



City of El Paso – City Plan Commission Staff Report

Case No: SUSU12-00077 Desert Springs Unit Three
Application Type: Major Combination
CPC Hearing Date: August 9, 2012

Staff Planner: Justin Bass, (915) 541-4930, bassjd@elpasotexas.gov
Location: East of I-10 and North of Transmountain Road
Acreage: 18.23 acres
Rep District: 1
Existing Use: Vacant
Existing Zoning: C-3/c (Commercial/ conditions) & A-O (Apartment-Office)
Proposed Zoning: C-3/c (Commercial/ conditions) & A-O (Apartment-Office)

Nearest Park: Westside park (1.56 miles)
Nearest School: Canutillo Middle School (1.25 miles)
Park Fees: N/A
Impact Fee: The property is located in the Westside Impact Fee Service Area and is subject to impact fees.

Property Owner: DVEP Land LLC & RPW Development
Applicant: DVEP Land LLC & RPW Development
Representative: CEA Group

SURROUNDING ZONING AND LAND USE

North: R-3A (Residential)/ Vacant

South: C-3/c (Commercial/ conditions)/ TxDOT Right-of-way

East: C-3/c (Commercial/ conditions) & A-O (Apartment-Office)/ Vacant

West: C-4/c (Commercial/ conditions)/ Vacant

PLAN EL PASO DESIGNATION: Suburban (Walkable).

APPLICATION DESCRIPTION

The applicant is proposing to subdivide the 18.23 acres of property into two lots and a drainage right-of-way. One lot will be developed as a 265-unit multi-family development; the other lot will be for commercial uses. Primary access will be from Bluff Creek Street.

The property has been granted vested rights under the previous subdivision code; however, the applicant has requested that Section 19.01.050 of the current subdivision code be used. This allows the applicant submit subdivision improvement plans at the time of application.

The applicant is requesting the following modification:

- A modification to Section 19.16.050.H. Preservation of Natural Arroyos allowing construction of improvements within an arroyo.

CASE HISTORY

Desert Springs Unit Three is part of the Desert Springs Land Study that was approved by the City Plan Commission on August 27, 2009. An amendment to the land study was administratively approved on October 21, 2010.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION:

The Development Coordinating Committee recommends *approval* of the modification under Reason 3 of Section 19.04.170.A of the previous Subdivision Ordinance and *approval* of Desert Springs Unit Three on a **Major Combination** basis subject to the following conditions and requirements:

- That Desert Springs Unit Three be filed concurrently with or after Desert Springs Unit One to provide access via Bluff Creek Street.

Planning Division Recommendation:

Approval with modification. In this case, the subdivider has demonstrated an alternative method of development that will improve the aesthetic value of the subdivision while giving equal emphasis to safety, economy, tax yield, maintenance cost, response time, drainage, vehicular access and pedestrian passage.

City Development Department - Land Development:

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

No Objection

Planning-Transportation:

This subdivision was reviewed utilizing the current version of Title 19.

1. Provide full cross-sections for Transmountain Road and Bluff Creek Street as per Section 19.15.060.a (Design Standards for Construction Standards Met).
2. The Developer agreed to make the following improvements to provide access to the proposed development in the Desert Springs Land Study, approved in August 2009.
 - a. Construction of a 300 ft. long right-turn lane with 150 ft. of transition on Transmountain Road at Northwestern Drive and at Bluff Creek Lane into the proposed development; and on Desert North at Enchanted Springs Road into the proposed development.
 - b. Developer is to construct these right turn lanes subject to TXDOT approval. In the event additional ROW is needed by TXDOT for future improvements on Transmountain, applicant shall contribute a proportionate share of such ROW.

Notes:

1. Access to Transmountain ROW is subject to TXDOT approval.
2. Desert Springs Unit One shall be recorded prior to Desert Springs Unit Three in order to provide access via Bluff Creek.
3. All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS regulations and City Design Standards for construction.

Parks and Recreation Department:

We have reviewed **Desert Springs #3** a major combination plat map and offer Developer /

Engineer the following comments:

Please note that Lot 20, Block 6 is zoned "A/O" thus meeting the requirements for multi-family dwellings use and that applicant has submitted preliminary covenants restricting the number of dwelling units to 265; also, Lot 22, Block 6 is zoned "C-3" also meeting the requirements for multi-family dwelling use however, applicant has submitted preliminary covenants restricting the use to commercial purposes only.

Park fees will be assessed based on proposed above mentioned uses and applicant shall be required to pay "Park fees" in the amount of **\$39,724.00** (if gross density waiver is granted by the Planning Department or designee) based on the following calculations:

Lot 20, Block 6 - Apartments: 10.74 acres restricted to 265 dwelling units

265 dwellings @ \$145.00 (vested under the Old-Old ordinance) per dwelling = **\$38,425.00**

Lot 22, Block 6 – Commercial: 4.33 acres restricted to non-residential uses

Acreage 4.33 @ \$300.00 (vested under the Old-Old ordinance) per acre = **\$1,299.00**

Total combined park fees = **\$39,724.00**

Please allocate funds under Park Zone: **NW-12**

Nearest Park: **Westside Sports Complex** located with-in zone **NW-9**

Nearest Parks within adjacent Park Zone **NW-10**: **Cimarron #1** & **South Dakota**

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:

EPWU Planning & Development has reviewed the subdivision described and provides the following comments:

Revisions:

1. Label the 30'x40' easement at the northwest corner of Lot 20 as Drainage ROW and PSB Easement
2. The 20-foot PSB easement on the western side of Lot 20 is for the exclusive use of EPWU-PSB, remove utility easement label. The drainage structure shall be located outside of the 20-foot wide easement. Provide at the southwest corner of Lot 6 a combined 30-foot wide by 40' long Drainage ROW and PSB Easement
3. The 20-foot easement at the northwest corner of Lot 22 shall be labeled as a Drainage ROW.
4. Show for reference the existing 50'X77' PSB easement within Tract 10E.

1. The subject property is located within the City of El Paso Westside Impact Fee Service Area. Impact fees will be assessed at the time of the plat and collected by EPWU prior to the issuance of a Building Permit.

2. EPWU has made provisions to provide water service to the subdivision. Water service can be made available to the subdivision up to elevation 4060 (PSB Datum). A water main extension is required from the existing 12-inch diameter water main located approximately 400-feet east of Northwestern Drive along the north side of Transmountain Road. This water main is to be extended eastward to Bluff Creek Street. Also, a 16-inch diameter water main is required to be

extended across IH-10 from the existing 16-inch diameter water main located west and parallel to IH-10, then along the proposed Enchanted Spring Drive to Bluff Creek Street. The Owner/Developer is responsible for the water main extension costs and the acquisition of the required off-site easements; including the extensions across IH-10. Extension of off-site water mains shall be done within an off-site alignment that is graded to the future subgrade of a proposed paved roadway.

3. Sanitary sewer service for the proposed Lot 20, Block 6, can be provided from the future sewer main extension along Bluff Creek Street within Desert Springs Unit 1 and the future sewer main along the proposed 20-foot PSB easement located within Lot 20.

4. Sanitary sewer service for the proposed Lot 22, Block 6 can be provided by extending a 12-inch diameter sanitary sewer main with horizontal tunneling across Transmountain Road, then westward to connect to the existing 12-inch diameter sewer main along Northwestern Drive. EPWU is in the process of constructing a sanitary sewer interceptor in conjunction with TXDOT's Transmountain Widening Project. This sewer interceptor will be located parallel to the north side of Transmountain Road from the future extension of Paseo Del Norte to just east of IH-10. This sanitary sewer main has no outlet and will remain a dry line until an 18-inch diameter sewer main is extended along IH-10 to Enchanted Springs Drive. Sewer service to Lot 22, Block 6 can be made available from the 18-inch sewer main after the above mentioned 18-inch sewer main has been constructed parallel to IH10 to Enchanted Springs Drive. The Owner/Developer is responsible for the sewer main extension costs.

