SUBDIVISION

Charcoaler Subdivision

City of El Paso — City Plan Commission — 8/23/2018

SUSU18 - 00066 — Major Combination

STAFF CONTACT:	Jim Henry, (915) 212-1608, henryjj@elpasotexas.gov
PROPERTY OWNER:	Robert Cox
REPRESENTATIVE:	SiteWork Engineering
LOCATION:	West of Mesa of and North of Mesa Hills, District 8
ACREAGE:	1.16
VESTED:	No
PARK FEES REQUIRED:	$1,160.00
EXCEPTION/MODIFICATION REQUEST:	Exception to waive the required DSC improvements along Mesa
RELATED APPLICATIONS:	N/A
PUBLIC INPUT:	N/A
STAFF RECOMMENDATION:	Approval

SUMMARY OF REQUEST: The applicant proposes to subdivide 1.16 acres of unplatted land into one lot to allow for additional building improvements to the Charcoaler restaurant. This subdivision is being reviewed under the current subdivision code. Access to the proposed subdivision will be provided via Mesa Street.

SUMMARY OF RECOMMENDATION: Planning staff recommends **APPROVAL** of Charcoaler subdivision on a major combination basis.

DESCRIPTION OF ANY EXCEPTIONS, MODIFICATIONS, OR WAIVERS

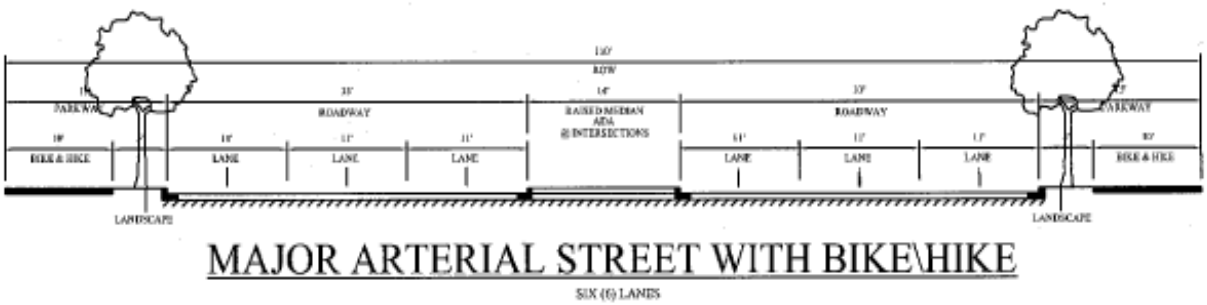
The applicant is requesting the following exceptions under 19.10.050-A (Roadway participation policies):

- To waive the installation of a 10' bike and hike.
- To waive the installation of a 5' parkway.

Required

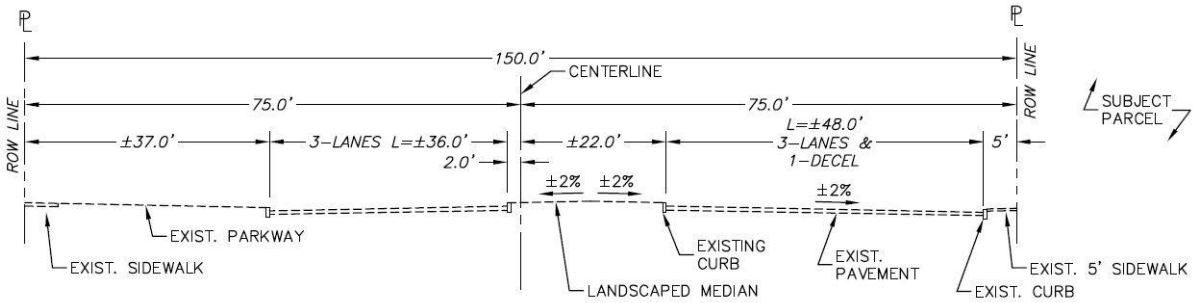
Mesa Street

The Design Standards for Construction (DSC) requires 110' of right-of-way including a 15' parkway with a 5' landscape buffer and a 10' bike and hike.



Proposed

The applicant proposes to preserve the existing parkway conditions along Mesa, which includes a 5' sidewalk abutting the curb and no parkway. The existing ROW width for this section of Mesa is 150' which is 40' more than what is required. The applicant's proportionate share would be 55'; however, 75' has already been dedicated. Consequently, in order to accommodate the required parkway improvements per the DSC, the applicant would have to reduce the width of the deceleration lane. However, TxDOT is opposed to any reduction in the width of the deceleration lane (see TxDOT comments, pg. 11).

