



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

**Case No:** SUSU12-00105 Austin Subdivision  
**Application Type:** Major Combination  
**CPC Hearing Date:** November 29, 2012  
**Staff Planner:** Nelson Ortiz, (915) 541-4931, [ortiznx@elpasotexas.gov](mailto:ortiznx@elpasotexas.gov)  
**Location:** East of Gato and North of Gardner  
**Acreage:** 17.986 acres  
**Rep District:** West ETJ  
**Existing Use:** Agriculture and Single Family  
**Existing Zoning:** N/A  
**Proposed Zoning:** N/A  
**Nearest Park:** Inca Dove Park (1.44 miles)  
**Nearest School:** Garcia Elementary School (0.87 mile)  
**Park Fees Required:** \$5,480.00  
**Impact Fee Area:** Westside Service Area  
**Property Owner:** Timothy & Cera Jane Austin  
**Applicant:** Dorado Engineering, Inc.  
**Representative:** Dorado Engineering, Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** N/A / Residential Development  
**South:** N/A / Residential Development  
**East:** N/A / Vacant/ Agriculture  
**West:** N/A / Residential Development/ Agriculture

**PLAN EL PASO DESIGNATION:** (O3) Agriculture

### **APPLICATION DESCRIPTION**

The applicant proposes to subdivide 17.986 acres of land for 4 agricultural lots of varying size. Lot two of the proposed subdivision has an existing single-family dwelling and an existing barn. Access to the subdivision is proposed from Gardner Road and Gato Road. Gardner Road and Gato Road are both designated as collectors on the City's Major Thoroughfare Plan (MTP) and the applicant is dedicating 10' ROW on each road. The applicant proposes two lots with panhandles in excess of 100 feet. This development is being reviewed under the current subdivision ordinance.

The applicant is requesting the following waiver:

- *Roadway improvements on both Gato Road and Gardner Road as per section 19.10.050 of the current code.*

The applicant is requesting the following exception:

- *To allow for panhandles that exceeds 100 feet in length for Lots 2 & 3.*

**DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of the exception request, **approval** of the waiver request and **approval** of Austin Subdivision on a Major Combination basis, subject to the following conditions and requirements:

**Planning Division Recommendation:**

Staff recommends **approval** of the waiver request as it complies with reason *a.* under Section **19.10.050 – A(1)**:

The City Plan Commission may waive such requirements to provide rights-of-way or street improvements to adjacent substandard roads based on any of the following factors:

*a. Fifty percent of the lots within a quarter mile of the proposed development have already been developed and the existing street improvements are in character with the neighborhood and have sufficient capacity to handle the increase in traffic to be generated by the proposed development;*

Staff also recommends **approval** of the exception request to allow panhandle lots, under Section 19.23.040.C:

*Residential Uses. The maximum length of the panhandle shall be one hundred feet. In the event that a property cannot be developed whatsoever without an exception being granted by the city plan commission to allow a panhandle exceeding one hundred feet, any buildings served by such panhandle will be required by the fire marshal to be sprinklered and have a hard wired alarm system. A note shall be added to the recording plat and the subdivision improvement plans indicating whether buildings are required to be sprinklered within the subdivision, and which lot numbers have such requirement.*

The applicant shall place a note on the plat indicating buildings on Lots 2 & 3 will be fire sprinklered, as required by Section 19.23.040.

**City Development Department - Land Development**

We have reviewed subject plan and recommend approval.

- No objections

**Planning – Transportation**

- No objections to waiving roadway improvements on Gato and Gardner Roads.

**Notes:**

- Access from Gato Road and Gardner Road shall be coordinated and approved by El Paso County.
- All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

**El Paso Department of Transportation**

No comments received.

## **Parks and Recreation Department**

We have reviewed **Austin Subdivision**, a major combination plat map with 4 lots restricted to agricultural use, on site ponding, one single detached dwelling per lot, and offer the Developer / Engineer the following comments:

1. This subdivision is located with-in the City of El Paso Extra Territorial Jurisdiction (ETJ) area and within the **Northwest Aircraft B** area of potential annexation by the City, thus subject to the calculation for "Parkland" as required per ordinance Title 19 – Subdivision & Development Plats, **Chapter 19.20 - Parks & Open Space** as noted below.

