



City of El Paso – City Plan Commission Staff Report

Case No: SUSU12-00051 Garden Valley
Application Type: Major Combination
CPC Hearing Date: August 9, 2012

Staff Planner: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov
Location: West of Doniphan Drive and North of Lindbergh Drive
Acreage: 2.14 acres
Rep District: 1
Existing Use: Single Family Residence
Existing Zoning: R-1 & R-2 (Residential)
Proposed Zoning: R-1 & R-2 (Residential)

Nearest Park: Thorn Park (0.64-mile)
Nearest School: Mitzi Bond Elementary School (0.18-mile)
Park Fees Required: \$5,480.00
Impact Fee Area: This property is not in an impact fee area and is not subject to impact fees.

Property Owner: Edgar Gonzalez & Lizbeth Holguin
Applicant: Quantum Engineering Company
Representative: Quantum Engineering Company

SURROUNDING ZONING AND LAND USE

North: R-2 (Residential)/ Single-family residential development
South: R-1 (Residential)/ Single-family residential development
East: R-1 & R-2 (Residential)/ Single-family residential development
West: R-1 & R-2 (Residential)/ Single-family residential development

PLAN EL PASO DESIGNATION: G3 Post-War.

APPLICATION DESCRIPTION

The applicant proposes to subdivide the subject property into a four-lot, private single-family residential development. Access is proposed from Garden Valley Circle. This subdivision is being reviewed under the current subdivision code.

The applicant is requesting the use of alternative subdivision design for Garden Valley Circle. The cross-section will consist of a 52-foot local right-of-way as required under the current subdivision ordinance; however, sidewalks will only be placed on the side with lot frontages.

Garden Valley Circle is a proposed 52-ft private cul-de-sac. Per Section 19.15.150(A), private streets require approval as an exception by the City Plan Commission. Section 19.15.150(D)7

states that this exception may only be granted after the city attorney has determined that the required covenants, conditions, and restrictions (CCRs) have met the requirements for a private street. The city attorney is in agreement that the CCRs do meet the requirements of Section 19.15.150.

Lindbergh Drive is an existing collector on the Major Thoroughfare Plan and is currently substandard with 50-feet of right-of-way consisting of 36-ft of pavement with 5-ft sidewalks and 2-ft parkways on each side of the street. The subdivision code requires a 56-foot right-of-way consisting of 36-ft of pavement with 5-ft parkways and 5-ft sidewalks on each side of the street. The applicant does propose to dedicate his proportionate share of right-of-way, creating a 5-ft parkway on the abutting side of the street. Per Section 19.10.050(A)1 of the subdivision code, the City Plan Commission may waive the requirement to dedicate and improve the substandard right-of-way if any of the following factors are met:

- 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 and have sufficient capacity to handle the increase in traffic to be generated by the proposed development; or,*
- b. *The plat is located within the City of El Paso's Extraterritorial Jurisdiction area, is not within the city's annexation path and written documentation from the County of El Paso has been received stating that the substandard road meets all County requirements and the County is willing to accept the dedication of the substandard road;*
- c. *For all plats located in the City of El Paso's Extraterritorial Jurisdiction area, written concurrence from the County of El Paso is required prior to the waiver of any dedication and/or improvements.*

Staff agrees that factor (a) does apply in this situation.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the alternative subdivision improvement design in accordance with Section 19.26.040, **approval** of the exception to allow for a private street in accordance with Section 19.15.150, **approval** of the waiver for right-of-way improvements in accordance with Section 19.10.050(A)1, and **approval** of Garden Valley on a **Major Combination** basis, subject to the following conditions and requirements:

Planning Division Recommendation:

Approval with alternative subdivision improvement design, exception, and waiver. With regard to the alternative subdivision improvement design, it has been determined that the proposed improvements meet the intent and have the same or higher level of service or adequacy of the original required improvement. With regard to the exception, the applicant has complied with the requirements in Section 19.15.150. In the case of the waiver, more than fifty percent (50%) of the lots within a quarter mile of the subject property are developed; and the abutting right-of-way is both in character with the surrounding neighborhood and operates at its intended capacity.

