



City of El Paso – City Plan Commission Staff Report

Case No: PZST16-00028
Application Type Special Permit
CPC Hearing Date November 17, 2016
Staff Planner Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov
Location 5512 Milray Dr.
Legal Description Lot 6, Block 2, Emerald Valley Estates Replat, City of El Paso, El Paso County, Texas
Acreage 0.47 acres
Rep District 1
Existing Zoning: R-1 (Residential)
Existing Use: Residential
C/SC/SP/ZBA/LNC: N/A
Request: Infill Development – to allow for a cumulative set-back reduction
Proposed Use: Single-family Dwelling
Property Owner Jeremy & Melissa Ryan
Representative Juan E. Ordoñez

SURROUNDING ZONING AND LAND USE

North: R-1/sp (Residential/special permit) / Single-family dwellings

South: R-1 (Residential/condition) / Single-family dwellings

East: R-1 (Residential) / Single-family dwellings

West: R-1 (Residential) / Single-family dwellings

THE PLAN FOR EL PASO DESIGNATION: G-4, Suburban Neighborhood (Walkable)
(Northwest Planning Area)

NEAREST PARK: Valley Creek Park (4,706 feet)

NEAREST SCHOOL: Jose H Damian Elementary (13,749 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association

Upper Valley Neighborhood Association

Upper Valley Improvement Association (Civic Status)

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 1, 2016. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan review to allow for a front and rear cumulative setback reduction from the required 100ft. to 82.27ft. The proposed setback reduction is for a 1,347 sq. ft. home addition. The existing landscaping for the proposed development is to remain. Access to the property is proposed from Milray Dr.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of the request, and acceptance of the detailed site development plan, as the proposed development is consistent with the surrounding single-family residential development. Additionally, the proposed development is compliant with the G-4, Suburban Neighborhood (Walkable) and use designation in the Plan El Paso Northwest Planning Area. Further, the property meets the requirements of Sections 20.04.320, Special Permit Approvals and 20.04.150 Detailed Site Development Plan.

Plan El Paso-Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-4 – Suburban Neighborhood (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the R-1 (Residential): Low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations, permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

The proposal includes redevelopment of an existing single-family property which utilizes the current configuration of the existing lot.

Plan El Paso - Goals & Policies

Goal 2.2: 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.

This application addresses policy 2.2.5. “The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.

The Planning Division recommendation is based on redevelopment of an existing single-family property which utilizes the current configuration of the existing lot.

ANALYSIS

To grant the special permit to allow for infill development, the applicant must comply with the following standards, per 20.04.320 Special permit approvals.

- A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.
- B. Building and occupancy permits shall not be issued for any building or use identified in this title as requiring an approved detailed site development plan as required by Article III, until such approval has been granted.
- C. No building or occupancy permit may be granted for the erection, rehabilitation, enlargement or demolition of any building in a designated historic area or for any building that is a designated historic landmark until prior approval has been granted by the historic landmark commission.
- D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum

requirements necessary to protect the public health, safety and general welfare of the community:

1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;
 2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;
 3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;
 4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;
 5. The design of the proposed development mitigates substantial environmental problems;
 6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;
 7. The proposed development is compatible with adjacent structures and uses;
 8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.
- E. The applicant may request that the city plan commission waive one or more of the criteria based on its no applicability to the proposed development. The city plan commission, upon a recommendation of the planning official, shall make a determination on the no applicability of the criteria and shall render a finding based on such determination, and shall forward their recommendation to city council for final review and approval.

The application meets the requirements for special permit.

20.04.140. When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

Detailed Site Development Plan review is required as part of the special permit application.

20.04.150 Detailed Site Development / Procedure.

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.

2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and storm water drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan, and it meets all requirements of Sections 20.04.320, Special Permit, and 20.04.150 Detailed Site Development Plan.

COMMENTS:

Planning and Inspections Department – Planning Division - Transportation

No objections.

Note: 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.

Planning and Inspections Department – Plan & Landscape Review

No objections to the proposed special permit and DSDP.

Texas Department of Transportation (TxDOT)

Not required.

Sun Metro

No objections.

El Paso Fire Department

No objections.

El Paso Police Department

No objections.

El Paso Water Utilities

Water:

1. EPWater does not object to this request.

Water:

2. There is an existing 8-inch diameter water main located along the eastside of Milray Drive, approximately 15-feet west of and parallel to the eastern right-of-way line of Milray Drive. This water main is available for service.

3. EPWater records indicate an active (1) 3/4" water meter on the subject property. The service address for this meter is 5512 Milray Dr.

Sanitary Sewer:

4. There is an existing 8-inch diameter sanitary sewer main located along the westside of Milray Drive, approximately 18-feet east of and parallel to the western right-of-way line of Milray Drive. This sanitary sewer dead-ends approximately 200-feet south of Emerald Star Drive. This water main is available for service.
5. There is an existing 8-inch diameter sanitary sewer main located along the southside of Emerald Star Drive, approximately 23-feet north of and parallel to the southern right-of-way line of Emerald Star Drive. This sanitary sewer main is available for service.

General:

6. EPWater requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater Rules and Regulations. The applicant 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.

Stormwater Division

This lot was approved for on-site ponding and as such should retain its own stormwater run-off and portions of Emerald View Dr. and Milray Dr. At this time, rock wall on Emerald View Dr. needs to have weep holes to allow run-off to flow in. The Design Standards for Construction also requires that 50% of the lot remain permeable (this includes structures and driveways); the new addition must not exceed this.

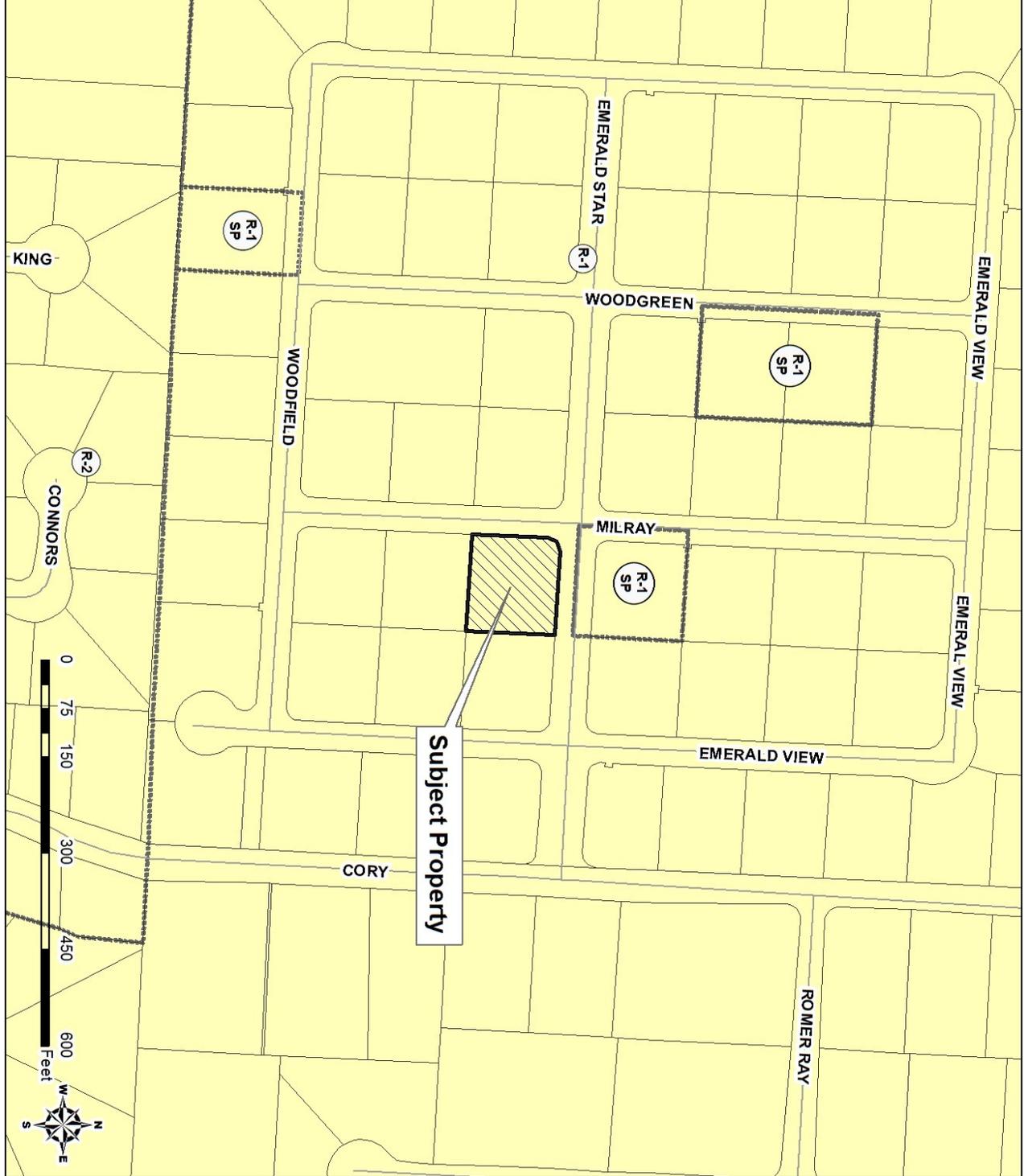
EPW – Stormwater Engineering recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

Attachments

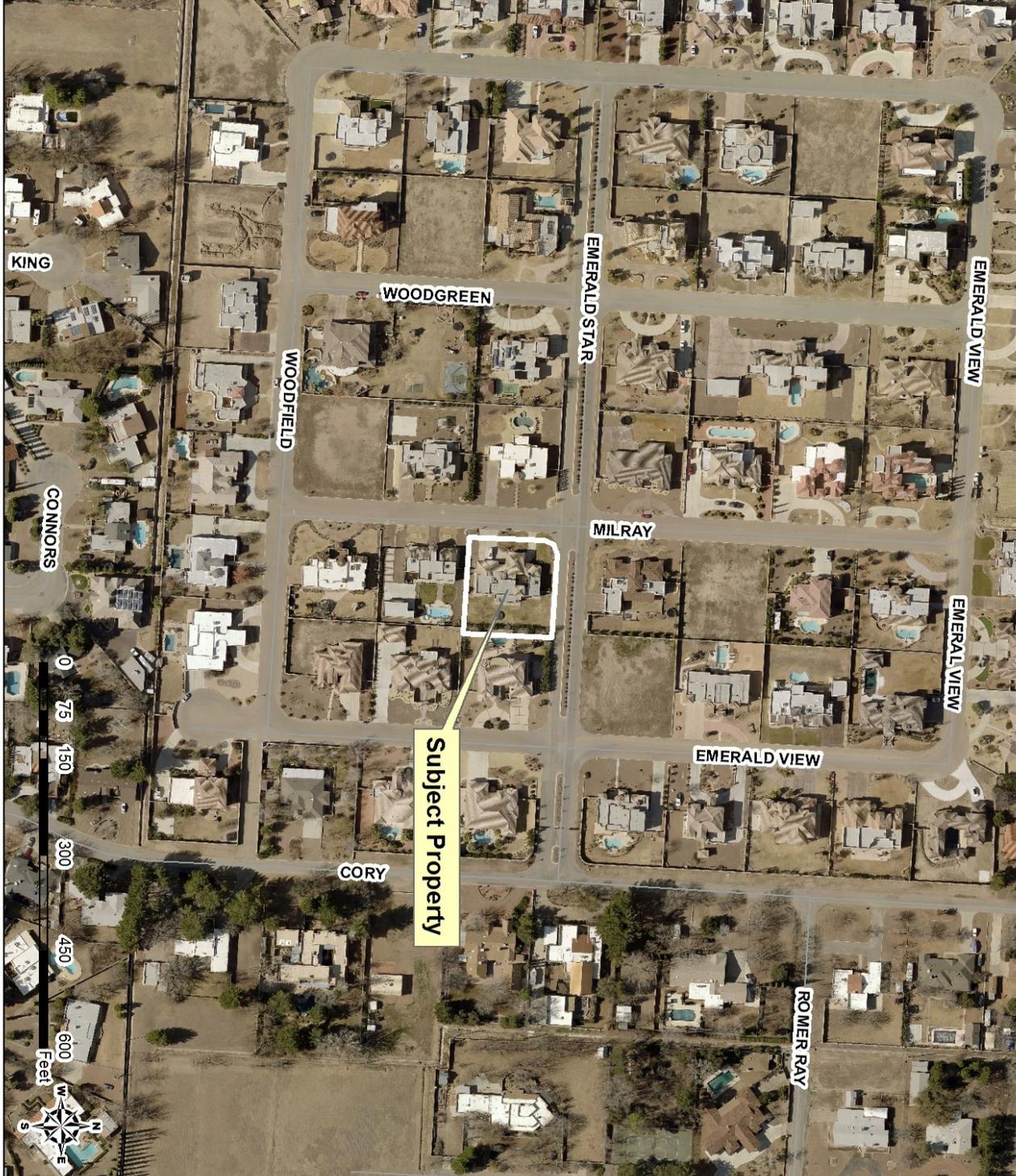
1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Elevations

ATTACHMENT 1: LOCATION MAP

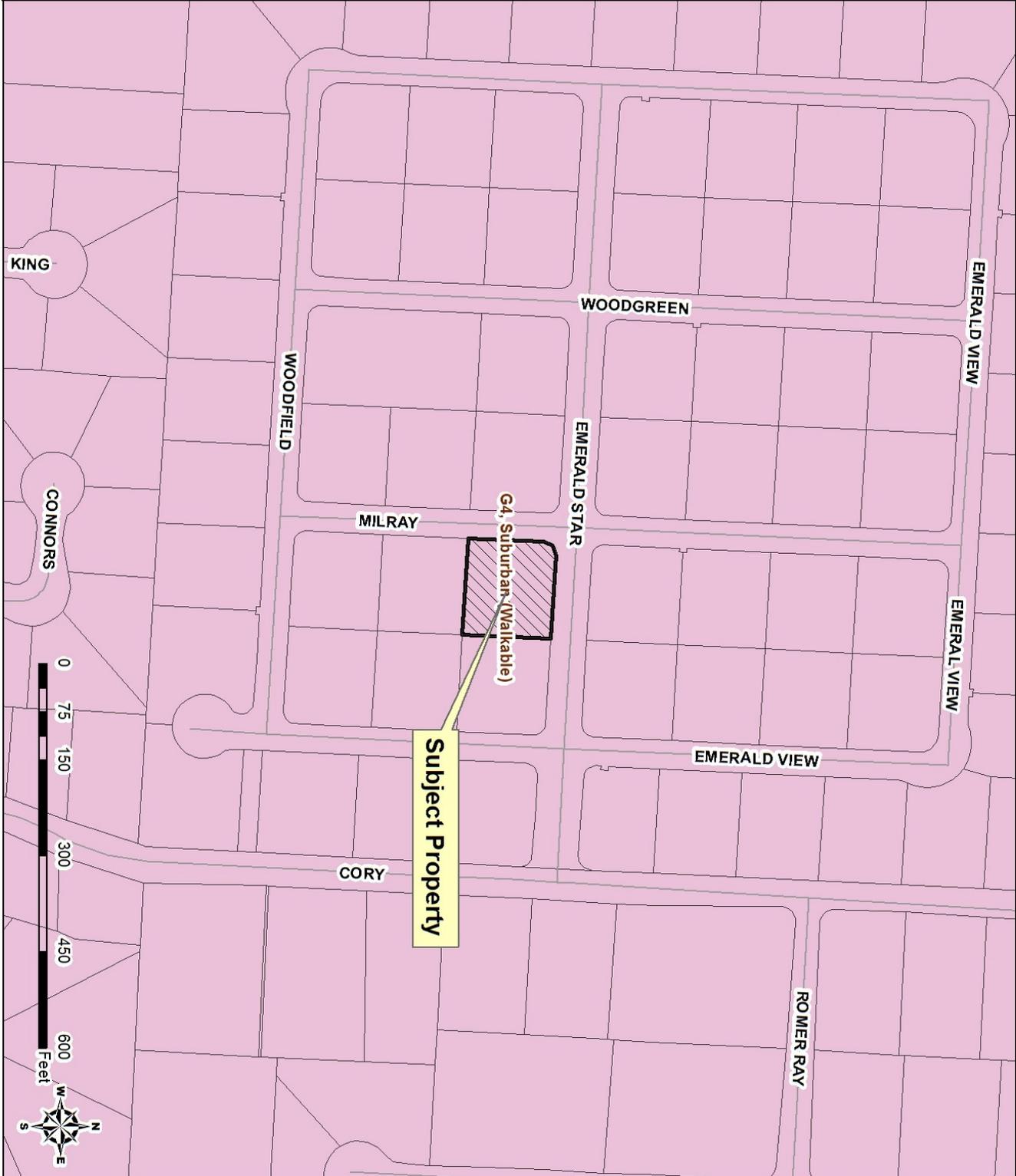
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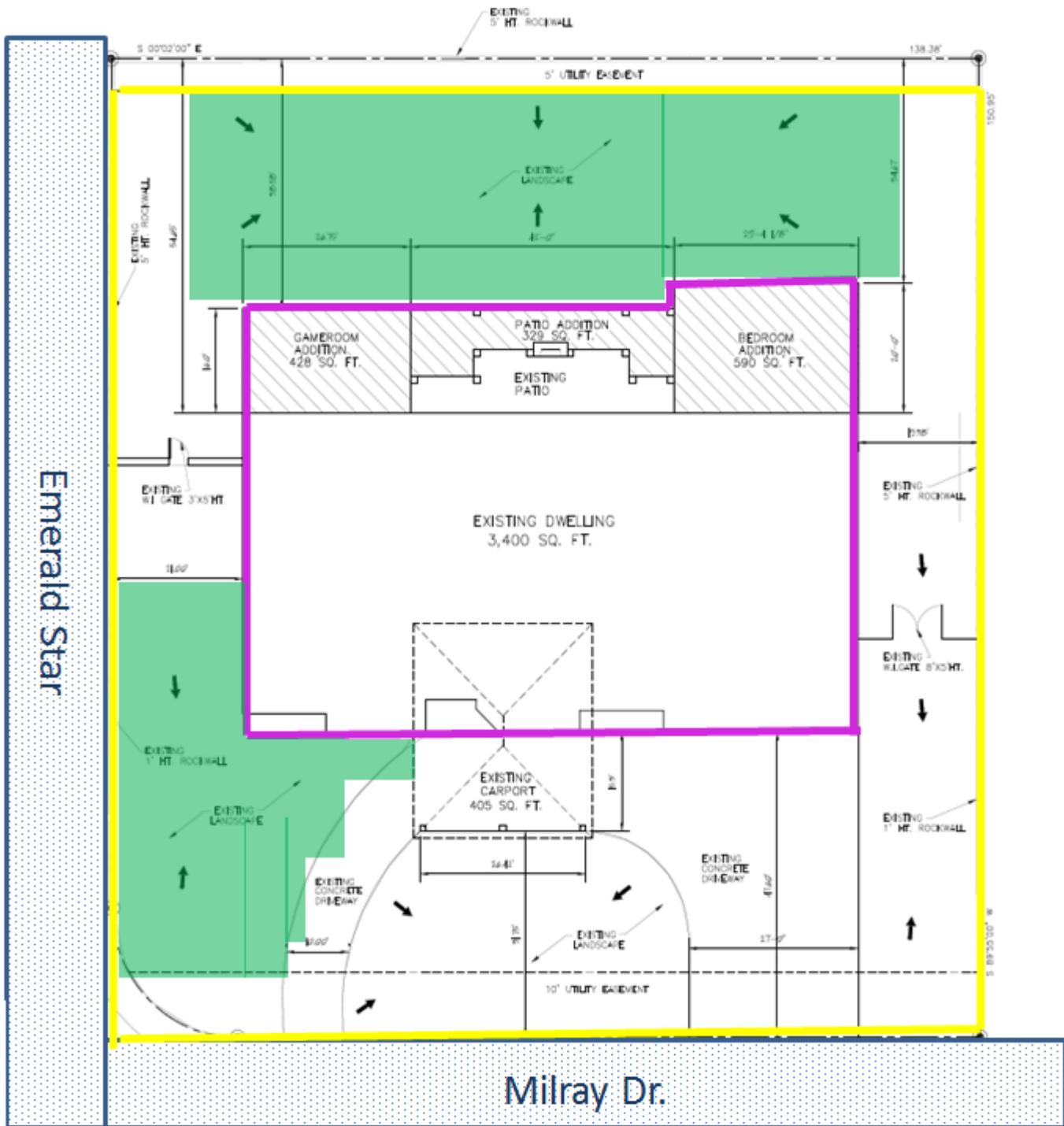
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ATTACHMENT 4: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 5: ELEVATIONS