### **Section 19.20.020, Dedication Required**

- A. Dedication Required.** All subdivisions located within the corporate limits of the City of El Paso and within those areas designated in the City's extra territorial jurisdiction (ETJ), as identified on an official map kept in the Development Services Department.

Also, please note that subdivisions within the ETJ do not have a district designation, however, per **Plat Notes & Restrictions** applicant is proposing one single-family dwelling unit per lot; **If** gross density waiver is granted by the Planning Department or designee and covenants are provided restricting the use to residential and the number of units to only one per lot, then applicant shall be required to pay "Park fees" in the amount of **\$5,480.00** based on the following calculations:

Fees calculated as follows:

4 lots restricted to one Single-family dwelling unit per lot @ \$1,370.00 / dwelling =  
**\$5,480.00**

Please allocate funds under Park Zone: **NW-14**

Nearest Parks with-in adjacent Park zone NW-9: **Westside Sports Complex** & **Sunset Terrace #1**

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. EPWU does not object to this request
2. The El Paso Water Utilities – Public Service Board (EPWU-PSB) cannot provide water or sanitary sewer service to the subject subdivision at this time. There are no public water or sanitary sewer mains in the vicinity of the subject subdivision.
3. The subject property is located within the City of El Paso Westside Impact Fee Service Area. Impact fees will be assessed and collected by the El Paso Water Utilities after water/sewer become available and the El Paso Water Utilities receives an application for water and sanitary sewer services.

### **El Paso Fire Department**

For any new development in both panhandle lots the applicant will be required to comply with the code; a panhandle exceeding one hundred feet, any buildings served by such panhandle will be required by the fire marshall to have sprinkler system and have a hard wired alarm system.

**Note:**

Because Lot 2 already has an existing residential building and out building, they will not be required to add a sprinkler and alarm system under the fire code as they fall under the existing building concern.

**Sun Metro**

No comments received.

**911**

No comments received.

**Central Appraisal District**

No comments received.

**El Paso Electric Company**

No comments received.

**Texas Gas Company**

No comments received.

**Canutillo 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. Change the Minor Subdivision approval statement to a Major Subdivision approval statement on the final plat.
4. This property is subject to impact fees. The table and respective language shall be included on the face of the final approved and recorded plat. Impact fees shall be calculated based on the table below:

Chapter 395 of the Texas Local Government Code authorizes the City of El Paso to adopt and impose water and wastewater impact fees. This plat note fulfills an obligation mandated by Chapter 395 and sets the assessment of the impact fees in accordance with the impact fee schedule adopted by City Council as set forth below. The collection of the impact fee for this subdivision shall be prior to the time a building permit is issued if development is within the city limits or at the time of the meter connection if development is outside the city limits.

**Westside Service Area**

<b>Meter Size</b>	<b>Meter Capacity Ratio</b>	<b>Water*</b>	<b>Wastewater</b>
Less than 1 inch	1.00	\$ 659.00	\$927.00
1 inch	1.67	\$1,101.00	\$1,548.00
1½ inch	3.33	\$2,195.00	\$3,087.00
2 inch	5.33	\$3,514.00	\$4,941.00
3 inch	10.00	\$6,593.00	\$9,270.00
4 inch	16.67	\$10,990.00	\$15,453.00
6 inch	33.33	\$21,973.00	\$30,897.00

**Attachments**

1. Location map
2. Aerial map
3. Preliminary plat
4. Final plat
5. Application
6. Waiver Request
7. Exception Request

ATTACHMENT 1



ATTACHMENT 2

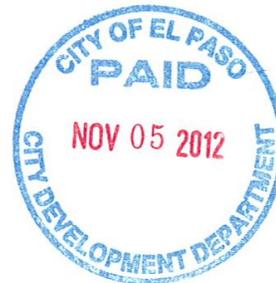
# AUSTIN SUBDIVISION







**ATTACHMENT 5**



CITY PLAN COMMISSION APPLICATION FOR  
MAJOR SUBDIVISION COMBINATION APPROVAL

DATE: 10.04.12 FILE NO. SUSU12-00105  
SUBDIVISION NAME: AUSTIN SUBDIVISION 1

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
BEING ALL OF TRACTS 11-A, 11-A-1, 11-A-1A, 11-A-2, 11-A-2A, AND 11-A-3, BLOCK 15, UPPER VACCEY SURVEYS

