

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

**DEPARTMENT:** City Development Department, Planning Division

**AGENDA DATE:** Introduction: June 11, 2013  
Public Hearing: July 2, 2013

**CONTACT PERSON/PHONE:** Arturo Rubio, (915) 541-4633, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance granting special permit no. PZST13-00009, to allow for infill development with reduced front, and rear setbacks on the property described as Lots 6 and 7, Block 4, Emerald Valley Estates Replat A, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Property owner: Winton and Associates, Location: 5524-5528 Woodgreen Drive, **PZST13-00009 (District 1)**

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

On March 26, 2013 the City Council approved a waiver to the requirement that an application for infill development meet two criteria as stated in Section 20.10.280 when only one factor is met, prior to the submission of a special use permit application for the property located at 5528 & 5524 Woodgreen drive.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation 7-0

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, City Development Department

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**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00009, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED FRONT, AND REAR SETBACKS ON THE PROPERTY DESCRIBED AS LOTS 6 AND 7, BLOCK 4, EMERALD VALLEY ESTATES REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, Winton and Associates, have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a single-family dwelling unit with reduced front, and rear 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 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-1 (Residential) Zone District:  
  
*Lots 6 and 7, Block 4, Emerald Valley Estates, Replat A, City of El Paso, El Paso County, Texas; and,*
2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a single-family dwelling unit with reduced front and rear setbacks; and,
3. That this Special Permit is issued subject to the development standards in the R-1 (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 incorporated herein by reference for all purposes; and,

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

**PZST13-00009**

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST13-00009 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners 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 \_\_\_\_\_, 2013.**

**THE CITY OF EL PASO**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy, Director  
City Development Department

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

**PZST13-00009**



# EXHIBIT "A"

## LEGAL DESCRIPTION

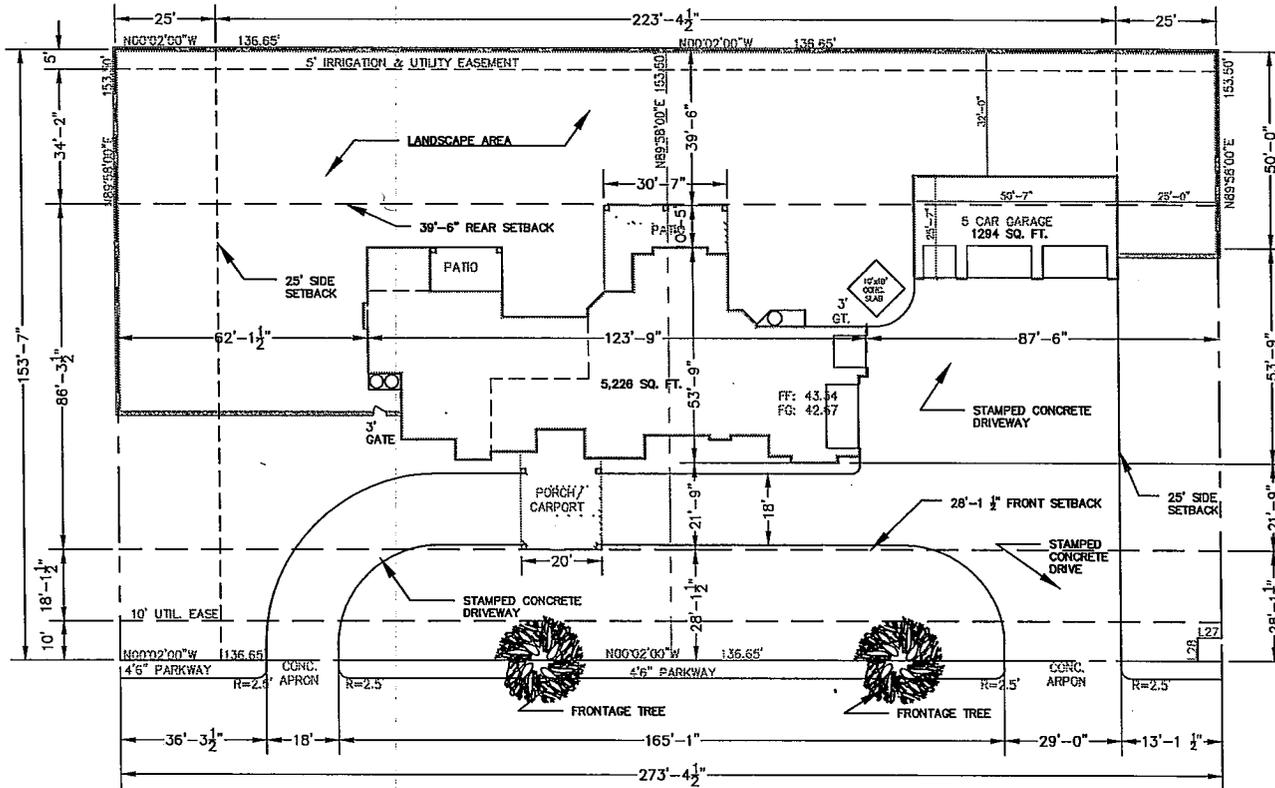
LOT 6 AND 7  
BLOCK 4  
EMERALD VALLEY ESTATES  
REPLAT A  
EL PASO, TEXAS

5528 & 5524 WOODGREEN DRIVE  
L27  
L: 6.00' L: 6.00'  
B: N00002'00"W B: N89D58'00"E

## AREA SUMMARY

1ST. FLOOR 3,891 SQ. FT.  
2ND. FLOOR 1,335 SQ. FT.  
5,226 SQ. FT.

