

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

DEPARTMENT: Development Services Department Planning Division

AGENDA DATE: Introduction: April 4, 2006
Public Hearing: April 25, 2006

CONTACT PERSON/PHONE: Mirian Spencer, 541-4723

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No ZON06-00023, to allow for infill development on a portion of Lots 31 and 32, East El Paso Addition, El Paso, El Paso County, Texas, Pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 200 South Grama Street. Applicant: Bingham Investments. ZON06-00023 (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) – Unanimous Approval Recommendation

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00023, TO ALLOW REDUCED SETBACKS ON A PORTION OF LOT 31 AND LOT 32, BLOCK 7, EAST EL PASO ADDITION, EL PASO, EL PASO COUNTY, TEXAS FOR INFILL DEVELOPMENT. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

WHEREAS, David Bingham/Bingham Investments have applied for a Special Permit under Section 20.24.040 of the El Paso City Code, to allow for a Special Permit to allow reduced setbacks for infill development; 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 held a public hearing and recommended approval of the subject Special Permit; 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 20.08.207 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 **A-3 (Apartment)** District:

Portion of Lots 31 and 32, Block 7, East El Paso Addition, El Paso, El Paso County, Texas, and as more particularly described on the attached metes and bounds labeled Exhibit "A".

2. That infill development is authorized by Special Permit in **A-3 (Apartment)** districts under Section 20.24.040 of the El Paso City Code; and,

3. That the requirements for an infill development under Section 20.08.207 have been satisfied; and,

4. That the City Council hereby grants a Special Permit under Section 20.24.040 of the El Paso City Code, in order to allow reduced setbacks for an infill development on the above-described property; and,

5. That this Special Permit is issued subject to the development standards in the **A-3 (Apartment)** 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 "B" and incorporated herein by reference for all purposes; and,

6. 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,

7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON06-00023** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2006.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

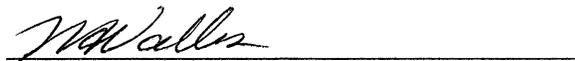
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:



Christina Valles, Planner II
Development Service Department

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

Being a Portion of Lots 31 and 32, Block 7,
East El Paso
City of El Paso, El Paso County, Texas

September 16, 2005

METES AND BOUNDS DESCRIPTION

FIELD NOTE DESCRIPTION of a parcel of land being a Portion of Lots 31 and 32, Block 7, East El Paso, 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 chiseled cross located at the common boundary line of Lot 30 and Lot 31, same being the southerly right-of-way line of Pera Avenue (70' R.O.W.); **THENCE**, leaving said southerly right-of-way line of Pera Avenue and along said common boundary line of Lot 30 and Lot 31, South 00°00' 00" East, a distance of 70.00 feet to the **POINT OF BEGINNING** of the herein described parcel;

THENCE, continuing along said common boundary line, South 00°00' 00" East, a distance of 70.00 feet to a point;

THENCE, leaving said common boundary line, South 90°00' 00" West, a distance of 50.00 feet to a point;

THENCE, North 00°00' 00" West, a distance of 70.00 feet to a point;

THENCE, North 90°00' 00" East, a distance of 50.00 feet to the **POINT OF BEGINNING** of the herein described lot and containing 3,500.00 square feet or 0.0803 Acres of land more or less.



Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950

CAD CONSULTING COMPANY.
1790 Lee Trevino Suite #503
El Paso, Texas 79936
(915) 633-6422
252340B.wpd

EXHIBIT A

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR



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**

March 24, 2006

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

FROM: Mirian Spencer, Urban Planner

SUBJECT: ZON06-00023
A portion of Lots 31 and 32, East El Paso Addition, El Paso, El Paso County,
Texas

LOCATION: 3500 Pera Avenue (Rear) / 200 South Grama Street

REQUEST: Special Permit to allow for Infill Development

The City Plan Commission (CPC), on March 16, 2006, voted **3-0** to recommend **Approval** of the special permit request to allow for Infill Development to allow for reduced front and rear setbacks and reduced lot depth requirement.

The CPC found that this special permit request is in conformance with The Plan for El Paso Citywide land uses goals **The Plan for El Paso City-Wide Land Use Goals** recommend 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 Residential land uses. The CPC found that the request would protect the best interest, health, safety and welfare of the public in general. The CPC also determined the Planned Residential Development is compatible with adjacent development, and there would be no changes to the City's Comprehensive Plan.

