

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

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: July 12, 2005
Public Hearing: August 2, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00043, to allow for a Planned Residential Development on a portion of Tract 38, Country Club Place, Southside, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code.

Applicant: Frank and Catherine Clausen. ZON05-00043 (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) – Approval Recommendation
City Plan Commission (CPC) – 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. ZON05-00043, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON A PORTION OF TRACT 38, COUNTRY CLUB PLACE, SOUTHSIDE, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Frank and Catherine Clausen have applied for a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow for a Planned Residential Development;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

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;

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.D of the El Paso Municipal 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-1 (Residential)** District:

A portion of Tract 38, Country Club Place, Southside, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A".

2. That a Planned Residential Development is authorized by Special Permit in **R-1 (Residential)** districts under Section 20.12.040 of the El Paso Municipal Code; and

3. That the requirements for a Planned Residential Development under Section 20.12.040 have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.12.040 of the El Paso Municipal Code, to allow a Planned Residential Development on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the **R-1 (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 "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. ZON05-00043** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

ATTEST:

John Cook, Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

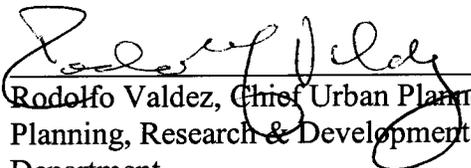


Matt Watson
Assistant City Attorney
Doc No. 13990

APPROVED AS TO CONTENT:

Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

AGREEMENT

Frank and Catherine Clausen, the Applicants referred to in the above Ordinance, hereby agree to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the **R-1 (Residential)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 30 day of June, 2005.

By: [Signature]
Frank Clausen
[Signature]
Catherine Clausen

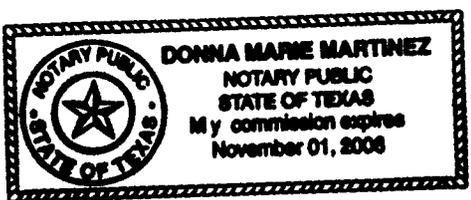
ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 30th day of June, 2005, by [Signature] and [Signature], as Applicants.

My Commission Expires:

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



PROPERTY DESCRIPTION

67,435 Square Feet or 1.548 Acres

Being a portion of Tract 38, ~~Coronado~~ Country Club Place, Southside, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the city monument at the intersection of Sunset Drive (50 feet wide) and Turtle Dove Place (50 feet wide) and the city monument at the intersection of said Sunset Drive and Vista Del Monte bears, South 89°55'00" West, 345.33 feet and the city monument at the cul-de-sac in said Turtle Dove Place bears, South 00°05'00" East, 480.00 feet and the city monument at the intersection of said Sunset Drive and Pine Creek Place bears, North 89°55'00" East, 772.70 feet;

THENCE, along the centerline of said Sunset Drive, North 89°55'00" East, a distance of 218.22 feet to a point;

THENCE, leaving said centerline, S00°05'00" East, a distance of 25.00 feet to the Northwest corner of said Tract 38 and Northeast corner of Quintas Del Valle Subdivision (recorded in volume 68, page 55, plat records), in the South right-of-way line of said Sunset Drive and **POINT OF BEGINNING** for the herein described tract and a found ½ inch rebar bears, South 85°24'07" East, 0.63 feet and a found 1 inch iron pipe bears, South 56°56'41" East, 0.48 feet;

THENCE, along said South right-of-way line, North 89°55'00" East, a distance of 146.94 feet to a found ½ inch rebar with cap marked (Tx4680) the Northeast corner of said Tract 38;

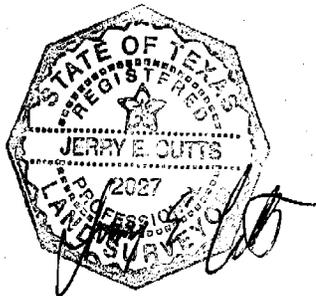
THENCE, along the East line of said Tract 38, South 00°05'00" East, a distance of 458.93 feet to a set ½ inch rebar with cap marked (Tx2027);

