

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

DEPARTMENT: Development Services Department / Planning Division

AGENDA DATE: Introduction: 08/22/06
Public Hearing: 09/12/06

CONTACT PERSON/PHONE: Esther Guerrero, 541-4720

DISTRICT(S) AFFECTED: # 2

SUBJECT:

An Ordinance granting Special Permit No. ZON06-00070, to allow for a Planned Residential Development on Tract 199 and the South 130 feet of Tract 200, Sunrise Acres No. 2, El Paso, El Paso, County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso City Code. The penalty is as provided for in Chapter 20.68 of the El Paso City Code.
Subject Property: Apollo Avenue. Applicant: Keith W. and Maria T. Alexander, ZON06-00070 (District 2)

BACKGROUND / DISCUSSION:

See attached report

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: Alan Shubert

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00070, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON TRACT 199 AND THE SOUTH 130 FEET OF TRACT 200, SUNRISE ACRES NO. 2, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO CITY CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

WHEREAS, Keith W. and Maria Teresa Alexander have applied for a Special Permit under Section 20.14.040 of the El Paso City Code, to allow for a planned residential development; 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-4 (Residential)** District:

Tract 199 and the South 130 feet of Tract 200, Sunrise Acres No. 2, El Paso, El Paso County, Texas.

2. That a planned residential development is authorized by Special Permit in **R-4 (Residential)** district under Section 20.14.040 of the El Paso City Code; and,

3. That the requirements for a planned residential development under Section 20.14.040 have been satisfied; and,

4. That the City Council hereby grants a Special Permit under Section 20.14.040 of the El Paso City Code, in order 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-4 (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. 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. ZON06-00070** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2006.

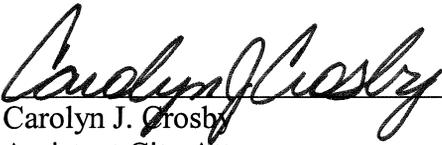
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

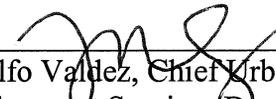
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Carolyn J. Crosby
Assistant City Attorney

APPROVED AS TO CONTENT:



for Rodolfo Valdez, Chief Urban Planner
Development Services Department

AGREEMENT

Keith W. and Maria Teresa Alexander, collectively 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 the standards identified in the **R-4 (Residential)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 2nd day of AUGUST, 2006.

By: KEITH W. ALEXANDER
(name/title)

[Signature]
(signature)

By: MARIA TERESA ALEXANDER
(name/title)

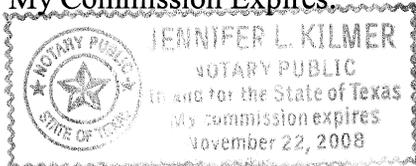
[Signature]
(signature)

ACKNOWLEDGMENTS

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 2nd day of August, 2006, by **Keith W. Alexander**, as Applicant.

My Commission Expires:

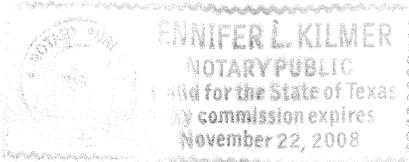


[Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name:

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 2nd day of August, 2006, by **Maria Teresa Alexander**, as Applicant.

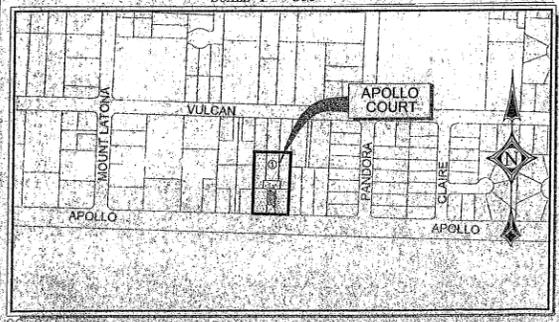
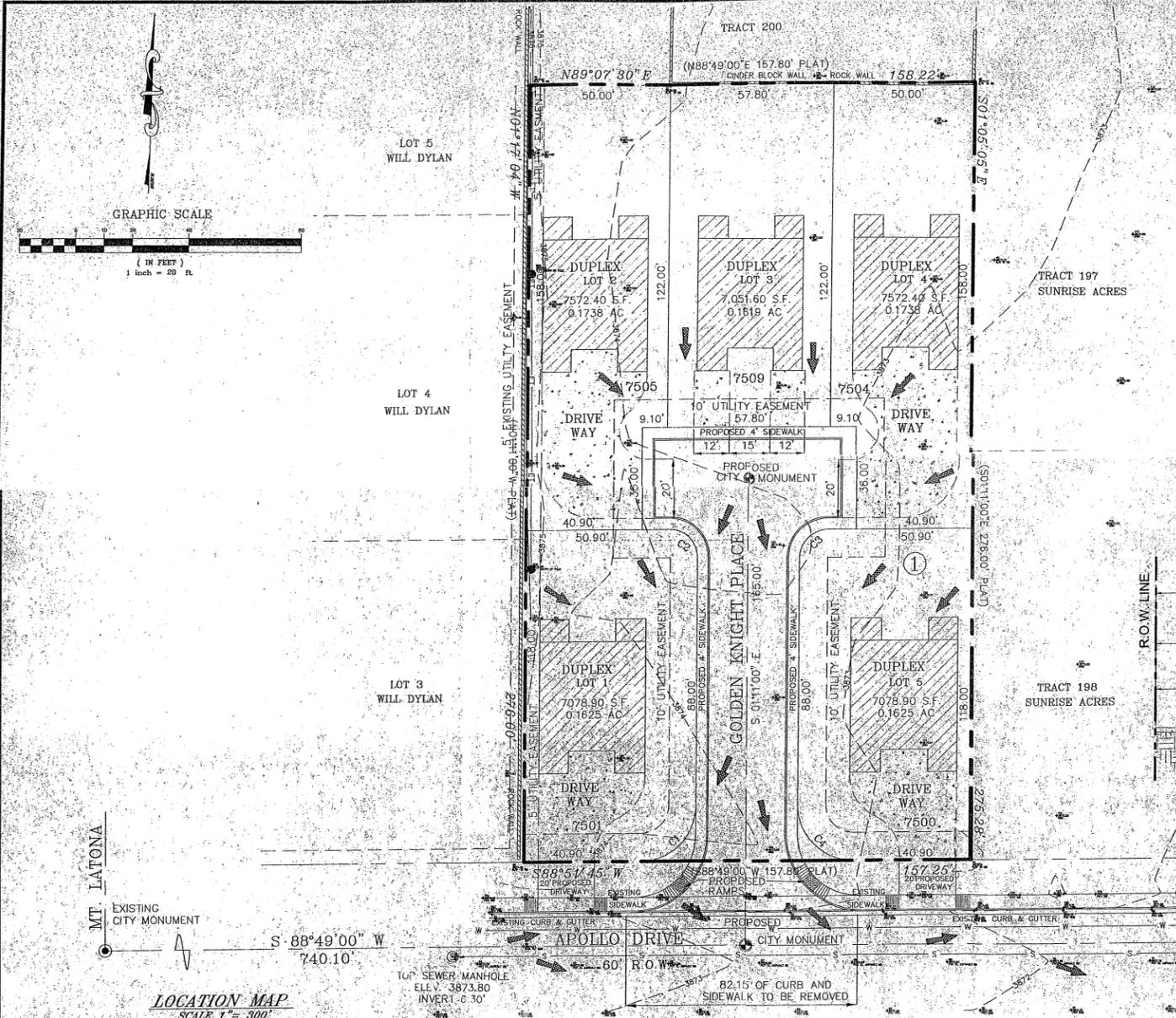
My Commission Expires:



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

SITE PLAN APOLLO COURT

BEING A REPLAT ALL OF TRACT 199 AND A PORTION OF TRACT 200, SUNRISE ACRES No.2 CITY OF EL PASO, EL PASO COUNTY, TEXAS CONTAINING 43,477.00 SQ. FT. OR 0.99 AC.