GARAGE AREA: 1,294 SQ. FT.



A1

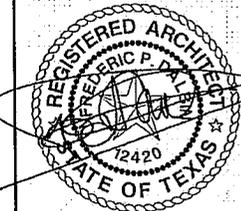
## SITE PLAN

SCALE: 1:30



UPDATED: MAY 23, 2013

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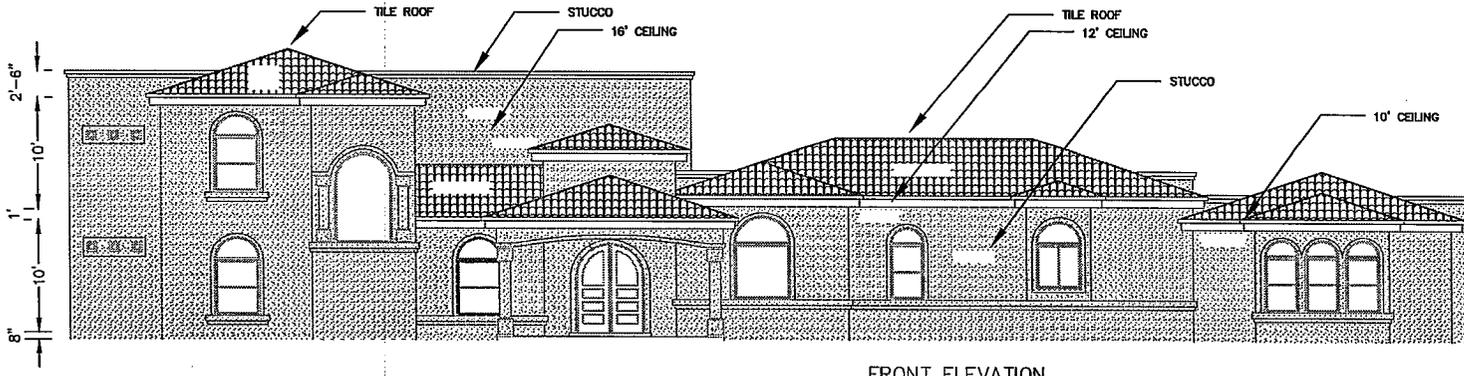


**Wright & Dalbin**  
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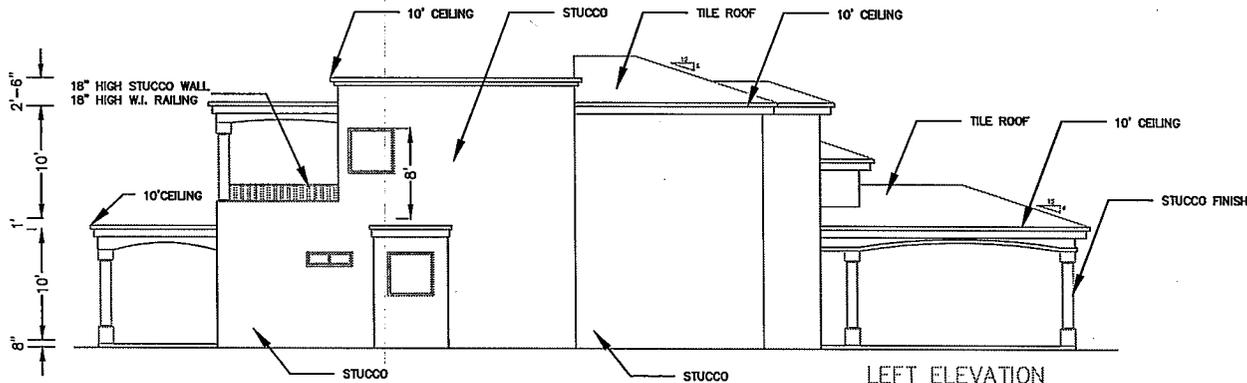
WOODGREEN DRIVE  
5528 & 5524 WOODGREEN DR. EL PASO, TEXAS

130426	A1	OF
04/01/2013		
AS SHOWN	SHEET	

# EXHIBIT "A"



FRONT ELEVATION



LEFT ELEVATION

## A3 ELEVATIONS

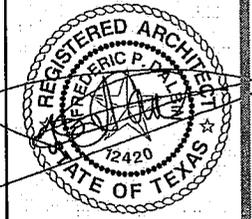
SCALE: 3/32" = 1' - 0"

