

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

**DEPARTMENT:** Development Services - Planning Division  
**AGENDA DATE:** Introduction 02/20/07; Public Hearing 03/13/07  
**CONTACT PERSON/PHONE:** Esther Guerrero, Planner – 541-4720  
**DISTRICT(S) AFFECTED:** # 8

**SUBJECT:**

An Ordinance granting Special Permit No. ZON06-00101, to allow for an infill development on the property described as Lots 31-32, Block 58, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.040 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code.

Subject Property: 3502 E. Missouri Avenue. Applicant: General Contractors & Son, ZON06-00101 (District 8)

**BACKGROUND / DISCUSSION:**

See attached report

**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

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

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

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

**DEPARTMENT HEAD:** Kelly Carpenter

**APPROVED FOR AGENDA:**

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

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00101, TO ALLOW FOR AN INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS LOTS 31-32, BLOCK 58, EAST EL PASO ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO CITY CODE.**

**WHEREAS, General Contractors & Sons**, has applied for a Special Permit under Section 20.14.040 of the El Paso City Code to allow for an infill development; and,

**WHEREAS**, the requirements of Section 20.04.260 have been satisfied; and,

**WHEREAS**, a report was made by 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, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.260 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 an **R-5 (Residential)** District:  
*Lots 31-32, Block 58, East El Paso Addition, City of El Paso, El Paso County, Texas; and,*
2. That the City Council hereby grants a Special Permit under Section 20.14.040 of the El Paso City Code to allow an infill development on the property described in Paragraph 1 of this Ordinance; 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 "A" and is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON06-00101** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and,

5. That the Applicant 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 to the City Plan Commission before building permits are issued.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 200~~6~~<sup>7</sup>.

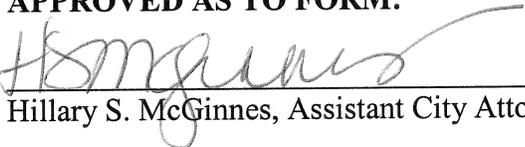
**THE CITY OF EL PASO**

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

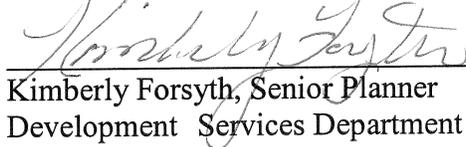
**ATTEST:**

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

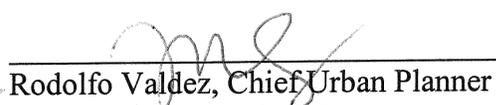
**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Hillary S. McGinnes, Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Kimberly Forsyth, Senior Planner  
Development Services Department

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
FOR: Rodolfo Valdez, Chief Urban Planner  
Development Services Department

**AGREEMENT**

**General Contractors & Sons**, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the **R-5 (Residential) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 29 day of January, 2006<sup>7</sup>.



(Signature)

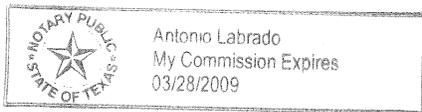
Jose Pinales owner  
(Name/Title)

**ACKNOWLEDGMENT**

THE STATE OF TEXAS )  
  )  
COUNTY OF EL PASO )

A.6 2007 This instrument is acknowledged before me on this 29 day of January,  
2006, by Jose Pinales / owner for **General Contractors & Sons**, as Applicant.

(Seal)



Antonio Labrado  
Notary Public, State of Texas  
Signature

Antonio Labrado  
Printed or Typed Name

My Commission Expires:

3/28/2009

**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**R. ALAN SHUBERT, PE, CB**  
DIRECTOR, DEVELOPMENT SERVICES

**KELLY CARPENTER, AICP**  
DEPUTY DIRECTOR, PLANNING



**CITY COUNCIL**  
ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

February 12, 2007

**TO:** The Honorable Mayor and City Council  
Ms. Joyce A. Wilson

**FROM:** Esther Guerrero, Planner

**SUBJECT: ZON06-00101**

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The City Plan Commission (CPC), on October 5, 2006, voted **(5-0)** to recommend **approval** of the special permit allow for infill development to construct three (two-story) single-family residential dwellings. The property is zoned R-5 (Residential) and is currently vacant, measuring 0.053 acres in size. R-5 (Residential) requires a minimum lot size of 4,500 square feet with minimum yard standards of 20 feet front yard, 5 feet side yard and 25 feet rear yard. The proposed lots will measure approximately 2,340 square feet in size with reduced front yard setbacks of 8 feet and reduced rear yard setbacks of 14.8 feet. R-5 (Residential) with a special permit for infill development allows reduced lots sizes and reduced yard setbacks.

