



City of El Paso – City Plan Commission Staff Report

(REVISED)

Case No: SUSC14-00007 – Montecillo Unit Three Replat C
Application Type: Resubdivision Final
CPC Hearing Date: September 11, 2014
Staff Planner: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov
Location: West of Mesa and South of Castellano
Acreage: .2012 acres
Rep District: 8
Existing Use: Vacant
Existing Zoning: SCZ (Smartcode; T1)
Proposed Zoning: SCZ (Smartcode; T1)
Nearest Park: Galatzan Park (0.98 mile)
Nearest School: Morehead Middle School (1.02 mile)
Park Fees Required: N/A
Impact Fee Area: N/A
Property Owner: EPT Montecillo Development East, LP
Applicant: EPT Montecillo Development East, LP
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: SCZ / Vacant
South: SCZ / Vacant
East: SCZ / Vacant
West: SCZ / Vacant

PLAN EL PASO DESIGNATION: G2 Traditional Neighborhood (Walkable)

APPLICATION DESCRIPTION

The applicant proposes to subdivide .201 acres of vacant land to construct a portion of Vin La Roda Street which is proposed as a crossing over an existing arroyo. The applicant seeks an exception from the code to allow the bridging of the arroyo in order to provide access to the Montecillo development. This application is being reviewed under Title 21 (SmartCode) and the previously approved Montecillo Regulating Plan.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of the exception and **approval** of Montecillo Unit Three Replat C on a Resubdivision Final basis, subject to the following comments.

Planning Division Recommendation:

Approval of the exception and of the subdivision. As per Section 19.19.010.F, the applicant has received a positive recommendation from the City's Floodplain administrator to allow the bridging of the arroyo (See attachment 5).

City Development Department – Long Range Planning

The Long Range Planning section has reviewed the plat and recommends **Approval**.

City Development Department - Land Development

We have reviewed subject plat and exception and recommend **Approval**.

Parks and Recreation Department

We have reviewed **Montecillo Unit 3 Replat "C"**, a resubdivision final plat map zoned "SCZ" (Smart Code Zoning) as part of the **Montecillo Development** therefore, not required to comply with the parkland dedication ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space**.

This subdivision application needs to comply with the Smart Code "Civic Space" requirements in accordance with the approved Regulating Plan and Building Scale Plan as reviewed & approved by the Consolidated Review Committee (CRC).

This development is with-in Park Zone **NW-1**

Nearest park: **Buena Vista**

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

El Paso Fire Department:

Recommend approval.

El Paso Water Utilities

We have reviewed the subdivision described above and provide the following comments:

1. EPWU does not object to this request but EPWU.

Water:

2. There is an existing 12-inch diameter water distribution main, located along Montecillo Blvd., 35-feet from the east right-of-way line. This 12-inch water main is part of an intermediate pressure.
3. Private water pressure regulating devices will be required at the discharge side the water meter. The Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. The lot/home buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.
4. The extension of a 12-inch diameter water distribution main is required within the proposed subdivision replat from the existing 12-inch diameter water distribution main within a dedicated easement.

Sewer:

5. There is an existing 8-inch diameter gravity sewer main, located along Montecillo Boulevard, 50-feet from the west right-of-way line. The sewer main dead-ends at 115-feet south of the intersection of Vin La Roda Dr. and Montecillo Blvd. as a 12-inch diameter gravity sewer main.
6. The extension of a 12-inch diameter gravity sewer water is required within the proposed subdivision replat from the existing 12-inch diameter stub-out located at the intersection of Montecillo Blvd. and Vin La Roda Dr. The sewer main extension must be within a dedicated easement.
7. 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.

El Paso County 911 District:

No comments received.