City Development Department - Land Development

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

No Objection

Planning – Transportation

Comments:

1. Lindbergh is a collector on the MTP and is substandard as shown on the subdivision plat.
 - a. No objections to deferral of improvements (Pavement) on Lindbergh as this is consistent with adjacent development.
2. No objections to the alternative design proposed for Garden Valley Circle.
3. Lindbergh Drive cross-section does not comply with DSC standards as 5' sidewalks are not allowed abutting the pavement.
 - a. The proposed subdivision complies with the waiver requirements of Section 19.10.050.A.1.a (Roadway Participation) which allows for a waiver of improvements required to bring Lindbergh Drive up to current development standards.

Notes:

1. Double frontage lots are prohibited as per Section 19.23.040.H. (Double Frontage Lots) of the El Paso City Code.
 - a. Impose restrictive covenant to prohibit access from Garden Valley
2. Circle for Lots 1-2, Block 2 Los Arboles, as Garden Valley Circle is designated as a private street and utility easement and can impose restricted access as per Section 19.15.150 (Private Streets) of the El Paso City Code.
3. All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Parks and Recreation Department

We have reviewed **Garden Valley**, a major plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is composed of 4 (R-1 & R-2) Single-family dwelling lots and applicant shall be required to pay "park fees" in the amount of **\$5,480.00** based on the following calculations:

Fees calculated as follows:

$$4 \text{ (R-1 \& R-2) Single-family dwelling lots @ } \$1,370.00 / \text{ dwelling} = \mathbf{\$5,480.00}$$

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

Nearest Parks: **Thorn** & **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.

El Paso Water Utilities

1. EPWU does not object to this request.

2. On-site water and/or sanitary sewer mains extension will be required. All costs associated with the extensions of water and/or sanitary sewer mains are the responsibility of the Owner/Developer.

Water:

3. There is an existing 12-inch diameter water main extending along Lindbergh Avenue that is available for service, the water main is located approximately 12-feet north from the center line of the right-of-way.

4. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 305 Lindbergh Avenue.

Sewer:

5. There is an existing 8-inch diameter sanitary sewer main extending along Lindbergh Avenue that is available for service, the sewer main is located approximately 19-feet south from the center line of the right-of-way.

General:

6. All easements dedicated for public water and/or sanitary sewer facilities shall comply with the EPWU-PSB Easement Policy. The PSB easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU-PSB requires access to the future water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

7. 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.

EPWU Stormwater Division

No objections.

El Paso Fire Department

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria: 1. The minimum gate width shall be 20 feet (6096 mm). 2. Gates shall be of the swinging or sliding type. 3. Construction of gates shall be of materials that allow manual operation by one person. 4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective. 5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be approved by the fire code official. 6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location. 7. Locking device specifications shall be submitted for approval by the fire code official. 8. Electric gate operators, where provided, shall be listed in accordance with UL 325. 9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200. IFC 2009 Section

501.3; Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access and construction documents shall be submitted to fire department for review and approval prior to construction per Section 19.15.150, the fire department must approve the method of emergency access for the subject subdivision during the final platting process. Please provide comments accordingly. The applicable section of the code is provided below: Restricted Access: The subdivision homeowners association shall clearly mark entrances to all private streets with a sign, in accordance with the DSC, placed in a prominent and visible location, indicating that the streets within the subdivision are private, and not maintained nor regularly patrolled by the city. All restricted access entrances shall be manned twenty-four (24) hours every day, or they shall provide a reliable, alternative means of ensuring access into the subdivision by the City, by emergency service providers, and by other utility or public service providers, such as postal carriers and utility companies, with appropriate identification. The method used to ensure city and emergency access into the subdivision shall be approved by the city's fire department and by any other applicable emergency service providers during the final platting process. Gates on private streets shall provide a traffic queue analysis and provide adequate on-street storage in advance of the gate. If the homeowners association fails to maintain reliable access as required by city codes, the city may enter the private street subdivision and remove any gate or device which is a barrier to access, and bill the expense to the association. If the bill is not paid, the city may file a lien for the expense against any property owned by the association. ** Note, A more detailed reviewed will be done by fire plan review during the permitting process.

