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

DEPARTMENT: Planning and Economic Development, Planning Division

AGENDA DATE: Introduction: April 3, 2012
Public Hearing: May 1, 2012

CONTACT PERSON/PHONE: Michael McElroy, 541-4238, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 4

SUBJECT:
An Ordinance granting special permit No. PZST12-00001, to allow for a planned residential development overlay with reduced cumulative setbacks on Lots 4 through 24, Block 36, Sandstone Ranch #8, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.270 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Northtowne Village Joint Venture. Subject Property: North of Marcus Uribe Drive and West of Sean Haggerty Drive. PZST12-00001 (District 4)

BACKGROUND / DISCUSSION:
See attached report.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation (4-1)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew McElroy
Deputy Director, Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____ DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00001, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT OVERLAY WITH REDUCED CUMULATIVE SETBACKS ON LOTS 4 THROUGH 24, BLOCK 36, SANDSTONE RANCH #8, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.270 (ZONING) OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Northtowne Village Joint Venture, has applied for a Special Permit under Section 20.04.270 of the El Paso City Code, to allow for a planned residential development overlay to permit reduced cumulative setbacks; 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, except to the extent waived by City Council, the application conforms to all requirements of Section 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 **R-5 (Residential)** District:

   Lots 4 through 24, Block 36, Sandstone Ranch #8, City of El Paso, El Paso County, Texas; and,

2. That a planned residential development overlay is authorized by Special Permit in **R-5 (Residential)** district under Section 20.08.030 of the El Paso City Code; and,

3. That the requirements for a planned residential development overlay under Section 20.04.270 have been satisfied; and,

4. That the City Council hereby grants a Special Permit under Section 20.04.270 of the El Paso City Code, in order to allow a planned residential development overlay on the above-described property to allow for Planned Residential with reduced cumulative setbacks; and,

5. That this Special Permit is issued subject to the development standards in the **R-5 (Residential)** district regulations and subject to the approved 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 incorporated herein by reference for all purposes; and,

6. Further, that the property described herein be subject to the following condition which is necessitated by and attributable to the increased intensity of use generated due to the reduced setbacks and reduced lot depths in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

"The Applicant, and subsequent property owners, shall be prohibited from submitting an application and requesting further reductions in setbacks by the Zoning Board of Adjustment"; and,

7. 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 of the City Plan Commission before building permits are issued; and,

8. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. PZST12-00001** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

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 McElroy, Deputy Director-Planning
and Economic Development Department

AGREEMENT

Northtowne Village Joint Venture, Owner, 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 _____ day of _____, 2012.

Northtowne Village Joint Venture:

By: _____
(name/title)

_____
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of

_____, 2012, by _____, for **Northtowne Village Joint Venture, as Owner**.

My Commission Expires:

_____
Notary Public, State of Texas

Notary's Printed or Typed Name:

_____

EXHIBIT "A"

