

**CITY OF EL PASO, TEXAS**  
**AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Planning and Economic Development Department

**AGENDA DATE:** Introduction: January 10, 2012  
Public Hearing: January 31, 2012

**CONTACT PERSON/PHONE:** Esther Guerrero, (915) 541-4720

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An ordinance granting Special Permit No. PZST11-00012, to allow for infill development with reduced yard setbacks and reduced lot width on the property described as Lot 23 and the East 16.67 feet of Lot 24, Block 62, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3118 Missouri Avenue. Property Owner: Frank Jr. and Maria G. Dominguez. PZST11-00012  
**(District 8)**

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation (5-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Deputy Director-Planning and Economic Development

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST11-00012, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED YARD SETBACKS AND REDUCED LOT WIDTH ON THE PROPERTY DESCRIBED AS LOT 23 AND THE EAST 16.67 FEET OF LOT 24, BLOCK 62, EAST EL PASO ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, Frank Jr. and Maria G. Dominguez, have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a Single-family Residence with reduced yard setbacks and reduced lot width; and,

**WHEREAS**, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

**WHEREAS**, the City Plan Commission has recommended approval of the subject Special Permit; and,

**WHEREAS**, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

**WHEREAS**, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. That the property described as follows is in a **R-5 (RESIDENTIAL)** Zone District:

*Lot 23 and the East 16.67 feet of Lot 24, Block 62, East El Paso Addition, City of El Paso, El Paso County, Texas and as more particularly described by metes and bounds on the attached Exhibit "A"; and,*

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a Single-family Residence with reduced yard setbacks and reduced lot width; and,
3. That this Special Permit is issued subject to the development standards in the R-5 (RESIDENTIAL) District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and,

ORDINANCE NO. \_\_\_\_\_

**PZST11-00012**

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST11-00012 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.**

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy  
Deputy Director – Planning and  
Economic Development Department

**ORDINANCE NO.** \_\_\_\_\_

**PZST11-00012**



**3118 MISSOURI STREET**

**ALL OF LOT 23 AND THE EAST 16.667 OF LOT 24  
BLOCK 62, EAST EL PASO ADDITION**

Metes and Bounds description of all of Lot 23 and the 16.667 of Lot 24, Block 62, East El Paso Addition, City of El Paso, County of El Paso, Texas and being more particularly described as follow;

From a city monument located on the intersection of the monument lines of Cebada Street and Wyoming Street thence North 89° 35' 00" West along the monument line on Wyoming street a distance of six hundred sixty five and no hundredths (665.00) feet for a corner on the intersection of Wyoming Street monument line and the extended east line of lot 23, Block 62, East El Paso Addition; Thence South 00°25'00" West along the extended east line of lot 23 a distance of forty five and no hundredths (45.00) feet to a set rebar on the Northeasterly corner of Lot 23, Block 62, East El Paso Addition said corner lying on the Southerly Right-of-Way line of Missouri Street, said corner also being the Point of Beginning;

Thence South 00° 25' 00" West along the common line of Alley Block 62 (North/South), East El Paso Addition and the easterly lot line of Lot 23, Block 62, East El Paso Addition a distance of one hundred forty and no hundredths (140.00) feet to a set rebar on the southeasterly corner of Lot 23, Block 62, East El Paso Addition, said corner lying the on the northerly Right-of-Way line of Alley Block 62 (East/West), East El Paso Addition;

Thence along the northerly Right-of-Way line of Alley Block 62 (East/West), East El Paso Addition a distance of forty one and sixty seven hundredths (41.67) to a set rebar on the southwest corner of the property being described, said corner lying on the northerly Right-of-Way Line of Alley Block 62 (East/West), East El Paso Addition;

Thence North 00° 25' 00" East along the West Property line of the property being described a distance of one hundred forty and no hundredths (140.00) feet to a set rebar on the northwest corner of the property being described, said corner lying on the southerly Right-of-Way line of Missouri Street;

Thence along the Southerly Right-of-Way line of Missouri Street a distance of forty one and sixty seven hundredths (41.67) feet to a set rebar on the northeasterly corner of Lot 23, Block 62, East El Paso Addition, said corner being the Point of Beginning for this description.