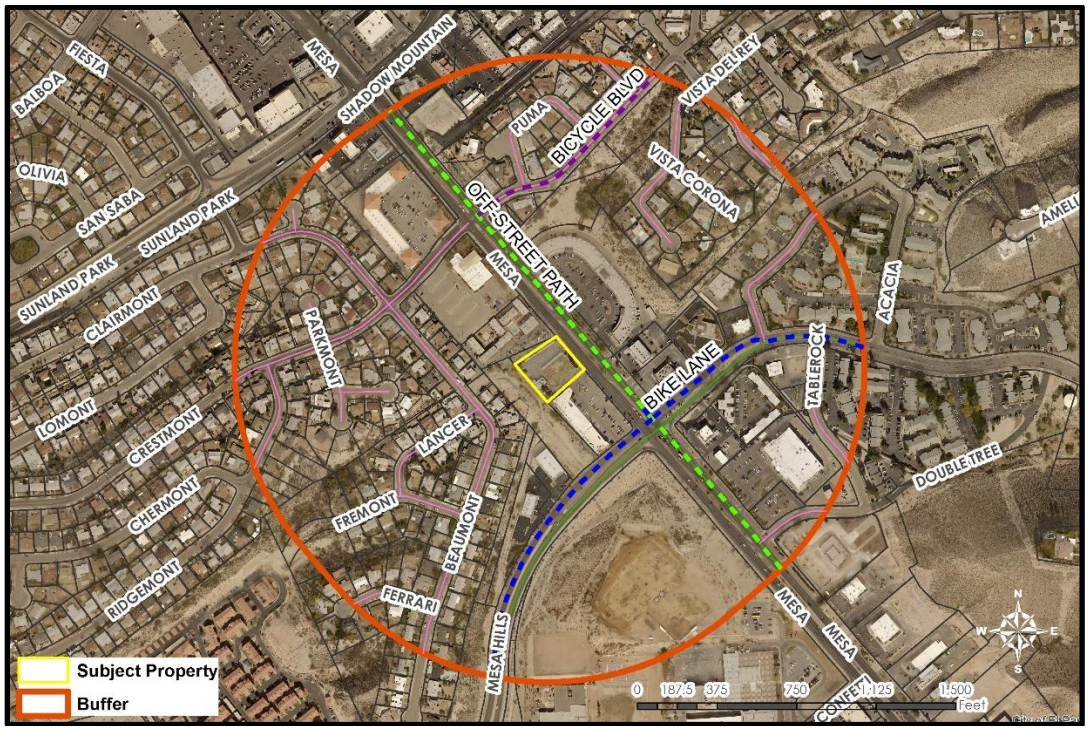


Section 19.10.050-A

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 per cent 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.

The proposed waiver request to waive the installment of a 10' bike and hike along Mesa Street **does meet** the criteria under Section 19.10.050-A (Roadway participation policies – Improvement of roads and utilities within and or abutting the subdivision). However, the proposed waiver request to waive the installation of a 5' parkway **does not** satisfy the criteria under Section 19.10.050-A (Roadway participation policies – Improvement of roads and utilities within and or abutting the subdivision).



RELATION OF PROPOSED APPLICATION TO THE CITY'S COMPREHENSIVE PLAN

CONSISTENCY WITH PLAN EL PASO: Subject property is designated G4, Suburban (Walkable)

GOAL 2.1	
The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed-use neighborhoods.	
POLICY	**DOES IT COMPLY?**
Policy 2.1.9: Development is strongly discouraged within critical arroyos.	Yes, this proposed development will not be located within critical arroyos.
Policy 2.2.4.b.: Commercial and office uses at intersections should have direct paths to greens and squares.	Yes, there is an existing green space within the subject property that patrons will continue to have direct to.

NEIGHBORHOOD CHARACTER: Subject property is zoned C1 (Commercial) and is the present location of the Charcoaler restaurant. Properties adjacent to the subject property are zoned C1 and R3 (Residential). The nearest school is L.B. Johnson Elementary School (.25 miles). The nearest park is Crestmont Park (.67miles). This property is not located within any Impact Fee Service Area.

