

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. ZON05-00046, to allow for a Planned Residential Development on Tract 6-C-1, Block 4, Upper Valley Surveys, 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: Mountain Vista Builders, Inc. ZON05-00046 (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. ZON05-00046, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON TRACT 6-C-1, BLOCK 4, UPPER VALLEY SURVEYS, 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, Mountain Vista Builders, Inc. has 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 and more completely described in Exhibit "A" is in an **R-1 (Residential)** District:

Tract 6-C-1, Block 4, Upper Valley Surveys, El Paso, El Paso County, Texas

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. ZON05-00046** 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:

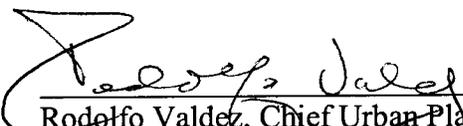


Matt Watson
Assistant City Attorney
Doc No. 13994

APPROVED AS TO CONTENT:

Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:

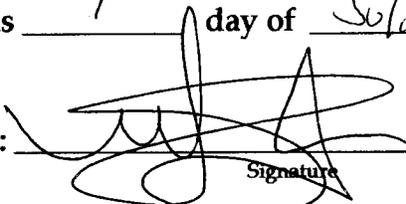


Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

AGREEMENT

Mountain Vista Builders, Inc., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with standards identified in the **R-1 (Residential)** District Regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 7 day of July 2005

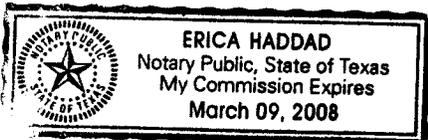
By: 
Signature
Mike Santamaria
Name/Title

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 7 day of July, 2005 by Mike Santamaria as Applicant.

My Commission Expires:



By: 
Notary Public, State of Texas
Erica Haddad
Typed or printed name of Notary

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: ZON05-00046

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.

The Planning Department has received ten (10) calls expressing concern regarding this application, four (5) letters expressing concern regarding the impact on traffic on Country Club Rd, and **three (3) calls and two (2) letters of OPPOSITION** to the proposed development.

Attachment: Location Map

STAFF REPORT

Rezoning Case: ZON05-00046

Property Owner(s): Michael SantaMaria

Applicant(s): Michael SantaMaria

Representative(s): Wayne Grinnel, AICP

Legal Description: All of Tract 6-C-1, Block 4, Upper Valley Surveys

Location: 302 Country Club Road

Representative District: # 8

Area: 8.606 Acres

Present Zoning: R-1 (Residential)

Present Use: Vacant

Proposed Use: **Planned Residential Development**

Reduced Lot Dimensions per Detailed Site Plan
Reduced Setbacks per Detailed Site Plan

Recognized Neighborhood Associations Contacted: Texas Apache Nations Inc.,
Save the Valley, Coronado Neighborhood

Surrounding Land Uses:

North -	R-1 (Residential) / Single-Family Residential
South -	R-1 (Residential) / Single-Family Residential, Country Club
East -	R-1 (Residential) / Single-Family Residential
West-	R-1 (Residential) / 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**

General Information:

The applicant is requesting a special permit for a Planned Residential Development in order to permit single-family residential. The property is 8.606 acres in size and is currently vacant. The proposed site plan shows fourteen (14) lots to be located on the site. Access is proposed via Country Club Rd. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received ten (10) calls expressing concern regarding this application, four (5) letters expressing concern regarding the impact on traffic on Country Club Rd, and three (3) calls and two (2) letters of opposition to the proposed development.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this special permit request for a Planned Residential Development.

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 Single-Family residential and is with adjacent development.

The Commission must determine the following:

- A. Will the Planned Residential 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?

Information To The Applicant:

Building Permits and Inspections Department Notes:

No comments.

Engineering Department, Development Division Notes:

No objections.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed zoning change.

Fire Department Notes:

No objections.

El Paso Water Utilities Notes:

No objections.