Said Parcel of land contains 5833.80 Sq. Ft. or 0.1339 Acres of land more or less

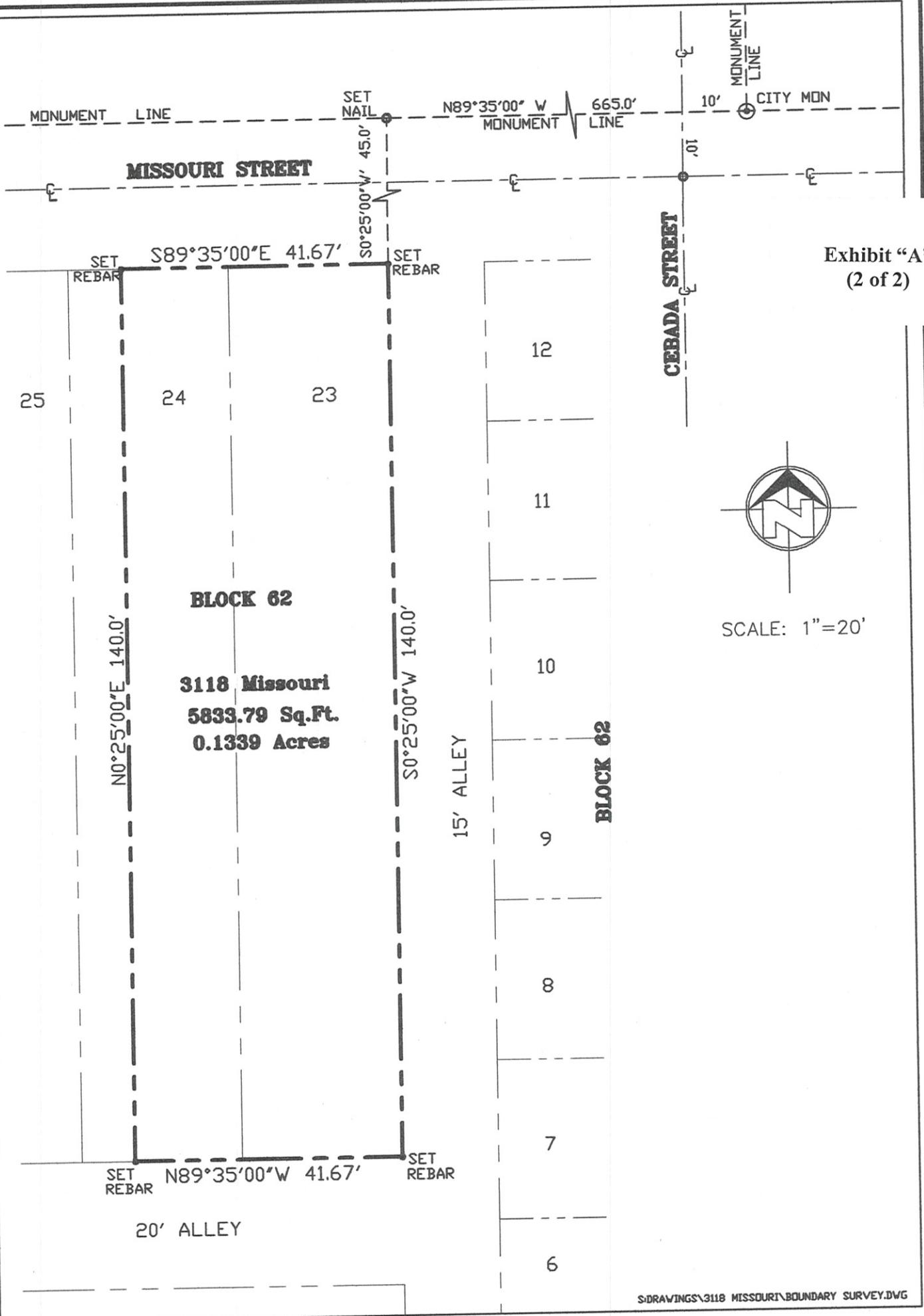


Fermin Dorado, R.P.L.S.

S:\My Files\3118 Missouri\M&B Description.doc  
S:\Drawings\3118 Missouri\Boundary Survey.dwg

February 22, 2011





S:\DRAWINGS\3118 MISSOURI\BOUNDARY SURVEY.DWG

THIS IS TO CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED BY ME OR UNDER MY SUPERVISION.



