



City of El Paso – City Plan Commission Staff Report

Case No: SUSU14-00062 Que Padre Subdivision (Reconsideration)
Application Type: Major Combination
CPC Hearing Date: September 24, 2015
Staff Planner: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov
Location: East of Sunland Park and South of Doniphan
Acreage: 9.115 acres
Rep District: 8
Existing Use: Vacant
Existing Zoning: C-3/c (Commercial/ condition)
Proposed Zoning: C-3/c (Commercial/ condition)
Nearest Park: Riverbend linear park (.18 mi.)
Nearest School: Zach White Elementary School (1.12 mi.)
Park Fees Required: \$9,120.00
Impact Fee Area: N/A
Property Owner: EP Sunland, LLC.
Applicant: EP Sunland, LLC.
Representative: Kimley-Horn and Associates

SURROUNDING ZONING AND LAND USE

North: C-4/c /M-1 Commercial Development

South: N/A New Mexico State Boundary

East: R-5 Vacant

West: R-3 Residential Development

PLAN EL PASO DESIGNATION: G3 Post-War

APPLICATION DESCRIPTION

The applicant proposes to subdivide 9.115 acres of vacant land for three commercial lots. Access to the subdivision is proposed from Sunland Park and Emory. The applicant will be constructing the full width of Emory Drive. The applicant has submitted a request to waive the bike and hike trail requirement along Sunland Park Drive and the 300' maximum cul-de-sac length requirement in non-residential zoning districts. This development was reviewed under the current subdivision code.

CASE HISTORY and REQUEST

- The City Plan Commission, at its special meeting of August 18, 2014, voted to approve Que Padre Subdivision and the waiver request to allow a cul-de-sac in excess of the 300' maximum length requirement.

- With this application, the applicant seeks re-approval of Que Padre Subdivision with the following two waivers:
 - To allow the 300' maximum cul-de-sac length requirement in a non-residential zoning district
 - To waive the bike and hike trail requirement along Sunland Park Drive.
 The only change being the new waiver for the hike and bike requirement.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends **approval** of waiver as it meets Section 19.48.030.A (Criteria for approval) **approval** of Que Padre Subdivision subject to the following comments.

Planning Division Recommendation:

Approval of the waivers as it meets Section 19.48.030.A (Criteria for approval) which reads:

1. There are special circumstances or conditions arising from the physical surroundings, shape, topography or other feature affecting the land such that the strict application of the provisions of this title to the proposed use would create an unnecessary hardship or inequity upon or for the applicant, as distinguished from a mere inconvenience, in developing the land or deprive the applicant of the reasonable and beneficial use of the land.

Approval of the plat.

Land Development

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

The Developer/Engineer shall address the following comments.

1. Any development within Special Flood Hazard Areas must comply with Section 18.60-Flood Damage Prevention and FEMA flood zone requirements.
2. The Storm-water Master Plan recommends enlarging existing culvert across Sunland Park Dr. and expanding the existing channel; no storm water run-off is allowed into the channel.
3. Delineate the subdivision boundary limits clearly with a double dashed bold line. Provide the subdivision boundary closure report.
4. Provide an inspection and maintenance agreement for private storm-water facilities in accordance with Section 19.19.040.
5. Provide street cross-sections of Emory Dr. and Sunland Park Dr., label slope and direction. Pavement values shall be as per CBR results on typical street cross sections. Large truck loads and high traffic volumes are expected.
6. Provide drainage easements for storm sewer systems flowing through lot three into private pond area and show on the final plat.
7. Storm-sewer system should be added on dedication statement on final plat for portions of storm-sewer system within public R.O.W.
8. Show proposed street monuments on final plat.

Parks and Recreation Department

We have reviewed **Que Padre Subdivision**, a revised major combination plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-3/c" meeting the requirements for multi-family dwellings use restricted to a maximum of 29 dwelling units per acre, however, applicant has submitted preliminary covenants restricting the use to general commercial purposes only and prohibiting all residential uses therefore, "Park fees" will be assessed based as follows:

1. **If** gross density waiver is granted by the Planning Department or designee and a copy of the final recorded covenants is provided restricting all residential uses, then applicant shall be required to pay "Park fees" in the amount of **\$9,120.00** based on Non-residential subdivision requirements calculated as follows:

Non-residential acreage 9.12 (rounded to two decimals) @ \$1,000.00 per acre =
\$9,120.00

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

Nearest Parks: **Coach Jack D. Quarles** & **Pacific**

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 subdivision described above and provide the following comments:

1. Water service for the proposed Lots 1 and 2 is available from the water mains along Sunland Park Drive and Emory Drive. Sewer service is available for Lots 1 and 2 from the sewer main along Sunland Park Drive.
2. Water service for the proposed Lot 3 will required a water main along the extension of Emory Drive. The Owner and EPWU are coordinating the means of providing sewer service to the proposed Lot 3.

EPWU-PSB Comments

Water:

3. There is an existing 12-inch diameter water main along Sunland Park Drive. Also, there is an existing 6-inch diameter water main along Emory Road that dead-ends approximately 500-feet south of the southern right-of-way line of Sunland Park Drive.

Sewer:

4. There is an existing 8-inch diameter sanitary sewer main along the north side of Sunland Park Drive fronting the subject subdivision. This sewer main is approximately 3.0 to 4.0 feet deep.

General:

5. 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.

Sun Metro

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

Street and Maintenance Department

- Traffic Engineer review/approval required for the improvements listed below as part of the development specified in the TIA.
 - Improve Emory Road from the proposed Driveway 3 to Sunland Park Drive.
 - Install right turn bay on the Emory northbound approach at Sunland Park Drive.

El Paso County 911 District

No comments received.

El Paso Fire Department

No comments received.

Central Appraisal District

No comments received.

El Paso Electric Company

No comments received.

Texas Gas Company

No comments received.

Additional Requirements and General Comments:

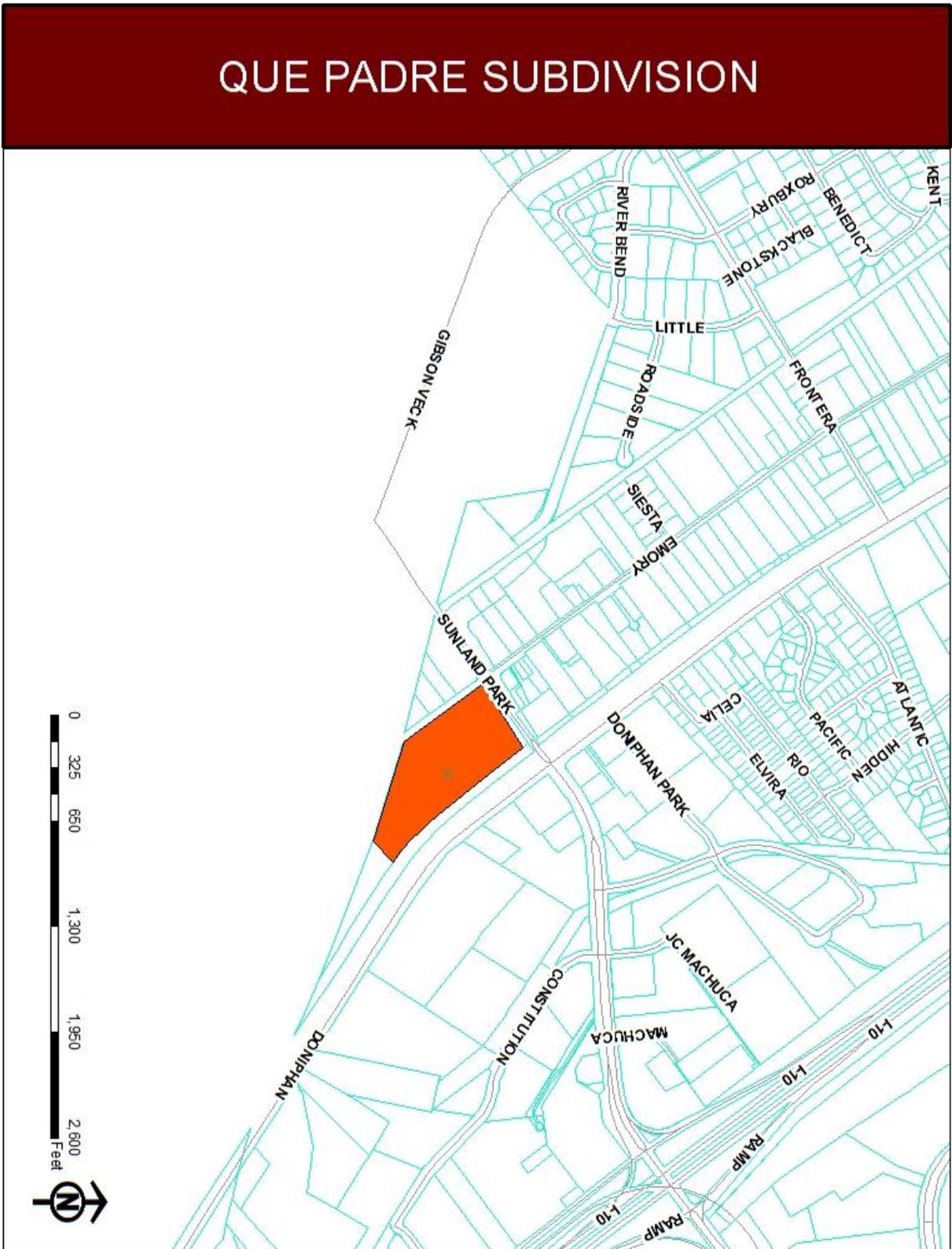
1. Submit to the Planning & Inspections – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
2. Every subdivision 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. Reconsideration letter
7. Application

