

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

**DEPARTMENT:** Planning and Economic Development Department

**AGENDA DATE:** Introduction: April 26, 2011  
Public Hearing: May 17, 2011

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

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance granting Special Permit No. ZON11-00010, to allow for Infill Development on the property described as North 60 feet of Lot 4, Najera Subdivision, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 418 San Pablo Place. Property Owner: Edmundo A. Lewis. ZON11-00010 (District 7)

**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 (6-0)

\*\*\*\*\*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. ZON11-00010, TO ALLOW FOR INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS NORTH 60 FEET OF LOT 4, NAJERA SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS, Edmundo A. Lewis, Applicant,** has applied for a Special Permit for Infill Development to allow the reduction of required minimum lot size and the reduction of required minimum lot depth; 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-3 (Residential)** District:  
*North 60 feet of Lot 4, Najera Subdivision, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds in the attached Exhibit A, incorporated by reference; and*
2. That the City Council hereby grants a Special Permit under Sections 20.64.175 of the El Paso City Code, for Infill Development for reduced lot size and reduced lot depth; and,
3. That this Special Permit is issued subject to the development standards in the **R-3 (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,
4. That if at any time the Owner or the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. **ZON11-00010** shall

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

**Special Permit No. ZON11-00010**

automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; 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 of the City Plan Commission before building permits are issued.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**THE CITY OF EL PASO**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

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

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

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

**Special Permit No. ZON11-00010**



10950 Pellicano Drive Building "F" El Paso, Texas 79935 Ph.(915) 591-5709 Fax(915) 591-5706

**METES AND BOUNDS DESCRIPTION**

*" 418 San Pablo Place "*

*A 0.12 of one acre (5,198.00 square feet) of land out of Najera Subdivision and being the north 60 feet of lot-4, situate in El Paso, El Paso County, Texas, and being more particularly described by Metes and Bounds as follows;*

**COMMENCING** for reference at a "v" mark found at the easterly right-of-way of San Pablo Place (30 feet wide). **THENCE**, North 11°41'01" East, (bearing basis) a distance of 241.88 feet to the southeasterly corner of lot-17 and the westerly right-of-way of said San Pablo Place, **WHENCE**, a nail found bears North 18°54'42" East, a distance of 0.29 feet, **THENCE**, along the westerly right-of-way of said San Pablo Place, North 18°47'00" East, a distance of 86.29 feet to the common corner of lots-16 and 17, **WHENCE**, a "v" mark found bears, North 48°46'36" East, a distance of 0.26 feet, **THENCE**, continuing along the westerly right-of-way of said San Pablo Place, North 18°47'00" East, a distance of 9.97 feet to a point for a corner, **THENCE**, leaving the westerly right-of-way of said San Pablo Place, South 71°13'00" East, a distance of 30.00 feet to a 1/2 inch rebar set with survey cap stamped B&A, Inc. for the easterly right-of-way of said San Pablo Place and the southwesterly corner of the parcel herein being described for the **POINT OF BEGINNING**;

1. **THENCE**, along the easterly right-of-way of said San Pablo Place, North 18°47'00" East, a distance of 60 feet to a 1/2 inch iron rebar set with survey cap stamped B&A, Inc. for the southwesterly corner of lot-5, and the northwesterly corner of the parcel herein being described;
2. **THENCE**, leaving the easterly right-of-way of said San Pablo Place and along the common lots-4 and 5 South 71°10'00" East, a distance of 86.49 feet to a 1/2 inch rebar set with survey cap stamped B&A, Inc. for the northeasterly corner of the parcel herein being described;
3. **THENCE**, South 18°47'00" West, a distance of 60 feet to a 1/2 inch rebar set with survey cap stamped B&A, Inc. for the southeasterly corner of the Parcel herein being described,
4. **THENCE**, North 71°10'00" West, a distance of 86.49 feet to the **TRUE POINT OF BEGINNING**.