*Fermin Dorado*  
10/13/11  
REGISTERED PUBLIC SURVEYOR

**3118 MISSOURI AVENUE**  
ALL OF LOT 23 AND THE EAST 16.67' OF LOT 24  
BLOCK 62, EAST EL PASO ADDITION  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

**DORADO**  
ENGINEERING, INC.

ENGINEERS SURVEYORS PLANNERS  
2717 E. YANDELL, EL PASO, TEXAS 79903 (915)362-0002

DATE: 10-07-11
SCALE: 1" = 20'
DRAWN BY: FD
CHECKED BY: FD
FLOOD ZONE: AH
PANEL NUMBER: 480214-0034B
DATED: 10/15/82
ZONING: R-5
VOLUME:
PAGE:



**Date:** January 2, 2012  
**To:** Honorable Mayor and City Council  
Joyce Wilson, City Manager  
**From:** Esther Guerrero, Planner  
**Subject:** **PZST11-00012 Special Permit for Infill Development**

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The City Plan Commission (CPC) on December 15, 2011, voted **5-0** to recommend **approval** of the special permit. The special permit for infill development request is to allow zero side yard setbacks from the required ten ft. abutting the alley and five feet abutting the property to the west; a reduced front and rear yard cumulative setback of 35 ft. from the required 45 ft.; and reduced minimum lot width of 41.67 ft. from the required 45 ft. The property is zoned R-5 (Residential) and is 0.1339 acre in size.

The applicant is proposing a 2,668 sq. ft. single-family home, with a front and rear porch, carport and access from Missouri Avenue.

Staff and Development Coordinating Committee (DCC) recommended approval of the special permit with the condition that the alley be paved to city standards if used for access.

The CPC's recommendation was to approve without conditions.

The CPC found that the special permit is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Central Planning Area. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; and will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no one present at the meeting to speak in favor or in opposition to this request.

**Attachment:** Staff Report

Mayor  
John F. Cook

City Council

*District 1*  
Ann Morgan Lilly

*District 2*  
Susie Byrd

*District 3*  
Emma Acosta

*District 4*  
Carl L. Robinson

*District 5*  
Dr. Michiel R. Noe

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Cortney Carlisle Niland

City Manager  
Joyce A. Wilson





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

**Case No:** PZST11-00012  
**Application Type:** Special Permit  
**CPC Hearing Date:** December 15, 2011  
**Staff Planner:** Esther Guerrero, (915) 541-4720, [guerreroex@elpasotexas.gov](mailto:guerreroex@elpasotexas.gov)

**Location:** 3118 Missouri Avenue  
**Legal Description:** Lot 23 and the East 16.67 feet of Lot 24, Block 62, East El Paso Addition, City of El Paso, El Paso County, Texas  
**Acreage:** 0.1339 acre  
**Rep District:** 8  
**Zoning:** R-5 (Residential)  
**Existing Use:** Vacant  
**Request:** Infill Development to allow reduced setbacks & lot width  
**Proposed Use:** Single-family home  
**Property Owner:** Frank Jr. and Maria G. Dominguez  
**Applicant:** Same  
**Representative:** Same

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

**North:** R-5 (Residential) / single-family residential  
**South:** R-5 (Residential), S-D (Special Development) / alley, upholstery shop  
**East:** R-5 (Residential) / single-family residential  
**West:** R-5 (Residential) / single-family residential

**THE PLAN FOR EL PASO DESIGNATION:** Commercial (Central Planning Area)

**NEAREST PARK:** Mary Webb Park (1,224 feet)

**NEAREST SCHOOL:** Alta Vista Elementary (3,255 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Five Points Development Association, El Paso Central Business 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 29, 2011. The Planning Division has not received any phone calls or letters in support or opposition of this request.

### **APPLICATION DESCRIPTION**

The site plan shows a proposed 2,668 sq. ft. single-family home, including game room with a restroom located in the basement; a front and rear covered porch measuring a total of 552 sq. ft.; and a carport measuring 385 sq. ft. Access is proposed via a driveway from Missouri Avenue.

The applicant is requesting zero-foot side yard setback reductions, from the required ten feet abutting the alley and five feet abutting property to the west; reduced front and rear yard cumulative setback of 35 ft. from the required 45 ft.; and reduced minimum lot width of 41.67 ft. from the required 45 ft.

**PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the special permit and detailed site development plan review request, with the recommendation that the alley be paved to city standards if used for access.

**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: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- d. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

The purpose of the R-5 (Light Residential) district 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 with the condition that the alley(s) be paved to city standards if used for access.

**Engineering – Construction Management Division-Plan Review**

Structures closer than 3 feet to property line require fire separation protection.