The CPC found that this special permit for infill development is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map, which designates the subject property for commercial land uses. The CPC also determined that this special permit protects the best interest, health, safety, and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the effects of the special permit will have no effects 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 opposing this special permit request.

**STAFF REPORT**

**Special Use Permit:** ZON06-00101

**Property Owner(s):** General Contractors & Sons

**Applicant:** Hugo Pinales

**Representative(s):** Wright & Dalbin Architects / Fred Dalbin

**Legal Description:** Lots 31-32, Block 58, East El Paso

**Location:** 3502 E. Missouri Avenue

**Representative District:** # 8

**Area:** .053 Acres

**Zoning:** R-5 (Residential)

**Existing Use:** Vacant

**Proposed Use:** Single-family Residential (Infill Development)

**Recognized Neighborhood Associations Contacted:** Five Points Neighborhood Association  
A Presidential Neighborhood Association

**Surrounding Land Uses:**

<b>North -</b>	R-5 (Residential) / Single-family Residential
<b>South -</b>	R-5 (Residential) / Single-family Residential
<b>East -</b>	R-5 (Residential) / Single-family Residential
<b>West-</b>	R-5 (Residential) / Single-family Residential

**Year 2025 Designation:** Commercial (Central Planning Area)

**CITY PLAN COMMISSION HEARING, 10/05/2006,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**SPECIAL USE PERMIT: ZON06-00101**

**GENERAL INFORMATION:**

The applicant is requesting a special permit to allow for infill development to construct three (two-story) single-family residential dwellings. The property is currently zoned R-5 (Residential). The site is currently vacant and is 0.053 acres in size. The proposed site plan shows three (two-story) single-family dwellings to be located on site with each lot measuring approximately 2,340 square feet. Access is proposed via Grama Street. There are no zoning conditions currently imposed on this property.

**INFORMATION TO THE COMMISSION:**

The Development Services Department – Planning Division has received no calls or letters in support or opposition to this application.

**STAFF RECOMMENDATION:**

The Development Coordinating Committee (DCC) unanimously recommended **approval** of this special permit request to allow infill development with the following condition:

*If siding is used as a building material, the siding will be restricted to the second floor of one structure only.*

The recommendation is based on the following:

The general design and use regulations for infill development state that any proposed construction shall be designed to consistently relate to the massing and character of the surrounding properties. Design features include, but shall not be limited to, building height, architectural style, building materials, landscape and setbacks.

**The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “develop a balanced and complete community which contains a mix of land uses and densities, a wide range of housing types and styles that respond to the needs of all economic segments of the community.”

**The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for as **Commercial**.

R-5 (Residential) zoning permits infill development by special permit.

The Commission must determine the following:

- A. Will the special permit for infill development protect the best interest, health, safety and welfare of the public in general?
- B. Will single-family residential development be compatible with adjacent land uses?
- C. What is the relation of the proposed special permit for infill development to the City’s Comprehensive Plan?
- D. What effects will the infill development have upon the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole?

## **INFORMATION TO THE APPLICANT:**

### **Development Services Department / Planning Division Notes:**

A special permit for infill development will permit the placement of three single-family residential dwelling units on this parcel of land and is compatible with surrounding land uses. The special permit also allows for reduction in minimum lot size and setbacks.

### **Development Services Department / Building Permits Division Notes:**

#### **Zoning Review:**

R-5 Residential District Development standards for single-family dwellings are as follow: minimum lot area : 4,000 sq. ft.; average lot width: 50 ft.; minimum lot depth: 90 ft.; yard standards - front 20', rear 25', side 5', side street 10'; proposed development does not meet above standards.

#### **Landscape Review**

No landscape required for residential use.

### **Development Services Department / Subdivision Plan Review Notes:**

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
- B. Grading plan and permit shall/may be required.\*
- C. Storm Water Pollution Prevention plan and/or permit shall/may be required.\*
- D. Drainage plans must be approved by the City Engineer.\*
- E. Additional Comments: Site location is located within a Special Flood Hazard Area, Flood Zone(s) AH, Panel(s) 480214 0034 B. Buildings will have to be built at or above the Base Flood Elevation (3705 NGVD)for the area, elevation certificates will be required. Flood Insurance will be mandatory.

\* This requirement will be applied at the time of development.

### **Engineering Department / Traffic Division Notes:**

- A. No apparent traffic concerns with the proposed use for single-family residential.
- B. Sidewalks shall be provided.

### **Fire Department Notes:**

No comments received.

### **El Paso Water Utilities Notes:**

#### **Water**

There is an existing 6-inch diameter water main located along the alley behind the subject property. There are no water mains, fronting the subject property, along Grama Street or Missouri Avenue.

### **Sanitary Sewer**

There is an existing 8-inch diameter sanitary sewer main located along the alley behind the subject property. There are no sewer mains, fronting the subject property, along Grama Street or Missouri Avenue.

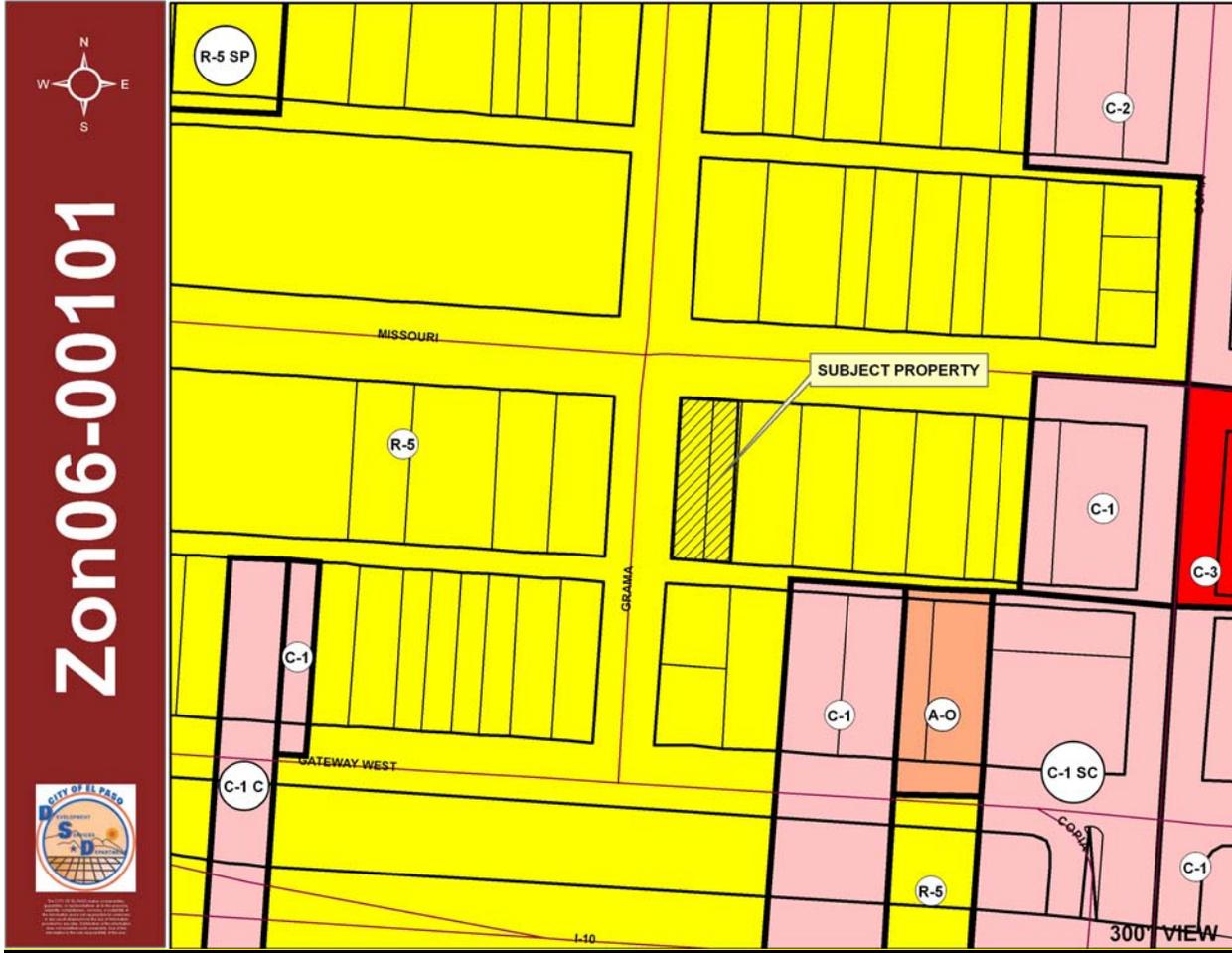
### **General**

- A. Water and sanitary sewer main extensions, along Grama Street, are required to serve the proposed development within the subject property.
- B. A water pressure regulating device is required at the discharge side of each water meter. The Owner shall be responsible for the operation and maintenance of the above-mentioned water pressure regulating device.
- C. Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application.
- D. 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.

EPWU does not object to this request.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEVELOPMENT SERVICES DEPARTMENT / PLANNING DIVISION (915) 541-4056.

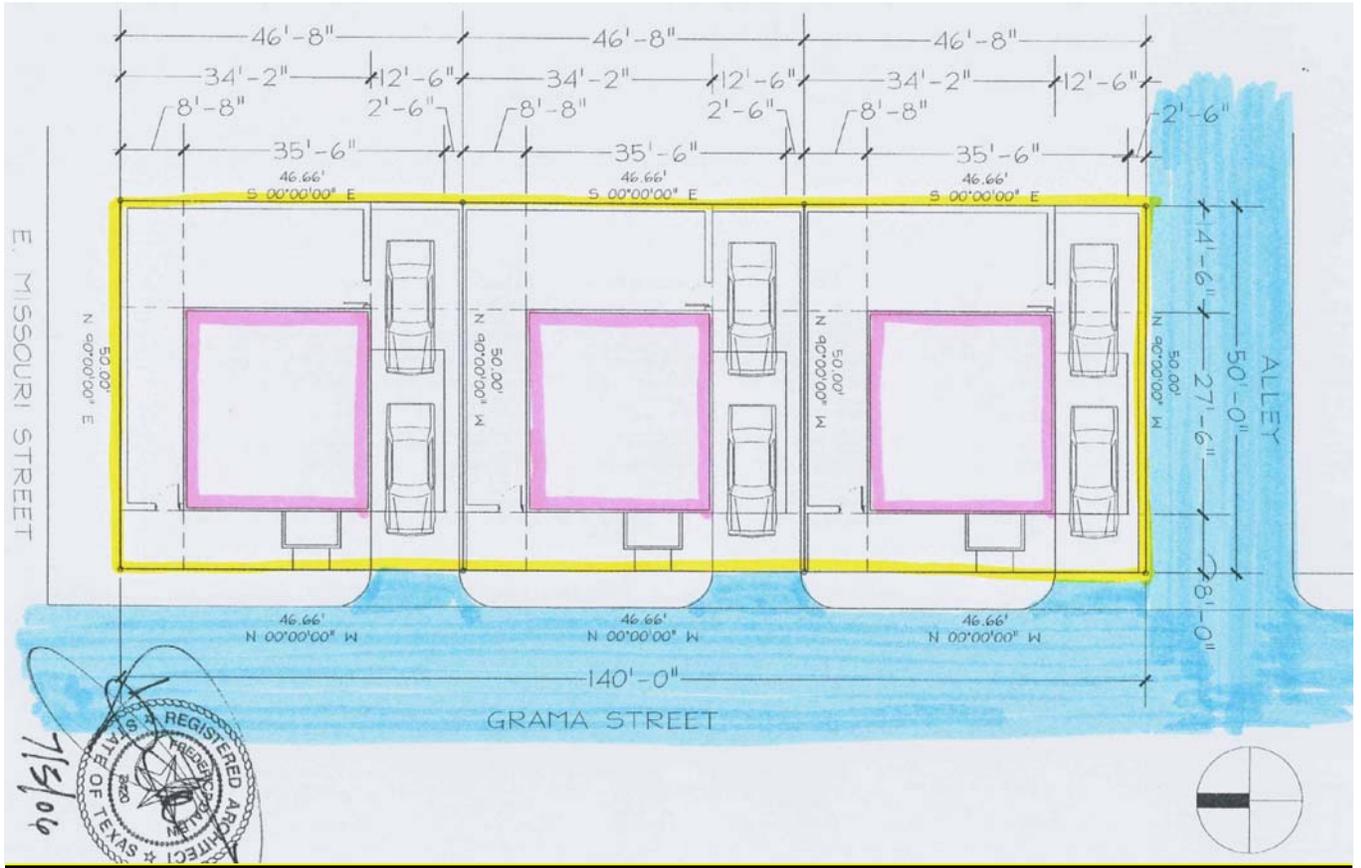
LOCATION MAP



**AERIAL**



# SITE PLAN



# ELEVATIONS