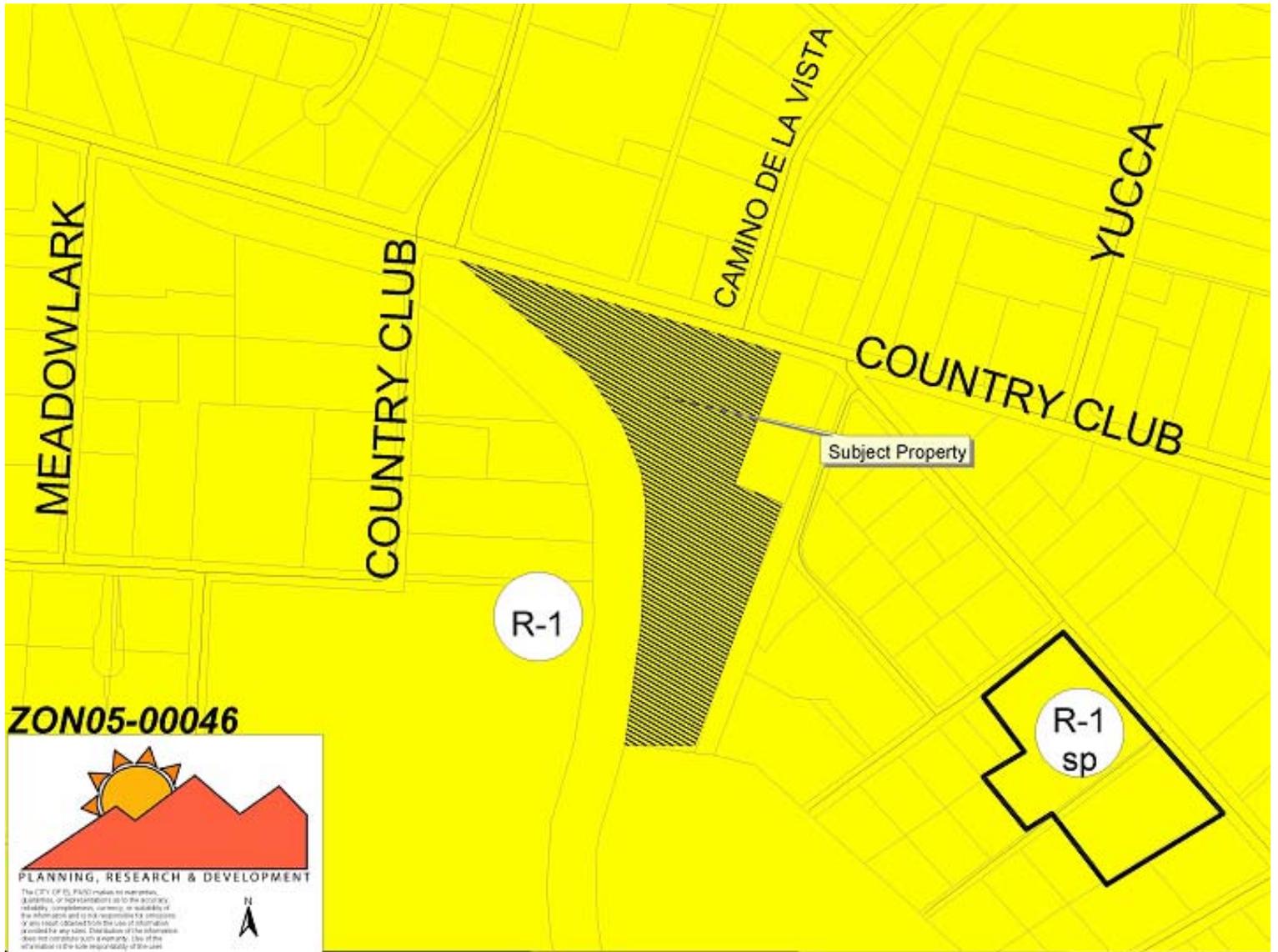
Planning, Research & Development Department Notes:

Recommend approval of the proposed special permit request.

ATTACHMENT: Site Plan; Location Map; Letters.

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 DEPARTMENT AT (915) 541-4056.

