City of El Paso – City Plan Commission Staff Report

Case No:	SUSU12-00090 Desert Pass Subdivision Unit 1
Application Type:	Major Combination
CPC Hearing Date:	October 18, 2012
Staff Planner:	Justin Bass, 915-541-4930, *bassjd@elpasotexas.gov*
Location:	North of Resler Drive and East of Interstate Highway 10
Legal Description Acreage:	8.70 acres
Rep District:	8
Existing Use:	Vacant
Existing Zoning:	C-3/sc (Commercial/ special contract) & R-3 (Residential)
Proposed Zoning:	C-3/sc (Commercial/ special contract) & R-3 (Residential)
Nearest School:	Coronado High School (1.00 mile)
Nearest Park:	Irwin J. Lambka Park (1.16 miles)
Parkland Fees Required:	N/A
Impact Fee Area:	This property is not located within an Impact Fee Service Area and is not subject to impact fees.
Property Owner:	Camino Real Investments I, LTD
Applicant:	Conde, Inc.
Representative:	Conde, Inc.

SURROUNDING ZONING AND LAND USE
North: C-3/sc (Commercial/ special contract) / Commercial development
South: R-3/ Resler Drive Right-of-way
East: C-3/sc (Commercial/ special contract) / Vacant
West: C-3/sc & C-4/sc (Commercial/ special contract) / Commercial development & Vacant

THE PLAN FOR EL PASO DESIGNATION: G4 Suburban (Walkable).

APPLICATION DESCRIPTION
The applicant proposes to plat 8.70 acres of property, ranging in width from 68-ft to 80-ft and measuring approximately 3,460-ft in length. The subdivision will dedicate the property for use as right-of-way to be known as Desert Pass Street. The majority of the right-of-way – the 80-ft cross-section – will consist of a 12-ft median (flush with the pavement near Resler Drive and raised with landscaping further from the Resler Drive intersection), two 11-ft driving lanes in each direction, 6-ft parkways, and 6-ft sidewalks. The 68-ft cross-section will consist of the same elements but without a median. It is needed to transition into the existing 64-ft Desert Pass Street at the intersection with Gem Street. A portion of the most northwestern section of this subdivision will be dedicated as drainage right-of-way. This project is being reviewed under the current subdivision code.

Desert Pass Street is designated as a minor arterial on the City's Major Thoroughfare Plan. However, the traffic impact analysis, submitted by the applicant, determined that the proportionate share the applicant is required to dedicate and build is two driving lanes and a left turning lane or left turn bays. The developer is proposing to dedicate and improve Desert Pass Street to a standard that exceeds the minimum requirements. The City is not requiring the additional dedication or improvements. The developer will not receive any reimbursement for overwidth paving from the City as the additional dedication and improvements are not being required by the City of El Paso.

Per Section 19.15.080(A) of the subdivision code, the maximum length of an arterial street shall not exceed one thousand six hundred (1,600) feet. Desert Pass Street exceeds this maximum. Section 19.15.080(B) allows exceptions if certain conditions are met. In this case, an exception can be granted for the street to the exceed the 1,600 foot maximum due to condition three (3) which allows development of such a street "where the proposed development abuts the rear of an existing development and no rights of way have been provided."

CASE HISTORY

The City Plan Commission approved Desert Pass Drive Subdivision (consisting of the subject right-of-way and adjacent properties to be developed) on a Major Preliminary basis on September 22, 2011. A revised phasing plan was administratively approved on May 23, 2012.

The City Plan Commission approved Desert Pass Subdivision Unit 1 on a Major Final basis on June 28, 2012.

However, the applicant has revised the proposed cross-section; thus, necessitating a resubmittal of the subdivision.

DEVELOPMENT COORDINATING COMMITTEE COMMENTS:

The Development Coordinating Committee recommends ***DENIAL*** of Desert Pass Subdivision Unit 1 on a **Major Combination** basis.

Planning Division Recommendation:

Approval.

Planning – Transportation

Notes:

1. Access and improvements to Resler shall be coordinated with Texas Department of Transportation.

2. 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.

City Development Department - Land Development

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

No Objection.

Parks and Recreation Department

We have reviewed **Desert Pass #1,** a major combination plat map and offer no objections to this subdivision application.

Please note that this Subdivision meets the requirements to be excluded from the calculation for "Parkland dedication" ordinance as per Title 19 - Subdivision and Development Plats**, Chapter 19.20 Parks and Open Space** as noted below.

19.20.060 - Exclusions from Dedication Requirements.

