



## City of El Paso – City Plan Commission Staff Report

### **REVISED**

**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](mailto:bassjd@elpasotexas.gov)  
**Location:** North of Resler Drive and East of Interstate Highway 10  
**Legal Description Acreage:** 7.54 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 7.54 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 (raised with landscaping near Resler Drive and flush with the pavement 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 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."

Per Section 19.19.010(F) of the subdivision code, if the arroyo is being used for stormwater management the applicant must request an exception from the City Plan Commission. Staff is in agreement with the improvements to the arroyo (see Attachment 5).

### **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 **approval** of the exception for the street length, **approval** for improvements within the arroyo, and **approval** of Desert Pass Subdivision Unit 1 on a **Major Combination** basis.

### **Planning Division Recommendation:**

**Approval with exceptions.** In this case, the excess street length is due to the limited availability of connectivity to the neighboring development; and the improvements in the arroyo have been determined to be necessary to protect the health, safety, and welfare and in compliance with the criteria of Chapter 19.48 by the City Engineer.

#### 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**

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.

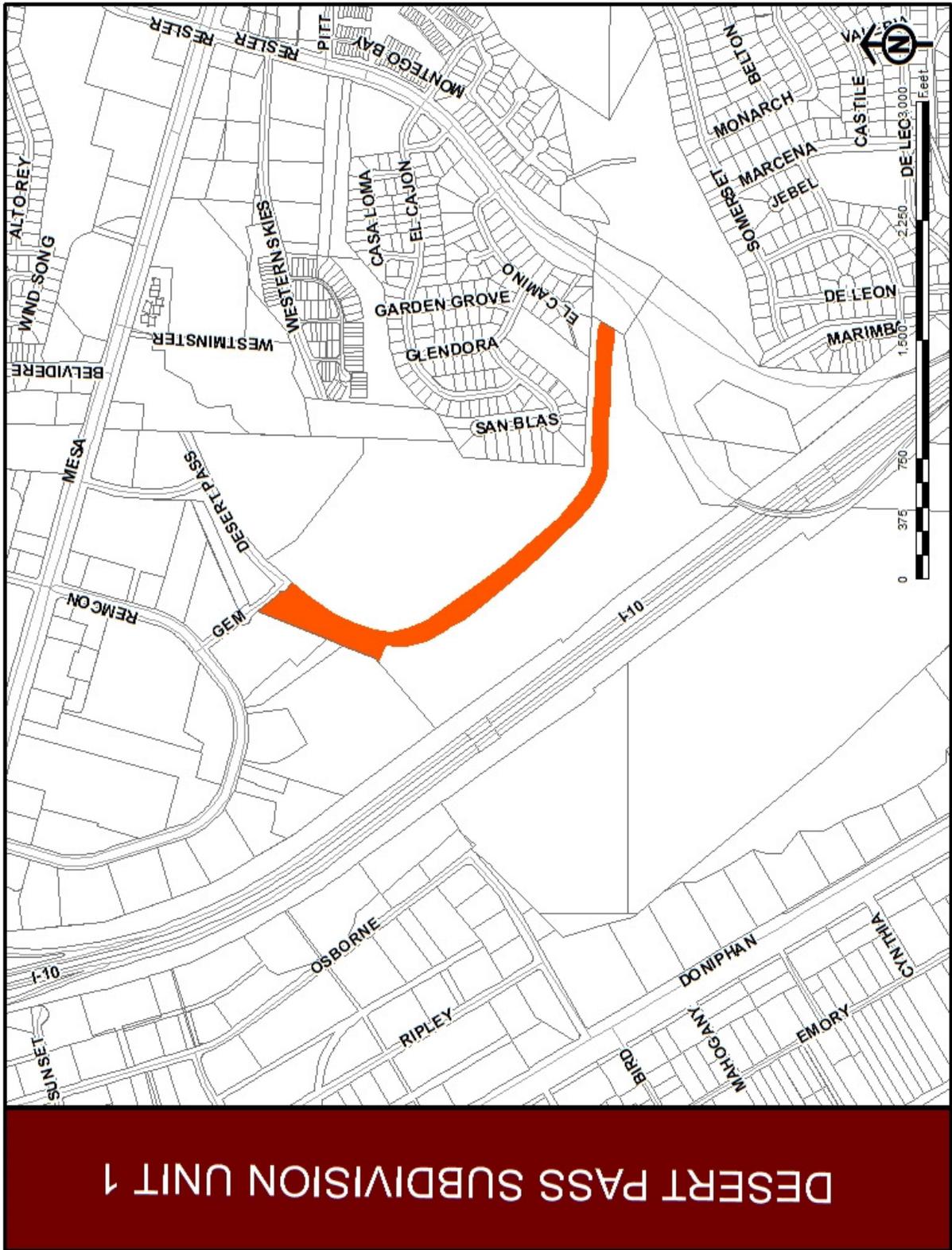
**Additional Requirements and General Comments:**

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.