**Engineering – Land Development**

- 1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
  - 2. Grading plan and permit shall be required.\*
  - 3. Storm Water Pollution Prevention Plan and/or permit required.\*
  - 4. Drainage plans must be approved by the Engineering and Construction Management Department, Land Development Section.\*
  - 5. The property is under Flood Zone "AH", the applicant shall comply with chapter with Chapter 18.60 Flood Damage Prevention.
  - 6. Preliminary and Final Elevation Certificates are required, and shall be submitted.\*
  - 7. The Subdivision is within Flood Zone "AH"- Panel # 480214 0034 B, dated October 15, 1982.
- \* These requirement will be applied at the time of development.

**Department of Transportation**

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

Note: All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with the current City of El Paso Design Standards for Construction and shall be ADA/TAS compliant.

**Fire Department**

No comments received.

**Sun Metro**

Sun Metro does not oppose this request.

## **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 Missouri Avenue that is available for service. The water main is located approximately 17-ft south from the northern right-of-way line.

3. There is an existing 4-inch diameter water main extending along the alley between Missouri Avenue and Gateway Boulevard West that is available for service. The water main is located approximately 10-ft east from the eastern property line.

4. There is an existing 4-inch diameter water main extending along the alley between San Marcial and Estrella Streets that is available for service. The water main is located approximately 5-ft south from the southern property line.

5. Previous water pressure reading from fire hydrant # 1437 located at the northwest intersection of San Marcial Street and Gateway Boulevard West, have yielded a static pressure of 94 (psi) pounds per square inch, a residual pressure of 78 (psi) pounds per square inch and a discharge of 1163 (gpm) gallons per minute

6. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

7. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 3118 Missouri Avenue.

### **Sewer:**

8. There is an existing 12-inch diameter sanitary sewer main extending along the alley between Missouri Avenue and Gateway Boulevard West that is available for service. The sewer main is located approximately 7-ft east from the eastern property line.

9. There is an existing 8-inch diameter sanitary sewer main extending along the alley between San Marcial and Estrella Streets that is available for service. The sewer main is located approximately 10-ft south from the southern property line.

