City of El Paso – City Plan Commission Staff Report

(REVISED)

Case No:	SUSU13-00061 Casa De Los Suenos
Application Type:	Major Combination
CPC Hearing Date:	August 8, 2013
Staff Planner:	Nelson Ortiz, (915) 541-4931, ortiznx@elpasotexas.gov
Location:	East of Upper Valley and South of Artcraft
Acreage:	3.99 acres
Rep District:	1
Existing Use:	Residence
Existing Zoning:	R-F (Ranch-Farm)
Proposed Zoning:	R-F (Ranch-Farm)
Nearest Park:	Valley Creek Park (0.47 mile)
Nearest School:	Jose H. Damian Elementary (0.69 mile)
Park Fees Required:	$4,000
Impact Fee Area:	This property is not located in an Impact Fee Service Area and not subject to impact fees.
Property Owner:	Jose L. and Alejandra M. Alvarez
Applicant:	Jose L. and Alejandra M. Alvarez
Representative:	Sitework Engineering

SURROUNDING ZONING AND LAND USE

North: R-F / Residential Development
South: R-F / Vacant
East: R-F / Residential Development
West: R-F / Residential Development

PLAN EL PASO DESIGNATION: O3 Agriculture

APPLICATION DESCRIPTION

The applicant proposes to subdivide approximately 4 acres of land for 1 residential lot. Access to the subdivision is proposed from Strahan Road. With this plat, the applicant is dedicating six feet of additional ROW but has submitted a waiver for roadway improvements to Strahan Road. The existing conditions of Strahan road are as follows:

- 40-foot ROW with 20' of pavement and 10' of unimproved parkway on either side.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the waiver and of Casa De Los Suenos on a Major Combination basis, subject to the following conditions and requirements.

Planning Division Recommendation:
Planning does not object to the waiver as it complies with Section 19.10.050.A (Roadway participation policies – Improvement of adjacent (perimeter) road and utilities) which reads:

1.a. 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.

Staff recommends **approval**.

City Development Department - Land Development

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

The Developer/Engineer needs to address the following comments.

1. Include the following on-site ponding requirements as notes on the Preliminary and Final Plat:

On-site Ponding Notes:

1. 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.

2. 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.

3. 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.

4. 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.

5. The City and/or its Representative is granted permanent right of access to inspect the ponding areas and permanent elevation markers.

6. 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.

7. 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.

8. No person shall be permitted to impair the functionality of an on-site pond. No more that 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.

9. 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.

10. 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.

11. 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.

12. These on-site ponding requirements shall be enforced by injunctive relief without the requirement for bond or other security.

13. 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.

El Paso Department of Transportation

No comments received.

Parks and Recreation Department

We have reviewed **Casa De Los Sueños,** a major combination plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is composed of one lot zoned "R-F" which allows the use of Single-family detached dwelling uses with a minimum of 3 acres per lot area however, proposed use for this subdivision is a church therefore,

Per Section 19.20.020 (B) (1) applicant needs to provide restrictive covenants verifying that the property within the subdivision application or portion thereof, is restricted to nonresidential uses as defined in this chapter.

Based on above mentioned requirements applicant shall be required to pay "Park fees" in the amount of **$4,000.00** based on requirements for Non-residential subdivisions calculated as follows:

Non-residential acreage 4.00 (rounded to two decimals) @ $1,000.00 per acre = **$4,000.00**

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

Nearest Parks: **Valley Creek** **&** **River Park West #1**

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

El Paso Water Utilities

1. El Paso Water Utilities (EPWU) does not object to this request.

Water:

2. There is an existing 12-inch diameter water main extending along Strahan Road that is

available for service, the water main is located approximately 15-ft east from the center line of the right-of-way.

Sanitary Sewer:

3. There is an existing 12-inch diameter sanitary sewer main extending along Strahan Road that is available for service, the sewer main is located approximately 15-ft west from the center line of the right-of-way.

General:

4. 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.

El Paso Fire Department
No comments received.

Sun Metro
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.

Canutillo Independent School District
No comments received.