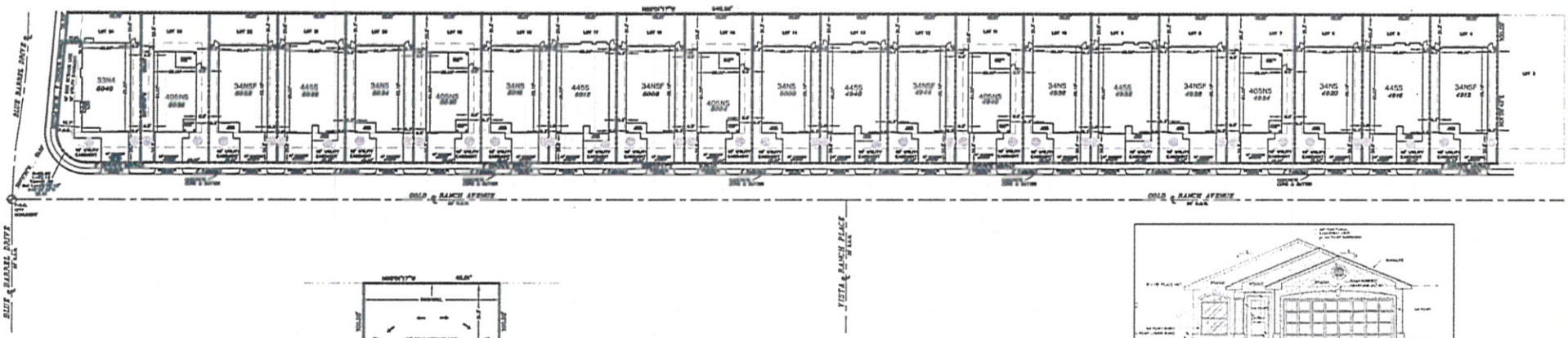
STATE OF TEXAS
JORGE A. GARCIA
86437
LICENSED
PROFESSIONAL ENGINEER

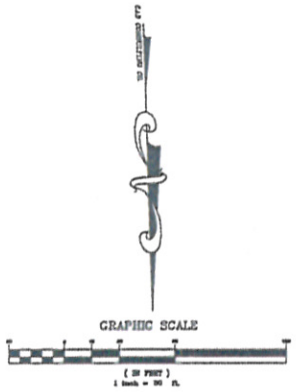
1/13/12

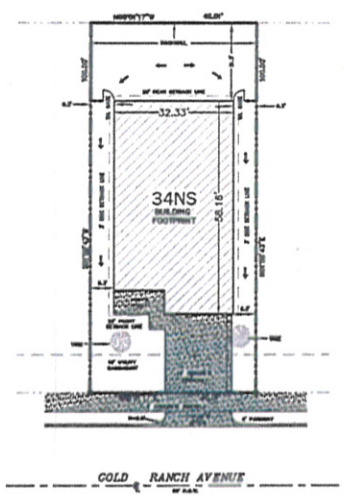
SITE DEVELOPMENT PLAN

BEING ALL OF LOTS 4, THROUGH 24, BLOCK 36,
SANDSTONE RANCH UNIT EIGHT
CITY OF EL PASO, EL PASO COUNTY, TX.
SEE EXHIBIT "A"
95,236.13 SQ. FT.
OR 2.1863 ACRES ±

STATE OF TEXAS
REGISTERED
CARLOS M. JIMENEZ
3950
PROFESSIONAL
LAND SURVEYOR







TYPICAL LOT
SCALE: 1"=60'

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of the Lots 4 through 24, Block 36, Sandstone Ranch Unit Eight, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found city monument located on the centerline of Blue Barrel Drive (80' R.O.W.) and Gold Ranch Avenue (80' R.O.W.), THENCE, leaving said intersection centerline, South 34°11'20" West, a distance of 50.29 feet to the POINT OF BEGINNING of the herein described parcel;

THENCE, South 07°04'26" West, a distance of 78.53 feet to a point;

THENCE, North 88°01'17" West, a distance of 848.99 feet to a point;

THENCE, North 01°56'43" East, a distance of 100.00 feet to a point;

THENCE, South 88°01'17" East, a distance of 936.01 feet to a point;

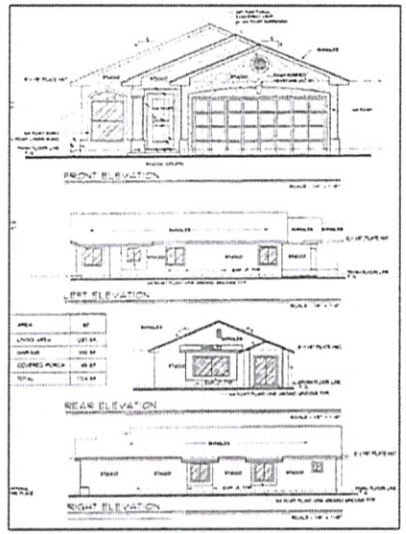
THENCE, 33.19 feet along the arc of a curve to the right whose radius is 20.00 feet, whose interior angle is 98°06'43", whose chord bears South 40°28'26" East, a distance 29.51 feet to the POINT OF BEGINNING of the herein described parcel and containing 95,236.13 square feet or 2.1863 acres of land more or less.