*Said Parcel contains 0.12 acres (5,198.00 square feet) more or less and being subject to easements, restrictions and covenants of records.*

*This Metes and Bounds description is accompanied by a parcel plat of even date.*

*I, Avelardo Ponce, a Registered Professional Land Surveyor, do hereby certify to the best of my knowledge and belief, this property description is a true and correct representation of a survey made on the ground, under my direction and supervision.*

**Avelardo Ponce, TX. R.P.L.S. No.6032**

**Date: January 10, 2011**

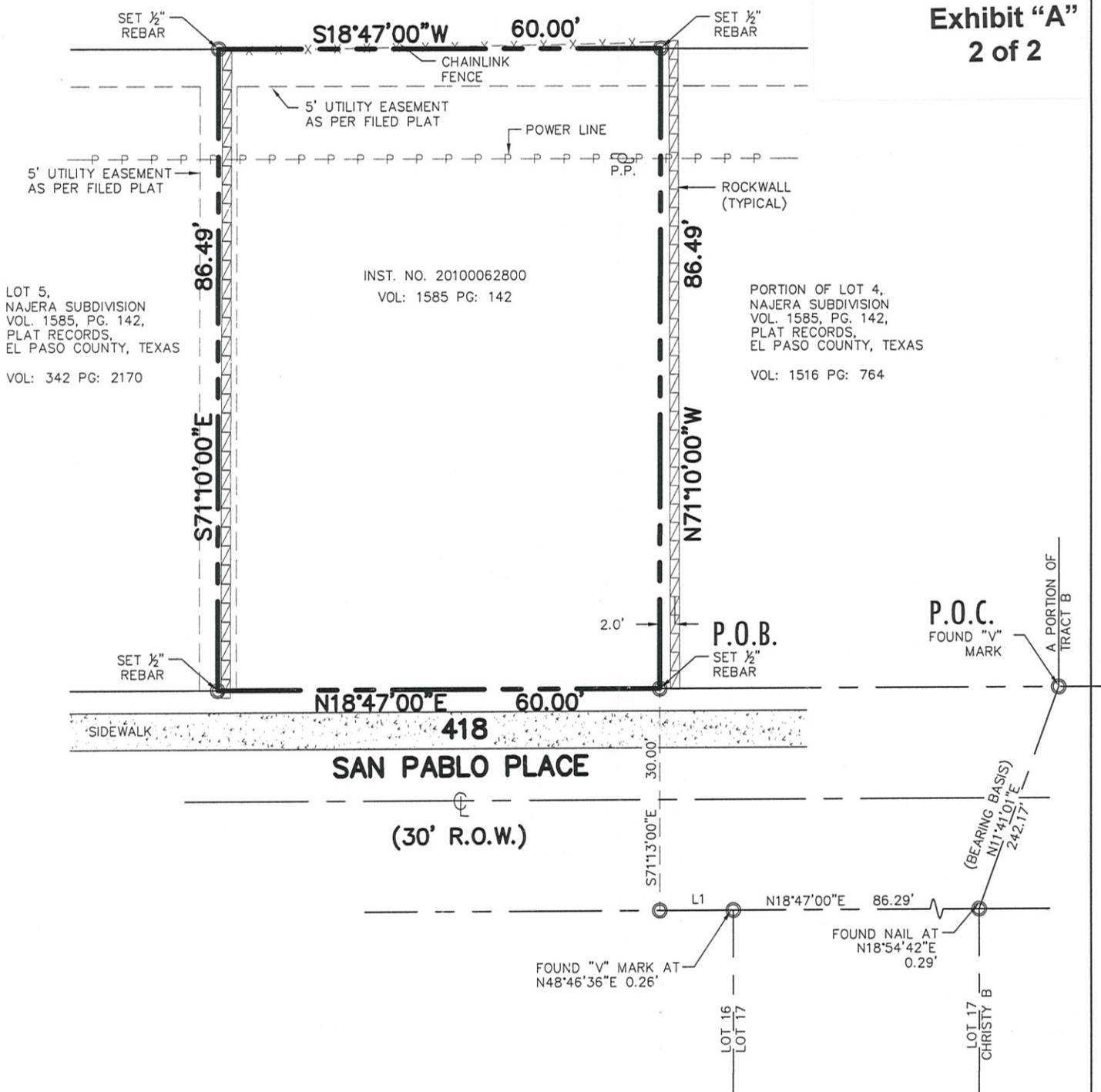
*418 San Pablo Pl. Metes & Bounds.doc*



PORTION OF TRACT 1, BLOCK B,  
CHRISTY TRACT,  
VOL. 6, PG. 48,  
PLAT RECORDS,  
EL PASO COUNTY, TEXAS

VOL: 981 PG: 732

Exhibit "A"  
2 of 2



**NOTE:**

- SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE "X", AS PER F.I.R.M. PANEL NUMBER 44C, LAST REVISION DATE FEBRUARY 16, 2006. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.
- BEARINGS SHOWN ARE BASED ON THE FILED PLAT FOR NAJERA SUBDIVISION.
- THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT, (NOT SHOWN).
- THE PROPERTY OWNERS ARE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL TITLE COMMITMENT PROVISIONS AND CONFIRMING THE SIZE AND USE OF ALL RECORDED EASEMENTS PERTAINING TO THIS PROPERTY, IN SPITE OF THE ACCURACY OR DEFECTS OF THIS PLAT.
- THIS SURVEY WAS DONE FOR TITLE INSURANCE ONLY, AND SHALL NOT BE USED FOR CONSTRUCTION OR OTHER PURPOSES.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- THIS PLAT IS ACCOMPANIED BY A METES AND BOUNDS DESCRIPTION OF EVEN DATE.

LINE TABLE		
LINE	BEARING	LENGTH
L1	N18°47'00"E	9.97'

**B**  
**Barragan & Associates Inc.**  
LAND PLANNING & SURVEYING  
10950 Pellicano Dr. Building-F,  
El Paso, Tx 79935  
Phone (915) 591-5709 Fax (915) 591-5706

**Plat of Survey**

NORTH 60 FEET OF LOT 4,  
NAJERA SUBDIVISION,  
AN ADDITION TO THE  
CITY OF EL PASO,  
EL PASO COUNTY, TEXAS.  
AREA 0.12 ACRES ±

Plat reference vol/bk N.A. pages N.A.