Additional Requirements and General Comments:

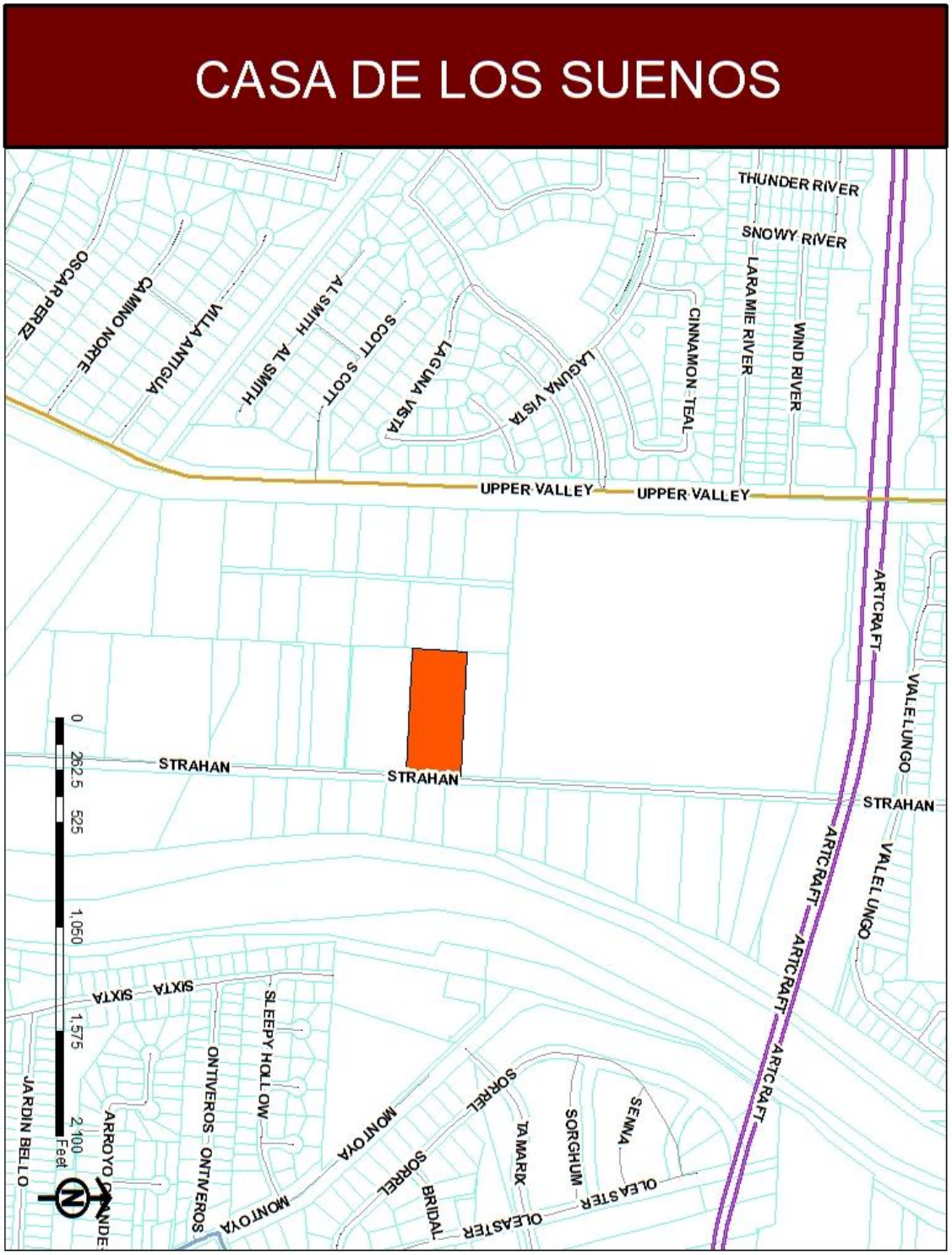
1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
    a. Current certified tax certificate(s)
    b. Current proof of ownership
    c. Release of access document, if applicable
    d. Set of restrictive covenants, if applicable