EXISTING:
MINIMUM YARD SETBACKS AS PER ZONE R-5

FRONT	20 FEET
REAR	25 FEET
SIDE ABUTING STREET	10 FEET
SIDES	5 FEET
DISTANCE BETWEEN BUILDINGS	10 FEET
CUMULATIVE	45 FEET
SINGLE FAMILY HOME	

PROPOSED:
MINIMUM YARD SETBACKS AS PER ZONE R-5

FRONT	20 FEET
REAR	20 FEET
SIDE ABUTING STREET	10 FEET
SIDES	5 FEET
DISTANCE BETWEEN BUILDINGS	10 FEET
CUMULATIVE	40 FEET
SINGLE FAMILY HOME	



CONSULTING COMPANY
1790 N. LEE TREVINO DR. SUITE 503
EL PASO, TEXAS 79936
TEL (915) 633-6422

PLANNING AND ECONOMIC DEVELOPMENT
PLANNING DIVISION

MEMORANDUM

DATE: **3/27/12**

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

FROM: Michael McElroy, Planner

SUBJECT: **SPECIAL PERMIT PZST12-00001**

The City Plan Commission (CPC), on 3/8/2012 voted 4-1 to recommend **APPROVAL**, concurring with Staff's recommendation.

The CPC found that this special permit request 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. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general; and that Residential Development is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request.

Attachment: Staff Report

City of El Paso – City Plan Commission Staff Report

Case No:	PZST12-00001
Application Type:	Special Permit
CPC Hearing Date:	March 8, 2012
Staff Planner:	Michael McElroy, 915-541-4238, *mcelroyms@elpasotexas.gov*
Location:	North of Marcus Uribe Drive and West of Sean Haggerty Drive
Legal Description:	Lots 4 through 24, Block 36, Sandstone Ranch #8, City of El Paso, El Paso County, Texas
Acreage:	2.1863 acres
Rep District:	4
Zoning:	R-5 (Residential)
Existing Use:	Vacant
Request:	Reduction in setback and cumulative
Proposed Use:	Single family housing
Property Owner:	Northtowne Village Joint Venture
Representative:	CAD Consulting

SURROUNDING ZONING AND LAND USE

North:	R-3A (Residential) / Vacant
South:	R-3A (Residential) / Single family dwelling
East:	R-3A (Residential) / Single family dwelling C-1/c (Commercial/condition) / Vacant
West:	R-3A (Residential) / Single family dwelling

Plan for El Paso Designation: Northeast (Residential)
Nearest Park: Veterans (6,337 ft.)
Nearest School: Tom Lea Elementary (450 ft.)

NEIGHBORHOOD ASSOCIATIONS

None

NEIGHBORHOOD INPUT

Notices of the March 8, 2012 public hearing were mailed to all property owners within 300 feet of the subject property on February 13, 2012. The Planning Division did not receive any phone calls or letters in support or opposition to the request.

APPLICATION DESCRIPTION

The property owner is requesting a special permit to reduce the required minimum rear yard setback from 25 ft. to 20 ft. as well as reduce the cumulative setback from 45 ft. to 40 ft. for 20 single family lots.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **Approval** of the special permit request. The special permit request complies with Section 20.04.270 and the request is compatible with the surrounding land uses.

The Plan for El Paso –City-wide Land Use Goals
All applications for special permit and detailed site development plan shall demonstrate compliance with the following criteria:

a. Goal: provide and enforce standards for providing decent, safe and sanitary housing for all El Pasoans in accordance with federal, state, and local regulations.
b. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
c. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

The purpose of R-5 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 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 detailed site development plan and offered no objections to Planning Staff's recommendation for **Approval**.

Building Permits & Inspections
Recommend Approval

Department of Transportation
Department of Transportation does not object to the proposed special permit.
Notes: 1. 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. 2. 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. Should your office or the applicant have any questions or comments regarding these issues, please contact Sandra Hernandez at 541-4152.

Sun Metro
Sun Metro does not oppose this request.

El Paso Water Utilities
1. EPWU-PSB does not object to this request.
2. The Owner/Developer of Sandstone Ranch Unit 8 has entered into a Development Agreement with the El Paso Water Utilities – Public Service Board (EPWU-PSB) to construct the proposed water and sanitary sewer mains to provide service to the subject properties. The Developer's utility contractor is currently finalizing the construction of the required water and sanitary sewer mains. However, these mains are not available for permanent service until EPWU-PSB issues a Letter of Final Acceptance of the facilities.