There were no letters or calls in support or opposition to this request.

Attachment: Location Map, Aerial Map, Site Plan

STAFF REPORT

Special Use Permit #: ZON06-00023

Property Owner(s): Bingham Invesments

Applicant(s): David Bingham

Representative(s): Marty Walton, Jesus Conteras

Legal Description: A portion of Lots 31 and 32, Block 7, East El Paso Addition

Location: 3500 Pera Avenue (Rear) / 220 South Grama Street

Representative District: # 8

Area: 0.0803 Acres

Zoning: A-3 (Apartment)

Existing Use: Vacant

Infill Development Request: Special Permit for Infill Development to allow for reduced front and rear setbacks and minimum lot depth requirement

Infill Development Criteria:

1. Subdivision recorded more than 30 years ago
2. Property is located within the Empowerment Zone

Proposed Use: Single-Family Residential

Recognized Neighborhood Associations Contacted: Alameda Business Association, Estrella Association

Surrounding Land Uses:

North -	A-3 (Apartment) / Single-family Residential
South -	A-3 (Apartment) / Apartments
East -	A-3 (Apartment) / Single-family Residential
West-	A-3 (Apartment) / Church

Year 2025 Designation: Residential (Central Planning Area)

**CITY PLAN COMMISSION HEARING, MARCH 16, 2006,
5:00 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

SPECIAL USE PERMIT: ZON06-00023

GENERAL INFORMATION:

The applicant is requesting a special permit to allow for infill development to allow for reduced front and rear setbacks from 20ft. that are required to the proposed 5 feet shown on the proposed site plan. The applicant is also requesting a reduced lot depth requirement from the 60 feet required to the proposed lot depth of 50 feet. The applicants are requesting to build a single-family residential home on the vacant property. The property is currently zoned A-3 (Apartment) and is 3497.868 square feet (0.0803 acres) in size. The proposed site plan shows a proposed single-family residential dwelling to be located on the site. Access is proposed via Grama Street. There are no zoning conditions currently imposed on this property. The property meets the following Infill Development Criteria:

1. The subject property is located within the Empowerment Zone (See Enclosure 1).
2. The subject property is located within a subdivision that was recorded more than 30 years ago (Subdivision Map Included).

INFORMATION TO THE COMMISSION:

The Development Services Department has received no letters or calls in support or opposition to this special permit request.

STAFF RECOMMENDATION:

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

The recommendation is based on the following:

The Plan for El Paso Citywide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community” and “preserve, protect, and enhance the integrity, economic validity and livability of the city’s neighborhoods.”

The Year 2025 Projected General Land Use Map for the **Central** Planning Area designates this property for **Residential** land uses.

A-3 (apartment) zoning permits Single-family residential and **is compatible** with adjacent land uses.

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 be compatible with adjacent land uses?
- C. What is the relation of the proposed special permit to the city’s Comprehensive Plan?
- D. What effect will the special permit for Infill Development have upon the natural environment, social and economic conditions, and property values in the vicinity and the city as a whole?

INFORMATION TO THE APPLICANT:

Development Services Department - Building Permits and Inspections Division Notes:

- A. Zoning - No comments received
- B. Landscaping - No comments received

Development Services Department - Planning Division Notes:

The Planning Division recommends approval of the Special Permit for Infill Development to allow reduced setbacks and minimum lot size. This recommendation is based on the following:

- A. The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property for **Residential** uses.
- B. A-3 (Apartment) zoning permits residential development and is compatible with adjacent development.

Development Services Department - Subdivision Plan Review Division Notes:

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- B. Grading plan and permit shall be required.*
- C. Storm Water Pollution Prevention Plan and/or permit may be required.*
- D. Drainage plans must be approved by the Development Services Department, Engineering Section.*
- E. Coordination with TXDOT.*
- F. No water runoff allowed outside the proposed development boundaries.*
- G. Additional Comments: Site location is located within a Special Flood Hazard Area, Flood Zone(s) AH, Panel(s) 480214 0040 B. Structure must be built above the Base Flood Elevation (3702.00 NGVD), an Elevation Certificate will be required.