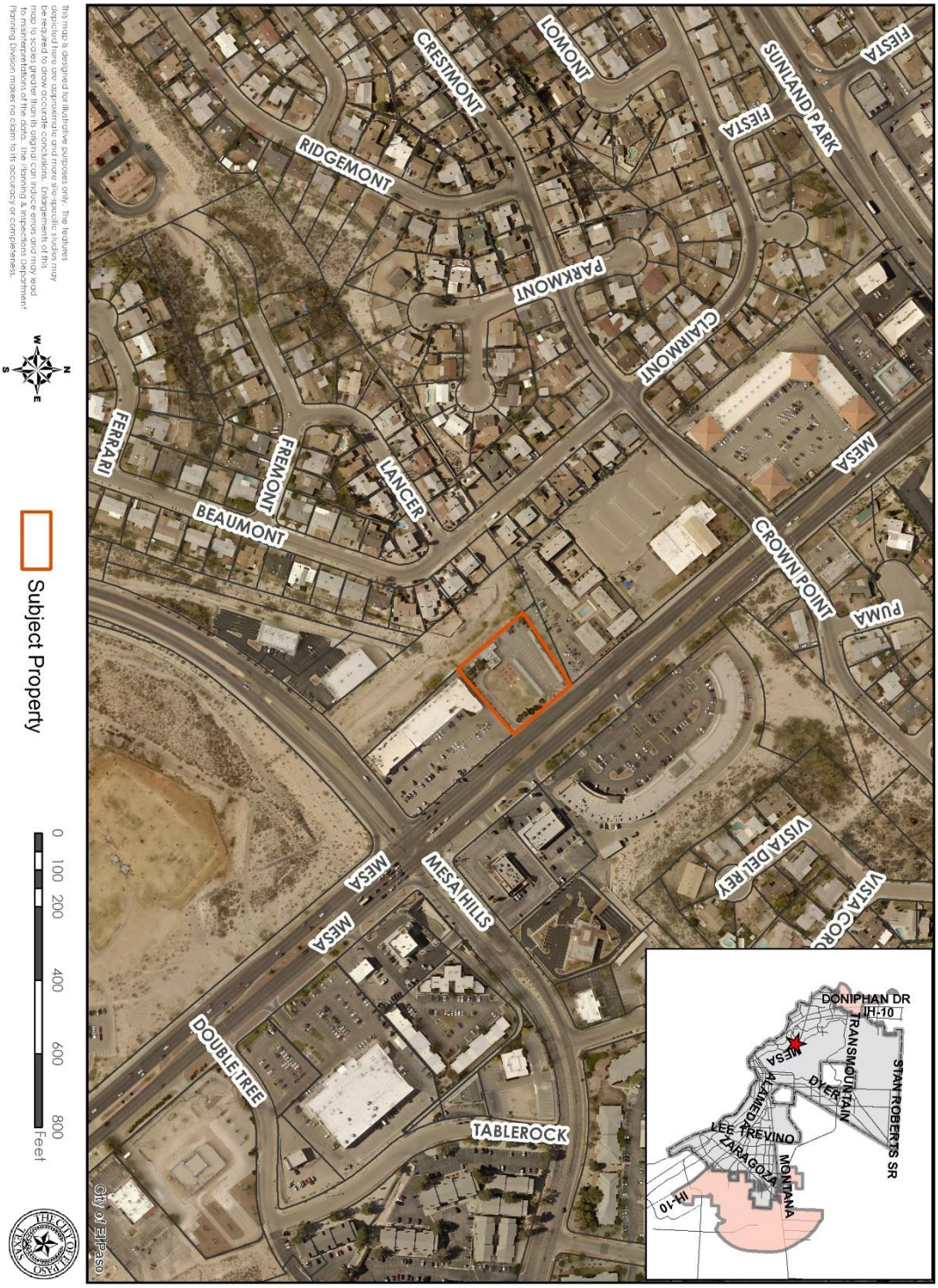
COMMENT FROM THE PUBLIC: N/A

STAFF COMMENTS:
Staff has no additional comments.

