



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: SUSU14-00105 Ventanas Subdivision Unit One Replat B
Application Type: Resubdivision Combination
CPC Hearing Date: November 20, 2014
Staff Planner: Alfredo Austin, 915-212-1604, austinaj@elpasotexas.gov
Location: East of Zaragoza and South of Pebble Hills
Acreage: 20.122 acres
Rep District: 5
Existing Use: Vacant
Existing Zoning: C-3c/A-O (Commercial/condition / Apartment-Office)
Proposed Zoning: C-3c/A-O (Commercial/condition / Apartment-Office)
Nearest School: Sunridge Middle School (.13 mile)
Nearest Park: Ventanas #1 (.18 miles)
Park Fees: Pending
Impact Fee Area: Not in Impact Fee Area
Property Owner: Goal Building Services LLC
Ventanas Place LP
GFA LLC
Applicant: Goal Building Services LLC
Ventanas Place LP
GFA LLC
Representative: CEA Group

SURROUNDING ZONING AND LAND USE

North: ETJ (Extraterritorial jurisdiction)
South: R-3A (Residential development)
East: R-3A (Residential development)
West: R-3A (Residential development)/C-1(Vacant)

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

APPLICATION DESCRIPTION

The applicant is proposing to replat 20.122 acres of vacant land into 4 commercial lots and 1 apartment/office lot. Access to the subdivision is proposed from Zaragoza Road and Tierra del Este Road. This development is being reviewed under the current subdivision ordinance.

The reason for the replat is to revise restrictive covenants previously recorded. The restrictive covenants will prohibit the construction of single-family, two-family or multi-family units on Lots 1&2, Block 1, Lot 19, Block 5 and Lot 1, Block 6. **The restrictive covenants will also**

restrict the construction of multi-family /townhome units on Lot 29, Block 7 to 40 dwelling units.

CASE HISTORY

The City Plan Commission approved Ventanas Subdivision Unit One major final on May 3, 2007 and the major preliminary on December 21, 2006.

DEVELOPMENT COORDINATING COMMITTEE

The Development Coordinating Committee recommends approval of Ventanas Subdivision Unit One Replat B on a **Resubdivision Combination** basis subject to the following conditions and requirements:

City Development Department-Planning Division:

Planning recommends approval of Ventanas Subdivision Unit One Replat B on a Resubdivision Combination basis.

City Development Department-Land Development:

We have reviewed subject plats and recommend Approval.

Parks and Recreation Department:

We have reviewed **Ventanas Subd. #1 Replat "B"**, a resubdivision combination plat map and offer the following "revised" comments with no objections to this subdivision application.

Please note that Applicant has submitted copy of "revised" preliminary covenants for Lots 1 & 2, Block 1; Lot 19, Block 5; and Lot 1, Block 6 restricting the use to General Commercial purposes (Non-residential Subdivisions) and copy of preliminary covenants for Lot 29, Block 7 restricting the use other than General Commercial purposes with a maximum of 40 Multi-family dwelling units therefore meeting the requirements to be excluded from the calculation for parkland dedication as per ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space** as noted below.

19.20.060 - Exclusions from dedication requirement.

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:

B. A nonresidential replat which changes the lot location or design, but where the acreage has not been increased, as evidenced by the original subdivision and replat – Revision to protective covenants in this case.

Also, Please provide copy (proof) of the "Park Fees" paid on the original subdivision in order for above mentioned exclusion to be applicable to this subdivision replat.