5. The Owner will coordinate with EPWU to ascertain that the required water and sewer mains are installed in parallel with development. The Owner/Developer is responsible for the main extension costs and for the acquisition of off-site easements.

6. Along Resler Drive between Helen of Troy and Transmountain Road, there is an existing 16-inch diameter reclaimed water. This main dead-ends approximately 230-feet south of Transmountain Drive.

7. IH-10 and Transmountain Road are TxDOT right-of-ways. All proposed water and sanitary sewer work to be performed within these right-of-ways requires a utility installation permit from TxDOT.

8. The Owner/Developer is responsible for on-site and off-site main extensions, including acquisition of easements.

El Paso Water Utilities – Stormwater Division:

1. The proposed subdivision lies within the following FIRM panels: 480214 0011 C, 480214 0012 C 480214 0016 C and 480214 0017 C. Correct note 10 of the Plat Notes and Restrictions to reflect these panels on both the final and preliminary plat.

2. Label the size and type of all proposed stormwater management facilities within the subdivision on the preliminary plat as per Section 19.08.060 of the vested subdivision ordinance.

3. The acreage for the proposed drainage right-of-way is significantly less than what was proposed on the Desert Springs Land Study. Any amendments to the land study must comply with Section 19.08.040 of the vested subdivision ordinance.

(The subdivision is generally consistent with the approved land study)

4. EPWU requires that this proposed subdivision conform to all documentation submitted to

FEMA in the request for a CLOMR. EPWU approval of this subdivision is contingent upon the outcome of the CLOMR provided by FEMA. EPWU recommends delaying any grading permits within the floodway until the CLOMR provided by FEMA is reviewed.

5. EPWU requires all proposed stormwater management facilities located upstream from Desert Springs Unit 3 to be in place prior to construction of any stormwater management facilities within Desert Springs Unit 3.

6. EPWU requires all public stormwater management facilities within the subdivision to be dedicated within drainage right-of-way rather than any proposed drainage easements.

7. The storm sewer structures leading into the proposed drainage right-of-way are not shown within dedicated drainage easements or drainage right-of-way, as required by Section 19.16.050 (G) of the vested subdivision ordinance. Furthermore, the proposed drainage easements are not described within the dedication statement on the final plat. The system northwest of the proposed drainage right-of-way is also in conflict with the proposed PSB easement. Remove the structures from the proposed PSB easement, and provide adequate drainage right-of-way. If the structures are to be privately maintained, then label them as such on the preliminary plat.

8. The proposed subdivision lies within an identified potential sediment flow source area, and is subject to heavy sediment transportation. See Section 4.0 of the City of El Paso Stormwater Master Plan. The proposed culvert crossings under Bluff Creek St. at the proposed drainage right-of-way indicate a significant increase of flow velocity and flood elevation within the floodway. This increase in velocity will create a very high risk of severe erosion and scouring, and also significantly increase sediment transportation within the floodway. The increase in sediment transportation may have an adverse impact on the downstream properties. EPWU will request extensive documentation on the hydrologic, hydraulic, and sediment transport models.

9. Development within a floodplain shall be planned and constructed in accordance with Section 18.60 (Flood Damage Prevention) of the El Paso Municipal Code.

10. EPWU recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

El Paso Fire Department:

No comments received.

911:

No comments received.

Sun Metro:

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 Planning & Economic 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. This property is subject to impact fees. The table and respective language shall be included on the face of the final approved and recorded plat. Impact fees shall be calculated based on the table below:

Chapter 395 of the Texas Local Government Code authorizes the City of El Paso to adopt and impose water and wastewater impact fees. This plat note fulfills an obligation mandated by Chapter 395 and sets the assessment of the impact fees in accordance with the impact fee schedule adopted by City Council as set forth below. The collection of the impact fee for this subdivision shall be prior to the time a building permit is issued if development is within the city limits or at the time of the meter connection if development is outside the city limits.