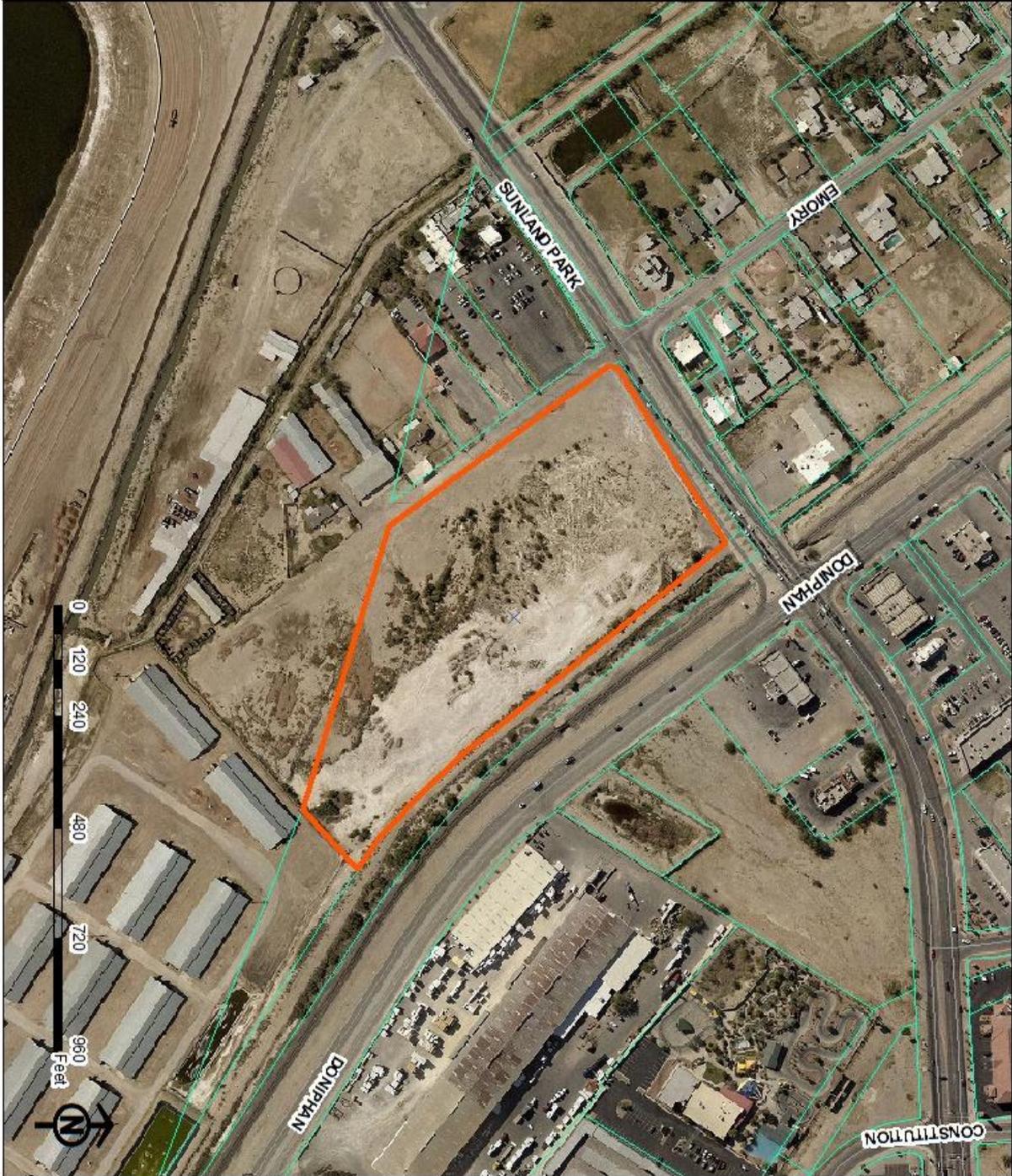
ATTACHMENT 1

QUE PADRE SUBDIVISION



ATTACHMENT 2

QUE PADRE SUBDIVISION



ATTACHMENT 4

GENERAL NOTES:

1. THIS PLAN IS TO BE CONSIDERED AS A PART OF THE SUBDIVISION DOCUMENT.
2. THE CITY OF SAN ANTONIO HAS REVIEWED THIS PLAN AND HAS ISSUED THIS PERMIT TO CONSTRUCT.
3. THE CITY OF SAN ANTONIO DOES NOT WARRANT THE ACCURACY OF THIS PLAN.
4. THE CITY OF SAN ANTONIO DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE APPLICANT.
5. THE CITY OF SAN ANTONIO DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE APPLICANT.
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10. THE CITY OF SAN ANTONIO DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE APPLICANT.

PLANNING STAFF:

PLANNING STAFF: [Name], [Title], [Date]

GRAPHIC SCALE
1" = 100' 0"

LOT	AREA	OWNER
1	10,000	ABC COMPANY
2	10,000	ABC COMPANY
3	10,000	ABC COMPANY
4	10,000	ABC COMPANY
5	10,000	ABC COMPANY
6	10,000	ABC COMPANY
7	10,000	ABC COMPANY
8	10,000	ABC COMPANY
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49	10,000	ABC COMPANY
50	10,000	ABC COMPANY

QUE PADRE SUBDIVISION

CITY OF SAN ANTONIO, TEXAS

ACKNOWLEDGEMENT

DEDICATION

CITY PLAN COMMISSION

FILING

DATE OF FILING

FILED AT

COUNTY CLERK

COUNTY OF BEXAR, TEXAS

DATE OF FILING

FILED AT

COUNTY CLERK

COUNTY OF BEXAR, TEXAS

ATTACHMENT 5



KISTENMACHER ENGINEERING COMPANY

• CONSULTING ENGINEERING

• LAND PLANNING

• SURVEYING

July 22, 2014

City Plan Commission
c/o City Development – Planning Division
City of El Paso
801 Texas Street
El Paso, TX 79901

Attention: Nelson Ortiz, Planner

Re: Que Padre Subdivision
Request for Variance of Cul-de-Sac Length

Ladies / Gentlemen:

On behalf of EP Sunland, LLC, the owner / developer of proposed Que Padre Subdivision, we are respectfully requesting a variance, under Section 19.48.030, to Section 19.15.90, regarding the maximum cul-de-sac length, specifically for Emory Drive. Emory Drive is currently a dead end street, with no turn around, approximately 540 feet in length. Its dedication currently terminates at the Texas-New Mexico boundary line. The proposed plat for Que Padre Subdivision would bend the street slightly to the east and extend its total length to approximately 740 feet, where a cul-de-sac turn-around would be provided.

This variance request is necessitated by the current configuration of the land, as well as the difficulties presented by an existing railroad to the east and a state boundary line to the south and west, as well as the configuration of the property owned / controlled by EP Sunland, LLC. It should probably be noted that, while not publicly dedicated, the proposed land use of Lot 2 of the proposed subdivision will provide a “de-facto” secondary access point to the proposed Emory Road, in effect reducing the overall length cul-de-sac length to less than 300 feet.

Thank you for your review and consideration of this request. Should you have any questions or require any additional information, please contact us at your convenience.

Sincerely,

KISTENMACHER ENGINEERING COMPANY

G. Glen Kistenmacher, P.E.

TWO LOCATIONS IN TEXAS TO SERVE YOU

6044 GATEWAY BLVD. EAST, SUITE 800
EL PASO, TEXAS 79905
915-778-4476 · FAX 915-778-4504

6336 GREENVILLE AVENUE, SUITE C
DALLAS, TEXAS 75206
214-234-0011 · FAX 214-234-0012

ATTACHMENT 6

ETZOLD & CO.

COMMERCIAL REAL ESTATE / CONSULTANTS

September 9, 2015

Mr. Nelson Ortiz, Planner
City of El Paso, Planning Division
801 Texas Avenue
El Paso, TX 79901

Re: SUSU14-00062 Que Padre Subdivision
Request for Waiver of Hike-Bike Improvements

Dear Mr. Ortiz,

In connection with the above cited subdivision case, and after discussions with Kimberly Forsyth within the Planning Department and Kareem Dallo in Engineering, the owners/developers of Que Padre Subdivision would respectfully request consideration of a WAIVER of the requirement to improve the subject property's frontage along Sunland Park Drive as a "Hike-Bike Trail". This is a request that is time sensitive, and we therefore ask that your staff please process the request at the next available City Plan Commission Hearing, as we are poised to file the plat of record and proceed with the development of the property for a Neighborhood Wal Mart.

In support of this request, we note the following:

1. The current plans for Hike & Bike Trail extensions by the City of El Paso come no nearer than Frontera Drive, which is approximately one-half mile north of the subject property.
2. The planned Hike & Bike Trail segments planned along Sunland Park Drive, Doniphan and next to the River Bend Drain connecting to River Bend Drive, are all unfunded and long-term capital improvement plans for the City.
3. Therefore, construction of this lone section of Hike & Bike Trail will NOT connect to any present or near-future portion of the City of El Paso's Hike & Bike System.
4. Further, the City of El Paso completed the wholesale reconstruction of this section of right of way for Sunland Park Drive at the Doniphan Intersection only a few years ago, and that construction project built a very substantial combination of new concrete pavement, curb, gutter, concrete designed parkways and wide concrete sidewalks along both sides of Sunland Park Drive immediately adjacent to the Que Padre Subdivision site. Those improvements are substantial in this same area considered for the new Hike & Bike Trail, and they would all have to be demolished and re-built to construct the Hike & Bike Trail. This would be a huge waste of resources, as the existing sidewalk and parkway could, by the Planning Department's estimation, still serve as a useable segment of this Hike & Bike Trail when it is ever connected to the rest of the City's planned grid.

I attach a color aerial photograph of the area requested for the waiver. In it you can clearly see the extensive improvements in place today. We, therefore, respectfully request your consideration of this waiver request.

Sincerely,


David F Etzold
Consultant

THE CORTEZ BUILDING • 310 NORTH MESA, SUITE B24 • EL PASO, TEXAS 79901 • 915.845.6006

Google Maps Google Maps

Que Padre Subdivision - Hike & Bike Route Waiver



Imagery ©2015 Google, Map data ©2015 Google 30 ft

ATTACHMENT 7



CITY PLAN COMMISSION APPLICATION FOR
MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 06/12/2014

FILE NO. SUSU14-00062

SUBDIVISION NAME: QUE PADRE SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
PORTION OF TRACT 2, BLOCK 1, UPPER VALLEY SURVEYS, 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	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	<u>1.196</u>	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	<u>ROW DEDICATION</u>	<u>0.178</u>	_____
School	_____	_____	Total No. Sites	_____	_____
Commercial	<u>7.741</u>	_____	Total (Gross) Acreage	<u>9.115</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? C-3 COMMERCIAL Proposed zoning? C-3 COMMERCIAL

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? N/A Yes _____ No _____

5. What type of utility easements are proposed: Underground x Overhead _____ Combination of Both _____

6. What type of drainage is proposed? (If applicable, list more than one)
ON-SITE RETENTION POND

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: _____

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 Title I (General Provisions) Chapter 1.04 - Vested Rights

12. Owner of record EP Sunland, LLC 6044 Gateway East, Suite 904, El Paso, TX 79905 (915) 549-5551
(Name & Address) (Zip) (Phone)
13. Developer EP Sunland, LLC 6044 Gateway East, Suite 904, El Paso, TX 79905 (915) 549-5551
(Name & Address) (Zip) (Phone)
14. Engineer Kimley-Horn and Associates 111 W. Jackson Blvd. Chicago, IL 60604 (312) 924-7431
(Name & Address) (Zip) (Phone)

Refer to Schedule C for
current fee.

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.