D103.5 Fire apparatus access road gates. Gates securing the fire apparatus access roads shall comply with all of the following criteria:

1. The minimum gate width shall be 20 feet (6096 mm).
2. Gates shall be of the swinging or sliding type.
3. Construction of gates shall be of materials that allow manual operation by one *person*.
4. Gate components shall be maintained in an operative condition at all times and replaced or repaired when defective.
5. Electric gates shall be equipped with a means of opening the gate by fire department personnel for emergency access. Emergency opening devices shall be *approved* by the *fire code official*.
6. Manual opening gates shall not be locked with a padlock or chain and padlock unless they are capable of being opened by means of forcible entry tools or when a key box containing the key(s) to the lock is installed at the gate location.
7. Locking device specifications shall be submitted for approval by the *fire code official*.
8. Electric gate operators, where provided, shall be *listed* in accordance with UL 325.
9. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

911

No comments received.

Sun Metro

Sun Metro recommends the placement of sidewalks and ADA compliant improvements throughout the development to City standards to provide pedestrian accessibility to mass transit services.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

Texas Gas Company

No comments received.

El Paso Independent School District

No comments received.

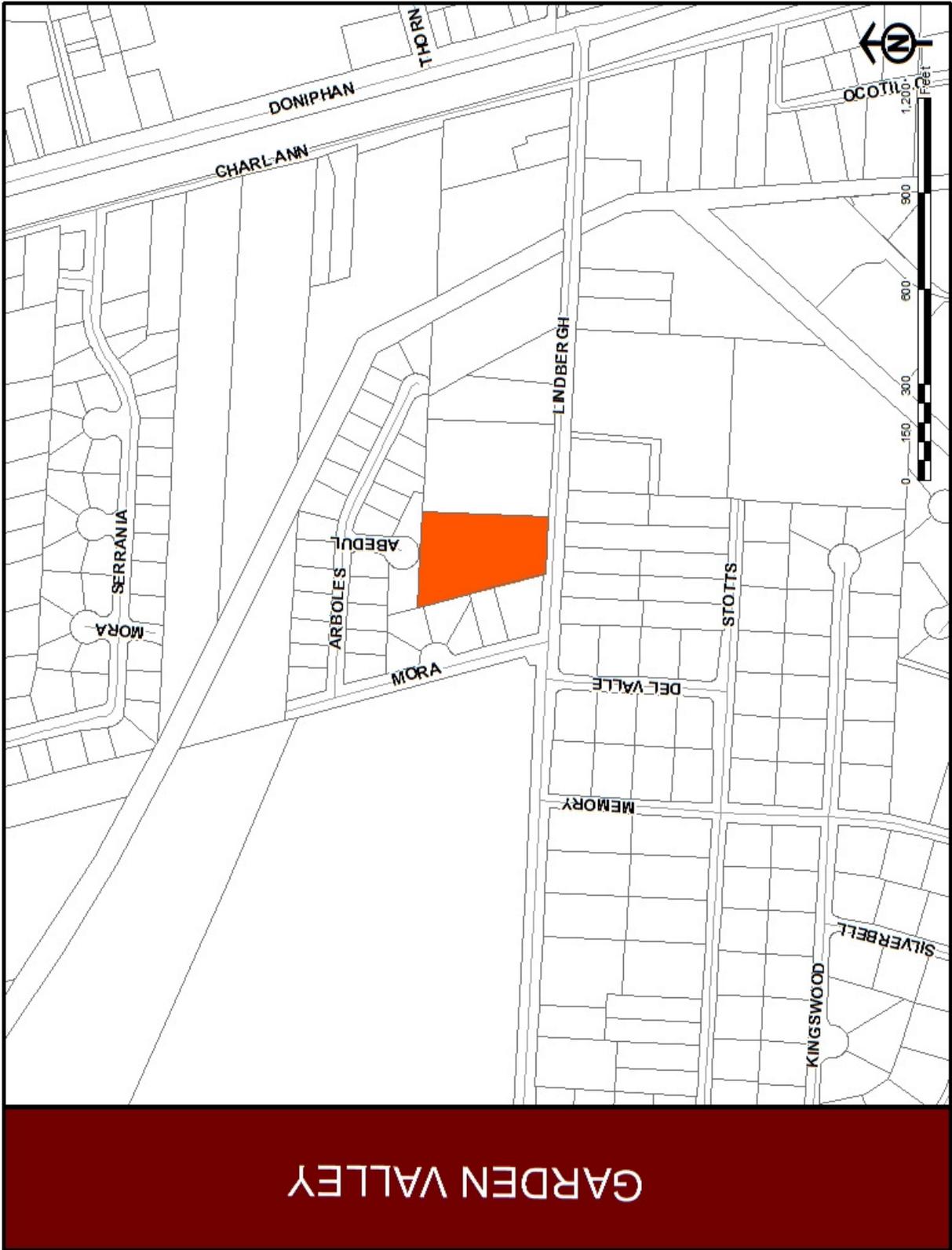
Additional Requirements and General Comments:

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.
3. Applicant shall address the following comments prior to recordation:
 - Provide a release of access document for the lots abutting Garden Valley to the east prior to filing of the plat.
 - Correct acreages/square footages of all lots as they do not correspond.
 - Change the City Engineer signature line for the CPC approval to read City Development Director.
 - Add a line for the date to the restrictive covenants and tax certificate notes.
 - Per Section 19.15.150(B), re-label the street as a private local street, not just a private street.

Attachments

1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Cross-sections
6. Alternative design request
7. Application

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 6



July 30, 2012

CITY OF EL PASO
Planning and Economic Development
2 Civic Center Plaza, 5th floor
El Paso, Texas 79901-1196

Attn: Mr. Justin D. Bass
Subdivision Planner

Re: Garden Valley Subdivision
El Paso, Texas

Dear Mr. Bass:

Please consider this letter as a request to submit an alternate design to the Subdivision Ordinance and Design Standards for Construction for the above referenced development. On behalf of our client, Quantum Engineering Consultants, Inc., hereby respectfully requests that we be allowed to place a concrete sidewalk within the cul-de-sac and on one side of Garden Valley Circle only.

No residential lots will be fronting the westerly Right-Of-Way line of Garden Valley Circle and due to the fact that this is a private subdivision, no "through traffic" will be allowed, thus, the reason for this request.

We greatly appreciate your consideration of our request. Should you have any questions, comments, or require additional information, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink, appearing to read 'RAG', is written over a horizontal line.

Robert A. Gonzales, PE
President

RAG/asp

ATTACHMENT 7



**CITY PLAN COMMISSION APPLICATION FOR
MAJOR SUBDIVISION COMBINATION APPROVAL**

DATE: _____ FILE NO. SUSU12-00051
 SUBDIVISION NAME: GARDEN VALLEY

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
TRACT 9D, BLOCK 5, UPPER VALLEY, CITY OF EL PASO, EL PASO COUNTY, TEXAS.

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	<u>1.722</u>	<u>4</u>	Office		
Duplex	_____	_____	Street & Alley	<u>0.418</u>	<u>1</u>
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	_____	_____	_____
Commercial	_____	_____	Total No. Sites	_____	_____
Industrial	_____	_____	Total (Gross) Acreage	<u>2.14</u>	_____

3. What is existing zoning of the above described property? R1, R2 Proposed zoning? SAME

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: PRIVATE STREET

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

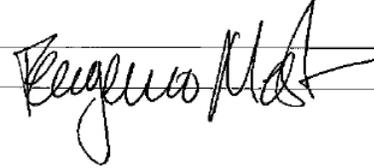
If yes, please submit a vested rights petition in accordance with Section 19.47- Vested Rights (See Attached).

12. Owner of record EDGAR O. GONZALEZ & LIZBETH HOLQUIN
701 BLUFF CANYON, EL PASO, TEXAS 79912 (915) 533-0323
 (Name & Address) (Zip) (Phone)
13. Developer SAME
 (Name & Address) (Zip) (Phone)
14. Engineer QUANTUM ENGINEERING CONSULTANTS, INC.
414 EXECUTIVE CENTER BLVD, STE 200 EL PASO, TEXAS 79902 (915) 532-7272
 (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.