

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: May 11, 2010
Public Hearing: June 1, 2010

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

DISTRICT(S) AFFECTED: 6

SUBJECT:

An ordinance granting Special Permit No. ZON10-00007, to permit an Assisted Living Facility, on the property described as Lot 1, Block 1, Las Tres Marias, 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 in Chapter 20.24 of the El Paso City Code. Subject Property: 9355 North Loop Drive. Property Owner: Santiago Vega. ZON10-00007 (**District 6**)

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, Development Services Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00007, TO PERMIT AN ASSISTED LIVING FACILITY, ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK 1, LAS TRES MARIAS, 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 IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Santiago Vega, Applicant, has applied for a Special Permit under Section 20.04.320 of the El Paso City Code to permit an assisted living facility; 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 20.04.320 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 an R-F (Ranch and Farm) District:

Lot 1, Block 1, Las Tres Marias, City of El Paso, El Paso County, Texas.

2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code to allow for an assisted living facility, and,

3. That this Special Permit is issued subject to the development standards in the **R-F (Ranch and Farm) 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. ZON10-00007** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 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 _____, 2010.

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
Development Services Department

(Agreement on following page)

AGREEMENT

Santiago Vega, the 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-F (Ranch and Farm)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2010.

By: _____
(name/title)

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2010, by _____, for **Santiago Vega**, as Owner.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:



MEMORANDUM

DATE: May 11, 2010
TO: Honorable Mayor and City Council
Joyce Wilson, City Manager
FROM: Esther Guerrero, Planner
SUBJECT: ZON10-00007

The City Plan Commission (CPC) on April 8, 2010, voted **6-0** to recommend **APPROVAL** of the special permit for the subject property to allow an assisted living facility in a R-F (Ranch & Farm) district, in agreement with the recommendation from the Development Coordinating Committee (DCC) and staff.

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 the special permit 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 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
Susie 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: ZON10-00007
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: April 8, 2010
Staff Planner: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

Location: 9355 North Loop Drive
Legal Description: Lot 1, Block 1, Las Tres Marias, City of El Paso, El Paso County, Texas, City of El Paso, El Paso County, Texas
Acreage: 0.5 acre
Rep District: 6
Existing Use: Assisted Living Facility
Zoning: R-F (Ranch and Farm)
Request: Special Permit and Detailed Site Development Plan
Proposed Use: Assisted Living Facility

Property Owner: Santiago Vega
Applicant: Santiago Vega
Representative: Jesus Martinez

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

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

Nearest Park: Feather Lake Park (718 Feet)

Nearest School: Lebaron Park Elementary (1,820 Feet)

NEIGHBORHOOD ASSOCIATIONS

N/A

NEIGHBORHOOD INPUT

Notices of the March 25, 2010 public meeting were mailed out to all property owners within 300 feet of the subject property on March 10, 2010. The Planning Division has received no public response to the special permit request.

APPLICATION DESCRIPTION

The property owners are requesting the approval of an assisted living facility which is allowed by special permit in the R-F (Ranch and Farm) district. The site plan shows an existing 3,575 sq. ft. structure on the subject property with ten proposed parking spaces, three bicycle parking spaces, and on-site ponding with access via North Loop Drive.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **approval** of the special permit and detailed site development plan for an assisted living facility pending revisions to the detailed site development plan.

PLANNING DIVISION RECOMMENDATION

Recommend **approval** pending revisions to the detailed site development plan.

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: develop a balanced and complete community which contains a mix of land uses and densities, housing type and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city’s neighborhoods.

Development Services Department - Building Permits and Inspections Division

Zoning

No objections.

- Accessible route from City right-of-way (sidewalk) to front entrance not shown on plan.
- Gravel screening not allowed for required parking spaces.
- Accessible parking spaces cannot be on a gravel surface.
- Accessible route from parking spaces to front entrance not shown on plans.
- At least one (1) parking space must be Van Accessible and be served by an 8 foot x 20 foot aisle space.

Development Services - Subdivision Plan Review

- Grading plan and permit shall be required.*
 - Storm Water Pollution Prevention Plan and/or permit required.*
 - Drainage plans must be approved by the Development Services Department, Engineering Section.*
 - Coordination with TXDOT*
 - No water runoff allowed outside the proposed development boundaries (on-site ponding required)*
 - The Subdivision is within Flood Zone X – “Areas of 0.2% annual chance flood, areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. – Panel # 480214 0048C, dated February 16, 2006.
- * This requirement will be applied at the time of development

Engineering Department - Traffic Division

- No objection to special permit.
- Wheel stops may be necessary at spaces fronting open area.

Street Department

No comments received.

Fire Department

No objections

El Paso Water Utilities

EPWU does not object to this request.

Water

Along North Loop Drive fronting the subject Property there is an existing twelve (12) inch diameter water main. This main is located along the northernmost portion of North Loop Drive. Previous water pressure readings from fire hydrant number 4408 located at the corner of Burgundy Street and North Loop Drive have yielded a static pressure of 84 pounds per square inch, a residual pressure of 70 pounds per square inch, and a discharge of 1,300 gallons per minute.

Sewer

Along North Loop Drive fronting the subject Property there is an existing twelve (12) inch diameter sanitary sewer main. This main is located along the southernmost portion of North Loop Drive.

General

-North Loop Drive is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Drive right-of-way requires written permission from TxDOT.

As per EPWU-PSB records, 9355 North Loop Drive has a single three-quarter (3/4) inch diameter water service.

-If 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.

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

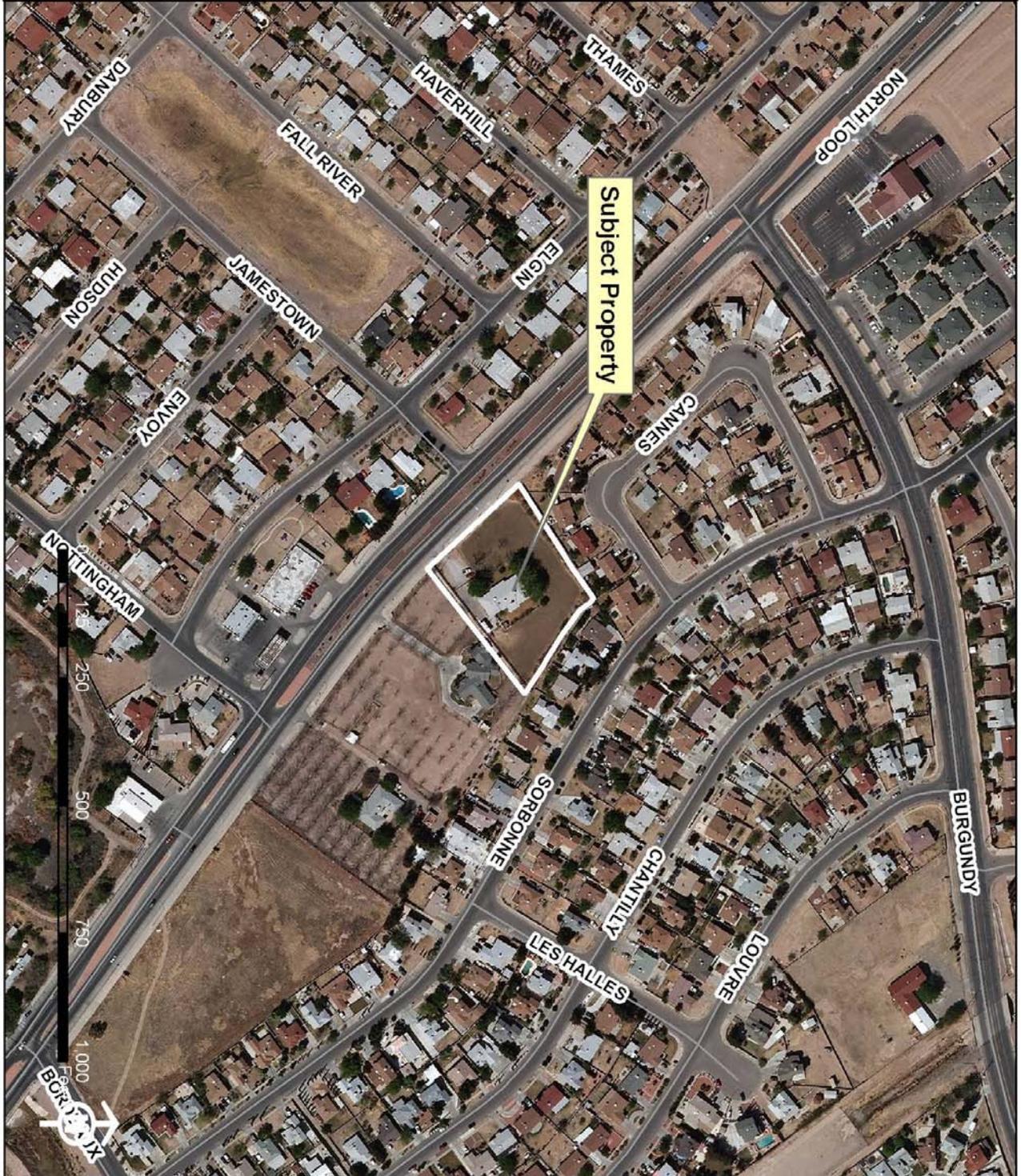
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

ATTACHMENT 1: ZONING MAP

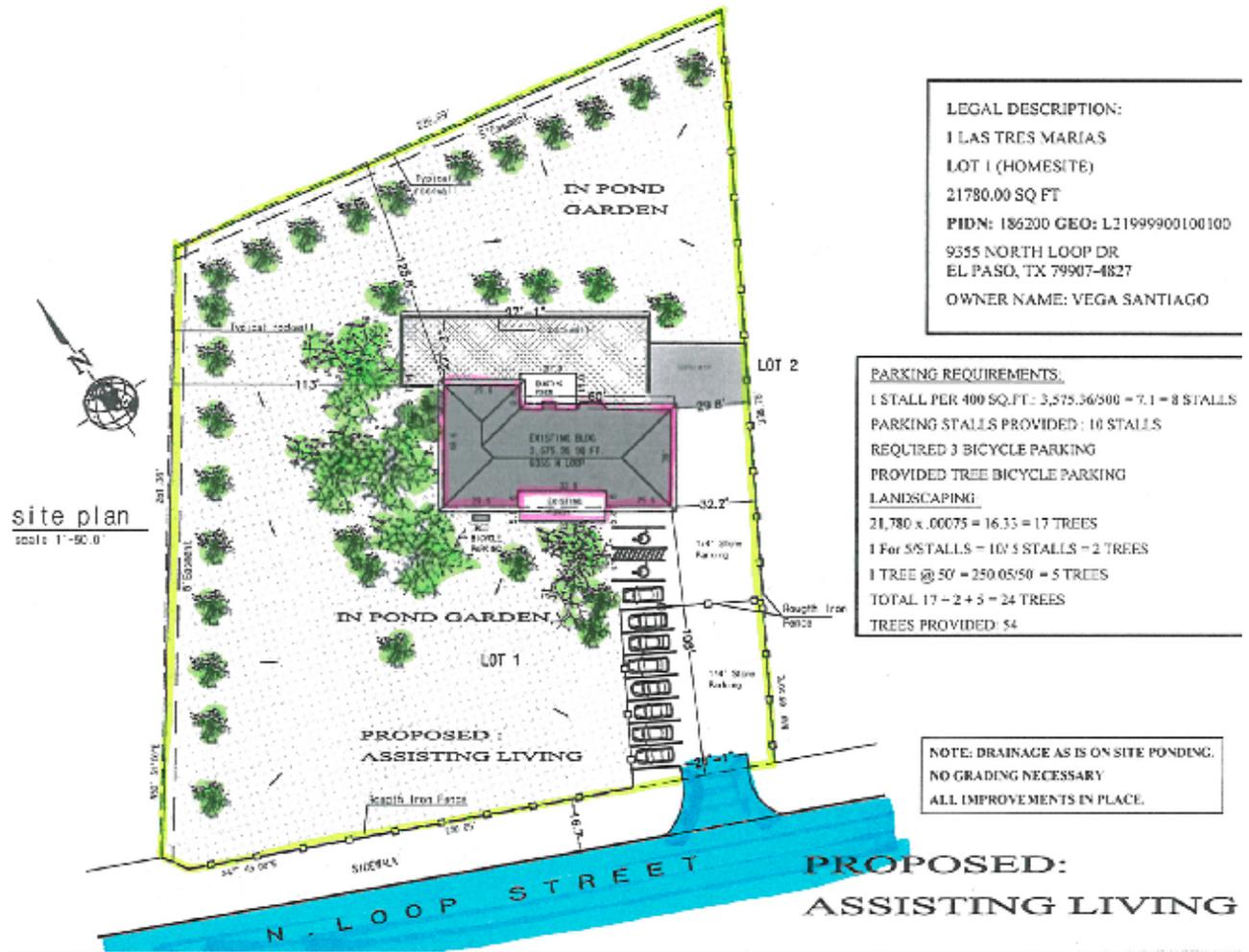
ZON10-00007



ZON10-00007



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



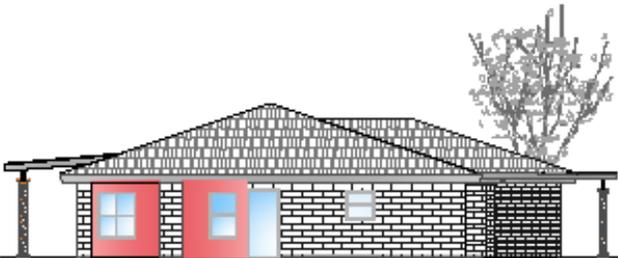
Front Elevation



Rear Elevation

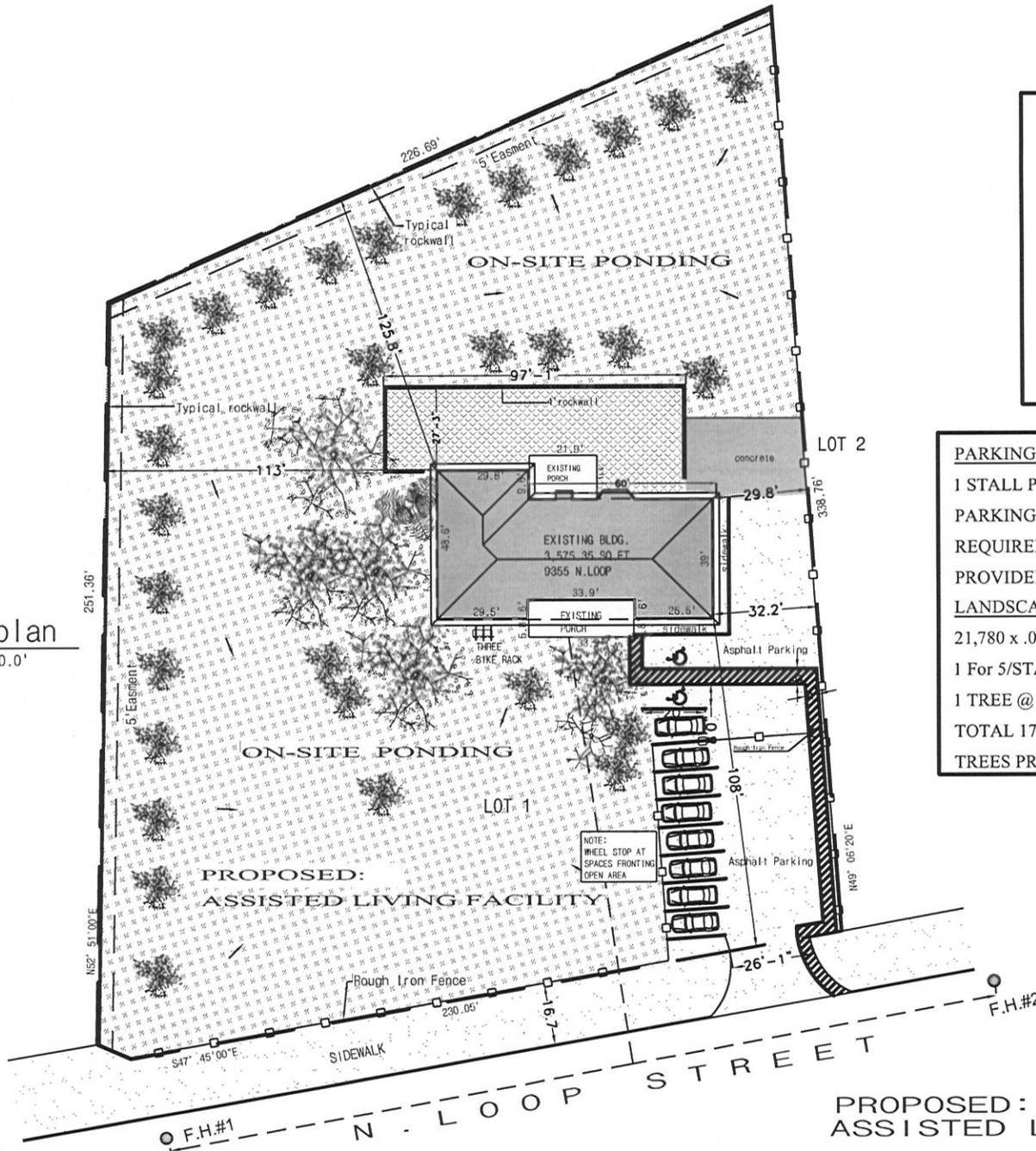


Left Elevation



Right Elevation

site plan
scale 1"=50.0'



LEGAL DESCRIPTION:
 1 LAS TRES MARIAS
 LOT 1 (HOMESITE)
 21780.00 SQ FT
 PIDN: 186200 GEO: L21999900100100
 9355 NORTH LOOP DR
 EL PASO, TX 79907-4827
 OWNER NAME: VEGA SANTIAGO

PARKING REQUIREMENTS:
 1 STALL PER 400 SQ.FT.: $3,575.36/500 = 7.1 = 8$ STALLS
 PARKING STALLS PROVIDED : 10 STALLS
 REQUIRED 3 BICYCLE PARKING
 PROVIDED TREE BICYCLE PARKING
 LANDSCAPING:
 $21,780 \times .00075 = 16.33 = 17$ TREES
 1 For 5/STALLS = 10/ 5 STALLS = 2 TREES
 1 TREE @ 50' = 250.05/50' = 5 TREES
 TOTAL 17 + 2 + 5 = 24 TREES
 TREES PROVIDED: 54

NOTE: DRAINAGE AS IS ON SITE PONDING.
 NO GRADING NECESSARY
 ALL IMPROVEMENTS IN PLACE.

FIRE HYDRANT LOCATION:
 FURTHEST DRIVE: 834.0' TO, F.H.#1
 FURTHEST DRIVE: 424.0' TO, F.H.#2

PROPOSED:
 ASSISTED LIVING FACILITY