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

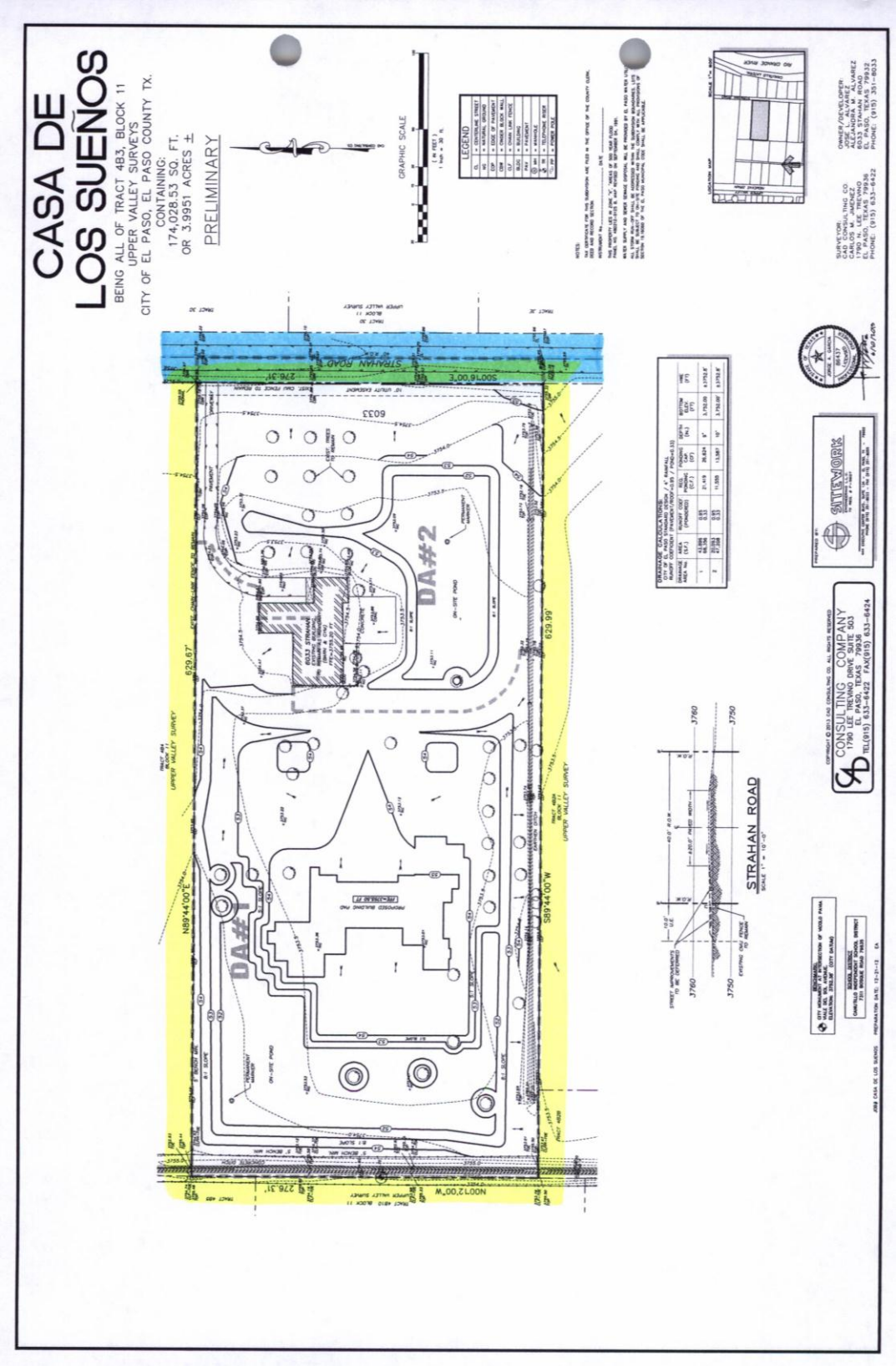
1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Waiver Request
6. Application

