



City of El Paso – City Plan Commission Staff Report

Case No: SUSU13-00034 – Delta Divine
Application Type: Resubdivision Combination
CPC Hearing Date: August 22, 2013
Staff Planner: Nelson Ortiz, (915) 541-4931, ortiznx@elpasotexas.gov
Location: South of Delta and East of Glenwood
Acreage: 1.896 acres
Rep District: 8
Existing Use: Church
Existing Zoning: R-4 (Residential)
Proposed Zoning: R-4 (Residential)
Nearest Park: Ascarate Park (0.45 mile)
Nearest School: Clardy Elementary School (0.29 mile)
Park Fees Required: \$11,690.00
Impact Fee Area: N/A
Property Owner: El Divino Salvadore Presbyterian Church, Inc.
Applicant: El Divino Salvadore Prebyterian Church, Inc.
Representative: Sitework Engineering, LLC.

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / Single-family development
South: R-4 (Residential) / Single-family development
East: R-4 (Residential) / Single-family development
West: R-4 (Residential) / Single-family development

PLAN EL PASO DESIGNATION: G2 Traditional Neighborhood (Walkable)

APPLICATION DESCRIPTION

The applicant proposes to replat a 1.9-acre parcel into five lots, four of them for duplexes and one for an existing church. The duplex lots vary in size from 7,190 SF to 9,653 SF. A Cul-de-sac with a 52' ROW to serve the duplex lots is proposed. Access to the subdivision is proposed from Glenwood Street. The applicant has submitted a waiver for additional street improvements to Delta Drive and Glenwood Street as per Section 19.48.010. Delta is a minor arterial on the City's MTP with 80' existing ROW. Glenwood is a residential street. Both have existing 5' sidewalks adjacent to the curb. This application was reviewed under the current subdivision code.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 200 feet of the subject property on June 10, 2013 and again on August 5, 2013. The Planning Division received multiple

phone calls from residents asking for information and expressing concern about the project, however, no letters were received.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the waiver for street improvements and **approval** of Delta Divine on a Resubdivision Combination basis, subject to the following condition and requirement:

- Ingress/egress to the subdivision via Delta Drive shall be restricted due to current conditions/curvature of Delta Drive in this area.

Planning Division Recommendation:

Planning does not object to the waiver as it complies with reason 1-a under Section 19.10.050.A (Roadway participation policies – Improvement of adjacent (perimeter) road and utilities):

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 developed.

Planning recommends approval.

City Development Department – Transportation Planning

- No access to the subdivision shall be provided from Delta Drive due to poor visibility.

City Development Department - Land Development

We have reviewed subject plats and recommend **Approval**. Developer/Engineer shall address the following comments.

1. The subdivision plat shall be tied by bearing and distance to either a section corner, survey line, grant line or other known and accepted survey points. This tie shall be delineated on the final plat established by either NGS or City.
2. Dimension and label existing sidewalks on Glenwood Street cross section.
3. Show existing and proposed drainage flow patterns for lots 2 through 4 on the preliminary plat. Missing “on-site pond” labels for lots 2 & 4 on Preliminary Plat.
4. Include the following on-site ponding requirements for the residential lots, from Section 19.16.060 as notes on the final plat:

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 than 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.

Parks and Recreation Department

We have re-reviewed **Delta Divine Subdivision**, a resubdivision combination plat map and offer Developer / Engineer the following **revised** comments:

Please note that this subdivision is composed of five (5) lots zoned “R-4” which meets the requirements for Two-family dwelling use; applicant has submitted preliminary covenants proposing a Two-family dwelling use for lots 2 thru 5, block 1 and is restricting the construction of general commercial for the lot 1, block 1, where the existing "Church" is located therefore, "Park fees" are due in the amount of **\$11,690.00** based on the following calculations:

4 (R-4) Two-family dwelling use for lots 2-5 = 8 Dwellings @ \$1,370.00 / Dwelling = **\$10,960.00**

Non-residential acreage 0.73 (lot 1) @ a rate of \$1,000.00 per acre = **\$730.00**

Total due: \$11,690.00

Please allocate generated funds under Park Zone: **C-4**

Nearest Park(s): **De Vargas** & **Modesto Gomez**

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

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

1. The El Paso Water Utilities – Public Service Board (EPWU-PBS) does not object to this request.

EPWU-PSB Comments

Water:

2. There is an existing 8-inch diameter water main along Glenwood St. approximately 4 feet west of the subject west property line. This main is available for service.

3. There is an existing 6-inch diameter water main along Delta St. This water main is available for service.

4. A water main extension along Devine St. will be required from the existing 8-inch diameter water main along Glenwood St. to provide water service to the lots 2-5 of the proposed subdivision. The Owner/Developer is responsible for the costs of any necessary extension.

5. EPWU records indicate an active 1-inch water meter serving the subject property. The service address for this meter is 314 S. Glenwood St. and is located off Delta Dr. This water meter serving Lot 1 will have to be relocated to Glenwood St. The Owner/Developer is responsible for the costs of relocation.

Sewer:

6. There is an existing 8-inch diameter sanitary sewer main along Glenwood St. The main is located approximately 19 feet west of the Glenwood St. right of way line. This sanitary sewer main is available for service. The sewer main is only 4.5 feet deep.

7. There is an existing 8-inch diameter sanitary sewer main along Delta Dr. This main extends along Delta Dr. approximately 160 feet west from Medina St. west right of way line

8. There is an existing 12-inch diameter force main along Delta Dr. No direct service connections are allowed to this sanitary sewer main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

9. A sanitary sewer main extension along Devine St. from the existing 8-inch diameter sanitary sewer main that extends along Glenwood St. will be necessary to provide sanitary service to the proposed subdivision. The EPWU requires that the subject subdivision be graded so that the proposed lots can be served with an 8-inch diameter sewer main at a minimum 0.33% slope. The Owner/Developer is responsible for the costs of any necessary extension.

10. The location of the sanitary sewer service connection to lot 1 is unknown.

Reclaimed Water:

11. There is an existing 24-inch diameter reclaimed water main (non-potable) along Delta St. approximately 6 feet from the back of curb.

General:

12. EPWU requires a new service application to serve 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 with street names and addresses; (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 appurtenances.

911

The El Paso County 911 District requests that addressing on Divine St. be changed to 4 digit numbers according to the norm for east/west direction streets in this area.

The following addresses shall be utilized and incorporated on the face of plat:

Lot 1, Block 1: 314 Glenwood Drive

Lot 2, Block 1: 5705 Divine Street

Lot 3, Block 1: 5709 Divine Street

Lot 4, Block 1: 5713 Divine Street

Lot 5, Block 1: 5717 Divine Street

El Paso Department of Transportation

No comments received.

El Paso Fire Department

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.

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. Remove proposed building foot print on preliminary plat.
4. Improvement plans shall be submitted and accepted by the Land Development section prior to or concurrently with this subdivision application.

5. Ingress/egress to the subdivision via Delta Drive shall be restricted. Please provide restrictive access easement through Lot 3 – adjacent to Delta Drive.
6. Submit waiver of additional improvements on Glenwood and Delta. Applicant is responsible for improving Divine St. to city standards.
7. Submit covenants indicating maximum number of units.
8. Revise location map on final plat.

Attachments

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

ATTACHMENT 1



ATTACHMENT 2

DELTA DIVINE SUBDIVISION



ATTACHMENT 3

(Pending submittal of revised preliminary plat)

ATTACHMENT 4

(Pending submittal of revised final plat)

ATTACHMENT 5



May 29, 2013

SENT VIA EMAIL

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

PROJ: DELTA DIVINE SUBDIVISION
RE: REQUEST OF STREET IMPROVEMENTS WAIVER

Dear Raul Garcia,

On behalf of the Owner and pursuant to Section 19.48.010 of the City of El Paso Municipal Code, we are submitting this petition to waive the street improvements on Glenwood Street and Delta Street as indicated on your 5-day review comments letter.

We are hereby seeking relief from the current street right-of-way width standards and landscaped parkway requirements. Both, Delta Street and Glenwood Street are 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

A handwritten signature in black ink, appearing to read 'Jorge A. Garcia', is written over a horizontal line.

Jorge A. Garcia, PE
Project Engineer/Owner Representative

cc Mr. William Boyd – Boyd & Associates
Mr. Bill Schlesingerv – Project Vida
Mr. Eric Hutson – Project Vida

Waiver of Improvements Request.doc

ATTACHMENT 6



CITY PLAN COMMISSION APPLICATION FOR
RESUBDIVISION COMBINATION APPROVAL

DATE: _____ FILE NO. SUSU13-00034

SUBDIVISION NAME: DELTA DIVINE

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
A PORTION OF LOTS 20 & 21, BLOCK 6
ACAMEDA ACRES

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family			Office		
Duplex	<u>0.745</u>	<u>4</u>	Street & Alley	<u>0.164</u>	<u>1</u>
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)		
Park	_____	_____	<u>CHURCH</u>	<u>0.987</u>	<u>1</u>
School	_____	_____	Total No. Sites	_____	<u>5</u>
Commercial	_____	_____	Total (Gross) Acreage	<u>1.896</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? R-4 Proposed zoning? R-4

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)
ON-SITE LOT PONDING

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: PURPOSE OF RESUBDIVISION IS THE DEVELOPMENT OF LAND NOT BEING USED FOR HOUSING WITHIN THE ALLOWABLE USE OF R-4 ZONING.

10. Improvement Plans submitted? Yes X 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 X

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

EL DIVINO SALVADORE PRESBYTERIAN CHURCH, INC.
~~PVGDG~~ 314 S. GLENWOOD DRIVE, EL PASO, TX 79905

12. Owner of record 3607 RIVERA, EL PASO, TX 79905 533-7057
(Name & Address) (Zip) (Phone)

13. Developer _____
(Name & Address) (Zip) (Phone) 351-8033

14. Engineer SITENOR ENGINEERING LLC
444 EXECUTIVE CENTER BLVD. SUITE 139, EL PASO TX 79902
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
FEE: \$1,083.00

OWNER SIGNATURE: Carmelo Ayala

REPRESENTATIVE: [Signature]

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