Police Department
N.E.R.C.C. supervisory staff have reviewed attached special permit request for proposal of reduction in setback and cumulative of dwellings at 5100 block of Gold Ranch, and have no comments or objections to add.

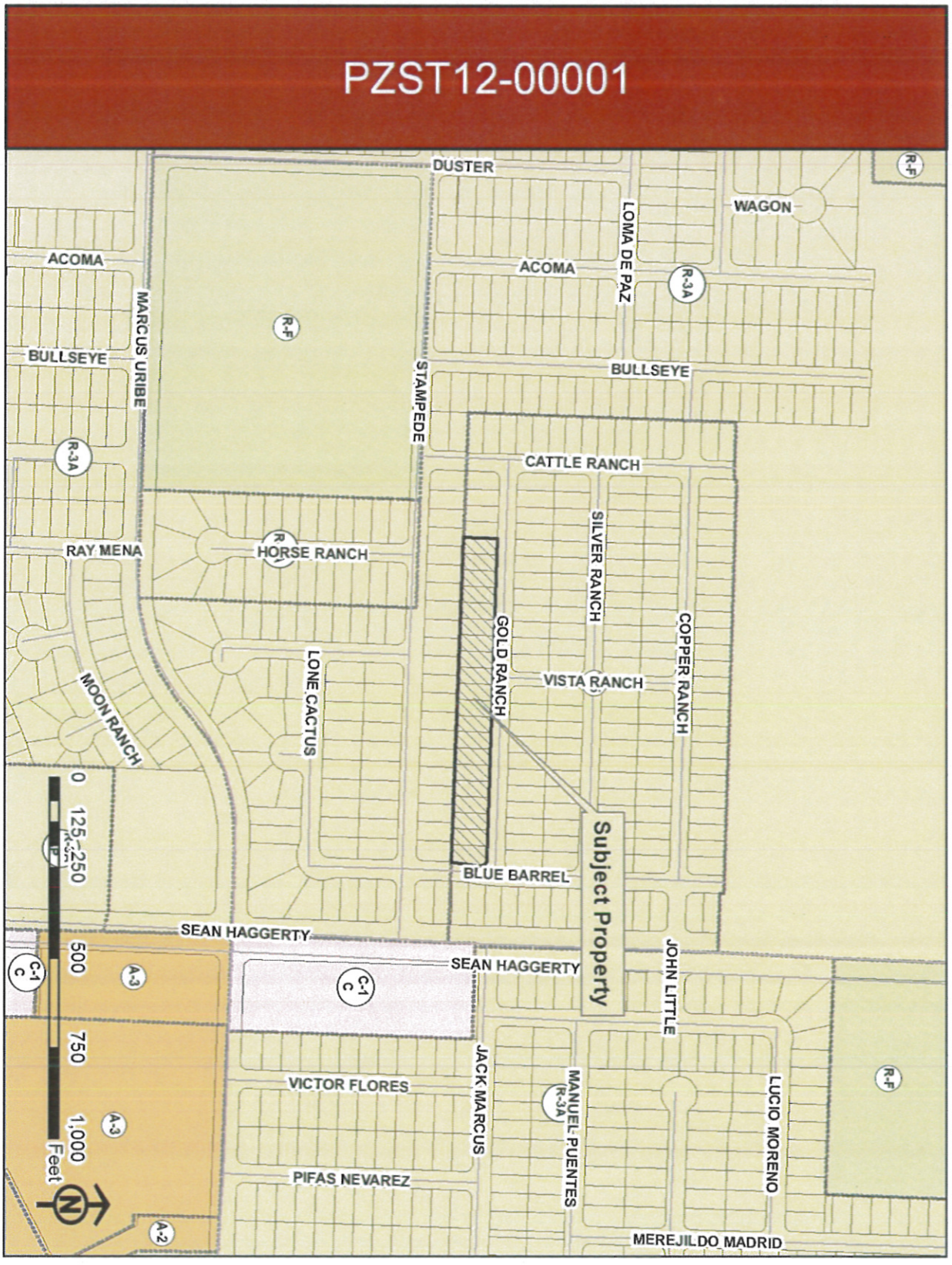
CITY PLAN COMMISSION OPTIONS
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

