

STAFF REPORT

File #: SUB06-00026

Subdivision Name: San Clemente Unit Two

Type Request: Resubdivision Combination

Property Owner: Sky Mountain Estates – El Paso II LTD

Developer: Sky Mountain Estates – El Paso II LTD

Engineer: Brock and Bustillos

Surveyor: Brock and Bustillos

Acres: 38.768

Location: South of Festival, East of Stanton

Representative District: 1

Planning Area: Northwest

Present Zone: PMD

Present Use: Vacant

Proposed Zoning: PMD

Proposed Use: Single-family residential

**EL PASO MOUNTAIN COMMITTEE HEARING, JULY 12, 2006
2:30 P.M., AMERICAS CONFERENCE ROOM, 5TH FLOOR, CITY HALL**

Subdivision Case #: SUB06-00026 San Clemente Unit Two (Resubdivision Combination)

GENERAL INFORMATION:

This subdivision proposes a development of 29 single-family residential lots. The property is currently zoned PMD (Planned Mountain Development). The smallest lot within the proposed subdivision is approximately 13,800 square feet. Access to the subdivision will be from Rocky Pointe Drive.

The open space required is 16.00 acres. The subdivision proposes approximately 19.8 acres of common open space.

The applicant requests a modification for a divided mountain residential street with two additional feet behind header curb as part of the right-of-way.

The divided mountain residential street allows for a varying right-of-way width and median width. The divided mountain residential street allows the varying right-of-way width and the limit of the right-of-way is the back of the header curb. Within a divided mountain residential street, the median may be designed to permit a swale for drainage purposes.

Where the city plan commission finds that extraordinary hardships or practical difficulties may result from strict compliance with these regulations or the purposes of these regulations may be served to a greater extent by an alternative proposal, it may approve modifications of conditions to these subdivision regulations so that substantial justice may be done and the public interest secured. Such a finding by the city plan commission shall not have the effect of nullifying the intent and purpose of these regulations; the granting of the modification of conditions will not be detrimental to the public safety, health or welfare or injurious to other property; the relief sought will not in any manner vary the provisions of any other city ordinance or regulation, The Plan for El Paso, or the official zoning map of the city, except that those documents may be amended in the manner prescribed by law; and further provided, that the city plan commission shall not approve a modification unless it shall make findings based upon the evidence presented in each specific case that:

- 1. The conditions upon which the request is based are unique to the property for which the relief is sought and are not applicable generally to other property; or*
- 2. Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, a particular hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations is carried out; or*
- 3. The subdivider has demonstrated an alternative method of development that will improve the aesthetic value of the subdivision while giving equal emphasis to safety, economy, tax yield, maintenance cost, response time, drainage, vehicular access and pedestrian passage.*

B. Conditions. In approving a modification, the city plan commission may require such conditions as will, in its judgment, secure substantially the purposes described in subsection A of this section.

The Development Coordinating Committee recommends approval of this modification.

STAFF RECOMMENDATION:

The Development Coordinating Committee recommends **approval** of **San Clemente Unit Two** on a **Resubdivision Combination** basis. Subdivision is subject to the following requirements and conditions:

Planning – Land Development Comments and Requirements:

1. Rock walls / Retaining walls shall be set back a minimum of 5' from designated Common Open Space boundary areas.
 2. Provide a print-out of the mathematical closure of the subdivision boundary, showing error of closure.
 3. Provide a note on the Plat indicating the use of NDCBU's, if applicable.
- A note to the Owner/Developer: This Subdivision is **not** within a Special Flood Hazard Area. Flood Zone **C**, Panel # **480214 0028 B**, dated **Oct. 15, 1982**.

Engineering- Traffic Division

No apparent traffic concerns.

El Paso Water Utilities Comments:

Water

The proposed water distribution mains to serve this Property are anticipated to originate from the existing San Clemente Subdivision, as well as from the existing Cumbre Estates Unit One (1).

Sanitary Sewer

The proposed gravity sanitary sewer mains to serve this Property are anticipated to discharge at the existing manhole located at the intersection Zenith Drive and Grad Teton Drive.

A portion of the existing pressurized sanitary sewer main (force main) located along Rocky Point Drive, west of Cross Canyon Drive within San Clemente Subdivision is anticipated to be replaced by a gravity sanitary sewer main.

General

Access for proposed water and/or sanitary sewer mains will be required from San Clemente Unit Two (2) to Argonaut Drive. A thirty (30) foot wide utility easement will be required either within Lot 12, or, Lot 13, Block 4, San Clemente Unit Two (2). EPWU-PSB will apply for permits from the El Paso Electric Company (EPECo) to cross their right-of-way. Additionally, off-site easements will be required within the property located west of the EPECo right-of-way to enable access of the proposed water and/or sanitary sewer mains to Argonaut Drive.

Private water pressure regulating devices will be required at the discharge side of each water meter. The Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. Additionally, the lot/home buyer shall be responsible for the operation and maintenance of the above-described privately-owned water pressure regulating devices.

Backflow preventing devices will be required at each fire line service.

Private streets are to be designated full width utility easements to enable the construction and operation of public water and sanitary sewer mains.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

EPWU-PSB requires access to the existing water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The El Paso Water Utilities requires a finalized set of improvement plans including drainage and grading plans to initialize the design of the water and sanitary sewer main extensions to serve subject subdivision. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. Furthermore, application for services for subject subdivision must be made in conjunction with the request for water and sanitary sewer main extensions. The improvement plans should include a site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance which are required at the time of application. The certificate-of-compliance can be obtained at City Hall.

EPWU does not object to this request.

Fire Department Comments and Requirements:

Subdivision does not adversely affect the Fire Department. Recommend approval subject to development complying with all Subdivision Ordinance Title 19 requirements. Note to applicant; Finally, Prior to recording of Plat and based on MDA requirements for street grades, length of cul-de-sacs, and water flow rates, Lots that will require Fire Protection Sprinkler Systems need to be identified. All lot in this subdivision will require Fire Sprinkler Protection.

El Paso Electric Company

1. This development is adjacent to El Paso Electric Company's transmission line corridor. Owner/developer must contact our Right-of-Way agent, Ms. Martha Velasco (543-4025) to discuss proposed subdivision improvements adjacent to or across this corridor which may impact our existing facilities.
2. El Paso Electric Company also requests that the private streets in this subdivision be designated as "Private Street and Utility Easement".

Texas Gas Service

Texas Gas Service requires that all streets be dedicated public right-of-ways and utility easements, have designated 10' utility easements inside property on both sides of street right-of-ways. Texas Gas Service has no objections to the proposed project limits.

Time Warner Cable

Provide a 10-foot utility easement between Lots 12 and 13, Block 4.

Geographic Information Systems

No adverse comments.

911

No adverse comments.

Additional Requirements and General Comments:

1. Provide verification from Homeowners' Association of San Clemente that access will be permitted through existing subdivision.
2. Submitting to the Development Services Department – Planning Division the following prior to recording of the subdivision.
 - i) A current certified tax certificate;
 - ii) A current proof of ownership;
 - iii) Square footage datum for each lot; and;
 - iv) A set of restrictive covenants, if any, to be recorded with the subdivision.

NOTE TO PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR HIS REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. IF YOU HAVE ANY QUESTIONS CONCERNING THIS REPORT, PLEASE CONTACT THE DEPARTMENT OF PLANNING AT 541-4635.

LOCATION



AERIAL

San Clemente Unit Two