Scale 1"=20' Date 1/10/2011 Drawn by O.E./S.V.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THIS MAP CORRECTLY SHOWS HEREON THE FACTS FOUND ON THE GROUND AT THE TIME OF THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF



AVELARDO PONCE TX, R.P.L.S. NO. 6032

Job No. 101222-10 Copy Rights ©





**Date:** April 18, 2011  
**To:** Honorable Mayor and City Council  
Joyce Wilson, City Manager  
**From:** Esther Guerrero, Planner  
**Subject:** **ZON11-00010 Special Permit for Infill Development**

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The City Plan Commission (CPC) on March 24, 2011, voted **6-0** to recommend **approval** of this special permit and detailed site development plan request.

The applicant is requesting a special permit for infill development that will allow the reduction of the minimum lot area and the minimum lot depth required in the R-3 (Residential) zoning district.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

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 Mission Valley 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  
Susannah M. Byrd

District 3  
Emma Acosta

District 4  
Carl L. Robinson

District 5  
Rachel Quintana

District 6  
Eddie Holguin Jr.

District 7  
Steve Ortega

District 8  
Beto O'Rourke

**City Manager**  
Joyce A. Wilson





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

**Case No:** ZON11-00010  
**Application Type:** Special Permit and Detailed Site Development Plan Review  
**CPC Hearing Date:** March 24, 2011  
**Staff Planner:** Esther Guerrero, 915-541-4720, [guerreroex@elpasotexas.gov](mailto:guerreroex@elpasotexas.gov)

**Location:** 418 San Pablo Place  
**Legal Description:** North 60 feet of Lot 4, Najera Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 0.12 acres  
**Rep District:** 7  
**Zoning:** R-3 (Residential)  
**Existing Use:** Vacant  
**Request:** Special Permit for Infill Development to allow reduced minimum lot depth and reduced minimum lot size  
**Proposed Use:** Single-family home

**Property Owner:** Edmundo A. Lewis  
**Representative:** Same

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

**North:** R-3 (Residential) / single-family residential  
**South:** R-3 (Residential) / single-family residential  
**East:** R-3 (Residential) / single-family residential  
**West:** R-3 (Residential) / single-family residential

**The Plan for El Paso Designation:** Residential (Mission Valley Planning Area)

**Nearest Park:** Thomas Manor Park (3,596 feet)

**Nearest School:** Thomas Manor Elementary (3,312 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Thomas Manor Neighborhood Association

### **NEIGHBORHOOD INPUT**

Notices of this public hearing were mailed to all property owners within 300 feet of the subject property on March 9, 2011.

### **APPLICATION DESCRIPTION**

The applicant is requesting a special permit with detailed site development plan review for an infill development to allow for the reduction of the required minimum lot size from 6,000 sq. ft. to 5,189.4 sq. ft. and from the required lot depth of 90 ft. to 86.49 ft.

The site plan shows a proposed 1071.84 sq. ft. single-family home, a 354.49 sq. ft. future garage, on-site ponding and access via a driveway from San Pablo Place.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the special permit and detailed site development plan request with the recommendation that the CPC grant approval of the exception to the requirement for

sidewalks as per Title 13-Streets, Sidewalks and Public Places, Section 13.04.045-Sidewalks in New Development which reads as follows:

Where required. Sidewalks shall be required within all public and private street rights-of-way within new development as follows:

1. Local residential streets.

-Sidewalks shall be required on all local residential street classifications, except on:

-Local residential streets within an approved subdivision which meet all of the following criteria as determined by the city plan commission:

-A characteristic of the neighborhood is that no sidewalks have been required to date, and

-The subdivision adjoins or lies within a neighborhood in which buildings or structures have been constructed on at least fifty percent of the lots within the neighborhood, and

-The type of subdivision and intensity of land use is compatible with the character of the neighborhood.

**The Plan for El Paso-City-Wide Land Use Goals**

All applications for rezoning 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: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the R-3 (Residential) districts 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.

**Engineering – Construction Management Division**

Plan Review

Plan Review has no objections to reduce lot depth & size.

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. No water runoff allowed outside the proposed development boundaries, (On-site ponding required).
- 5. The property is within Flood Zone X, "Areas of minimal flooding"- Panel # 480214 0044C, date February 16, 2006.

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

**Department of Transportation**

1. Sidewalks are required along San Pablo Place. Per Section 13.04.045, should the city plan commission determine that the following criteria are met, sidewalks will not be required:  
(A) A characteristic of the neighborhood is that no sidewalks have been required to date, and  
(B) The subdivision adjoins or lies within a neighborhood in which buildings or structures have been constructed on at least fifty percent of the lots within the neighborhood, and  
(C) The type of subdivision and intensity of land use is compatible with the character of the neighborhood.
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 Jared Jason Mendoza at 541-4152.

**Fire Department**

No objections.

**El Paso Water Utilities**

1. EPWU-PSB does not object to this request.

**Water:**

2. There is an existing 6-inch diameter water main that extends along San Pablo Place fronting the western boundary of the Subject Property (418 San Pablo Place).
3. EPWU records indicate there is a vacant service at the subject property with 418 San Pablo Place as the service address.
4. Previous water pressure readings conducted on fire hydrant No. 644 located at the northeast corner of Craddock Avenue and Lesa Lane have yielded a static pressure of 100 pounds per square inch (psi), residual pressure of 92 psi and a discharge of 1,342 gallons per minute (gpm).
5. 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.

**Sewer:**

6. There is an existing 8-inch diameter sanitary sewer main that extends along San Pablo Place fronting the western boundary of the Subject Property (418 San Pablo Place).

**General:**

7. 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.

**Sewer:**

There is an existing 12-inch diameter sanitary sewer main that extends along Grouse Road that is available for service. Said main is located approximately 25-feet east from the western property line.

**General:**

-EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. 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:

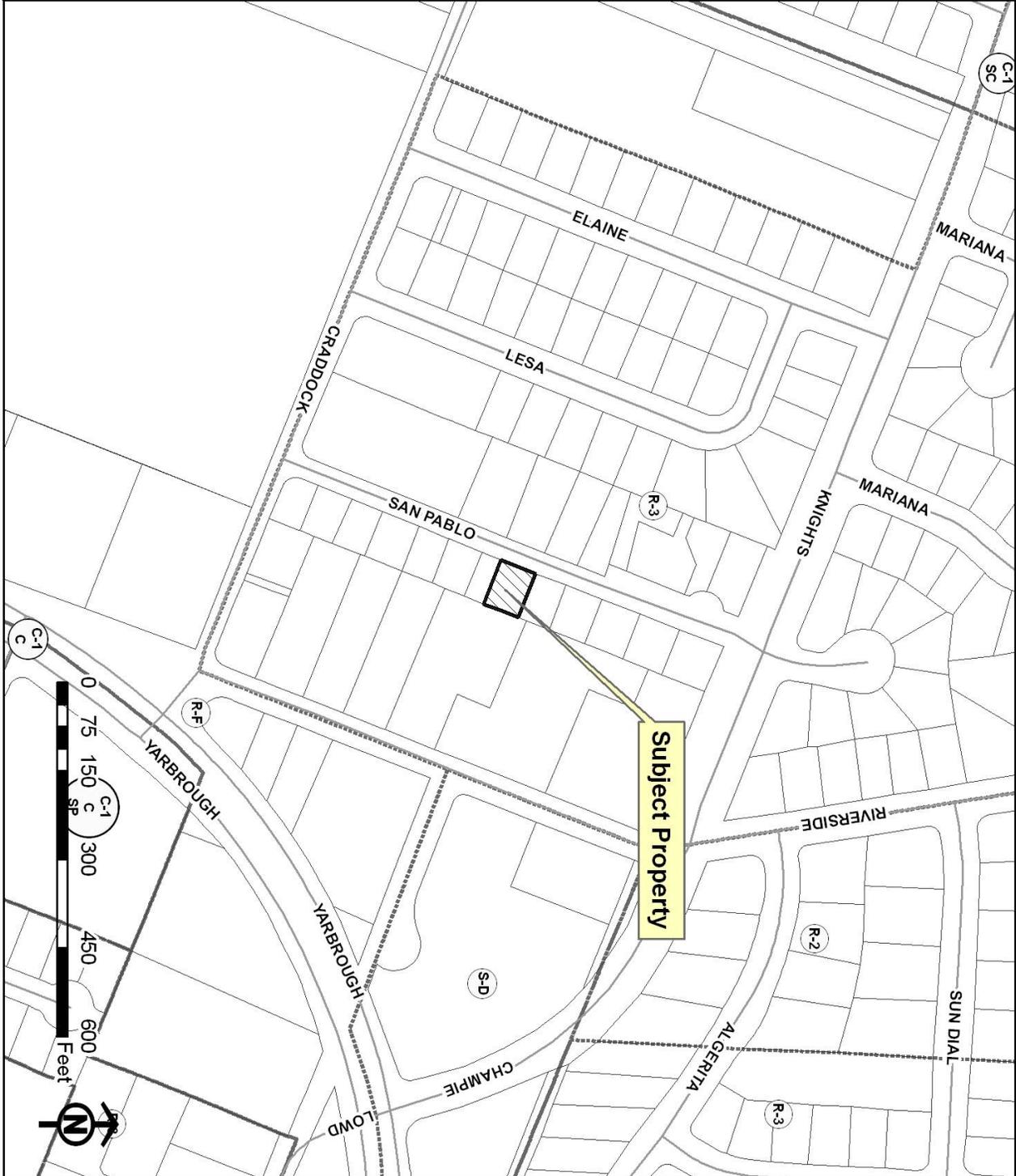
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with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

ATTACHMENT 1: LOCATION MAP

ZON11-00010

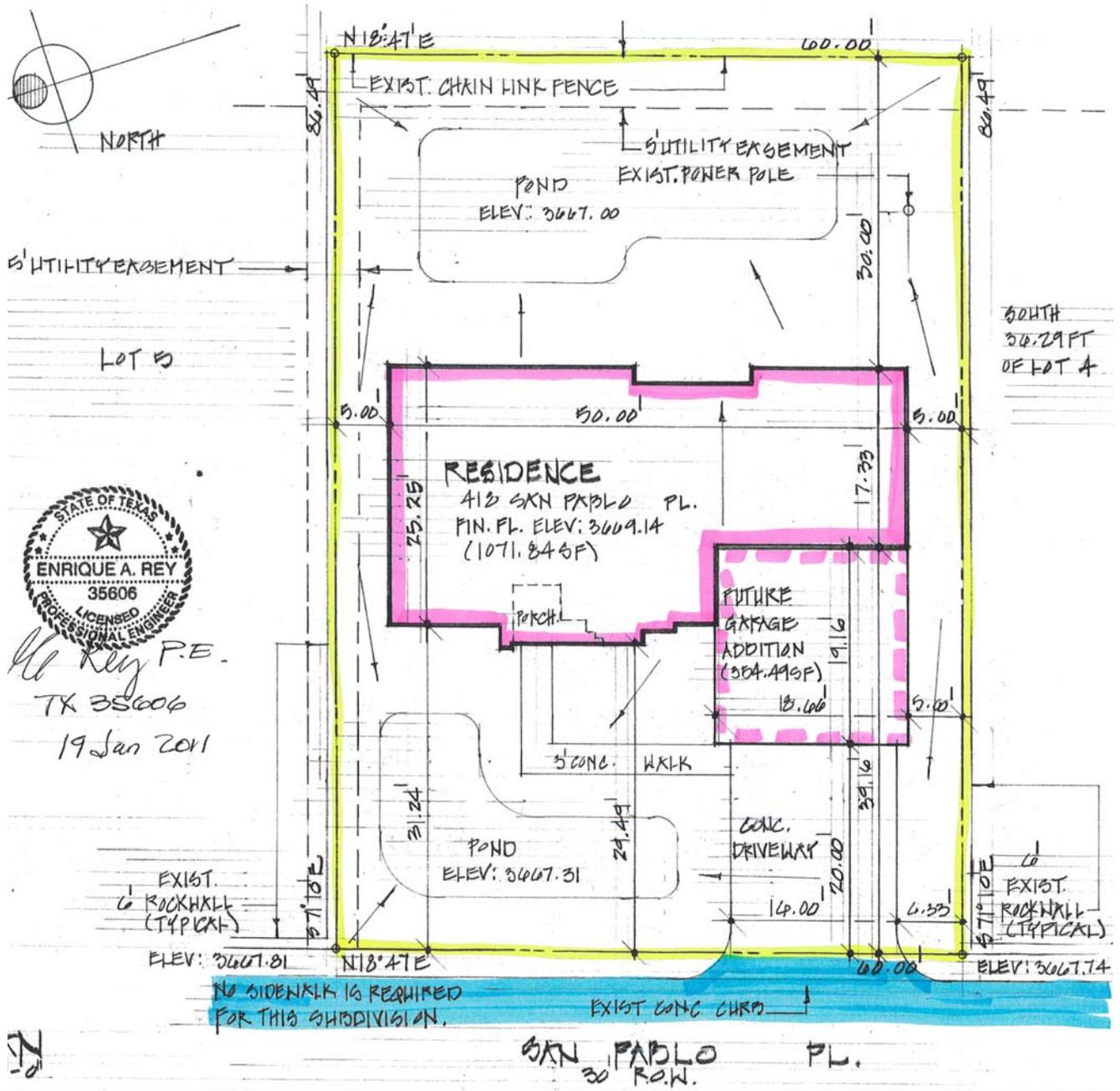


ATTACHMENT 2: AERIAL MAP

ZON11-00010



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS