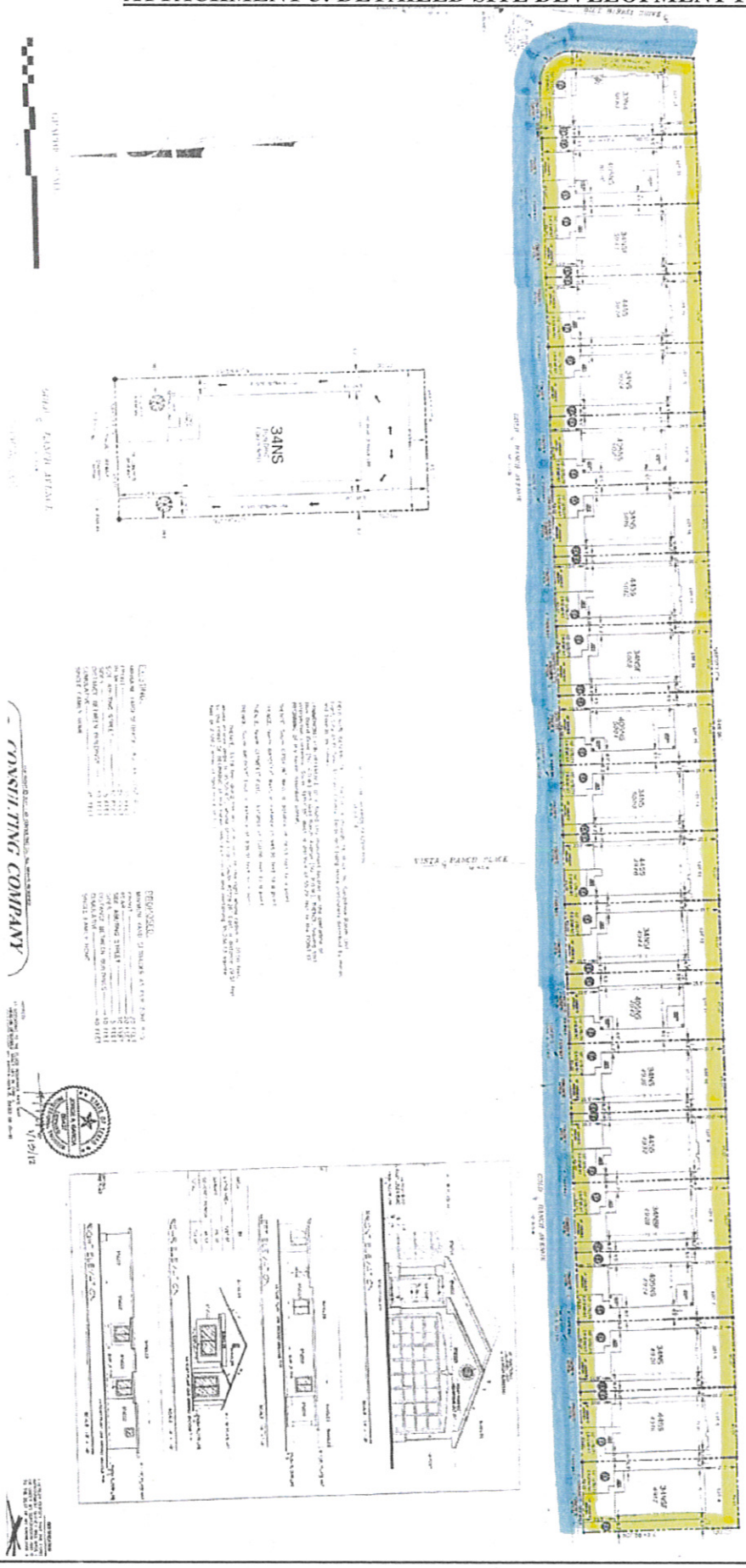
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with 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. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN