



City of El Paso – City Plan Commission Staff Report

Case No: PZST11-00015
Application Type: Special Permit
CPC Hearing Date: December 15, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 5520 Milray Drive
Legal Description: Lot 5, Block 3, Emerald Valley Estates Replat A, City of El Paso, El Paso County, Texas
Acreage: 0.5 acre
Rep District: 1
Zoning: R-1 (Residential)
Existing Use: Vacant
Request: Infill Development to allow reduced cumulative setbacks
Proposed Use: Single-family home
Property Owner: Luis Villareal
Representative: Sergio Martinez-Smart Construction

SURROUNDING ZONING AND LAND USE

North: R-1 (Residential) / vacant, single-family home
South: R-1 (Residential) / single-family home
East: R-1 (Residential) / single-family home
West: R-1 (Residential) / vacant, single-family home

THE PLAN FOR EL PASO DESIGNATION: Residential (Northwest Planning Area)
NEAREST PARK: Valley Creek Park (4,704 feet)
NEAREST SCHOOL: Jose H. Damiam Elementary (13,752 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Neighborhood Association, Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association, Upper Valley Improvement Association

NEIGHBORHOOD INPUT

Notices of the December 15, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on November 30, 2011. The Planning Division has not received any phone calls or letters in support of opposition of the rezoning request.

APPLICATION DESCRIPTION

The site plan shows a proposed 4,200 sq. ft. single-family home, with a swimming pool, cabana and required on-site ponding. Access is proposed via a driveway from Emerald Star Drive.

The R-1 (Residential) district requires a front and rear yard cumulative setback total of 100 ft., with 30 ft. minimum required, front or rear. The applicant is requesting the reduction of the front and rear yard cumulative setback to 67.9 ft., from the required 100 ft.

History

-On November 1, 2011, the City Council approved to waive the requirement that an application for infill development meet two location factors as stated in Section 20.18.280 when only one factor is met, prior to the submission of a special use permit application.

-On May 17, 2007, the City Plan Commission approved a modification to waive sidewalk requirements for Emerald Valley Estates.

-Prior to May 2008, the Zoning Board of Adjustment (ZBA) was authorized to grant exceptions for reductions of yard setbacks with no restrictions regarding new home construction. The ZBA approved approximately 43 applications for reduced yard setbacks for new residences within the Emerald Valley Estates Subdivision. The ZBA now requires that a residence be owner occupied for one year before a special exception for reduction of front and rear yard setback can be granted.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for Infill Development.

Note:

The applicant must ensure that maximum lot coverage, including all buildings and impervious surfaces, do not exceed 50 percent of lot area, in order to meet on-site ponding requirements.

The Plan for El Paso-City-Wide Land Use Goals

All applications for special permit shall demonstrate compliance with the following criteria:

- a. Goal: establish a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities and outlets for social and cultural expression.
- b. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the R-1 (Light Density Residential) is to promote and preserve residential development within the City to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for special permit and offered no objections to Planning Staff's recommendation for approval.

Engineering – Construction Management Division

Plan Review

Caution note that this lot requires on site ponding.

Land Development

Applicant shall comply with the City requirements of residential on-site ponding.

Department of Transportation

Department of Transportation does not object to the proposed special permit and detailed site development plan.

Notes:

-Sidewalks shall comply with Section 19.21 of the El Paso City Code. Sidewalks shall be continuous across driveway and shall comply with ADA standards.

-All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Fire Department

No objections.

Police Department

This zoning adjustment does not present a problem for the police.

Sun Metro

Sun Metro does not oppose this request. Recommends the construction of sidewalk to permit pedestrian access to mass transit opportunities.

El Paso Water Utilities

1. EPWU-PSB does not object to this request.

Water:

2. There is an existing 6-inch diameter water main extending along Milray Drive that is available for service. The water main is located approximately 8 east from the center right-of-way line.

3. EPWU records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 5520 Milray Drive.

Sewer:

4. There is an existing 8-inch diameter sanitary sewer main extending along Milray Drive that is available for service, the sewer main is located approximately 5-feet west from the center right-of-way line.