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

Engineering Department - Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

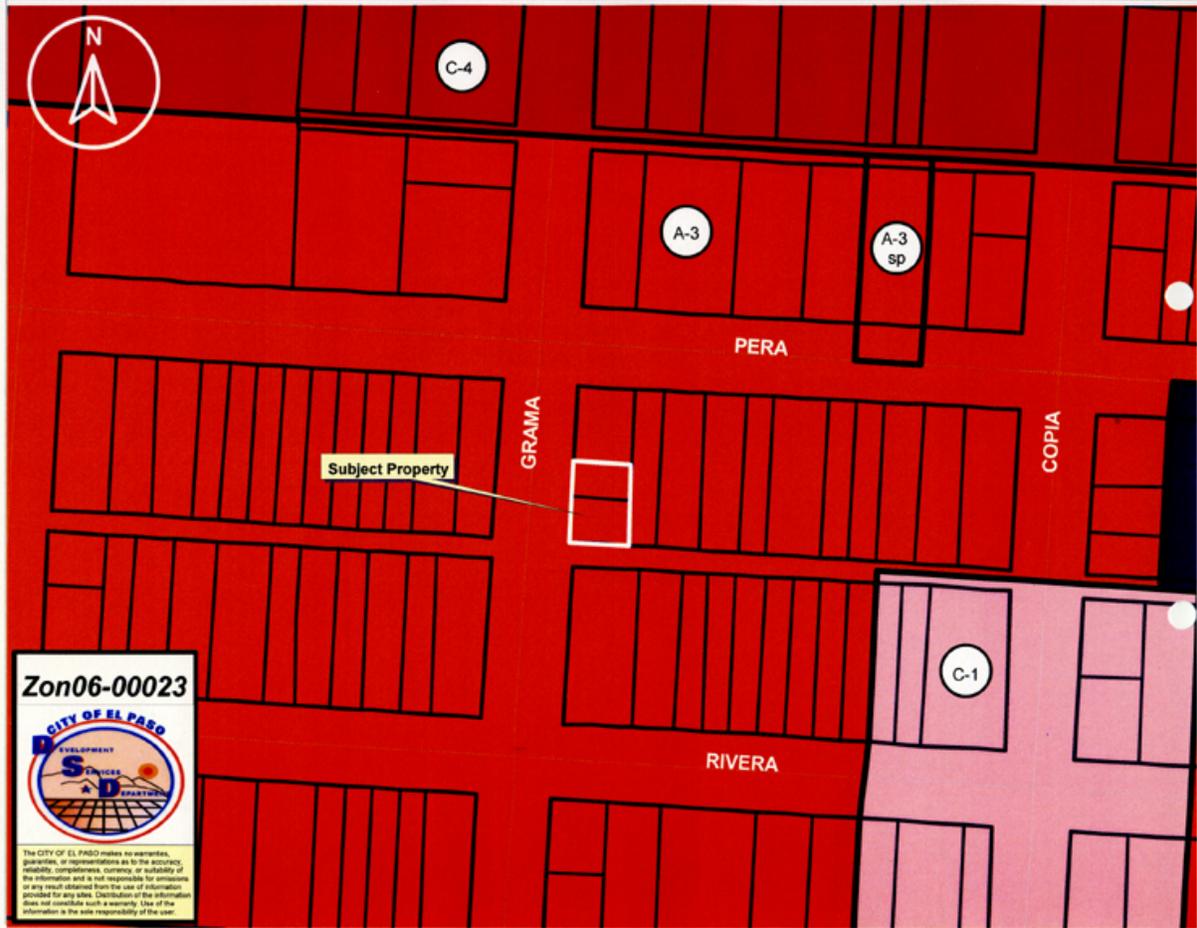
- A. Water: Along Pera Street between Grama Street and Copia Street there is an existing twelve (12) inch diameter water main. Along the alley located between Pera Street and Rivera Street, east of Grama Street there is an existing six (6) inch diameter water main. Previous water pressure readings conducted on a fire hydrant located along Grama Street between Pera Street and Rivera Street have yielded a static pressure of 94 pounds per square inch (psi), residual pressure of 90 psi, discharge of 1,300 gallons per minute (gpm).