Exclusions. The following shall be excluded from the calculation for parkland dedication. In all instances, the burden of proof shall be on the subdivider to demonstrate that the plat meets the requirements of this chapter:

H. Land shown within a subdivision, whether residential or nonresidential, which is designated for use as a public facility.

El Paso Water Utilities

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

1. EPWU-PSB does not object to this request.

Water:

2. A water main extension will be required along the entire length of Desert Pass Drive. The water main system is required to be looped from Gem Street to San Blas Street to include a water main extension along the EPNG right-of-way. A permit/easement from EPNG will be required for the proposed water main extension along EPNG right-of-way. The Developer is responsible for the acquisition of the permit/easement and for the surveying costs.

3. The subdivision is anticipated to be located within an intermediate pressure zone. Pressure reducing and pressure relief valves will be required within the water distribution system. In addition, private water pressure regulating devices will be required at the discharge side of each water meter. The Owner/Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters.

Reclaimed Water:

4. There is an existing 24-inch diameter reclaimed water main located within the existing 30-foot wide PSB Easement that extends along a portion of the proposed Desert Pass Drive.

Sewer:

5. There is an existing 12/15-inch diameter sanitary sewer main located within the existing 30-foot wide PSB Easement that extends along a portion of the proposed Desert Pass Drive.

General:

6. During the site improvement work, the Owner/Developer shall safeguard the existing reclaimed water main, sanitary sewer main and appurtenant structures. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities and is responsible for the cost of setting appurtenant structures to final grade.

7. All easements dedicated for public 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 proposed PSB facilities within the easements 24 hours a day, seven (7) days a week.

8. EPWU requires a new service application to serve the subject property. 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.

Department of Transportation
EPDOT's recommendation is that the sloped area adjacent to the Desert Pass ROW not be accepted as ROW for the City to maintain

The Department of Transportation has reviewed the applicant's TIA and has determined that the proposed development will be adequately served with the developer's proportionate share of pavement for Desert Pass Street in accordance with Section 19.10.050 – Roadway Participation Policies, so long as left turn bays are provided to remove the turning movements from the through lanes. Therefore, it is recommended that the city not participate in the costs of the roadway that is in excess of the developer's proportionate share and allow the developer to install their portion of the roadway as it is adequate for traffic circulation.

Note:

1. For separate consideration, it is recommended that the developer provide traffic calming devices along Desert Pass Street as the length of the right-of-way and no intersecting rights-of-way will be conducive to speeding.

El Paso Fire Department
No comments received.

911
No comments received.

Sun Metro
Sun Metro recommends the construction of sidewalks to City standards throughout development to provide pedestrian connectivity to mass transit and existing sidewalk and provide access and connectivity to the existing Westside Transit Terminal located at 7535 Remcon Circle.

