

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: August 8, 2006
Public Hearing: August 29, 2006

CONTACT PERSON/PHONE: Linda Castle, 541-4029

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance granting Special Permit No. ZON06-00067, to allow for a planned residential development with private streets, reduced setbacks, and reduced lot depths on all of Tracts 2A, 2C, 2G, 2G1 and 2I, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.12.040 (Zoning) of the El Paso City Code, and imposing a condition.. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Gomez Road, West of Westside Drive. Applicants: Enrique Escobar and Rena Seifts. ZON06-00067 (District 1)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (5-0)

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Shubert

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00067, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH PRIVATE STREETS, REDUCED SETBACKS, AND REDUCED LOT DEPTHS ON ALL OF TRACTS 2A, 2C, 2G, 2G1 AND 2I, BLOCK 9, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.12.040 (ZONING) OF THE EL PASO CITY CODE, AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

WHEREAS, Enrique Escobar and Rena Seifts has applied for a Special Permit under Section 20.12.040 of the El Paso City Code, to allow for a planned residential development to permit private streets, reduced setbacks, and reduced lot depths; 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, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D 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 **R-2 (Residential)** District:
All of Tracts 2A, 2C, 2G, 2G1 and 2I, Block 9, Upper Valley Surveys, El Paso, El Paso County, Texas; and,
2. That a planned residential development is authorized by Special Permit in **R-2 (Residential)** district under Section 20.12.040 of the El Paso City 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 City Code, in order to allow a planned residential development on the above-

described property to allow for Planned Residential with private streets, reduced setbacks, and reduced lot depths; and,

5. That this Special Permit is issued subject to the development standards in the **R-2 (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 "A" and incorporated herein by reference for all purposes; and,

6. Further, that the property described herein be subject to the following condition which is necessitated by and attributable to the increased intensity of use generated due to the reduced setbacks and reduced lot depths in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

“The Applicant, and subsequent property owners, shall be prohibited from submitting an application and requesting further reductions in setbacks by the Zoning Board of Adjustment”; and,

7. 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,

8. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON06-00067** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2006.

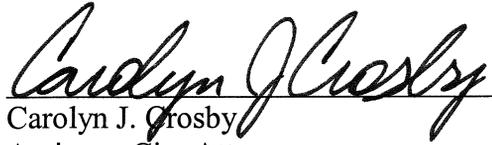
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT, P.E., CBO
DIRECTOR, DEVELOPMENT SERVICES



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEJANDRO 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

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

MEMORANDUM

DATE: July 31, 2006
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Linda Castle, Senior Planner
SUBJECT: ZON06-00067

The City Plan Commission (CPC) on July 20, 2006, voted **5-0** to recommend **APPROVAL** of a special permit for a planned residential development with reduced lot depths and reduced setbacks, concurring with Staff's recommendation.

The CPC further recommended imposing a condition that the applicant and subsequent property owners be prohibited from requesting further reductions in setbacks from the Zoning Board of Adjustment.

The CPC found that this special use permit is in conformance with The Plan for El Paso and that the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit would protect the best interest, health, safety and welfare of the public in general and that the proposed use is compatible with adjacent land uses.

The Planning Division received three phone calls for information regarding this request.

Attachments: Staff Report, Location Map, Aerial Map, Site Plan

STAFF REPORT

Special Use Permit #: ZON06-00067

Property Owner(s): Enrique Escobar & Rena Seifts

Applicant(s): Enrique Escobar & Rena Seifts

Representative(s): Del Rio Engineering

Legal Description: All of Tracts 2-A, 2-C, 2-G, 2-G-1 and 2-I, Block 9, Upper Valley Surveys

Location: North of Gomez Road and West of Westside Drive

Representative District: 1

Area: 8.34 acres

Zoning: R-2 (Residential)

Existing Use: Vacant

Proposed Use: Planned Residential Development with private streets and reduced setbacks and reduced lot depths

Recognized Neighborhood Associations Contacted: Texas Apache Nations, Inc., Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Civic Association

Surrounding Land Uses:

North -	R-2/sp (Residential/special permit) / Residences
South -	R-2/sp (Residential/special permit) / Residences
East -	R-F (Ranch-Farm) / Farm
West-	R-2 (Residential) / Vacant

Year 2025 Designation: Residential (Northwest Upper Valley Plan)

**CITY PLAN COMMISSION HEARING, JULY 20, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

SPECIAL USE PERMIT: ZON06- 00067

GENERAL INFORMATION

The applicant is requesting a special permit to allow for a planned residential development with private streets, reduced setbacks and reduced lot depths. The property is currently zoned R-2 (Residential). The site is vacant and is 8.34 acres in size. The proposed site plan shows 23 single-family dwelling lots to be located on the site. Access is proposed via Westside Drive. There are no zoning conditions currently imposed on this property. The reduced lot depths and setbacks are requested for 9 of the 23 lots.

The subject property is in the Northwest Upper Valley Plan area; however, the property was zoned R-2 in 1988, prior to the adoption of the Plan in January 2004, and is exempt from the 2.5 dwelling units per acre requirement of the Plan.

INFORMATION TO THE COMMISSION

The Development Services Department–Planning Division has received three calls requesting information about this application.

Staff Recommendation

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of the special permit request for private residential streets and reduced setbacks and reduced lot depths for lots 3, 10-13, and 18-21.

The recommendation is based on the following:

1. **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”
2. **The Year 2025 Projected General Land Use Map** for the **Northwest** Planning Area designates this property for **Residential** land uses.
3. **R-2 (Residential) zoning** permits a planned residential development with private streets, reduced setbacks and reduced lot depths by special permit.

The Commission must determine the following:

1. Will the special permit for planned residential development with private streets, reduced setbacks and reduced lot depths protect the best interest, health, safety, and welfare of the public in general?
2. Will the special permit for planned residential development with private streets, reduced setbacks and reduced lot depths be compatible with adjacent land uses?

3. What is the relation of the proposed special permit to the City's Comprehensive Plan?
4. What effects will the planned residential development with private streets, reduced setbacks and reduced lot depths have on the natural environment, social and economic conditions, and property values in the vicinity and the city as a whole?

INFORMATION TO THE APPLICANT

Development Services Department - Building Permits and Inspections Division Comments

Zoning Review

The proposed PR-1 Planned Residential Development meets the minimum area of three acres and shall require a detailed site development plan.

Landscape Review

No landscape required for this project—residential use.

Development Services Department – Planning Division Comments

Current Planning

Recommend approval of the special permit request:

1. The Year 2025 Projected General Land Use Map for the Northwest Planning Area designates this property for residential land uses.
2. R-2 (Residential) zoning permits Planned Residential Development with private streets, reduced setbacks and reduced lot depths.

Subdivision Review

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
2. Grading plan and permit shall/may be required.*
3. Storm Water Pollution Prevention plan and/or permit shall/may be required.*
4. Drainage plans must be approved by the City Engineer.*
5. Coordination with TXDOT.*
6. No water runoff allowed outside the proposed development boundaries.*
7. Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone(s) X, Panel(s) 480212 0125 B.

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

Engineering Department - Traffic Division Comments

No apparent traffic concerns with the proposed planned residential with private streets.

Fire Department Comments

No comments received.

El Paso Water Utilities Comments

Water

Along Westside Drive between Valle Bello Avenue and Gomez Road there is an existing twelve (12) inch diameter water main.

Along Gomez Road between Westside Drive and Valley West Street there is an existing eight (8) inch diameter water main. This main dead-ends at approximately 546 feet west of Valley West Street.

Sanitary Sewer

Along Westside Drive between Valle Bello Avenue and Gomez Road there is an existing fifteen (15) inch diameter sanitary sewer main.

Along Gomez Road between Westside Drive and Valley West Street there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 350 feet west of Valley West Street.

In addition to the existing sanitary sewer main described in the previous paragraph, along Gomez Road between Westside Drive and Valley West Street there is a second existing eight (8) inch diameter sanitary sewer main. This main is shallower than the above-described main.

General

Public right-of-way access is required to enable the construction and operation of public water and sanitary sewer mains to provide future water and sanitary sewer service to properties located north and west of Spanish Courts subdivision.

Public right-of-way access from Spanish Courts subdivision to the existing Gomez Road is required to enable the construction and operation of public water and sanitary sewer mains.

The Developer, as well as his/her Engineer are requested to coordinate with EPWU-PSB Engineering Department regarding the public right-of-way access to serve the properties located north and west of Spanish Courts subdivision, as well as public right-of-way access from Spanish Courts subdivision to the existing Gomez Road.

The proposed water distribution system to serve Spanish Courts subdivision requires looping to the existing water main located along Gomez Road.

Sanitary sewer service is critical due to the fact that this proposed subdivision is land-locking the properties located north and west of Spanish Courts subdivision. The El Paso Water Utilities requires complete final grading plans before committing to provide sanitary sewer service to this proposed subdivision.

The proposed public sanitary sewer mains to serve Spanish Courts subdivision shall have a minimum slope of 0.40 per cent (%).

The El Paso Water Utilities - Public Service Board (EPWU-PSB) is interested in leasing the water rights of this subdivision. Please contact Jim Shelton at 594-5511.

The Developer is requested to grade subdivision to enable sanitary sewer service towards Westside Drive by means of gravity flow.

De-watering may be required to enable the construction of water mains, sanitary sewer mains and related appurtenant structures.

In the event that sanitary sewer mains with a depth exceeding ten (10) vertical feet be required, then secondary shallow sanitary sewer mains will be required.

The proposed private streets are required to be designated full-width utility easements in order to enable the construction, operation, maintenance, and, repair of the proposed water and sanitary sewer mains.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

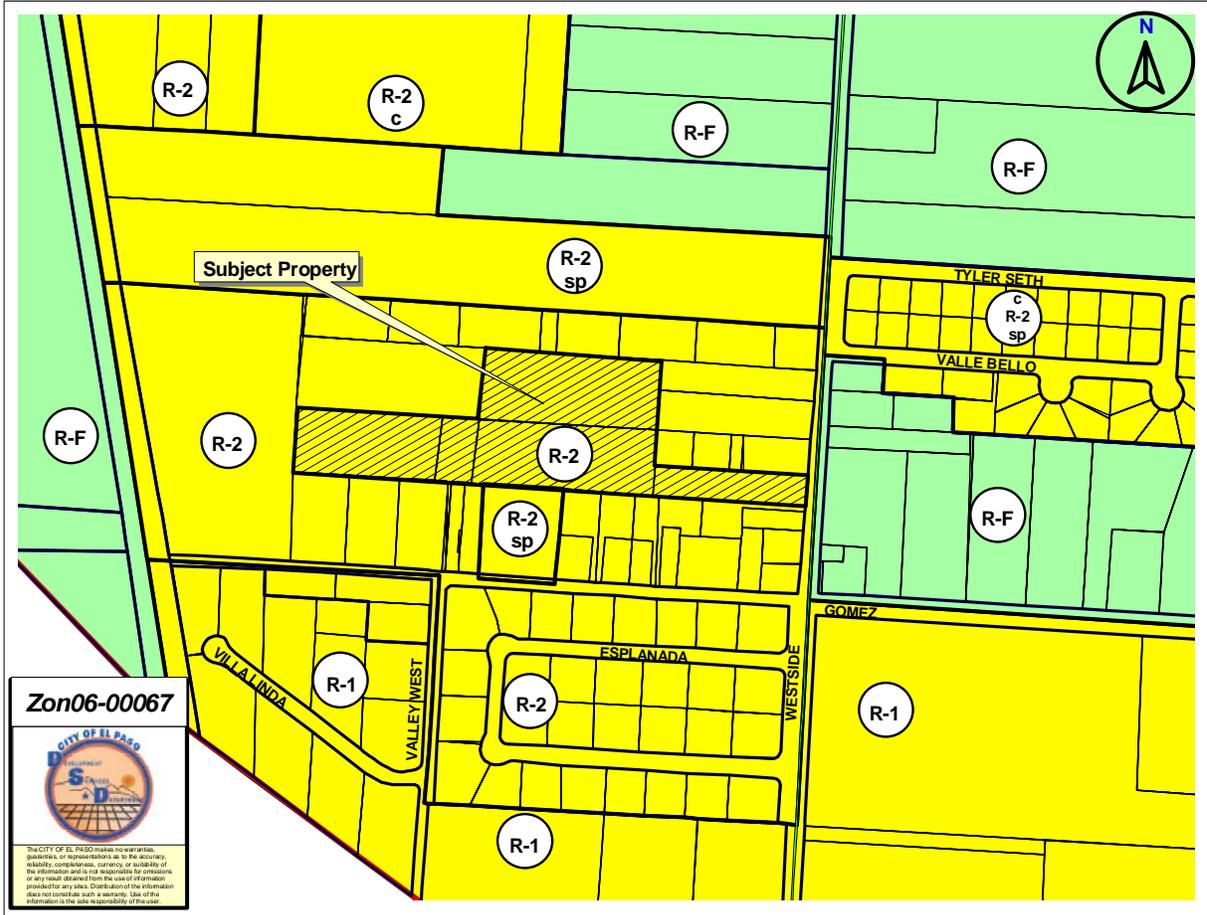
The El Paso Water Utilities requires a finalized set of improvement plans including drainage and grading plans to initialize the design of the water and sanitary sewer main extensions to serve subject subdivision. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. Furthermore, application for services for subject subdivision must be made in conjunction with the request for water and sanitary sewer main extensions. The improvement plans should include a site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance which are required at the time of application. The certificate-of-compliance can be obtained on the 5th floor at City Hall.

EPWU does not object to this request.

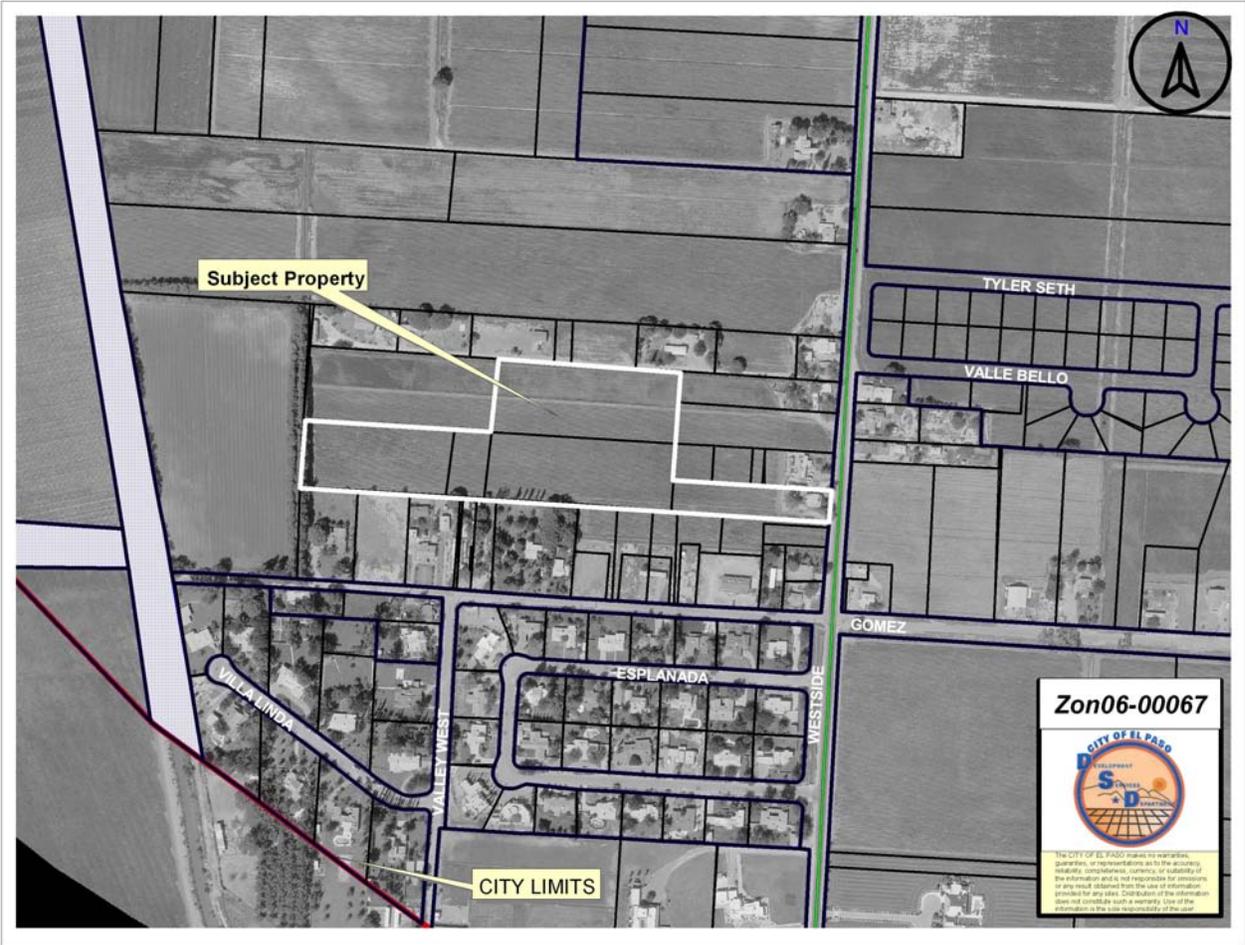
ATTACHMENT: Site Plan, Typical Lot Layout

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 DEVELOPMENT SERVICES DEPARTMENTY, PLANNING DIVISION (915) 541-4056.