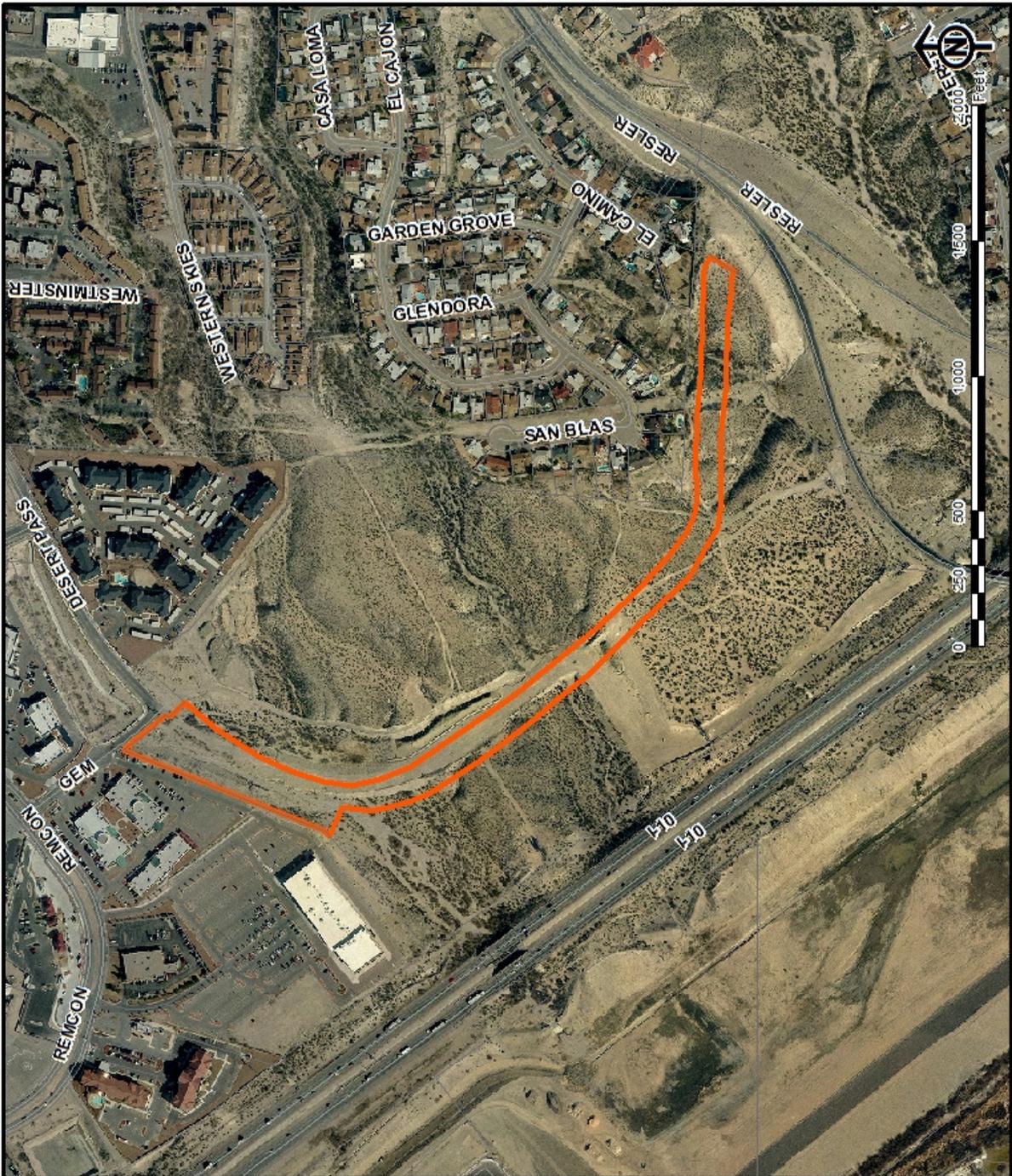
**Attachments**

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

ATTACHMENT 1



ATTACHMENT 2



DESERT PASS SUBDIVISION UNIT 1



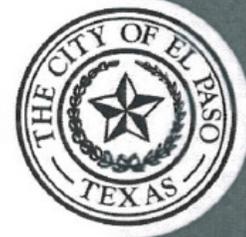


**ATTACHMENT 5**

*Dedicated to Outstanding Customer Service for a Better Community*

**SERVICE SOLUTIONS SUCCESS**

**ENGINEERING AND CONSTRUCTION  
MANAGEMENT DEPARTMENT**



**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.

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

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

**ATTACHMENT 6**



CITY PLAN COMMISSION APPLICATION FOR  
MAJOR SUBDIVISION COMBINATION APPROVAL

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

SUBDIVISION NAME: Desert Pass Unit I 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	<u>8.698</u>	<u>1</u>
School	_____	_____			
Commercial	_____	_____	Total No. Sites	<u>1</u>	
Industrial	_____	_____	Total Acres (Gross)	<u>8.698</u>	

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

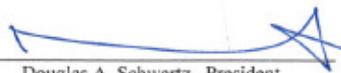
If yes, please submit a vested rights petition in accordance with Section 19.47-Vested Rights (See Attached).

- |     |                 |                                |   |              |
|-----|-----------------|--------------------------------|---|--------------|
| 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**