### **General:**

10. 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

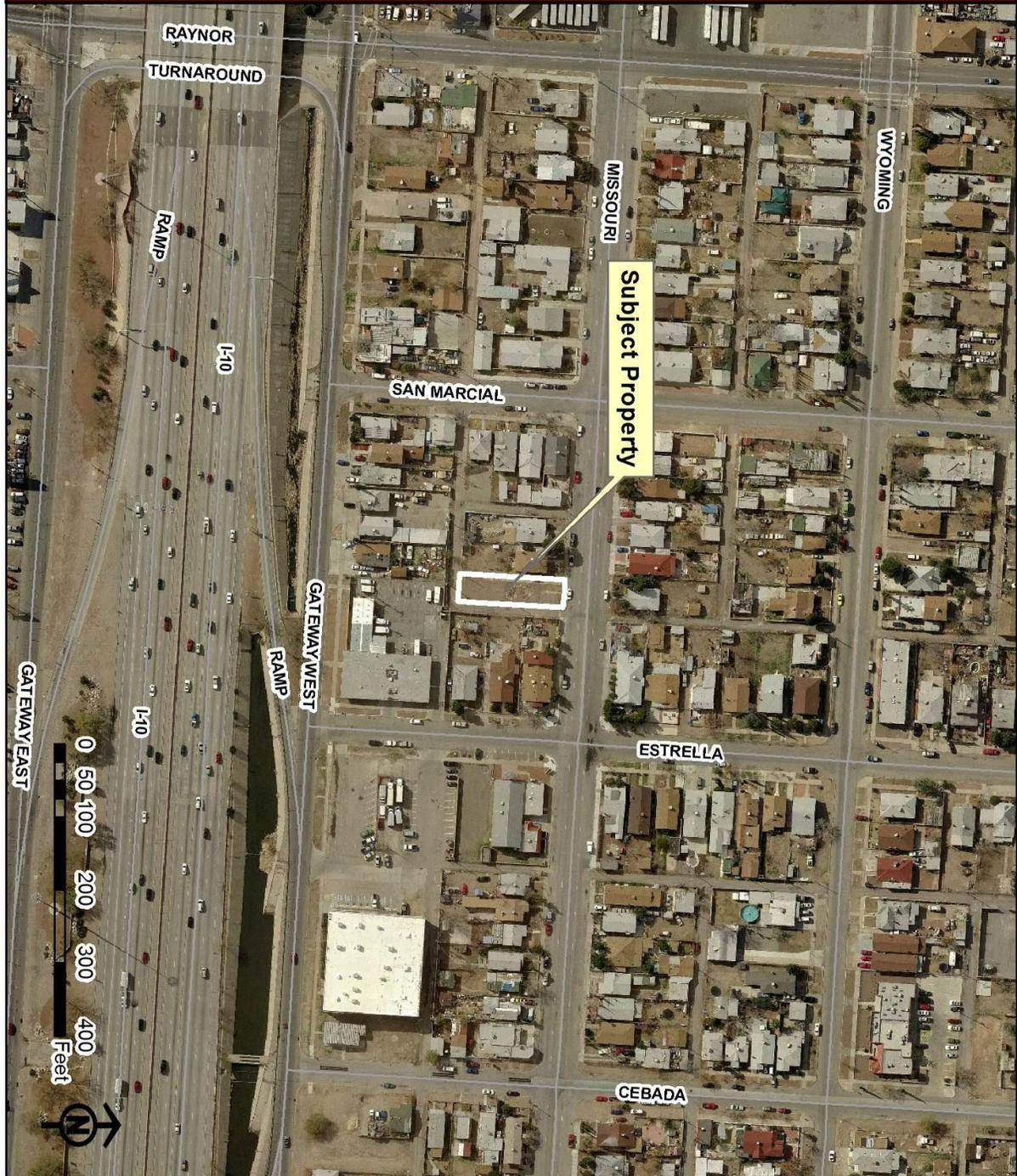
ATTACHMENT 1: LOCATION MAP

PZST11-00012

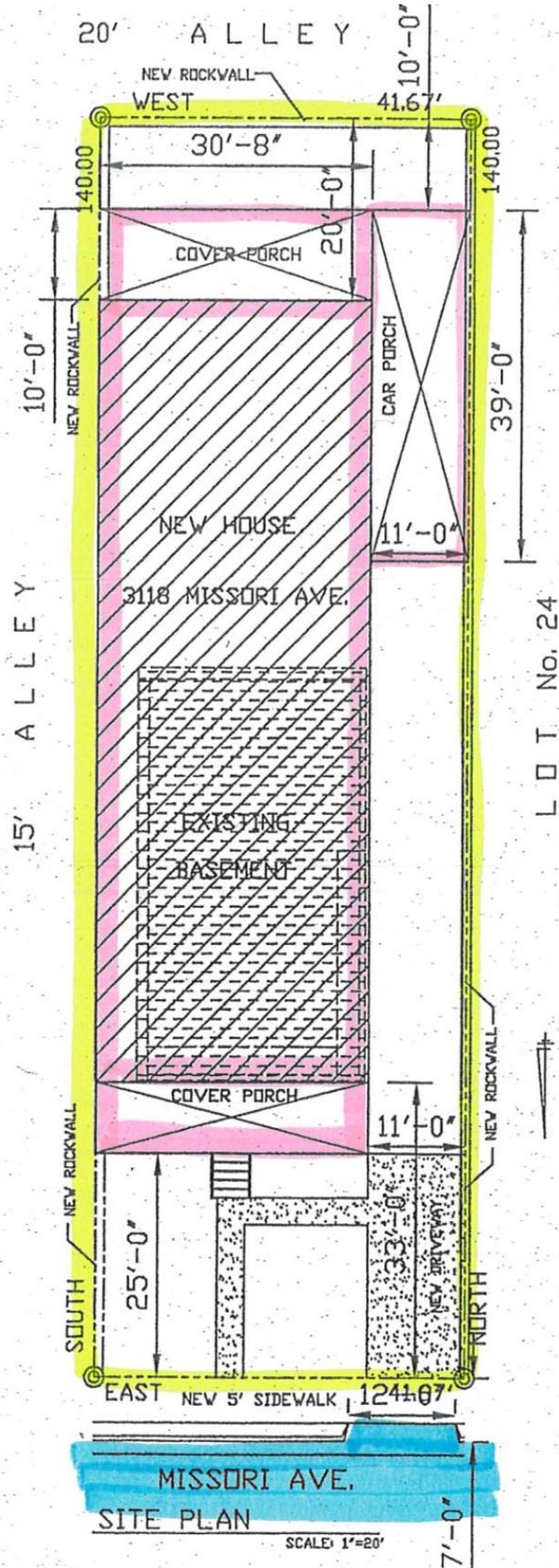


ATTACHMENT 2: AERIAL MAP

PZST11-00012



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



**ATTACHMENT 4: ELEVATIONS**