This subdivision is located with-in Park Zone: **E-9**

Nearest Parks: **Ventanas Cove & Ventanas Destiny**

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:

1. EPWU does not object to this request.

EPWU Comments

Water:

2. There is an existing 16-inch diameter water main that extends along Tierra Este Rd for approximately 400-feet southeast of Zaragoza Road. This main is located approximately 18-foot north of the right-of-way center line of Tierra Este Road. Another 16-inch diameter water main will extend parallel to Zaragoza Road within Tierra Del Este Unit 21. A 16-inch diameter water main extension along an easement within the subdivision, parallel to Zaragoza Rd., will be required. This main is to extend from the eastern property line of Tierra Del Este Unit 21 to the most northern boundary line of Lot 1, Block 1.
3. There is an existing 24-inch diameter water transmission main that extends along Tierra Este Road from Ventana Avenue to 400-feet southeast of Zaragoza Road. No direct service connections are allowed to this main as per the El Paso Water Utilities - Public Service Board Rules & Regulations.
4. There is an existing 8-inch diameter water main that extends along Tierra Este Rd. approximately 35 feet east of the right-of-way centerline. This line is available for service.
5. There is an existing 8-inch diameter water main that extends along Velvet Willow Ct. approximately 8 feet north of the street centerline. This line is available for service.
6. There is an existing 8-inch diameter water main that extends along Ventana Ave. approximately 14 feet north of the street centerline. This line is available for service.

Sanitary Sewer:

7. There is an existing 36-inch/30-inch diameter sanitary sewer main that extends along Tierra Este Rd. No direct service connections are allowed to these mains.
8. There is an existing 36-inch sanitary sewer main that extends along Ventana Ave. No direct service connections are allowed to this main.
9. There is an existing 8-inch diameter sanitary sewer main that extends along Tierra Este Rd. and then continues south along Sunny Prairie. This main is located approximately 20 feet west of the right-of-way centerline. This main is available for service.
10. There is an existing 8-inch diameter sanitary sewer main that extends along Velvet Willow Ct. and then continues south along Tierra Este Road. This main is located approximately 5 feet south of the street centerline. This main is available for service.

General:

11. All main extension costs are the responsibility of the Owner/Developer. Water main required to be installed and accepted by EPWU-PSB prior to providing service to the subject property. Refunds/reimbursements to the Owner/Developer will be based on EPWU-PSB Rules and Regulation.
12. Annexation fees are due at the time of new service application for individual water meters within the subject property.
13. EPWU-PSB requires a new service application to serve the subdivision. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be

provided in accordance with the current El Paso Water Utilities – Public Service Board (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:

Sun metro does not oppose to this request.

El Paso Fire Department:

No comments received.

911:

No comments received.

Socorro Independent School District:

No comments received.

Additional Requirements and General Comments:

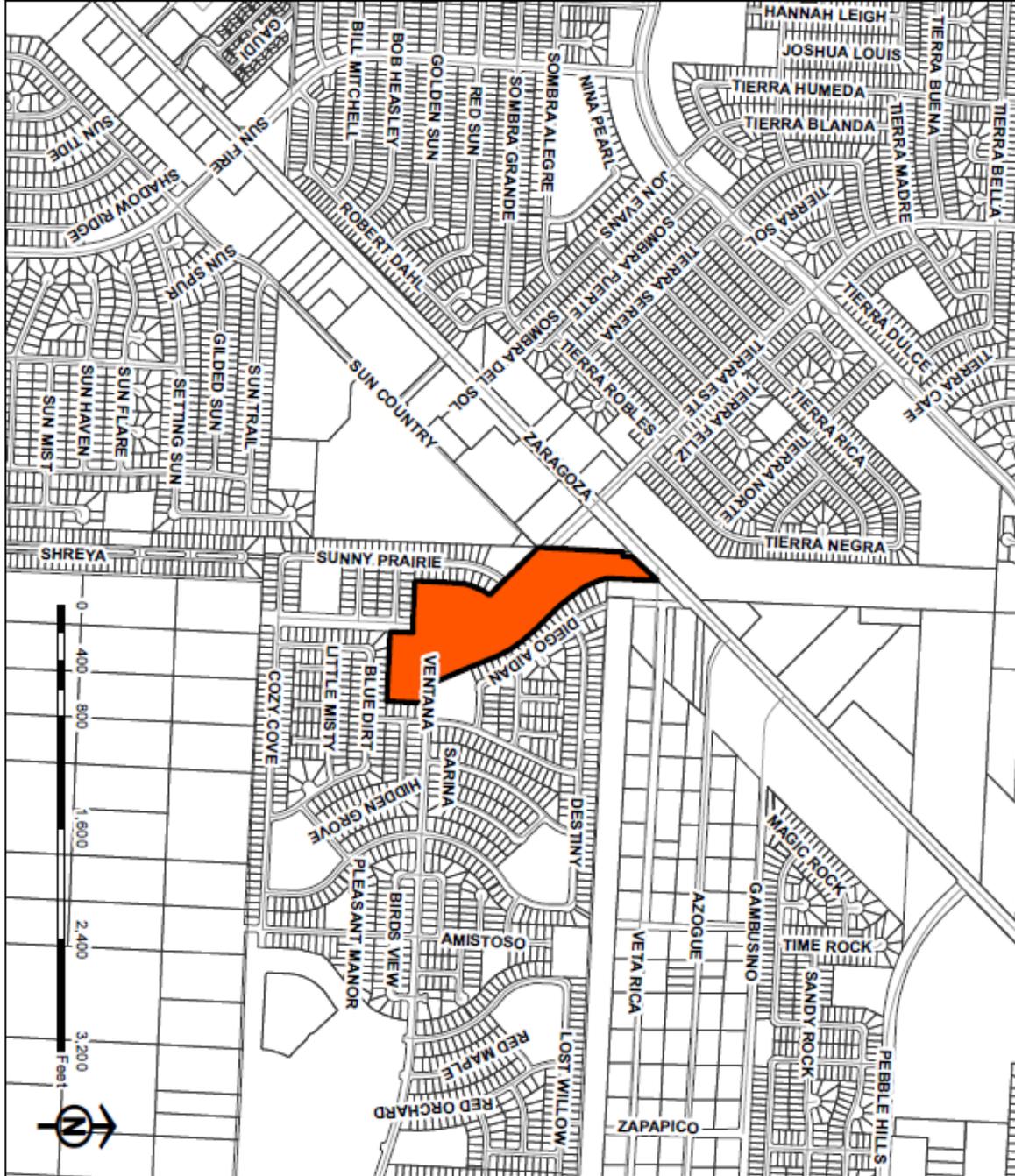
1. Submit to the City Development Department – Planning Division the following prior to recording of the subdivision.
 - a. Current certified tax certificate(s)
 - b. Current proof of ownership
 - c. Release of access document, if applicable
 - d. Set of restrictive covenants, if applicable
 - e. Deed for property to be dedicated as parkland.
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. Restrictive covenants
6. Application

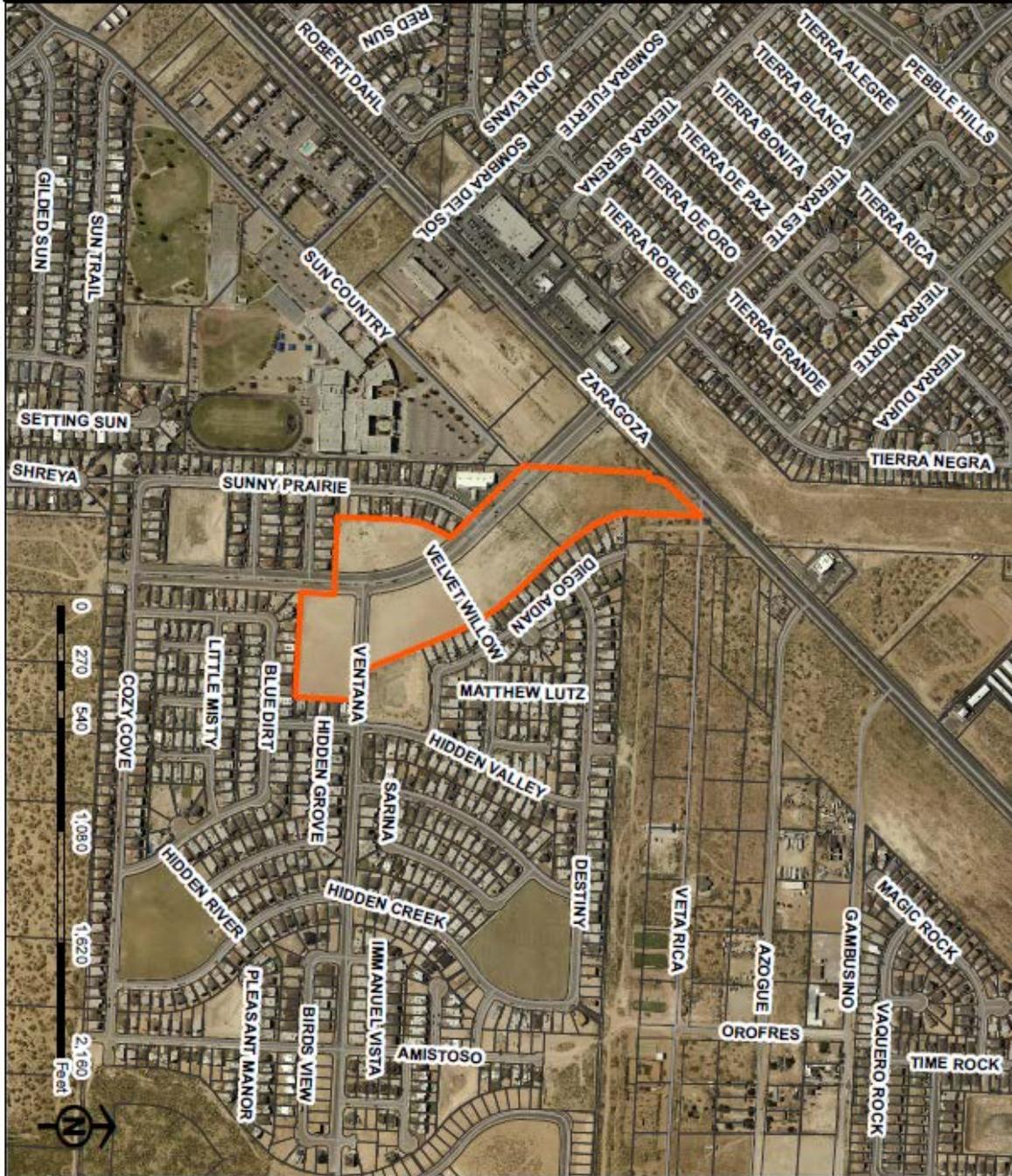
ATTACHMENT 1

VENTANAS SUBDIVISION UNIT ONE
REPLAT B



ATTACHMENT 2

**VENTANAS SUBDIVISION UNIT ONE
REPLAT B**



ATTACHMENT 3



ATTACHMENT 4



COMMERCIAL
PROTECTIVE COVENANTS

VENTANAS UNIT ONE REPLAT B

TO THE CITY OF EL PASO, TEXAS

PART A. PREAMBLE

GFA LIMITED PARTNERSHIP F/K/A GFA, LLC, VENTANAS PLACE LP and GOAL BUILDING SERVICES LLC, being the owners of the described property in El Paso County, Texas (the "Property"):

Lots 1 & 2, Block 1, Lot 19, Block 5, Lot 1, Block 6 and Lot 29, Block 7, VENTANAS SUBDIVISION UNIT ONE RELPAT B, an addition to the City of El Paso, El Paso County, Texas, filed under Clerk's No. _____, Real Property Records, El Paso County, Texas.

PART B. RESTRICTIONS APPLICABLE TO THE PROPERTY:

Lots 1 & 2, Block 1, Lot 19, Block 5, and Lot 1, Block 6, VENTANAS SUBDIVISION UNIT ONE RELPAT B

- No premises or building on the Property shall be used for other than general commercial purposes only. The construction of single-family, two-family or multi-family units on the Property is prohibited.

Lot 29, Block 7, VENTANAS SUBDIVISION UNIT ONE RELPAT B

- The construction of multi-family/townhome units on the Property shall be restricted to 40 dwelling units.

PART C. ENFORCEMENT

The City of El Paso and/or any owner of the Property shall have the right to enforce, by any proceeding at law or equity, all restrictions, covenants and conditions now or hereafter imposed by the provisions of these protective covenants. Any amendment to Part B shall require approval of the City of El Paso City Development Department to determine if additional parkland fees or dedication is required and such residential development shall not be allowed until such fees are paid. Failure or delay to enforce any covenant herein shall in no event be deemed a waiver of the right to do so thereafter. Except as set forth above, these restrictions, covenants, conditions and reservations may be amended without approval of the City of El Paso.

EXECUTED THIS _____ DAY OF _____, 2014.

GFA LIMITED PARTNERSHIP F/K/A GFA, LLC

PLACE LP, as it's _____ for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2014.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

GOAL BUILDING SERVICES LLC

By: _____

By: Eduardo Fernandez

Its: _____

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

BEFORE ME, _____, on this day personally appeared _____, known to me (or proved to me on the oath of _____ or through _____) to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same the act of _____, **GOAL BUILDING SERVICES LLC**, as it's _____ for the purposes and consideration therein expressed. GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2014.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

ATTACHMENT 6



CITY PLAN COMMISSION APPLICATION FOR
RESUBDIVISION COMBINATION SUBDIVISION APPROVAL

DATE: 10/16/14

FILE NO. SUSU14-00105

SUBDIVISION NAME: Ventanas Subdivision Unit One Replat B

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
Being a replat of lot 1-2, Block 1, Lot 19, Block 5, Lot 1, Block 6, Lot 29, Block 7 and a
portion of Tierra Este Road, Velvet Willow Drive and Ventana Avenue, all within Ventanas Subdivision Unit
One, City of El Paso, El Paso County, Texas

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	<u>4.038</u>	<u>3</u>
Apartment	<u>3.051</u>	<u>1</u>	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____	Total No. Sites	_____	<u>8</u>
Commercial	<u>13.033</u>	<u>4</u>	Total (Gross) Acreage	<u>20.122</u>	_____
Industrial	_____	_____			

3. What is existing zoning of the above described property? A/O - C-1 Proposed zoning? A/O - C-1

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)
Surface flow into an existing storm sewer infrastructure to an existing On-Site retention basin

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 _____ 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 Title I (General Provisions) Chapter 1.04 - Vested Rights

City Development Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4024

Goal Building Services LLC
Ventanas Place LP

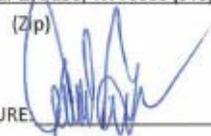
12. Owner of record GFA, LLC 1525 Goodyear Dr. El Paso Tx. 79936 (915) 596-1105
(Name & Address) (Zip) (Phone)
13. Developer GFA, LLC 1525 Goodyear Dr. El Paso Tx. 79936 (915) 596-1105
(Name & Address) (Zip) (Phone)
14. Engineer CEA Group 4712 Woodrow Bean, Sta. F, El Paso Tx. 79924 (915) 544-5232
(Name & Address) (Zip) (Phone)

Refer to Schedule C for
current fees.

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.

Owner of record GFA Limited Partnership a/k/a GFA LC 1525 Goodyear El Paso, TX 79936 (915) 598-1105
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE:  _____

OWNER PRINT NAME: Albert Gamboa, Manager
GFA General LC its General Parnter of
GFA Limited Partnership

Owner of record _____
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE: _____

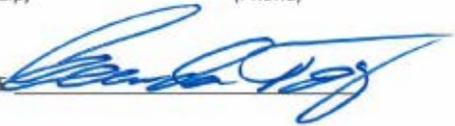
OWNER PRINT NAME: _____

Owner of record Goal Building Services, LLC 11450 ROJAS DR. STE D15 EL PASO, TX 79936
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE:  _____

OWNER PRINT NAME: Eduardo Fernandez

Owner of record Ventanas Place, LP 11450 ROJAS DR., STE. D15 EL PASO, TX 79936
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE: 

OWNER PRINT NAME: EDUARDO FERNANDEZ

Owner of record _____
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE: _____

OWNER PRINT NAME: _____

Owner of record _____
(Name & Address) (Zip) (Phone)

OWNER SIGNATURE: _____

OWNER PRINT NAME: _____