2. Property Land Uses:

	ACRES	SITES		ACRES	SITES
Single-family <u>AGL</u>	<u>17.986</u>	<u>4</u>	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____		_____	_____
School	_____	_____		_____	_____
Commercial	_____	_____	Total No. Sites	_____	<u>4.0</u>
Industrial	_____	_____	Total (Gross) Acreage	<u>17.986</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 \_\_\_\_\_

5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both

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

7. Are special public improvements proposed in connection with development? Yes \_\_\_\_\_ No

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No   
If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: CITY OF EL PASO ETJ

10. Improvement Plans submitted? Yes \_\_\_\_\_ 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   
If yes, please submit a vested rights petition in accordance with Section 19.47- Vested Rights (See Attached).

6740 GATO RD. 79912.

12. Owner of record TIMOTHY & CERA JANE PETRICH AUSTIN  
(Name & Address) (Zip) (Phone)

13. Developer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)

14. Engineer DORADO ENGR. 2717 YANDELL 79903. 562.0002  
(Name & Address) (Zip) (Phone)

CASHIER'S VALIDATION  
FEE: \$2,088.00

OWNER SIGNATURE: Timothy Austin

REPRESENTATIVE: DORADO ENGR.

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

**ATTACHMENT 6**

**DORADO ENGINEERING GROUP**

2717 E. Yandell El Paso, Texas (915) 562-0002 Fax (915) 562-7743

November 1, 2012

Mr. Nelson Ortiz, Planner  
City of El Paso  
Planning Department  
2 Civic Center Plaza  
El Paso, TX 79901

**RE: Austin Subdivision – Wavier Request**

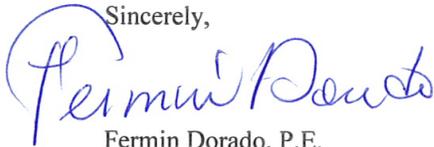
Mr. Ortiz,

Mr. Tim Austin, owner of the proposed Austin Subdivision, is respectfully requesting a waiver on the improvements to Gato Road and Gardner Road.

The reason for the request is that both Gato Road and Gardner Road are rural roads that were built to the County of El Paso standards. Both roads are located in the County and are in the ETJ of the City of El Paso. Traffic on both roads is minimal and is mainly a rural road.

We thank you for your assistance in helping us plat this land.

Sincerely,



Fermin Dorado, P.E.

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**ATTACHMENT 7**

**DORADO ENGINEERING GROUP**  
2717 E. Yandell El Paso, Texas (915) 562-0002 Fax (915) 562-7743

November 1, 2012

Mr. Nelson Ortiz, Planner  
City of El Paso  
Planning Department  
2 Civic Center Plaza  
El Paso, TX 79901

**RE: Austin Subdivision – Exception Request**

Mr. Ortiz,

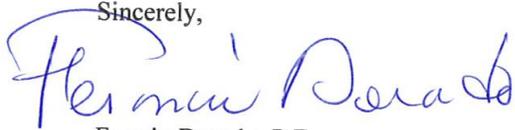
Mr. Tim Austin, owner of the proposed Austin Subdivision, is respectfully requesting an exception to the Subdivision Section 19.234 © Panhandle Lots.

The request is to allow Lots 2 and 3 to have a Panhandle Lot in excess of the permitted one hundred (100.00) feet. Lot 2 is three hundred seventy one and twenty nine (371.29) feet and Lot 3 is four hundred thirty five and twenty four (435.24) feet.

Austin Subdivision is located in the Upper Valley area of the County of El Paso along Gato Road where almost all the land is used for agriculture and due to the configuration and use of the land it is necessary to have two Panhandle Lots in order to properly plat the land.

We thank you for your patience and assistance in helping us plat the area.

Sincerely,

  
Fermin Dorado, P.E.

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