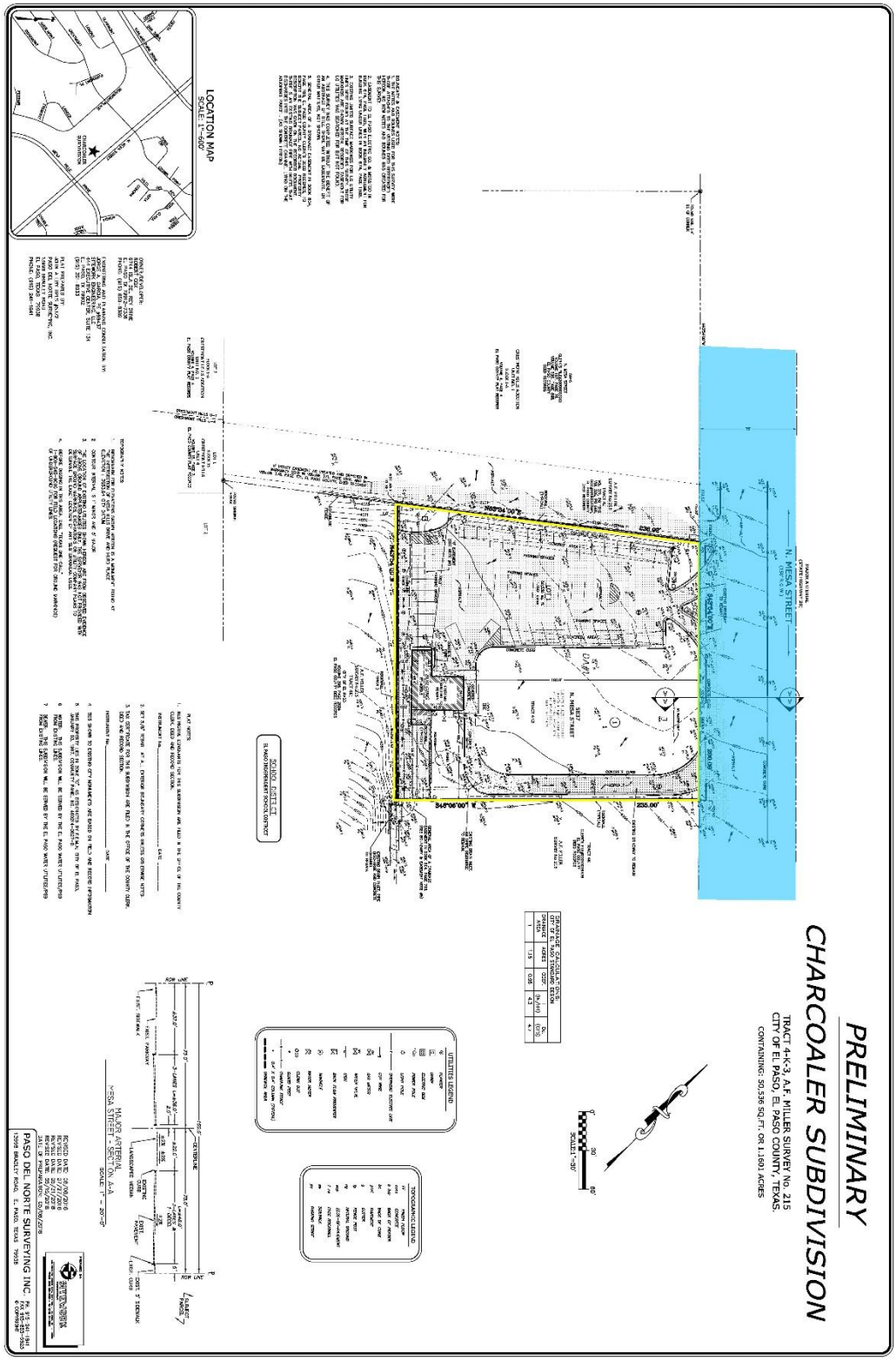
PLAT EXPIRATION:
This application will expire on **August 23, 2021.** If the final plat has not been recorded within the specified date, the final plat approval, unless extended in accordance with Chapter 19.41 (Expiration, extension and reinstatement), shall expire and the applicable plat shall be deemed null and void.

ATTACHMENTS:
1. Location Map
2. Preliminary plat
3. Final plat
4. Application
5. Waiver Requests
6. Department Comments

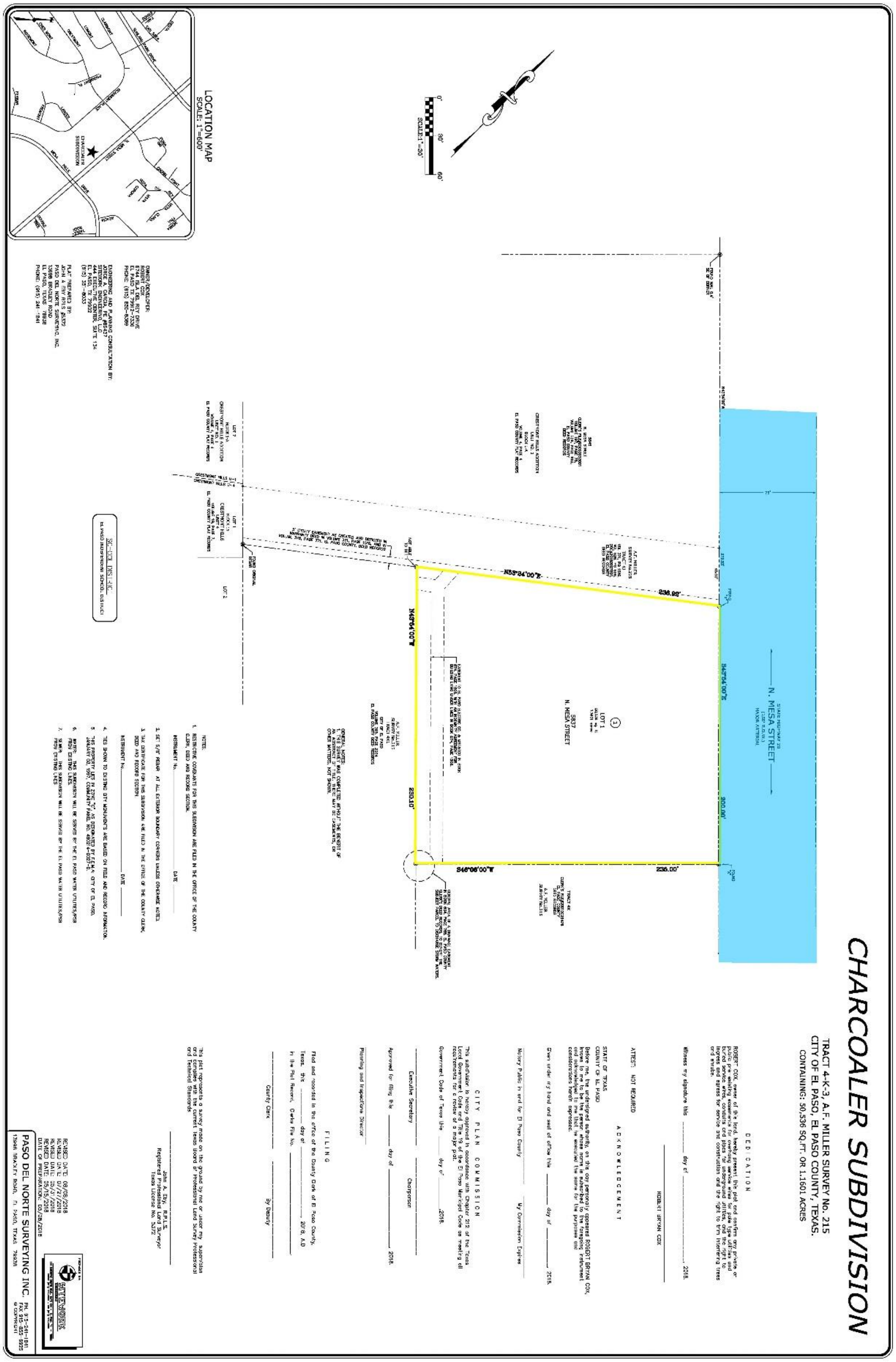
ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4

CITY PLAN COMMISSION APPLICATION FOR
MAJOR COMBINATION SUBDIVISION APPROVAL

DATE:_____ FILE NO. SUSU18 - 00066

SUBDIVISION NAME: CHARCOALER SUBDIVISION

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)
TRACT 4K3, AF MILLER SURVEY #15

2. Property 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					
School					
Commercial	1.16	1	Total No. Sites		1
Industrial			Total (Gross) Acreage	1.16	

3. What is existing zoning of the above described property? C1 Proposed zoning? C1

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)
SHEET FLOW TO EXISTING DRAINAGE EASEMENT

7. Are special public improvements proposed in connection with development? Yes X No _____.

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes X No _____
If answer is "Yes", please explain the nature of the modification or exception
WAIVER FOR HIKE/BIKE LANE & LANDSCAPED PARKWAY

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

Planning & Inspections Department
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890| (915) 212-0088

12. Owner of record MR. ROBERT COX 6744 ISLA DEL REY, ELP TX 79912 (915) ~~850-8389~~ 241-5889
(Name & Address) (Zip) (Phone)

13. Developer_____
(Name & Address) (Zip) (Phone)

14. Engineer STEWORK ENGINEERING 444 EXECUTIVE CTR, SUITE 134, ELP TX 79902 (915) 351.8033
(Name & Address) (Zip) (Phone)

Effective September 1, 2014, a 3% Technology fee has been added to all Planning application fees.

OWNER SIGNATURE: Robert B. Cox Jr.

REPRESENTATIVE:

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

ATTACHMENT 5

SITEWORK
ENGINEERING, LLC

July 26, 2018

SENT VIA EMAIL

Mr. Raul Garcia
CITY OF EL PASO
801 Texas, 1st floor
El Paso, TX, 79901

PROJ: CHARCOALER SUBDIVISION – CASE NO. SUSU17-00030
RE: REQUEST FOR BIKE LANE & PARKWAY EXEMPTION

Dear Mr. Garcia,

On behalf of the Owner, and according to Title 19.10.050 of the Municipal Code, we are submitting this exemption request for a waiver on the following items:

1. New 5-ft wide landscaped parkway.
2. New paved 10-ft hike/bike lane.

As you know, TxDOT is not in agreement with these improvements. The installation of these items will reduce the paved width of the street.

We believe that granting the exception will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.

Sincerely,
SiteWork Engineering, LLC

Jorge A. Garcia, PE
Project Engineer

cc Mr. Robert Cox - Owner

18035 Exemption Req.docx

444 EXECUTIVE CENTER, SUITE 134 • EL PASO, TX • 79902
PHONE: (915) 351-8033 • FAX: (915) 351-8055

ATTACHMENT 6

PLANNING AND INSPECTION DEPARTMENT – PLANNING
Developer / Engineer shall address the following comments:
1: Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision:
a: Current certificate 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.

PLANNING AND INSPECTION DEPARTMENT – LAND DEVELOPMENT
We have reviewed subject plats and recommend Approval.
The Developer/Engineer shall address the following comments.

1. If this property requires any building additions or the entire property is redeveloped, accommodations shall be made to retain the developed runoff; see note below.

2. As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm-water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

CAPITAL IMPROVEMENTS DEPARTMENT – PARKS
We have reviewed **Charcoaler Subdivision,** a major combination plat map and on behalf of CID Parks & Planning Division we offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-1" meeting the requirements for Non-residential uses as well as for Multi-family dwellings use restricted to a maximum of 29 dwelling units per acre however, applicant has submitted copy of preliminary covenants restricting the use to Non-residential (general commercial) uses therefore, "Park fees" will be assessed as follows:

1. **If** applicant provides copy of final signed/recorded covenants restricting all residential uses and **if** gross density waiver is granted by the City Manager or the Planning Department designee, then applicant shall be required to paid "Park fees" in the amount of **$1,160.00** calculated as follows:

   Acreage 1.16 (rounded to two decimals) @ $1,000.00 per acre = **$1,160.00**

Please allocate generated funds under Park Zone**: NW-2**
Nearest Park: **Crestmont Park**

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

Charcoaler - Minor

1. Provide an acceptable Drainage Plan in accordance with Section 19.01.050 of the current City Ordinance.

2. If this property requires any building additions or the entire property is redeveloped, accommodations shall be made to retain the developed runoff; see note below.

3. As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural stormwater management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

TXDoT
We will not allow a reduction of travel lane widths, the removal of deceleration lanes, or the alteration/removal of safety features to accommodate walking paths wider than 5 ft.
We are not opposed to hike/bike paths or sidewalks wider than 5 ft. as long as there is no conflict with the above.

We will provide our review and approval of all work on TxDOT ROW.

The requestor will also need to submit Access Request Form 1058 for the use of the existing driveways and the Final Grading and Drainage plans.

FIRE
Recommend approval.

SUN METRO
Recommend approval.

CENTRAL APPRAISAL
No objection.

911
No comments were received.