- B. Sanitary Sewer: Along Pera Street between Grama Street and Copia Street there are no existing sanitary sewer mains. Along the alley located between Pera Street and Rivera Street, east of Gama Street there is an existing eight (8) inch diameter sanitary sewer main.
- C. General: Water and sanitary sewer services are available from the described mains. 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. 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 from the Planning Department 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.
- D. EPWU does not object to this request.

ATTACHMENT: Location Map, Aerial Map, Subdivision Map, Site Plan and Elevations

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.

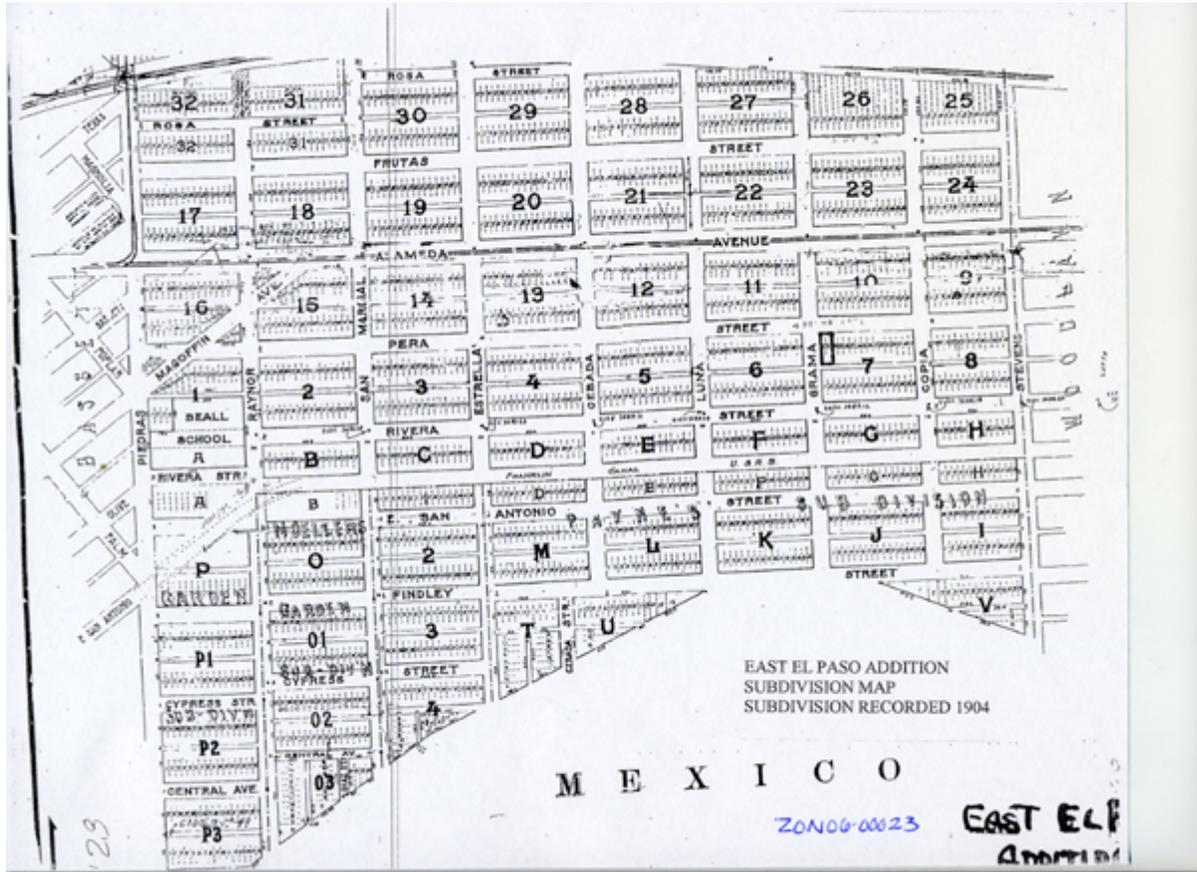
LOCATION MAP



AERIAL MAP

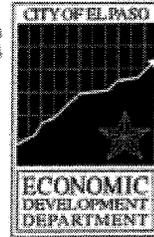


SUBDIVISION MAP



ENCLOSURE ONE

2 Civic Center Plaza
El Paso, Texas 79901-1196



December 9, 2004

Martin Walton

Mr. Martin Walton:

Per our discussion, this letter verifies that the property located at 220 S Grama, El Paso, Texas 79905 is in the Empowerment Zone.