ATTACHMENT 1

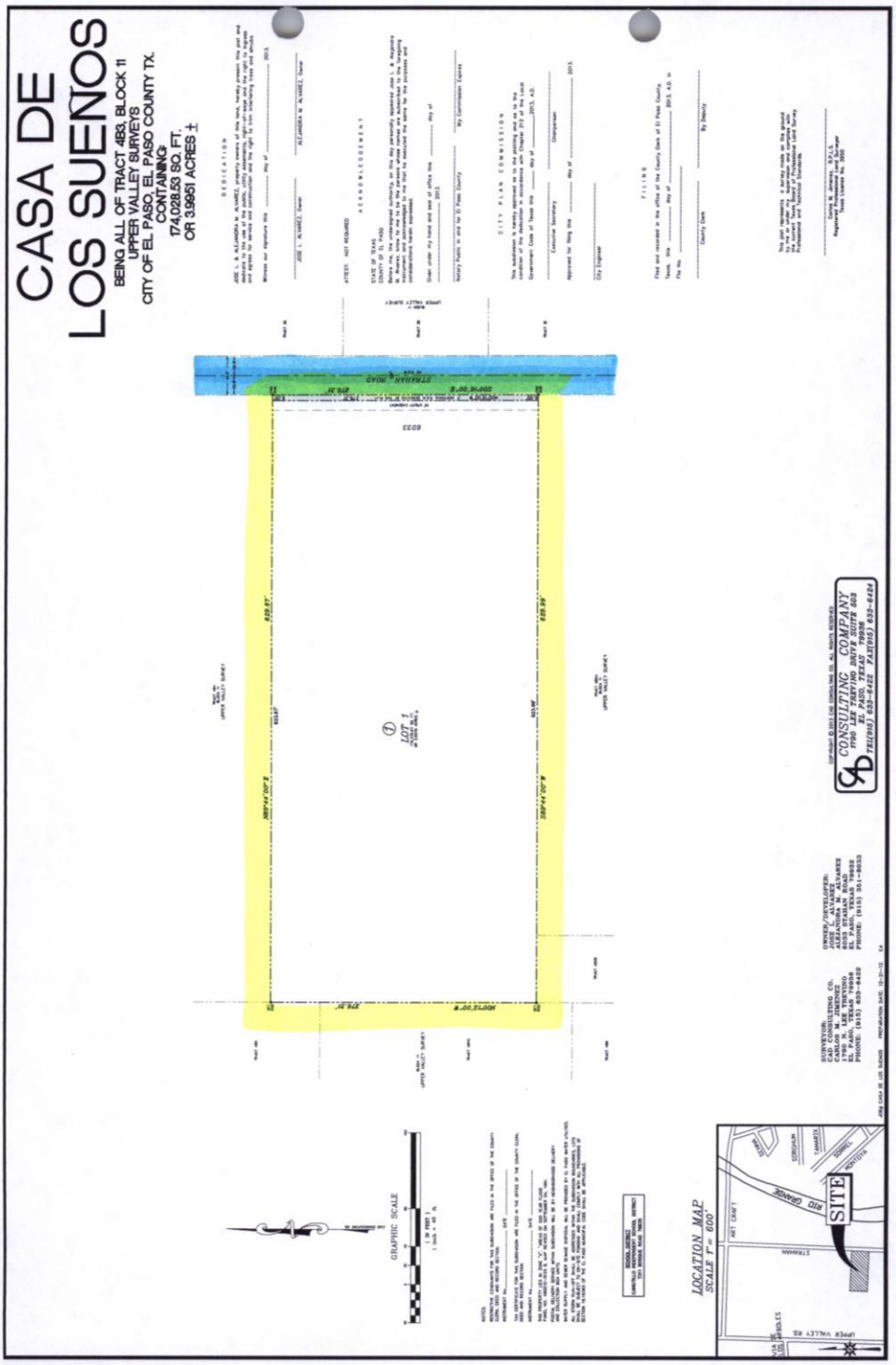


ATTACHMENT 2

ATTACHMENT 3



ATTACHMENT 4



ATTACHMENT 5

SITEWORK
ENGINEERING, LLC

June 14, 2013

SENT VIA EMAIL

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

PROJ: CASA DE LOS SUEÑOS SUBDIVISION
RE: REQUEST OF STREET IMPROVEMENTS WAIVER

Dear Raul Garcia,

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 Strahan Road as indicated on your 5-day review comments letter. We are hereby seeking relief from the current street right-of-way width standards, sidewalk and landscaped parkway requirements.

We believe that +50% of the lots within a quarter mile of the proposed development have already been developed and the existing street improvement is in character with the neighborhood.

Strahan Road is not 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

Jorge A. Garcia, PE
Project Engineer/Owner Representative

cc Mr. Jeff Huff – Design Alliance

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

SUSU13-00061

CITY PLAN COMMISSION APPLICATION FOR
MAJOR SUBDIVISION COMBINATION APPROVAL

JUL 16 2013

DATE: 7/16/2013 FILE NO. SUSU13-00061

SUBDIVISION NAME: Casa de los Sueños

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)

Tract 4B3, Block 11, Upper Valley Surveys

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	3.957	1	Office		
Duplex			Street & Alley	0.038	1
Apartment			Ponding & Drainage		
Mobile Home			Institutional		
P.U.D.			Other (specify below)		
Park					
School					
Commercial			Total No. Sites		1
Industrial			Total (Gross) Acreage	3.9951	

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

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)

On-Site Ponding

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 ☐ 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).

( ) ( )

12. Owner of record Jose L & Alejandra M. Alvarez, 6033 Strahan Road, ELP TX.
(Name & Address) (Zip) (Phone)

13. Developer_____.
(Name & Address) (Zip) (Phone)

14. Engineer Sitework Engineering, LLC, 444 Executive Ctr, Blvd 134, El Paso, TX 915-351-8038.
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
FEE: $2,088.00

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.