Westside Service Area

Meter Size	Meter Capacity Ratio	Water*	Wastewater
Less than 1 inch	1.00	\$ 659.00	\$927.00
1 inch	1.67	\$1,101.00	\$1,548.00
1½ inch	3.33	\$2,195.00	\$3,087.00
2 inch	5.33	\$3,514.00	\$4,941.00
3 inch	10.00	\$6,593.00	\$9,270.00
4 inch	16.67	\$10,990.00	\$15,453.00
6 inch	33.33	\$21,973.00	\$30,897.00

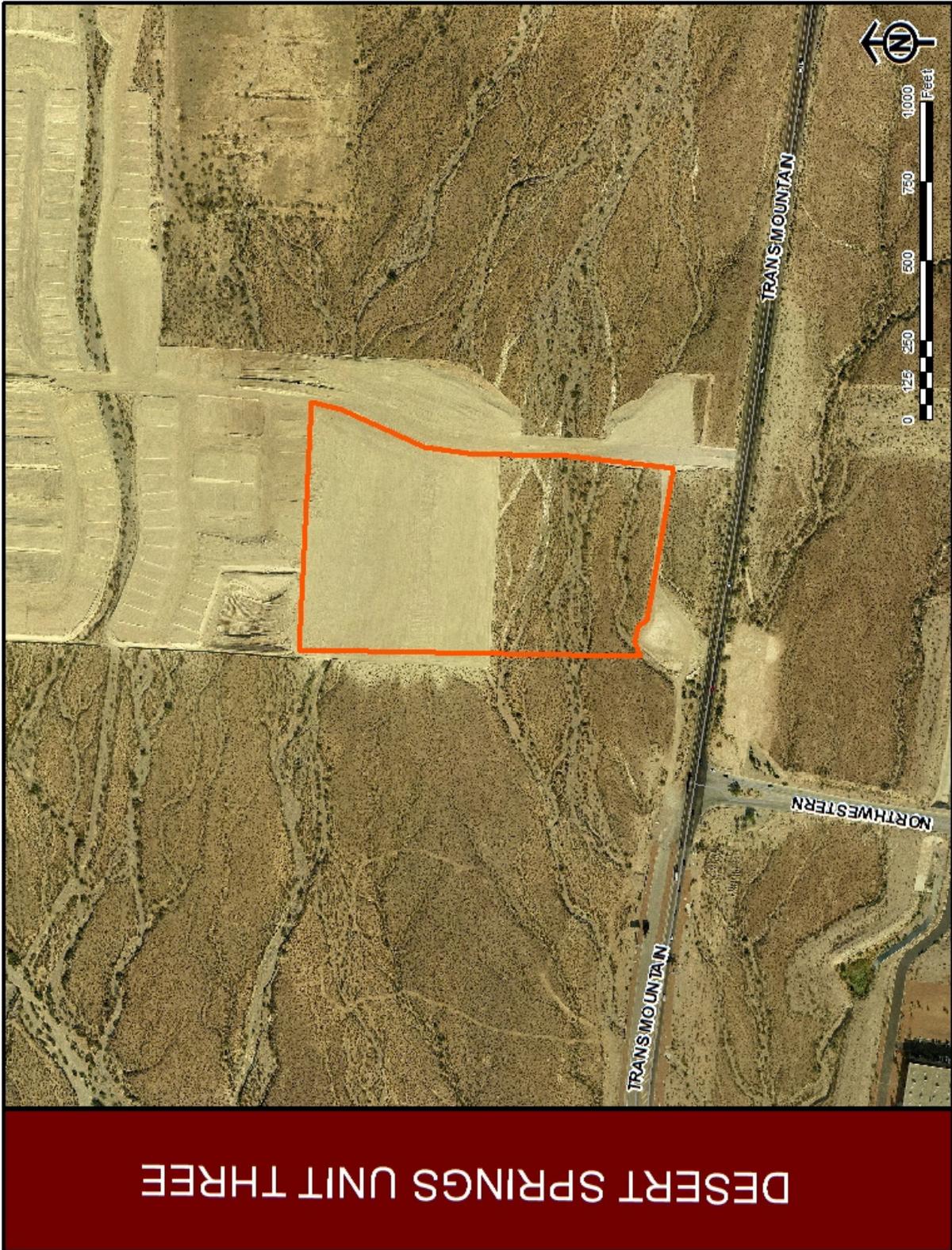
Attachments

1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Modification request
6. Letter from Floodplain Administrator
7. Application

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 5



Castner Center @ Transmountain
4712 Woodrow Bean, Ste. F
El Paso, TX 79924
Office: 915.544.5232
Fax: 915.544.5233
web: www.ceagroup.net

July 31, 2012

City of El Paso-Engineering and Construction Management
Two Civic Center Plaza-4th Floor
El Paso, Texas 79901

Attention: Mr. R. Alan Shubert, P.E.
City Engineer

Reference: Desert Springs Unit Three-Modification Request for Chapter 19.16.050.H.

Dear Mr. Shubert:

On behalf of the developer for the reference subdivision, we respectfully request a modification request to Chapter 19.16.050.H. of the previous subdivision code. Chapter 19.16.050.H (Stormwater Design-Preservation of Natural Arroyos) of the previous subdivision code, allows for improvements to be placed within arroyos for the protection of the public health, safety and welfare. As part of the on-going discussions with your department, we are proposing the placement of rock wire-tied rip-rap to provide stabilization of the channel slopes and channel bottom to avoid any potential migration of the arroyo. In addition, we are proposing gabion boxes to minimize velocities in erosive state. The design and details of the improvements will be provided as part of the subdivision improvement plans for review and comment.

We respectfully request your consideration and support of our modification request for the construction of channel improvements within Flow Path 40. If you have any questions regarding our request, please do not hesitate to contact me at office number 915.544.5232 or mobile number 915.355.0583.

Sincerely,
CEA Group

A handwritten signature in blue ink, appearing to read 'JLA', is written over a faint, light blue circular stamp or watermark.

Jorge L. Azcarate, P.E.
Project Manager

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JLA/jla

cc: Justin Bass-City Development, City of El Paso

engineers • architects • planners

ATTACHMENT 6

ATTACHMENT 7



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

DATE: _____ FILE NO. SUSU12-00077
 SUBDIVISION NAME: Desert Springs Unit Three

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
A portion of Tracts 10A and 10E, Nellie D. Mundy survey No. 239, El Paso, El Paso County, Texas
Containing approximately 18.23 acres

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	<u>10.74</u>	<u>1</u>	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	Drainage ROW	<u>3.16</u>	<u>1</u>
School	_____	_____		_____	_____
Commercial	<u>4.33</u>	<u>1</u>	Total No. Sites	<u>3</u>	_____
Industrial	_____	_____	Total (Gross) Acreage	<u>18.23</u>	_____

3. What is existing zoning of the above described property? A-O, C-3 Proposed zoning? A-O, 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 x 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 flow to propose inlets at storm sewer infrastructure discharging to a proposed channel

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 _____

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 x No _____

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

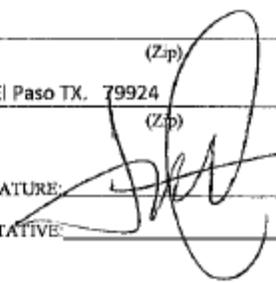
12. Owner of record RVE 18, Ltd. 7910 Gateway East Ste. 102 El Paso TX. 79915 (915) 591-6319
 (Name & Address) (Zip) (Phone)

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

14. Engineer CEA Group 4712 Woodrow Bean Ste. F El Paso TX. 79924 (915) 544-5232
 (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.