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WOODGREEN DRIVE  
5528 & 5524 WOODGREEN DR. EL PASO, TEXAS

130426  
04/01/2013  
AS SHOWN

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WOODGREEN DRIVE  
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130426  
04/01/2013  
AS SHOWN

A3 OF SHEET

## MEMORANDUM

**DATE:** June 17, 2013

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

**FROM:** Arturo Rubio, Senior Planner

**SUBJECT: PZST13-00009**

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The City Plan Commission (CPC) on June 13, 2013, voted **7-0** to recommend **APPROVAL** of the special permit application to allow for a single-family dwelling unit with reduced rear and cumulative setbacks.

The CPC found that the special permit is in conformance with Plan El Paso and that the proposed use is in conformance with the Plan El Paso-Future Land Use Map Designation. The proposed development is compatible with adjacent land uses. 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 opposition to this request.

**Attachments:** Staff Report



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

**Case No:** PZST13-00009  
**Application Type:** Special Permit  
**CPC Hearing Date:** June 13, 2013  
**Staff Planner:** Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

**Location:** 5524-5528 Woodgreen Drive  
**Legal Description:** Lots 6 and 7, Block 4, Emerald Valley Estates, Replat A, City of El Paso, El Paso County, Texas  
**Acreage:** 0.9622-acre  
**Rep District:** 1  
**Zoning:** R-1 (Residential)  
**Existing Use:** Vacant  
**Request:** Infill Development to allow for reduced front and rear setbacks  
**Proposed Use:** Single-family dwelling

**Property Owner:** Winton and Associates  
**Representative:** Scott Winton

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

**North:** R-1 (Residential)/ Single-family dwellings  
**South:** R-1 (Residential)/ Single-family dwellings  
**East:** R-1 (Residential)/ Single-family dwellings/ R-1/sp (Residential/special permit)/ Single-family dwellings  
**West:** R-1 (Residential)/ Single-family dwellings

**The Plan for El Paso Designation: G-4, Suburban Walkable** (Northwest Planning Area)

**NEAREST PARK:** Valley Creek Park (5,482 feet)

**NEAREST SCHOOL:** Jose H. Damiam Elementary (13,989)

### **NEIGHBORHOOD ASSOCIATIONS**

Upper Valley Neighborhood Association  
Coronado Neighborhood Association  
Upper Mesa Hills Neighborhood Association  
Upper Valley Improvement Association  
Save The Valley

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 20, 2013. The Planning Division has not received any phone calls or letters in support or opposition to the special permit request.

### **APPLICATION DESCRIPTION**

The applicant is requesting a special permit and detailed site development plan review. The special permit requested is to allow for infill development to reduce the front and rear setbacks from the required front setback of 30' feet to 28.125' feet and cumulative setback required 100 ft. to 67.625' ft. The detailed site development plan shows a 5,225 square-foot single-family dwelling and a 1,294 square-foot garage. Access to the subject property is proposed from Woodgreen Drive.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for Infill Development. The request is compatible to Plan El Paso Comprehensive Plan, surrounding uses and complies with section 20.04.320 Special Permit and 20.04.150 Detailed Site Development Plan requirements of the El Paso City Code.

**Plan El Paso-Future Land Use Map Designation**

All applications for special permit shall demonstrate compliance with the following criteria:

G-4 – Suburban Walkable: This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the R-1 (Residential) 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 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.

**COMMENTS:**

**Planning Division –Transportation**

No objections

**City Development Department – Plan Review**

No comments received.

**City Development Department - Land Development**

No Objection.

Grading plan and permit shall be required.\*

Storm Water Pollution Prevention Plan and/or permit required.\*

Drainage plans must be approved by the City Development Dept. Land Development Section.\*

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

**Fire Department**

No comments received.

**El Paso Water Utilities (EPWU)**

1. El Paso Water Utilities (EPWU) does not object to this request.

**Water:**

2. There is an existing 8-inch diameter water main extending along Woodgreen Drive that is available for service, the water main is located approximately 7-feet east from the center line of the right-of-way.

3. EPWU records indicate two vacant water service connections (inactive meters) serving the subject properties. The addresses for these services are 5524 and 5528 Woodgreen Drive.

**Sanitary Sewer:**

4. There is an existing 8-inch diameter sanitary sewer main extending along Woodgreen Drive that is available for service, the sewer main is located approximately 7-feet west from the center line of the right-of-way.

**General:**

5. 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.

**Sun Metro**

Sun Metro does not oppose this request.

**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 Plan 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 Plan 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 Plan 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 Development Plan
4. Elevations

ATTACHMENT 1: LOCATION MAP

PZST13-00009



ATTACHMENT 2: AERIAL MAP

PZST13-00009





ATTACHMENT 4: ELEVATIONS

A4 ELEVATIONS  
SCALE: 1/8" = 1'-0"