5. There is an existing 12-inch diameter sanitary sewer main extending along Emerald Drive that is available for service, the sewer main is located approximately 5-feet south from the center right-of-way line.

6. EPWU records indicate an existing sanitary sewer service available for the subject property. The address for this service is 5520 Milray Drive.

General:

7. Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. 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 EPWU – PSB 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.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

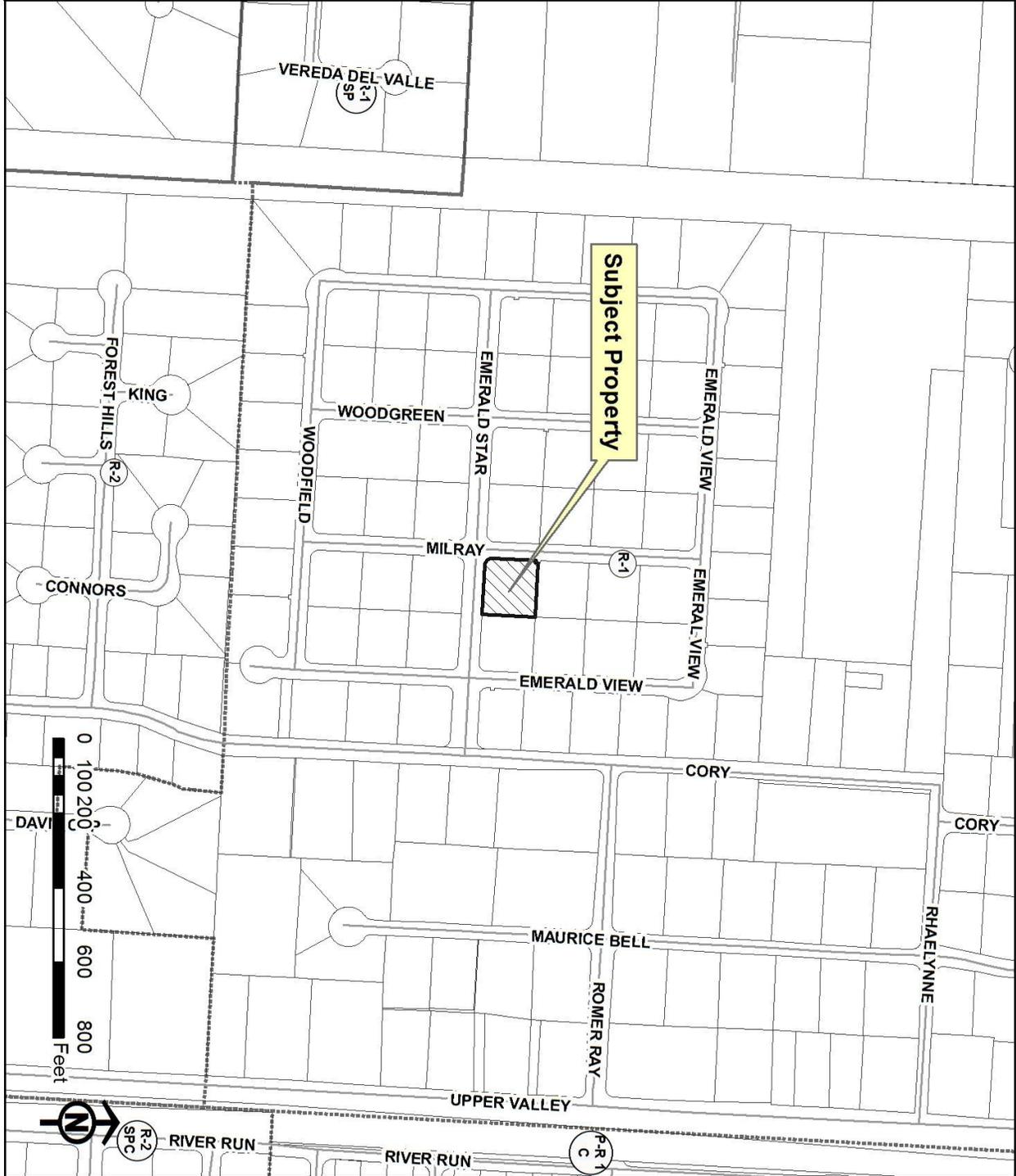
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the special permit and detailed site development plan into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the special permit and detailed site development plan does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Location Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