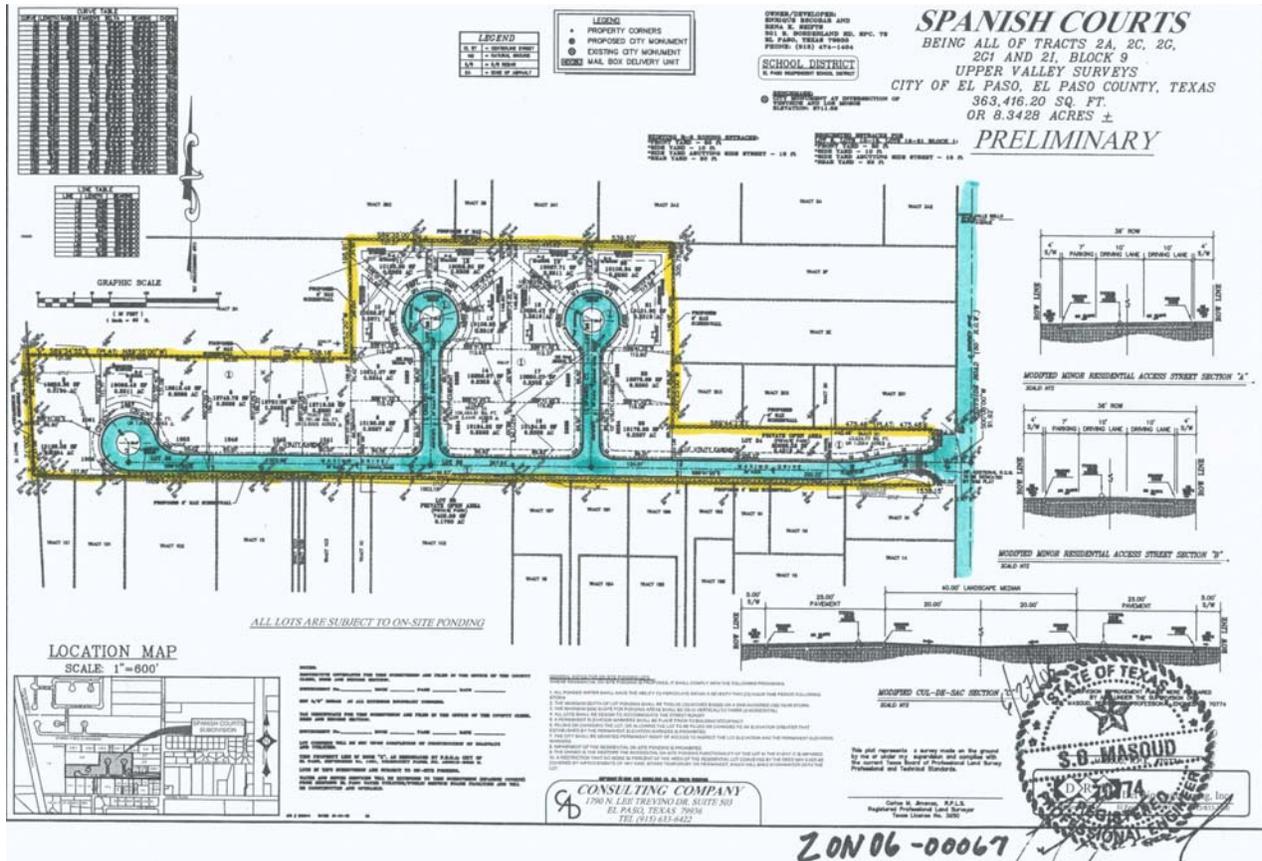
LOCATION MAP



AERIAL MAP



SITE PLAN



TYPICAL LOT LAYOUT

