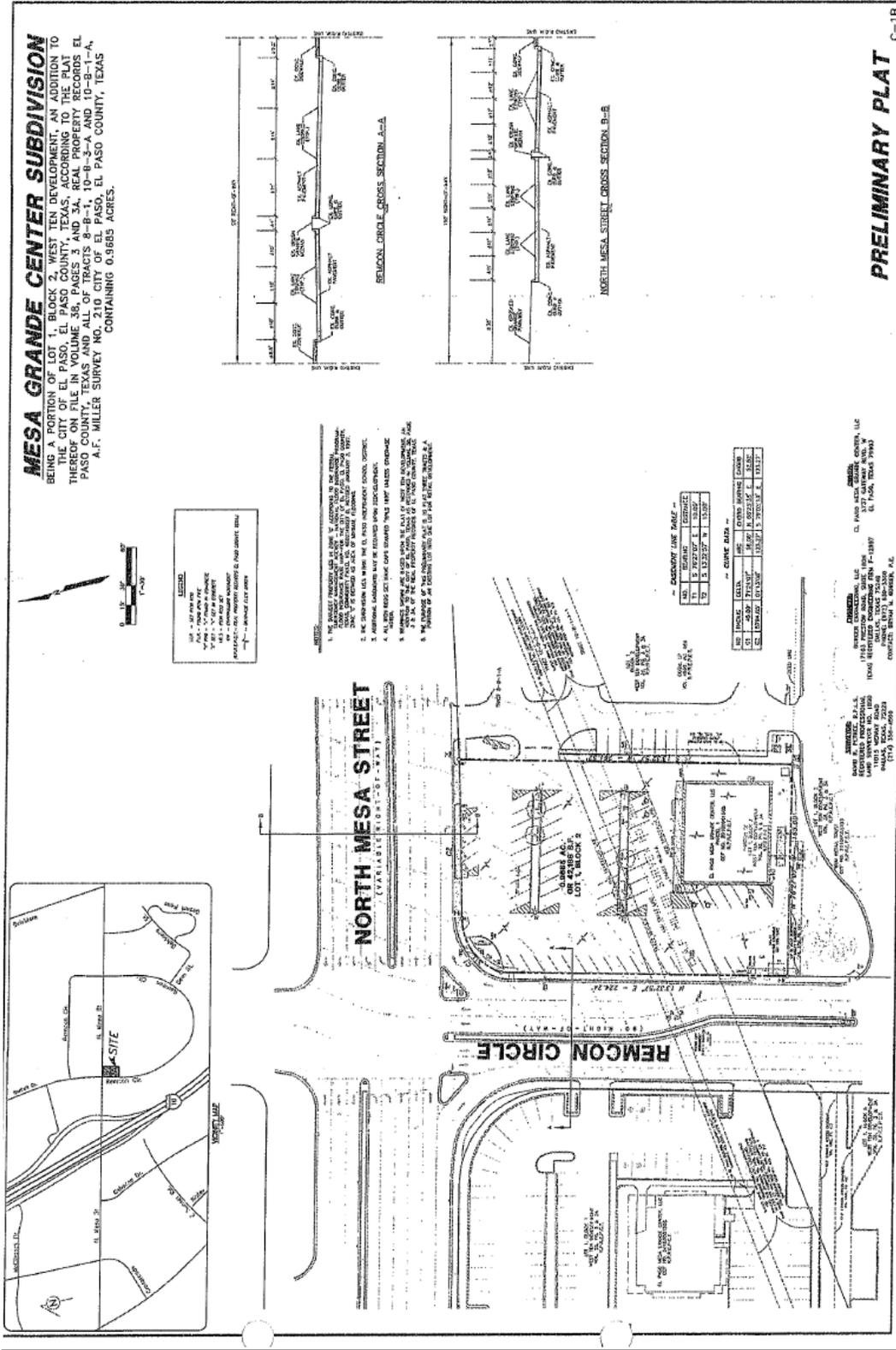


ATTACHMENT 2



Mesa Grande Center Subdivision

ATTACHMENT 3



ATTACHMENT 5



June 10, 2013
E mailed to meeting
held today

CITY PLAN COMMISSION APPLICATION FOR
 MINOR SUBDIVISION APPROVAL

DATE: 5/8/2013

FILE NO. SUSU13-00053

SUBDIVISION NAME: Mesa Grande Center Subdivision

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
Portion of Lot 1, Block 2 - West Ten Development as recorded in Vol. 38, Pg. 3 & 3A
and all of Tracts 8-B-1, 10-B-3-A and 10-B-1-A, A.F. Miller Survey No. 210

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 | _____ | _____ | | _____ | _____ |
| Commercial | <u>0.97</u> | <u>1</u> | Total No. Sites | _____ | _____ |
| Industrial | _____ | _____ | Total (Gross) Acreage | _____ | _____ |

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 N/A No N/A

5. What type of utility easements are proposed: Underground X Overhead _____ Combination of Both _____

6. What type of drainage is proposed? (If applicable, list more than one)
The site is currently developed with 1,374 S.F. of pervious cover and sheet drains. The proposed development will provide 9,849 S.F. of pervious cover and continue to sheet flow.

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 _____ 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 Section 19.47- Vested Rights (See Attached).



12. Owner of record El Paso Mesa Grande Center, LLC 3737 Gateway Blvd. W., El Paso, TX 79903
 (Name & Address) (Zip) (Phone)
13. Developer Chick-fil-A, Inc. 5200 Buffington Rd., Atlanta, GA 30349 (404) 765-8000
 (Name & Address) (Zip) (Phone)
14. Engineer Burger Engineering, LLC 17103 Preston Rd., Ste. 180N, Dallas, TX 75248
 (Name & Address) (Zip) (972) (Phone) 630-3360

CASHIER'S VALIDATION
 FEE: \$651.00

OWNER SIGNATURE:

J. Maloney

REPRESENTATIVE

[Signature]

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

ATTACHMENT 6

From: Bryan Burger <BBurger@burgerengineering.com>
Sent: Tuesday, July 16, 2013 3:10 PM
To: Baker, Nathaniel T.
Subject: RE: Mesa Grande Center Subdivision

I do not see an issue with that. What day is the CPC meeting on?

B | BURGER
ENGINEERING
Civil Consultants

BRYAN M. BURGER, P.E.
President

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From: Baker, Nathaniel T. [<mailto:BakerNT@elpasotexas.gov>]
Sent: Tuesday, July 16, 2013 3:26 PM
To: Bryan Burger
Subject: RE: Mesa Grande Center Subdivision

Hi Bryan,

There is a bureaucratic issue that I want to advise you about regarding this plat. A determination has been made that when a property that comes into plat is adjacent to a public right-of-way that does not meet the current standards (or cross-section included in the city's Design Standards for Construction), then the applicant shall either reconstruct the street, or request a waiver per section 19.10.050.A. In this case I recommend requesting the waiver. The waiver can only be granted by the City Plan Commission which means that the plat must be submitted as a resubdivision combination. You may submit the difference in the fee (1,083 – 651 = 432) as well as a revised application showing it as a major. If you do this by today or tomorrow, then I can put Mesa Grande on the agenda for next week's CPC meeting.

Please let me know if you have any questions or concerns.

Nathaniel Baker
Planner
City Development Department
City of El Paso
(915) 541-4192