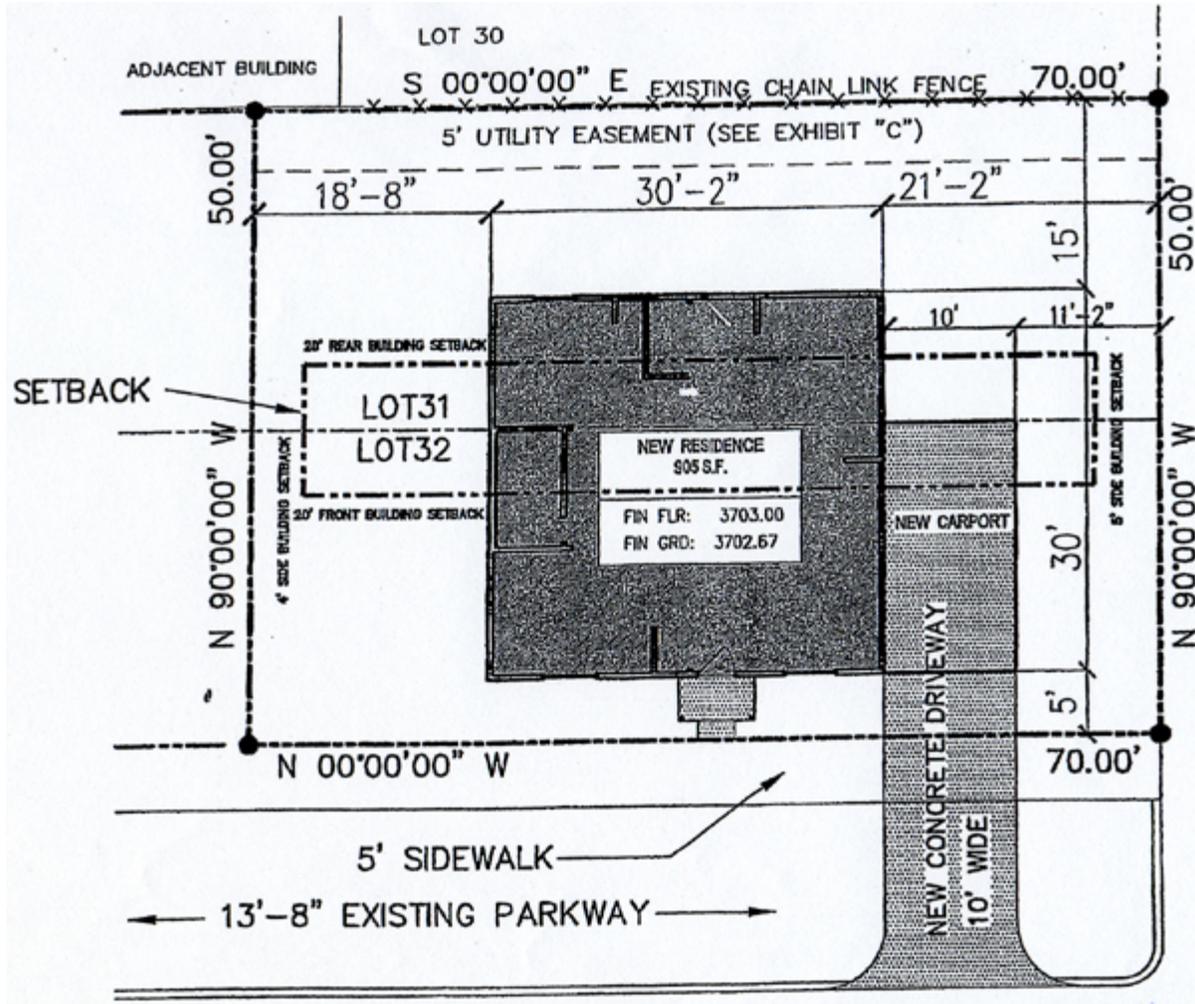
Please contact myself at (915) 541-4675 or Arthur Dahlberg at (915) 541-4747 if you have any questions about this or the Empowerment Zone.

Thank you.

A handwritten signature in cursive script, appearing to read "K. Nicole Arnold".

K. Nicole Arnold
Economic Program Analyst I
Economic Development

SITE PLAN



ELEVATIONS