ATTACHMENT 1: LOCATION MAP

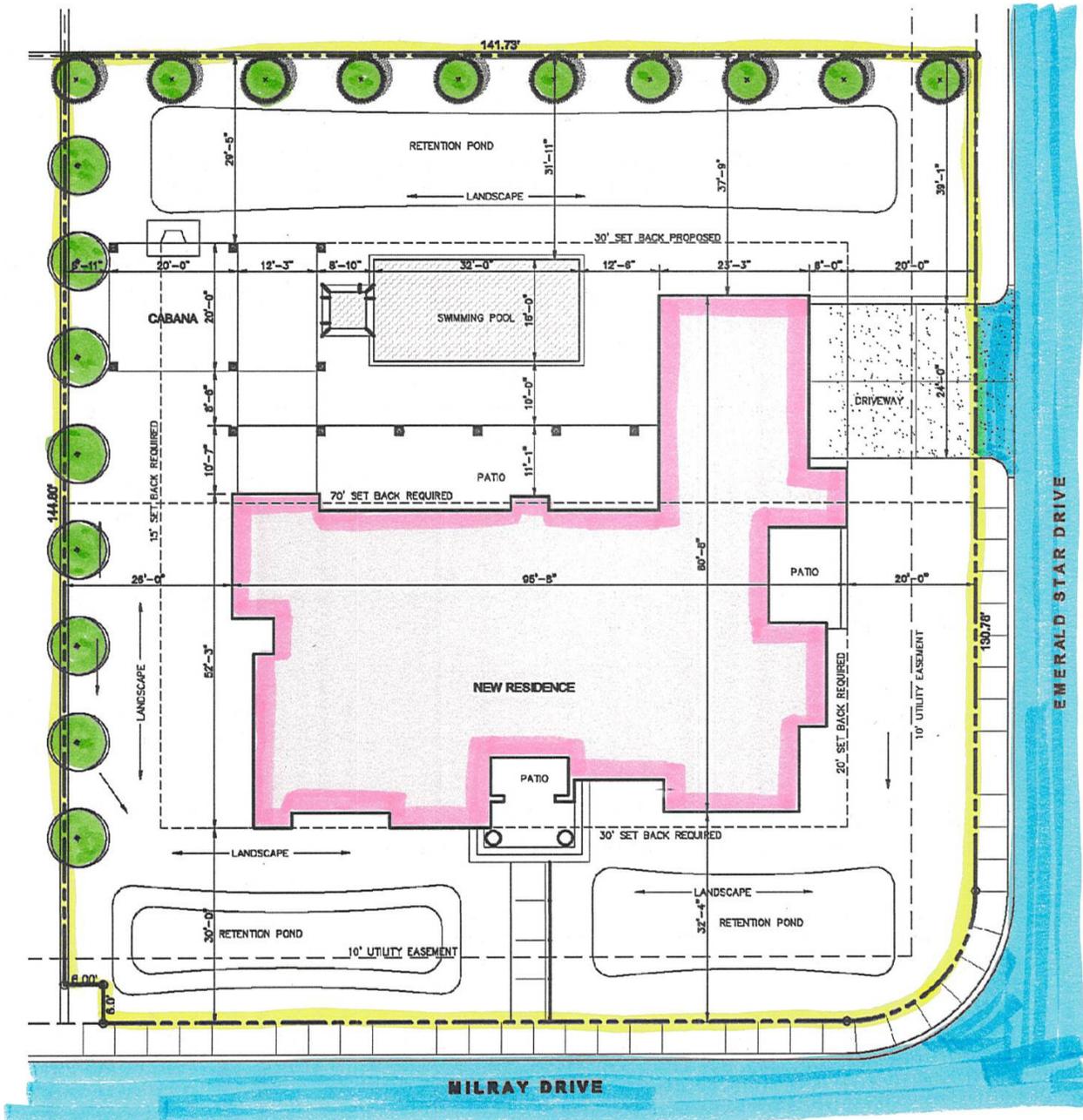
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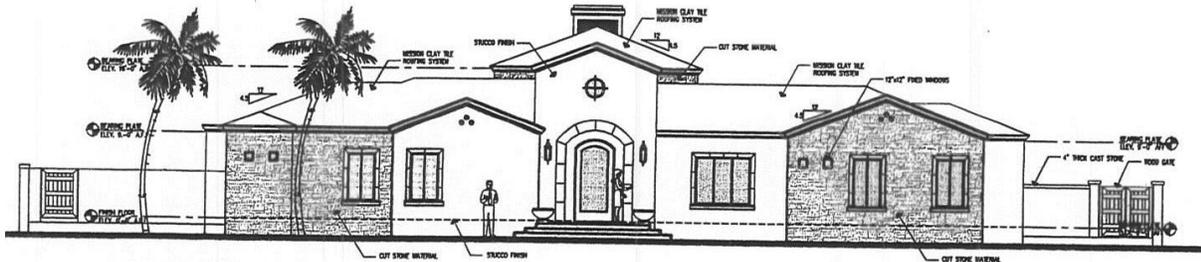
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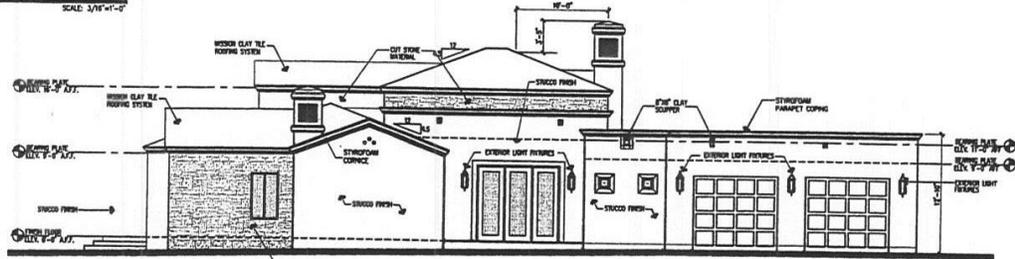
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