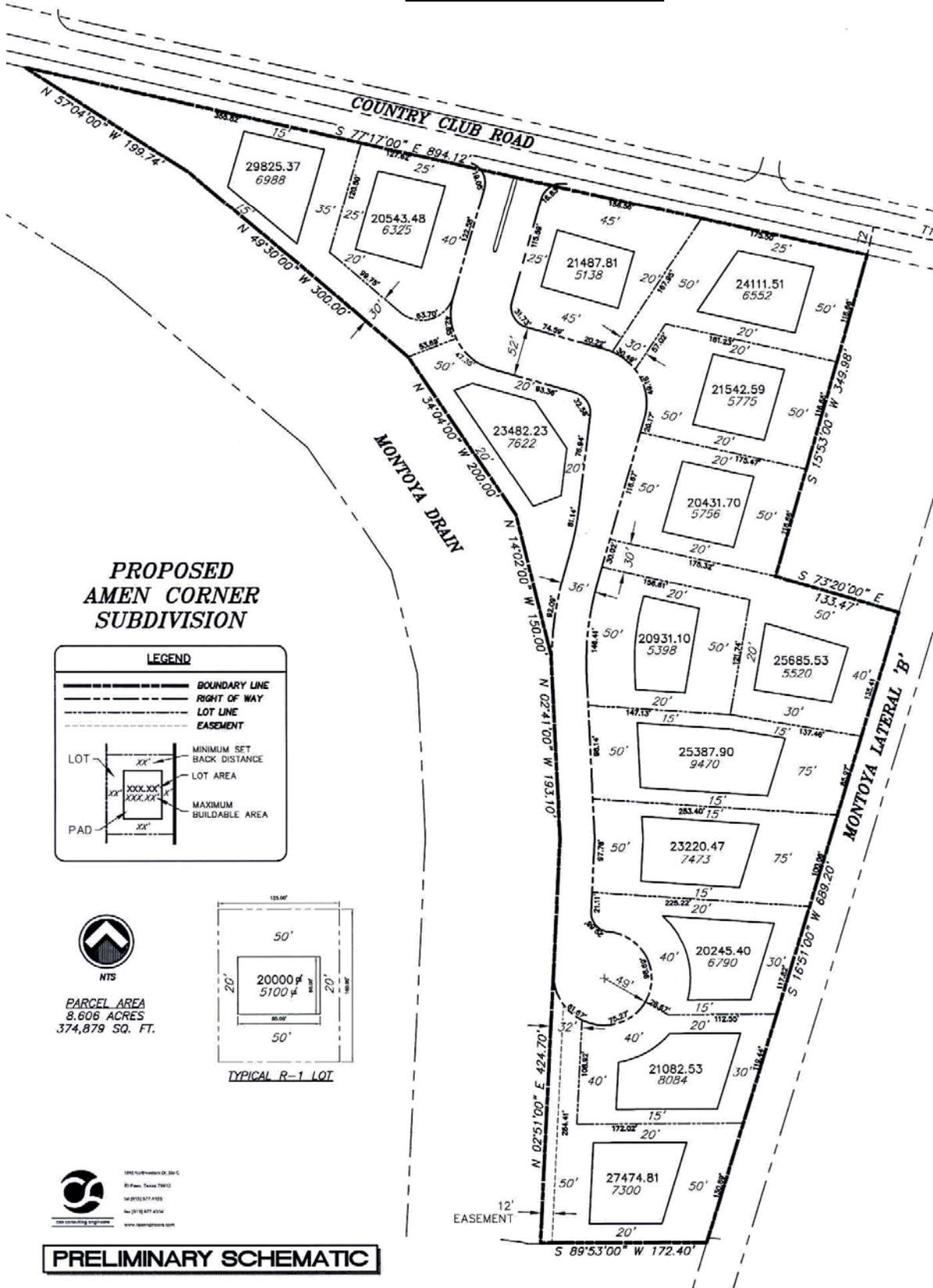
LOCATION MAP



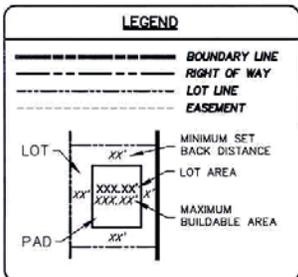
AERIAL MAP



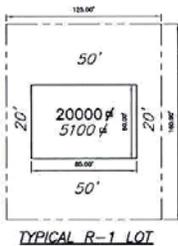
GENERALIZED PLOT



PROPOSED AMENITY CORNER SUBDIVISION



NTS
 PARCEL AREA
 8.606 ACRES
 374,879 SQ. FT.



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PRELIMINARY SCHEMATIC