Additional Requirements and General Comments:

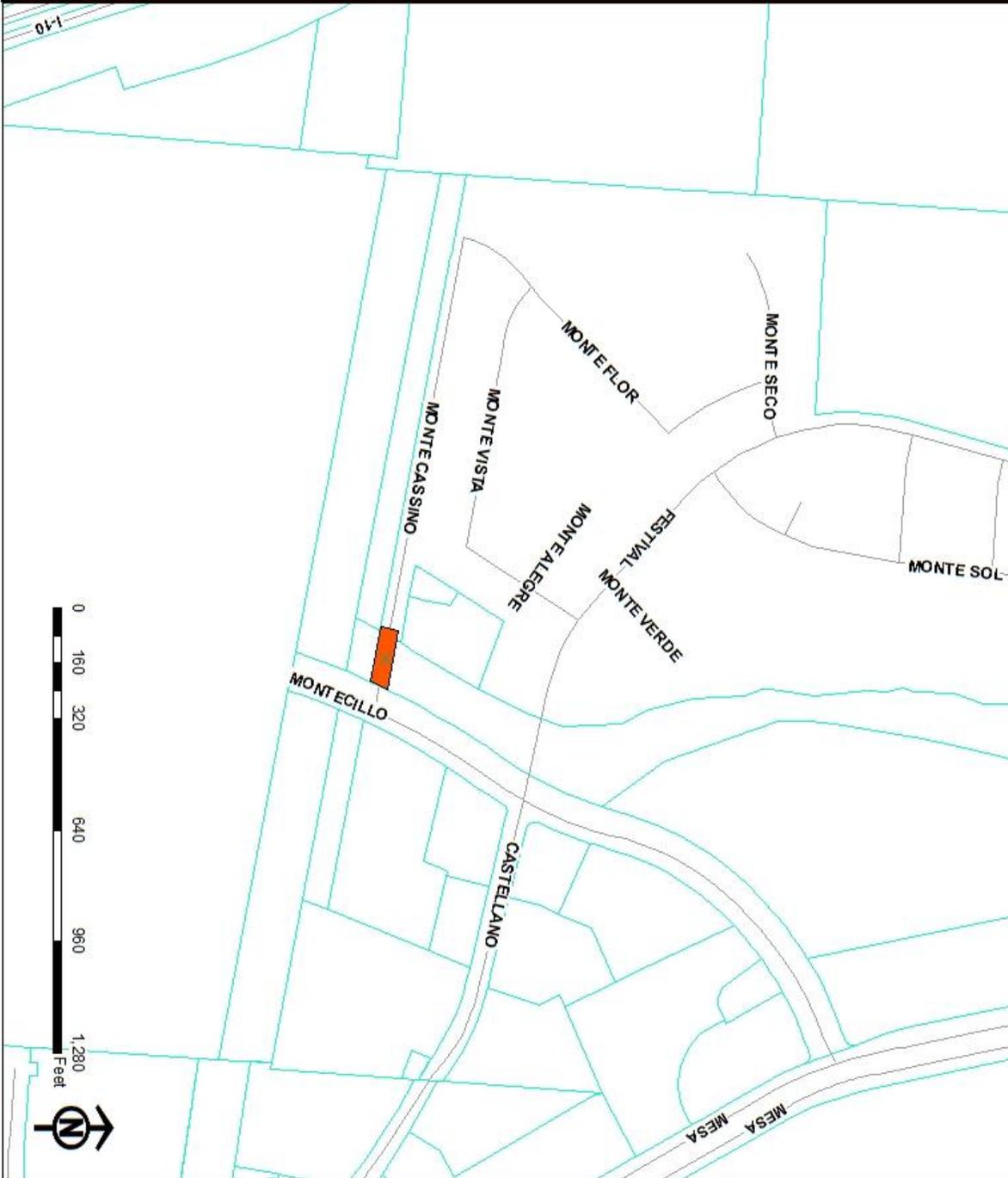
1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. Every 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. Final plat
4. Exception request
5. FEMA Approval
6. Floodplain Administrator recommendation
7. Application

ATTACHMENT 1

MONTECILLO UNIT THREE REPLAT C

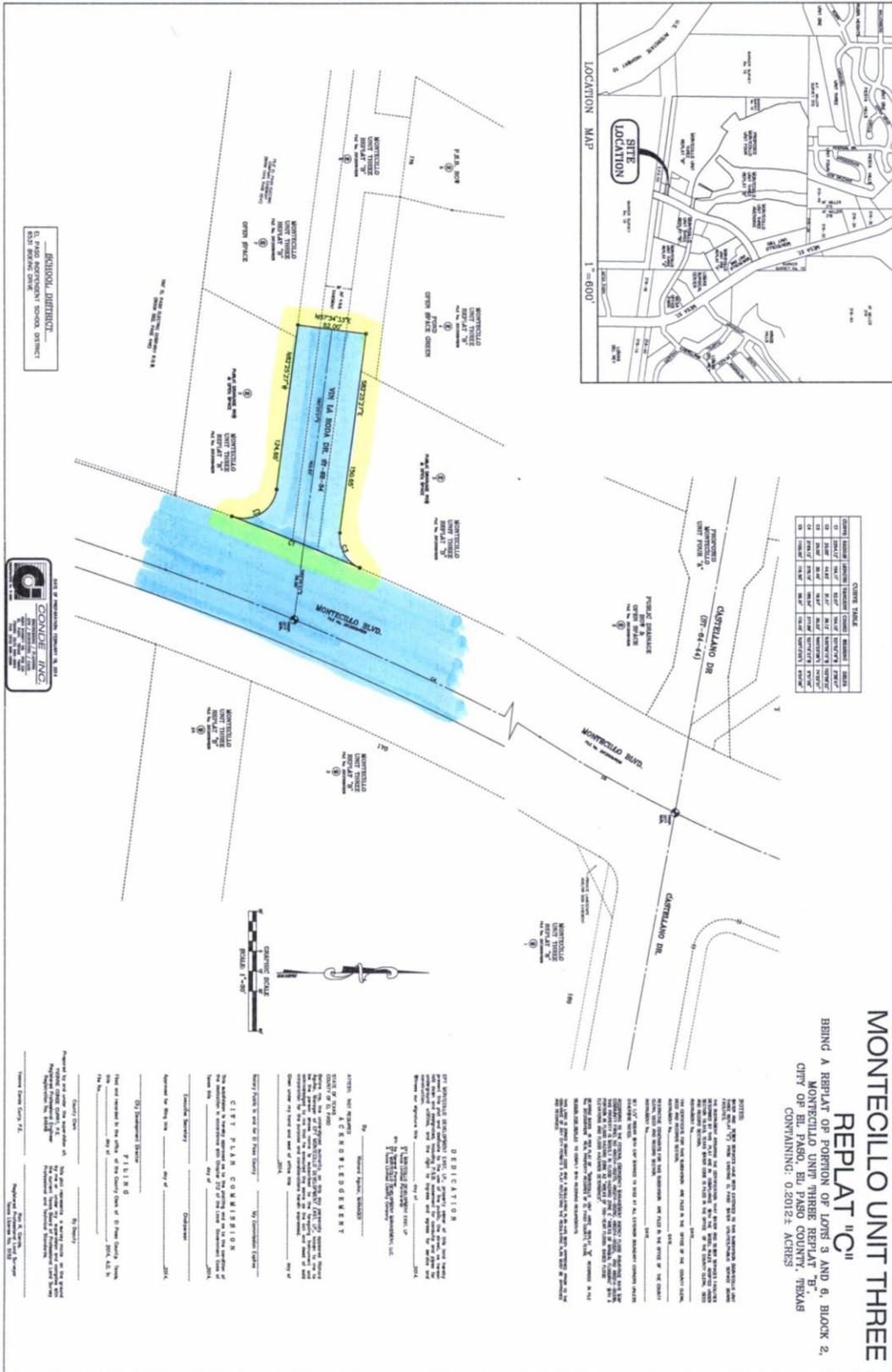


ATTACHMENT 2

MONTECILLO UNIT THREE REPLAT C



ATTACHMENT 3



ATTACHMENT 4



CONDE INC

September 3, 2014

Planning Department

800 Texas Avenue

City of El Paso, Texas 79901

Attention: **Nelson Ortiz**

Re: Montecillo Unit Three Replat "C" Subdivision Exception request

Dear Mr. Ortiz

As per your request as per Title 19 Subdivision, Chapter 19.19.1.010, Paragraph F, we respectfully request an exception to bridge the arroyo for access to the proposed subdivisions. The bridging of the roadway is necessary to protect the public health, safety and welfare of the public for safe access to the future subdivisions to the north. This crossing has been approved by FEMA and the City of El Paso's Floodplain Management Division.

If you have any questions or comments on the above please let us know. Thank you for your time and consideration in this matter.

Sincerely,



Yvonne C. Curry, P.E.

Conde Inc.

Project Manager.

ENGINEERING/PLANNING/SURVEYING

6080 SURETY DR., SUITE 100 / EL PASO, TEXAS 79905 / (915) 582-0283 / FAX (915) 582-0288

ATTACHMENT 5



Federal Emergency Management Agency

Washington, D.C. 20472

March 23, 2009

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
Case No.: 09-06-0530R

The Honorable John Cook
Mayor, City of El Paso
Two Civic Center Plaza, 10th Floor
El Paso, TX 79901

Community: City of El Paso, TX
Community No.: 480214

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Dear Mayor Cook:

This responds to a request that the Department of Homeland Security's Federal Emergency Management Agency (FEMA) comment on the effects that a proposed project would have on the effective Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report for your community, in accordance with Part 65 of the National Flood Insurance Program (NFIP) regulations. In a letter dated December 3, 2008, Mr. Francisco Campa, P.E., CFM, Senior Design Engineer, Conde, Inc., requested that FEMA evaluate the effects that the proposed Montecilo Unit 3 project along Flow Path No. 20A from approximately 2,950 feet upstream to approximately 5,400 feet upstream of Interstate Highway 10 (I-10) would have on the flood hazard information shown on the effective FIRM and FIS report. The proposed project will include placement of fill and construction of a 5-barrel, 12-foot by 7-foot reinforced-concrete multiple box culvert approximately 3,150 feet upstream of I-10; a bridge approximately 3,650 feet upstream of I-10; and a detention pond on the left overbank of Flow Path No. 20A approximately 3,250 feet upstream of I-10.

All data required to complete our review of this request for a Conditional Letter of Map Revision (CLOMR) were submitted with letters from Mr. Campa.

We reviewed the submitted data and the data used to prepare the effective FIRM for your community and determined that the proposed project meets the minimum floodplain management criteria of the NFIP. The submitted existing conditions HEC-RAS hydraulic computer model, dated February 17, 2009, based on updated topographic information, was used as the base conditions model in our review of the proposed conditions model for this CLOMR request. We believe that, if the proposed project is constructed as shown on the submitted topographic work map entitled "Monticello Unit Three," prepared by Conde, Inc., dated February 19, 2009, and the data below are received, a revision to the FIRM would be warranted.

Our comparison of existing conditions to the effective flood hazard information revealed that the Base (1-percent-annual-chance) Flood Elevations (BFEs) for Flow Path No. 20A increased and decreased compared to the effective BFEs, as a result of the revised hydrology and updated topographic information. The maximum increase in BFE, 2.1 feet, occurred approximately 3,100 feet upstream of I-10. The maximum decrease in BFE, 1.1 feet, occurred approximately 3,600 feet upstream of I-10.

As a result of the proposed project, the BFEs for Flow Path No. 20A will increase and decrease compared to the existing conditions BFEs. The maximum increase in BFE, 0.96 foot, will occur approximately 4,590 feet upstream of I-10. The maximum decrease in BFE, 0.5 foot, will occur approximately 3,350 feet upstream of I-10.

As a result of the proposed project and updated topographic information, the BFEs for Flow Path No. 20A will increase and decrease compared to the effective BFEs. The maximum increase in BFE, 2.1 feet, will occur approximately 5,250 feet upstream of I-10. The maximum decrease in BFE, 1.5 feet, will occur approximately 3,600 feet upstream of I-10.

As a result of the proposed project and updated topographic information, the width of the Special Flood Hazard Area (SFHA), the area that would be inundated by the base flood, will increase in some areas and decrease in other areas compared to the effective SFHA width along Flow Path No. 20A. The maximum increase in SFHA width, approximately 50 feet, will occur approximately 3,300 feet upstream of I-10. The maximum decrease in SFHA width, approximately 390 feet, will occur approximately 4,430 feet upstream of I-10.

Upon completion of the project, your community may submit the data listed below and request that we make a final determination on revising the effective FIRM and FIS report.

- Detailed application and certification forms, which were used in processing this request, must be used for requesting final revisions to the maps. Therefore, when the map revision request for the area covered by this letter is submitted, Form 1, entitled "Overview & Concurrence Form," must be included. (A copy of this form is enclosed.)
- The detailed application and certification forms listed below may be required if as-built conditions differ from the preliminary plans. If required, please submit new forms (copies of which are enclosed) or annotated copies of the previously submitted forms showing the revised information.

Form 2, entitled "Riverine Hydrology & Hydraulics Form"

Form 3, entitled "Riverine Structures Form"

Hydraulic analyses, for as-built conditions, of the base flood and the 10-percent-, 2-percent-, and 0.2-percent-annual-chance floods, together with a topographic work map showing the revised floodplain boundaries, must be submitted with Form 2.

- Effective October 1, 2007, FEMA revised the fee schedule for reviewing and processing requests for conditional and final modifications to published flood information and maps. In accordance with this schedule, the current fee for this map revision request is \$4,800 and must be received before we can begin processing the request. Please note, however, that the fee schedule is subject to change, and requesters are required to submit the fee in effect at the time of the submittal. Payment of this fee shall be made in the form of a check or money order, made payable in U.S. funds to the [National Flood Insurance Program](#), or by credit card (Visa or MasterCard only). The payment, along with the revision application, must be forwarded to the following address:

FEMA National Service Provider
3601 Eisenhower Avenue
Alexandria, VA 22304-6425

- As-built plans, certified by a registered professional engineer, of all proposed project elements

- Community acknowledgment of the map revision request
- Documentation of the individual legal notices that were sent to property owners who will be adversely affected by any widening and/or shifting of the base floodplain and/or any increases or decreases in BFE
- An annotated copy of the FIRM, at the scale of the effective FIRM, that shows the revised floodplain boundary delineations shown on the submitted work map and how they tie into the base floodplain boundary delineations shown on the effective FIRM at the downstream and upstream ends of the revised reach
- We are preparing a countywide FIRM and FIS report for El Paso County and its incorporated areas. Preliminary copies of the countywide FIRM and FIS report were distributed on June 29, 2007. The ongoing preliminary study encompasses a portion of the reach for which this CLOMR is being issued. Upon completion of the project for which this CLOMR is issued, please comply with one of the following alternative requirements:
 - o If a Letter of Map Revision (LOMR) for this proposed project is requested before the preliminary study becomes effective, then the SFHA boundary delineations and BFEs must tie into the currently effective information, as shown on FIRM Panel 480214 0027 D dated January 3, 1997, and Panel 480214 0032 C dated February 5, 1986. Therefore, for the LOMR that follows this CLOMR, please submit hydraulic models in which the revised SFHA boundary delineations and BFEs tie into the effective data at the downstream and upstream ends of the revised reach.
 - o If a LOMR submittal for this proposed project is received after the preliminary study has become effective, then the SFHA boundary delineations and BFEs must tie into that new effective information.
- An officially adopted maintenance and operation plan for the detention pond. This plan, which may be in the form of a written statement from the community Chief Executive Officer, an ordinance, or other legislation, must describe the nature of the maintenance activities, the frequency with which they will be performed, and the title of the local community official who will be responsible for ensuring that the maintenance activities are accomplished.

After receiving appropriate documentation to show that the project has been completed, FEMA will initiate a revision to the FIRM and FIS report. Because the BFEs would change as a result of the project, a 90-day appeal period would be initiated, during which community officials and interested persons may appeal the revised BFEs based on scientific or technical data.

The basis of this CLOMR is, in whole or in part, a channel-modification/culvert project. NFIP regulations, as cited in Paragraph 60.3(b)(7), require that communities assure that the flood-carrying capacity within the altered or relocated portion of any watercourse is maintained. This provision is incorporated into your community's existing floodplain management regulations. Consequently, the ultimate responsibility for maintenance of the modified channel and culvert rests with your community.

This CLOMR is based on minimum floodplain management criteria established under the NFIP. Your community is responsible for approving all floodplain development and for ensuring all necessary permits required by Federal or State law have been received. State, county, and community officials, based on

knowledge of local conditions and in the interest of safety, may set higher standards for construction in the SFHA. If the State, county, or community has adopted more restrictive or comprehensive floodplain management criteria, these criteria take precedence over the minimum NFIP criteria.

If you have any questions regarding floodplain management regulations for your community or the NFIP in general, please contact the Consultation Coordination Officer (CCO) for your community. Information on the CCO for your community may be obtained by calling the Director, Mitigation Division of FEMA in Denton, Texas, at (940) 898-5127. If you have any questions regarding this CLOMR, please call our Map Assistance Center, toll free, at 1-877-FEMA MAP (1-877-336-2627).

Sincerely,



Joshua A. Smith, CFM, Program Specialist
Engineering Management Branch
Mitigation Directorate

For: William R. Blanton Jr., CFM, Chief
Engineering Management Branch
Mitigation Directorate

Enclosures

cc: Mr. Alan Shubert, P.E.
Floodplain Administrator
City of El Paso

Mr. Francisco Campa, P.E., CFM
Senior Design Engineer
Conde, Inc.

Mr. Richard Aguilar
EPT Mesa Development, L.P.

ATTACHMENT 6



City Development Department

Mayor
Oscar Leeser

TO: City Plan Commission

City Council

FROM: Kareem Dallo P.E. CFM, CNU-A/ Floodplain Administrator

District 1
Ann Morgan Lilly

DATE: September 3, 2014

District 2
Larry Romero

RE: Montecillo Unit 3, Replat C

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Claudia Ordaz

District 7
Lily Limón

District 8
Cortney C. Niland

City Manager
Tommy Gonzalez

The Floodplain Administrator has made a determination that modification is required to a portion of the arroyo within the proposed Montecillo Unit Three, Replat C for the purpose of protecting the health, safety and welfare of the public. The Floodplain Administrator recommends to the City Plan Commission that an exception be granted to the preservation of natural arroyos to allow some improvements provided that all Federal, State and local mandates are followed. And also meets the requirements of Chapter 19.48 (Petition for waiver or exceptions) and permanent provisions for arroyo protection are provided. Furthermore, any areas impacted by the proposed improvements, be reasonably safe from flooding. The said improvements are already included within the Subdivision Improvement Plans and will be approved by the Land Development Section.



City Development Department
801 Texas Avenue | El Paso, Texas 79901 | (915) 212-0083
CityDevelopment@elpasotexas.gov



Dedicated to Outstanding Customer Service for a Better Community

ATTACHMENT 7



**CITY PLAN COMMISSION APPLICATION FOR
RESUBDIVISION FINAL APPROVAL**

DATE: August 21, 2014

File No. SUSC14-00007.

SUBDIVISION NAME: Montecillo Unit Three Replat "C"

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)
Being a Replat of a Portion of Lots 3 and 6, Block 2, Montecillo Unit Three Replat "B" City of El Paso,
El Paso County, Texas

2. Proposed Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	<u>0.2012</u>	<u>1</u>
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	Total No. Sites	<u>1</u>	
Commercial	_____	_____	Total Acres (Gross)	<u>0.2012</u>	
Industrial	_____	_____			

3. What is existing zoning of the above described property? Smart Code Proposed zoning? n/a

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)
Street to Ponds

7. Are special public improvements proposed in connection with the development? Yes _____ No X

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes _____ No X
If answer to 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 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 EPT Montecillo Development East, LP 8201 Lockheed, El Paso, TX 779-7271
 (Name & Address) (Zip) (Phone)
13. Developer EPT Montecillo Development East, LP 8201 Lockheed, El Paso, TX 799-7271
 (Name & Address) (Zip) (Phone)
14. Engineer CONDE INC. 6680 Sarcy Drive, Ste 100, El Paso, TX 79905 915-592-0283
 (Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
 FEE: N/A

EPT Montecillo Development East, LP

OWNER SIGNATURE:


 Richard Aguilar

REPRESENTATIVE:



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