THENCE, leaving said East line of Tract 38, South 89°55'00" West, a distance of 146.94 feet to found ½ inch rebar in the West line of said Tract 38 at the Northeast corner of Lot 5, said Quintas Del Valle Subdivision;

THENCE, along the West line of said Tract 38, North 00°05'00" West, a distance of 458.93 feet to the **POINT OF BEGINNING** and containing 67,435 square feet or 1.548 acres of land.

This description was prepared from a survey made on the ground on June 25, 2002 with plat of same date.

PREPARED BY:
Cutts Land Surveying, Inc.
El Paso, Texas
June 26, 2002
Job No. 020613



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
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

**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

June 30, 2005

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

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00043

The City Plan Commission (CPC), on June 16, 2005, voted **5 - 0** to recommend **APPROVAL** of this special permit request for a Planned Residential Development, 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.

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

Attachment: Location Map

STAFF REPORT

Special Use Permit #: ZON05-00043

Property Owner(s): Frank and Catherine Clausen

Applicant(s): Camino Ten, LTD; C/O Ken Clarence

Representative(s): Jeff Huff-Design Alliance, LLC

Legal Description: A portion of Tract 38, Country Club Place, Southside

Location: 812 Sunset Drive

Representative District: # 8

Area: 1.514 Acres

Zoning: R-1 (Residential)

Existing Use: Single-family residential

Proposed Use: Planned Residential Development; Reduction of average lot width from 125 ft. to 118.94 ft.

Recognized Neighborhood Associations Contacted: Coronado Neighborhood Association; Save the Valley; Texas Apache Nation

Surrounding Land Uses:

North -	R-1 (Residential) / Single Family Residential
South -	R-1 (Residential) / Single Family Residential
East -	R-1 (Residential) / Single Family Residential
West-	R-2/c (Residential/condition) / Single Family Residential

Year 2025 Designation: Residential (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, June 16, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON05-00043

General Information:

The applicant is requesting a special permit for a Planned Residential Development to allow reduced average lot width from 125 ft. to 118.95 ft. The property is currently zoned R-1 (Residential). The site is currently single-family residential and is 1.514 acres in size. The proposed site plan shows three residential lots to be located on the site. Access is proposed via Sunset Drive. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Department has received no calls or letters in support of opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends unanimous **APPROVAL** of this special permit request.

The recommendation is based on the following:

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 Northwest Planning Area designates this property for Residential land uses.

R-1 (Residential) zoning permits Planned Residential Development by special permit.

The Commission must determine the following:

- A. Will the special permit for Planned Residential Development protect the best interest, health, safety and welfare of the public in general?
- B. Is the Planned Residential Development compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:

No comments.

Engineering Department, Development Division Notes:

All residential structures' Finish Floor will have to be built at or above the Base Flood Elevation (BFE 3742 NGVD).

Site location is located within a Special Flood Hazard Area, Zone **AH**, Panel **26 D**.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed lot reduction from 125 to 118.94.ft.

Fire Department Notes:

No objections.

El Paso Water Utilities Notes:

No objections.