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

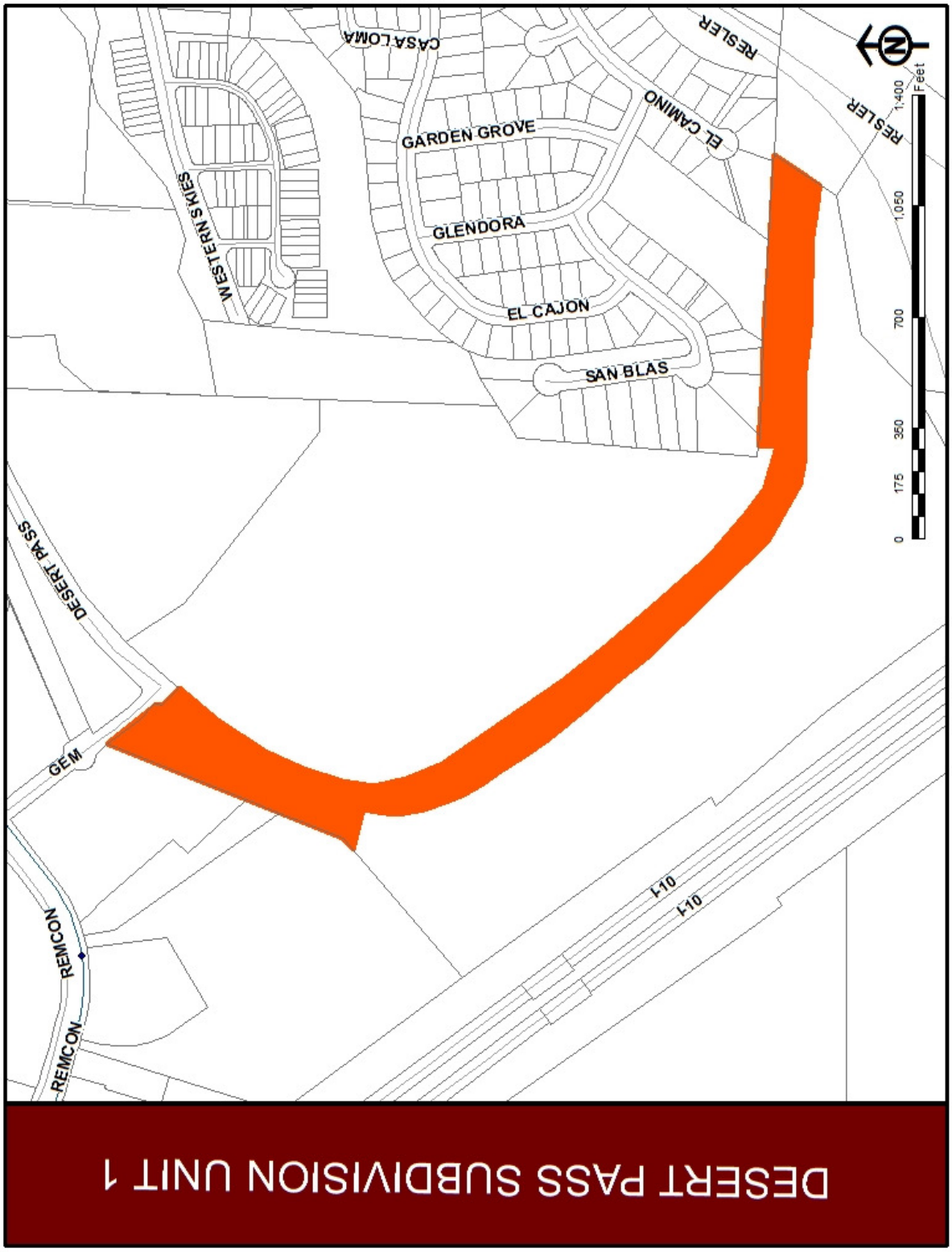
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

3. Applicant shall address the following comments prior to recordation:
   - Remove lot and block label from drainage ROW.