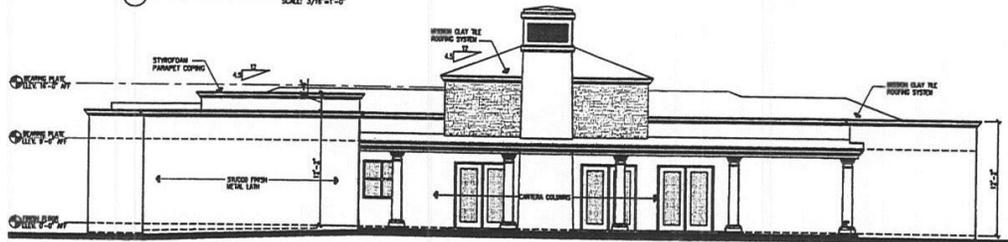
ATTACHMENT 4: ELEVATION



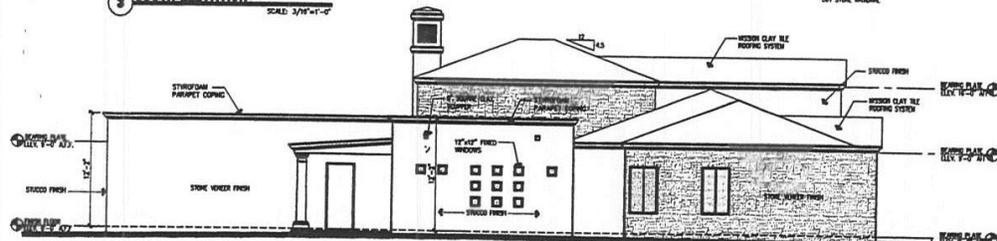
1 NORTH ELEVATION
SCALE: 3/16"=1'-0"



2 WEST ELEVATION
SCALE: 3/16"=1'-0"



3 SOUTH ELEVATION
SCALE: 3/16"=1'-0"



4 EAST ELEVATION
SCALE: 3/16"=1'-0"