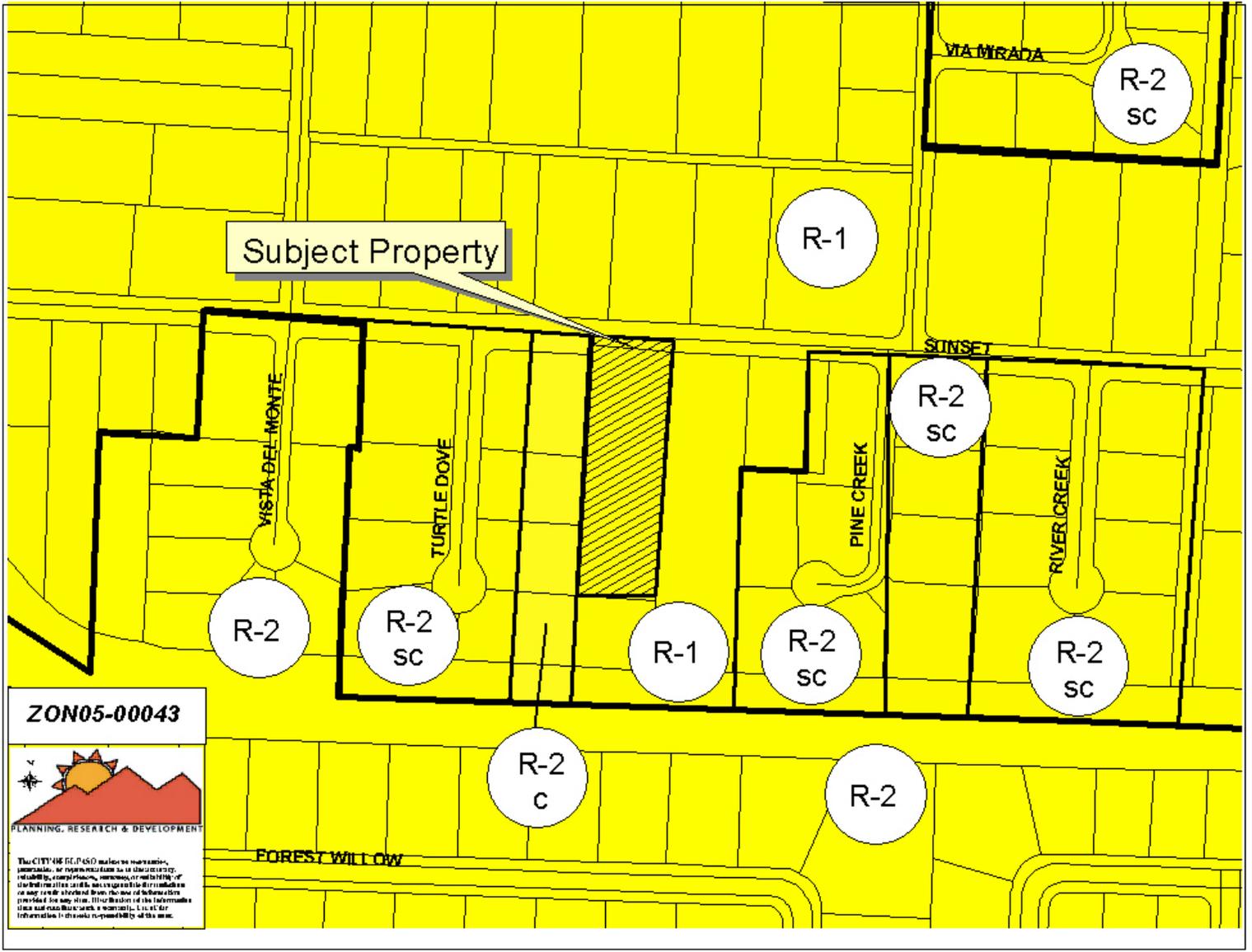
Planning, Research & Development Department Notes:

Recommend approval of the special permit request for a planned residential development.

ATTACHMENT: Site Plan; Location Map.

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 PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

LOCATION MAP



ZON05-00043



The CITY AND COUNTY make no warranty, representation, or guarantee as to the accuracy, reliability, completeness, timeliness, or usefulness of the information contained on this map or any other map made available from the use of information provided by any other City or County of the information that is not the City's or County's responsibility.

AERIAL MAP



ZON05-00043



PLANNING, RESEARCH & DEVELOPMENT

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GENERALIZED PLOT PLAN

COUNTRY CLUB PLACE SOUTHSIDE
volume II, page 25, plat records

Tract 39