   - Label the property adjacent to the ROW near Resler Drive to better clarify its purpose.

Attachments

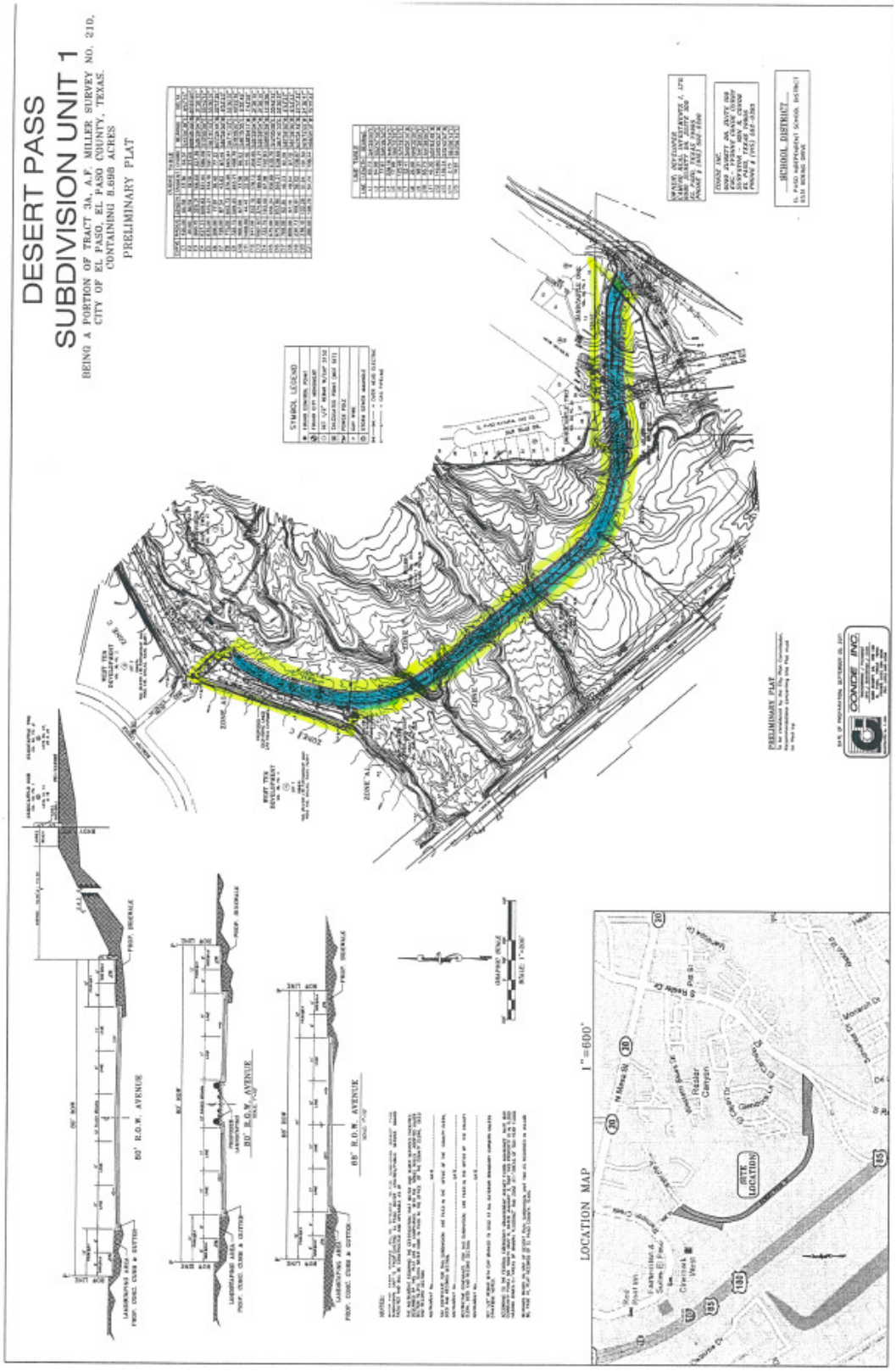
1. Location map
2. Aerial map
3. Letter from Floodplain Administrator
4. Final plat
5. Application

ATTACHMENT 1

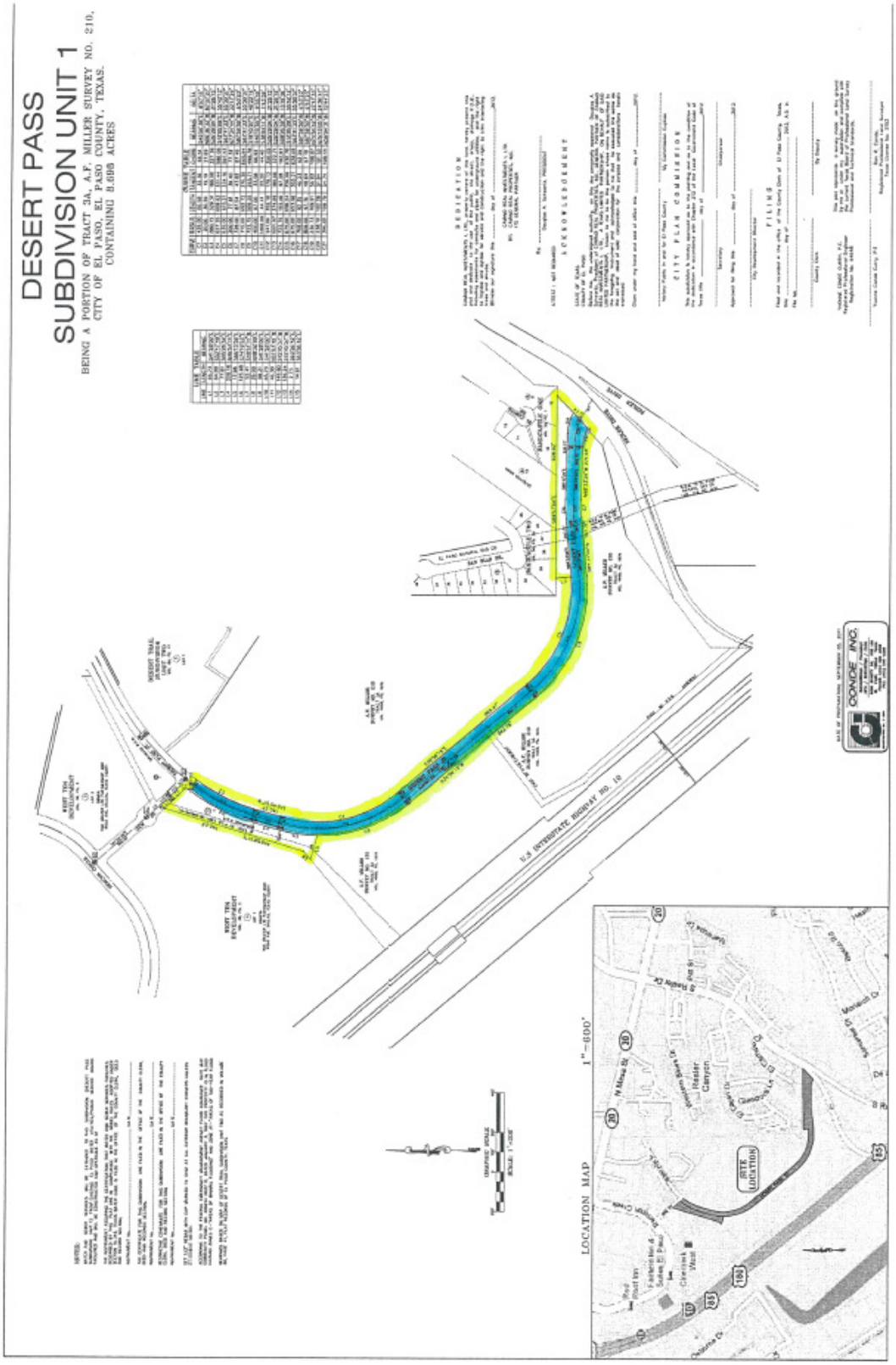


ATTACHMENT 2

ATTACHMENT 3



ATTACHMENT 4



ATTACHMENT 4

Dedicated to Outstanding Customer Service for a Better Community

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ENGINEERING AND CONSTRUCTION MANAGEMENT DEPARTMENT

THE CITY OF EL PASO TEXAS

MEMORANDUM

DATE: May 22, 2012

TO: Raul Garcia
Senior Planner

FROM: Alan Shubert P.E.
City Engineer, Floodplain Administrator

SUBJECT: Desert Pass

The City Engineer has made a determination that modification are required to a portion of the arroyo within the proposed Desert Pass Subdivision for the purpose of protecting the health, safety and welfare of the public, and 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 meets the requirements of Chapter 19.48 (Petition for waiver or exceptions) and permanent provisions for arroyo protection are provided and that any areas impacted by the proposed improvements, be reasonably safe from flooding and said improvements are included within the Subdivision Improvement Plans to be reviewed and approved by the Land Development Section.

Engineering and Construction Management Department
2 Civic Center Plaza, 4th floor - El Paso, Texas 79901 - (915) 541-4200

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Nilan

City Manager
Joyce A. Wilson

ATTACHMENT 5

CITY OF EL PASO PAID SEP 20 2012 CITY DEVELOPMENT DEPARTMENT

CITY PLAN COMMISSION APPLICATION FOR
MAJOR SUBDIVISION COMBINATION APPROVAL

DATE: September 14, 2012 File No. SUSU12-00090

SUBDIVISION NAME: Desert Pass Unit 1 Subdivision

1. Legal Description for the area included on this plat (Tract, Block, Grant, etc.)
Being a portion of Tract 3A, A. F. Miller Survey No. 210, City of El Paso, El Paso County, Texas

2. Proposed Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family			Office		
Duplex			Street & Alley		
Apartment			Ponding & Drainage		
Mobile Home			Institutional		
P.U.D.			Other (specify below)		
Park			Street	8.698	1
School					
Commercial			Total No. Sites 1		
Industrial			Total Acres (Gross) 8.698		

3. What is existing zoning of the above described property? n/a 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____ No ____. n/a

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)
Lot to 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 X No____.
If answer to is "Yes", please explain the nature of the modification or exception
Please see overwidth Paving Request letter attached.

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 Section 19.47-Vested Rights (See Attached).

12. Owner of record Camino Real Investments I, LTD 6080 Surety Drive, Ste 300, El Paso, TX 79905 915-592-0290
(Name & Address) (Zip) (Phone)

13. Developer Camino Real Investments I, LTD 6080 Surety Drive, Ste 300, El Paso, TX 79905 915-592-0290
(Name & Address) (Zip) (Phone)

14. Engineer CONDE INC. 6080 Surety Drive, Ste 100, El Paso, TX 79905 915-592-0283
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION
FEE: $2,088.00

Camino Real Investments I, LTD
By: Camino Real Properties, Inc.
Its General Partners

OWNER SIGNATURE: _____
Douglas A. Schwartz , President

REPRESENTATIVE: _____

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