BENCHMARK:
CITY MONUMENT LOCATED AT THE CENTERLINE INTERSECTION OF MT. LATONA AND APOLLO DRIVE ELEVATION: 8976.82 CITY DATUM

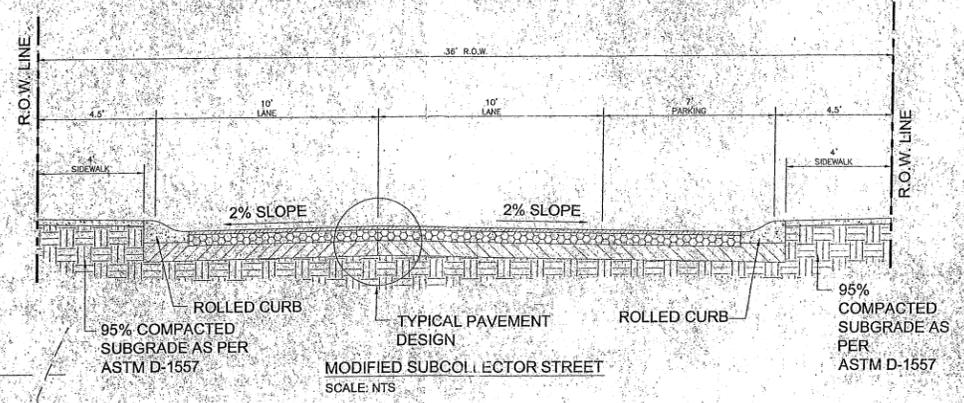
SURVEY NOTES:
1) THIS PROPERTY LIES IN ZONE "C" AS DESIGNATED BY F.E.M.C. CITY OF EL PASO, OCTOBER 15, 1982. COMMUNITY PANEL NO. 480214-0024 B.

LEGEND:
INDCBU MAIL-BOX DELIVERY UNIT

OWNER/DEVELOPER:
KEITH W. ALEXANDER & MARIA T. ALEXANDER
311 McCLINTOCK
EL PASO, TX 79922
(915) 478-3636

SCHOOL DISTRICT:
EL PASO INDEPENDENT SCHOOL DISTRICT
6531 BOBING, EL PASO, TEXAS 79925

NOTES:
1) THIS DEVELOPMENT WILL PROVIDE 1 (ONE) DUPLEX UNIT ON EACH LOT.
2.) EXISTING SETBACKS OF R-4 WILL BE AND SHOULD BE FOLLOWED.
3.) ALL STORM RUN-OFF TO DRAIN TO STREET.



R-4 SETBACKS:
FRONT YARD= 24'
SIDE YARD= 5'
SIDE YARD ABUTTING A SIDE STREET= 10'
REAR YARD= 25'

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
DETAILED SITE DEVELOPMENT PLAN APPROVED BY THE CITY COUNCIL

[Signature]
APPLICANT
[Signature]
EXECUTIVE SECRETARY
CITY PLAN COMMISSION

CURVE	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	90°00'00"	28.00'	31.42'	N44°49'00"E	28.28'
C2	90°00'00"	10.00'	15.71'	N44°11'00"W	14.14'
C3	90°00'00"	10.00'	15.71'	S43°49'00"W	14.14'
C4	90°00'00"	20.00'	31.42'	S46°11'00"E	28.28'

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B, Condition II Survey.

LEGEND:
• PROPERTY CORNERS
○ PROPOSED CITY MONUMENT
● EXISTING CITY MONUMENT
INDCBU MAIL-BOX DELIVERY UNIT

SECO 1071 COUNTRY CLUB RD., SUITE M
EL PASO, TX 79932
TEL (915) 585-1227 FAX (915) 585-0825

DRE Del Rio Engineering, Inc.
P.O. Box 220251 - El Paso, Texas 79913 915/833-2400

DATE OF PREPARATION: MAY 30, 2006

Exhibit A

PROPERTY DESCRIPTION

BEING the description of a portion of Tract 200, Sunrise Acres No. 2, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a found city monument in the intersection of Apollo and Mount Latona Drive, thence N 88° 49' 00" E, 660.99 feet along the centerline of Apollo Street to a point, thence N 01° 11' 00" W, 30.18 feet (30.00 feet record) to a found 5/8" rebar for the southwest corner of said Tract 200 in the northerly right of way line of Apollo Street, said rebar being the True Point of Beginning of the property being described;

THENCE N 01° 17' 04" W, 276.00 feet (N 01° 11' 00" W record) leaving the northerly right of way line of Apollo Street to a found 5/8" rebar;

THENCE N 89° 07' 30" E, 158.22 feet (N 88° 49' 00" E, 157.80 feet record) to a found 5/8" rebar;

THENCE S 01° 05' 05" E, 275.28 feet (S 01° 11' 00" E, 276.00 feet record) to a found 5/8" rebar in the northerly right of way line of Apollo Street;

THENCE S 88° 51' 45" W, 157.25 feet (S 88° 49' 00" W, 157.80 feet along the northerly right of way line of Apollo Street to the True Point of Beginning and containing 43,478 square feet of 0.9981 acres of land more or less.



Basil R. Smith Jr. R.P.L.S.



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY 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

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

August 11, 2006

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

FROM: Esther Guerrero, Planner

SUBJECT: ZON06-00070

The City Plan Commission (CPC), on July 20, 2006, voted **(5-0)** to recommend **APPROVAL** of the special permit request to allow a planned residential development to permit two-family dwellings (duplexes) with reduced lot widths. The property is currently zoned R-4 (Residential).

The CPC found that the request for special permit is in conformance with The Plan for El Paso; and the proposed use with reduced lot widths is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the effects of the special permit for planned residential development with reduced lot widths will not have an 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.

Attachment: City Plan Commission Report

STAFF REPORT

Special Use Permit: ZON06-00070

Property Owner(s): Keith W. Alexander and Maria Teresa Alexander

Applicant(s): Keith W. Alexander and Maria Teresa Alexander

Representative(s): Del Rio Engineering

Legal Description: Tract 199 and the South 130 feet of Tract 200, Sunrise Acres No. 2

Location: Apollo Avenue west of Diana Drive

Representative District: # 2

Area: 1 Acre

Zoning: R-4 (Residential)

Existing Use: Vacant

Proposed Use: Planned Residential Development

Recognized Neighborhood Associations Contacted: Northeast Healthy Communities
Northeast Civic Association
North Hills Neighborhood

Surrounding Land Uses:

North -	R-4 (Residential) / Single-family Residential
South -	R-3 (Residential) / Fort Bliss Housing
East -	R-4 (Residential) / Vacant
West-	R-4 (Residential) / Single-family Residential

Year 2025 Designation: Residential (Northeast Planning Area)

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

ITEM #

SPECIAL USE PERMIT: ZON06-00070

GENERAL INFORMATION:

The applicant is requesting a special permit to allow a planned residential development to permit two-family dwellings (duplexes) with reduced lot widths. The minimum lot width currently required in R-4 (Residential) is 70 feet. The minimum lot width proposed is 50.90 feet.

The property is zoned R-4 (Residential) and is currently vacant and is 1 acre in size. The proposed site plan shows 4 lots with 5 two-family dwellings (duplexes) on each lot. Access is proposed via Apollo Drive and Golden Knight Place which is a proposed street to be located within the subdivision.

There are no zoning conditions currently imposed on this property.

INFORMATION TO THE COMMISSION:

The Development Services Department - Planning Division has received no calls or letters in support or opposition to this request.

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 recommends that El Paso “develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression”.

The Year 2025 Projected General Land Use Map for the **Northeast** Planning Area designates this property as **Residential**.

R-4 (Residential) zoning permits two-family dwellings and a planned residential development with reduced lot widths by special permit.

The Commission must determine the following:

- A. Will the special permit for planned residential development with reduced lot widths for two-family dwelling units protect the best interest, health, safety and welfare of the public in general?
- B. What effects will the special permit have on the natural environment, social and economic conditions, and property values in the vicinity and the city as a whole?
- C. What is the relation of the proposed special permit to the City’s Comprehensive Plan?

INFORMATION TO THE APPLICANT:

Development Services/Planning Division Notes:

- A. The Year 2025 Projected General Land Use Map for the Northeast Planning Area designates this property as Residential.
- B. R-4 (Residential) zoning with a special permit for planned residential development with reduced lot widths allows two-family dwellings (duplexes).

Development Services/Building Permits and Inspections Notes:

No objections.

Development Services/Subdivision Plan Review Notes:

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- B. Grading plan and permit required.*
- C. Storm Water Pollution Prevention plan and/or permit required.*
- D. Drainage plans must be approved by the Development Services, Engineering Section.*
- E. Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone(s) C Panel(s) 480214 0040 B.
* This requirement will be applied at the time of development.

Engineering Department, Traffic Division Notes:

Sidewalks shall be provided on both sides of the street.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

General

- A. Water and sanitary sewer mains exist along Apollo Avenue between Mt. Latona Street and Pandora Street fronting the subject Property and are available for service.
- B. In the event that 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.
- C. 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

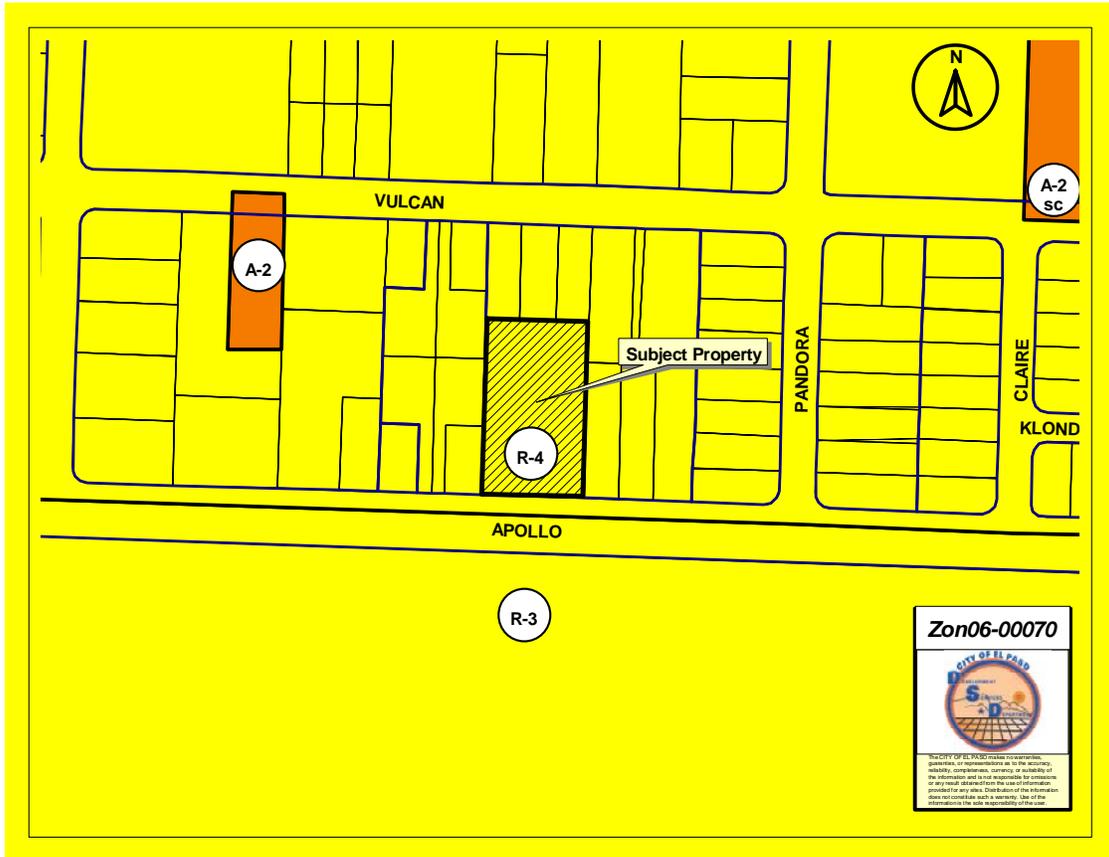
improvement plans should include a site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance which are required at the time of application. The certificate-of-compliance can be obtained at City Hall.

EPWU does not object to this request.

ATTACHMENT: Site Plan

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 DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL

