

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: February 13, 2007
Public Hearing: March 6, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON06-00127, to allow for an infill development on the property described as Lots 21-30, Block 103, Supplemental Map No. 1 of East El Paso, 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: South of Bisbee Avenue and West of San Marcial Street. Applicant: Miguel Andrade Jr. ZON06-00127 (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) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-1)

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Schubert

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00127, TO ALLOW FOR AN INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS LOTS 21-30, BLOCK 103, SUPPLEMENTAL MAP NO. 1 OF EAST EL PASO, 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, Miguel Andrade, Jr., 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 Section 20.14.040 allows for infill development by Special Permit; 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 the application conforms to all requirements of Section 20.04.320D 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)** District:
Lots 21-30, Block 103, Supplemental Map No. 1 of East El Paso, 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. ZON06-00127** 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 _____, 2007.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

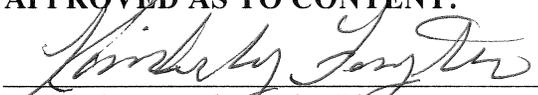
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Lupe Cuellar, Assistant City Attorney

APPROVED AS TO CONTENT:



Kimberly Forsyth, Senior Planner
Development Services Department

AGREEMENT

Miguel Andrade, Jr., 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 25 day of JANUARY, 2007.

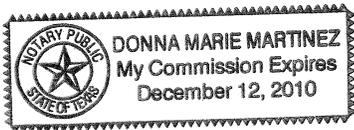
Miguel Andrade Jr.
(Signature)
Miguel ANDRADE Jr.
(Name/Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 25th day of January, 2007, by *Donna Marie Martinez* for **Miguel Andrade, Jr.**, as Applicant.

(Seal)



Donna Marie Martinez
Notary Public, State of Texas
Signature
Donna Marie Martinez
Printed or Typed Name

My Commission Expires:
December, 12, 2010

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING



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BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
MEMORANDUM

DATE: February 1, 2007

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Melissa Granado, Planner

SUBJECT: **ZON06-00127**

The City Plan Commission (CPC), on January 4, 2007, voted **6-1** to recommend **APPROVAL** of a special permit request for infill development to allow residential development with reduced lot width, concurring with Staff's recommendation.

The CPC found that the special permit is in conformance with The Plan for El Paso Citywide land use goals that El Paso "provide a wide range of housing types that respond to the needs of all economic segments of the community." The CPC found that the proposed infill development will not have an adverse impact on the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole. The CPC also determined that the special permit for infill development protects the best interest, health, safety, and welfare of the public in general.

There was no opposition to this request.

Attachment: Staff Report



ZON06-00127

Application Type:	Special Permit
Property Owner(s):	Miguel Andrade, Jr.
Representative(s):	ATCON Engineering & Surveying
Legal Description:	Lots 21-30, Block 103, of Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas
Location:	South of Bisbee Avenue and West of San Marcial Street
Representative District:	8
Area:	0.47 acres
Zoning:	R-5 (Residential)
Request:	Infill development to allow residential development with reduced lot width
Recognized Neighborhood	
Associations Contacted:	Five Points Neighborhood Association, Central Neighborhood Association
Public Response:	None
Surrounding Land Uses:	North: Railroad, South: R-5 / Single-family Residential East: R-5 / Single-family Residential, West: Railroad
Year 2025 Designation:	Mixed Use, Residential (Central Planning Area)



General Information:

The applicant requests a special permit for infill development to allow duplex residential development with reduced lot width. The site plan proposes three duplexes on the site, meeting lot area and setback requirements of the R-5 (Residential) District. The infill request for reduced lot width pertains to the easterly lot, for which the average lot width is approximately forty feet. The required average lot width for a duplex in the R-5 (Residential) District is fifty (50) feet. Access is proposed via Bisbee Avenue. There are no zoning conditions currently on this property.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this special permit request.

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “provide a wide range of housing types 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 **Mixed Use** and **Residential** land uses.
- **R-5 (Residential) zoning** permits infill development by special permit.

Findings:

The Commission must determine the following:

1. Will the special permit for infill development to allow residential development with reduced lot width protect the best interest, health, safety and welfare of the public in general?
2. Will the special permit for infill development be compatible with adjacent land uses?
3. What is the relation of the proposed special permit to the City’s Comprehensive Plan?
4. What effects will the proposed special permit have on the natural environment, social and economic conditions and property values in the vicinity and the city as a whole?

Development Services - Building Permits and Inspections Division Notes:

Zoning: Proposed R-5 Residential development meets minimum lot size and yard standards for two-family dwelling units except for the easterly lot. The width average of this lot is 40.77 ft. This district requires a minimum of 50 ft. average lot width for two-family dwelling units.

Landscaping: Landscaping not required for residential use.

Development Services - Planning Division Notes:

Current Planning: Recommends approval. The proposed use is compatible with surrounding development and in conformance with the projected land use for the area.

Land Development: No comments received.

Engineering Department, Traffic Division Notes:

- No apparent traffic concerns.
- Driveway details proposed for the location are approved.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

Water: Along the railroad company right-of-way located between Raynor Street and San Marcial Street there is an existing sixteen (16) inch diameter water main. Along the alley located north and parallel to Douglas Street, between Raynor Street and San Marcial Street there is an existing four (4) inch diameter water main. Previous water pressure readings conducted on a fire hydrant located at the corner of Raynor Street and Douglas Street have yielded a static pressure of 69 pounds per square inch (psi), residual pressure of 68 psi, discharge of 1,034 gallons per minute (gpm).

Sanitary Sewer: Along the railroad company right-of-way located between Raynor Street and San Marcial Street there are no existing sanitary sewer mains. Along the alley located north and parallel to Douglas Street, between Raynor Street and San Marcial Street there is an existing eight (8) inch diameter sanitary sewer main.

General: Water service is available from the described existing four (4) inch diameter water main located along the alley. No water service is available from the described existing sixteen (16) inch diameter water main located along the railroad company right-of-way. Depending on the size of water services required for these Properties, upgrade of the existing four (4) inch diameter water main may be required as a result of this proposed development. All costs associated with the required upgrades to the water and/or sanitary sewer systems will be the responsibility of the Developer.

In the event that the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. 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.

Frontage fees may be due from the Owner/Developer for the above described existing water and sanitary sewer mains. The El Paso Water Utilities (EPWU) will determine the amount due once the Owner/Developer makes an official new service application with EPWU. The Owner/Developer is responsible for all frontage fees, as well as all water and sanitary sewer service installation costs.

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. The certificate-of-compliance can be obtained on the 5th floor at City Hall. 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.



ZON06-00127

