

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

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: August 16, 2005
Public Hearing: September 6, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00057, to allow for a ground-mounted cellular telecommunications antenna support structure with appurtenant antennas and equipment storage facilities on the property described as a portion of Lot 22, Block H, Thomas Manor Unit Seven, El Paso, El Paso County, Texas, pursuant to Section 20.22.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.
Applicant: T-Mobile. Location: 7900 Knights Drive. ZON05-00057 (District 7)

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. ZON05-00057, TO ALLOW FOR A GROUND-MOUNTED CELLULAR TELECOMMUNICATIONS ANTENNA SUPPORT STRUCTURE WITH APPURTENANT ANTENNAS AND EQUIPMENT STORAGE FACILITIES ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 22, BLOCK H, THOMAS MANOR UNIT SEVEN, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.22.040 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Voicestream PCS II Corporation, has applied for a Special Permit under Section 20.22.040 of the El Paso Municipal Code to allow for a ground-mounted cellular telecommunications antenna support structure with appurtenant antennas and equipment storage facilities;

WHEREAS, the requirements of Section 20.22.040 have been satisfied; and

WHEREAS, a report was made by 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;

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 the A-2 (Apartment) District,;

A portion of Lot 22, Block H, Thomas Manor Unit Seven, El Paso, El Paso County, Texas; and

2. That the City Council hereby grants a Special Permit under Section 20.22.040 of the El Paso Municipal Code so that a ground-mounted cellular telecommunications antenna

support structure with appurtenant antennas and equipment storage facilities may be permitted on the property described in Paragraph 1 of this Ordinance;

3. That this Special Permit is issued subject to the development standards in the A-2 (Apartment) 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 "B" and is incorporated herein by reference for all purposes;

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00057** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; and

5. 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 to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



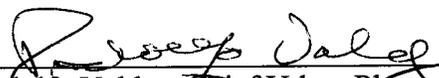
Matt Watson, Assistant City Attorney
Doc No. 14880

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

Voicestream PCS II Corporation, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan and in accordance with the standards identified in the A-2 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 4th day of August, 2005.

Henry J. Quiri
(signature)

Dev. Program Manager
(name/title)

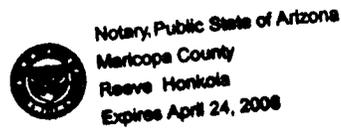
ACKNOWLEDGMENT

~~THE STATE OF TEXAS~~)
Arizona)
~~COUNTY OF EL PASO~~)

Maricopa
This instrument is acknowledged before me on this 4 day of SEPTEMBER, 2005, by TERRY GUNN as Applicant.

My Commission Expires: 4/24/08

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



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
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EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

August 8, 2005

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

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00057

The City Plan Commission (CPC), on July 14, 2005, voted **7- 0** to recommend **APPROVAL** of this special permit request for a 40' ground-mounted cellular telecommunications facility, 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 **NO OPPOSITION** to this special permit request.

Attachment: Location Map

STAFF REPORT

Special Use Permit #: ZON05-00057

Property Owner(s): Columbia Apartments, Columbus Club Association of Ysleta Texas Trust

Applicant(s): Rick Ramirez

Representative(s): Rick Ramirez

Legal Description: A portion of Lot 22, Block H, Thomas Manor Unit Seven

Location: 7900 Knights Drive

Representative District: # 7

Area: 625 square feet

Zoning: A-2 (Apartment)

Existing Use: Apartments

Proposed Use: Ground mounted cellular telecommunications facility

Recognized Neighborhood Associations Contacted: Thomas Manor Neighborhood Association

Surrounding Land Uses:

North -	R-3 (Residential) / Single-family residential
South -	A-2 (Apartment) / Multi-family residential
East -	A-2 (Apartment) / Multi-family residential
West-	A-2 (Apartment) / Multi-family residential

Year 2025 Designation: Residential (Lower Valley Planning Area)

**CITY PLAN COMMISSION HEARING, July 14, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON05-00057

General Information:

The applicant is requesting a special permit to allow for 40' Ground mounted cellular telecommunications facility to be located on an existing apartment complex. The property is currently zoned A-2 (Apartment). The site is 11.8696 acres in size and the cell tower and equipment will occupy 625 square feet. The proposed site plan shows the existing apartment buildings and the proposed location of the T-Mobile lease area. Access is proposed via Knights Drive. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received **no call or letters** in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends unanimous **APPROVAL** of this special permit request with the following condition:

With the stealth palm tree option.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for Residential land uses.

A-2 (Apartment) zoning permits ground mounted cellular telecommunications facilities by special permit.

The Commission must determine the following:

Will the special permit for Ground mounted cellular telecommunications facility protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Department Notes:

Zoning: Complies with A-2 Apt. District special permit requirements.
Landscaping: Will be required to meet Chapter 20.65

Engineering Department, Development Division Notes:

1. Grading plan and permit required.*
2. Drainage plans must be approved by the City Engineer.*
3. Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Zone **C** Panel **280214 0044 B**.
*** This requirement will be applied at the time of development.**

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed 40 ft ground mounted cellular telecommunications facility.

Fire Department Notes:

No objections.

El Paso Water Utilities Notes:

1. Water and sanitary sewer services are available from existing public water and sanitary sewer mains along Knights Drive.
2. EPWU does not object to this request. Application for water and sanitary sewer services should be made 6 to 8 weeks prior to any construction to ensure water for construction work. A site plan, a 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. The owner 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.

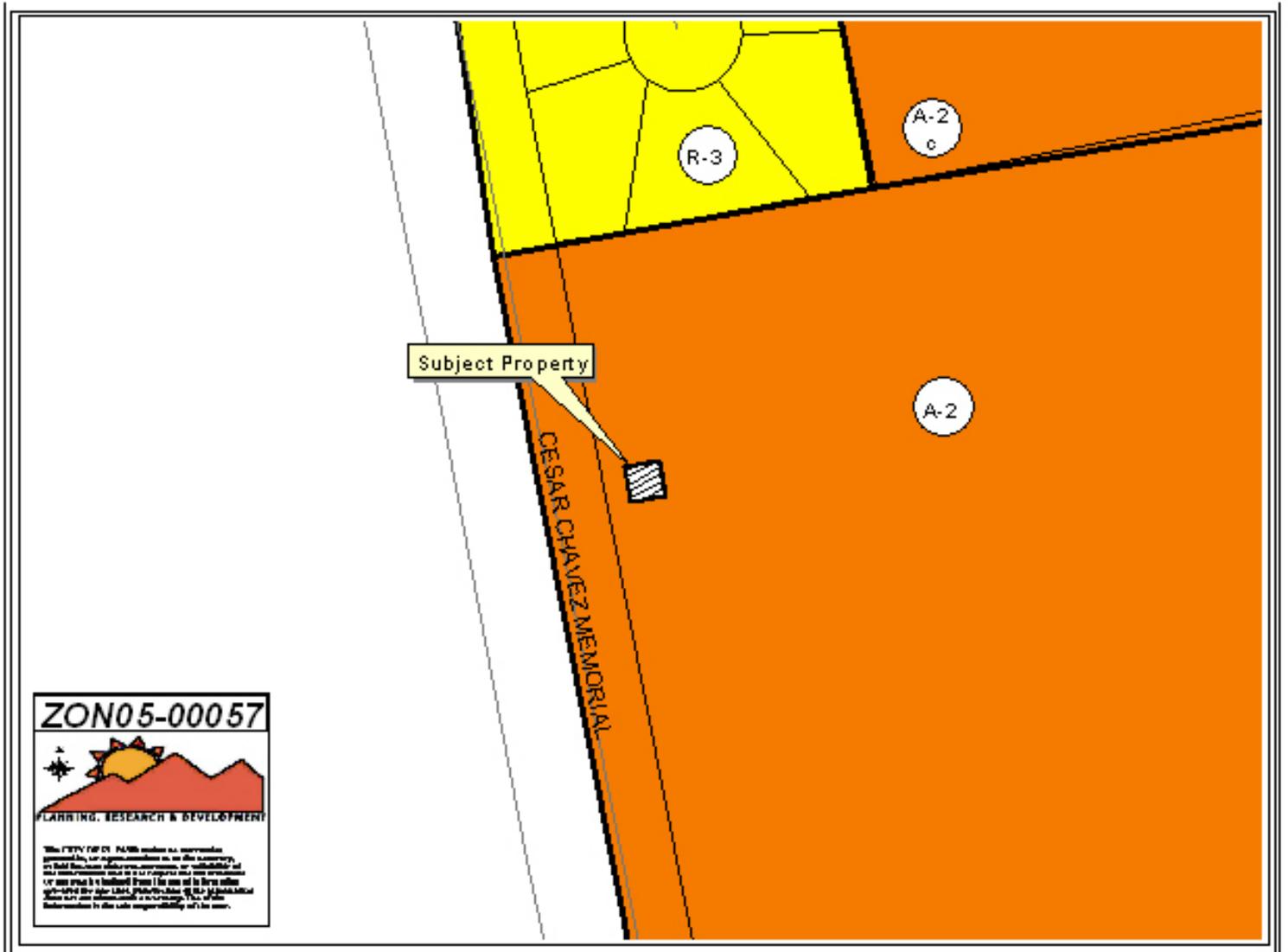
Planning, Research & Development Department Notes:

Recommend approval of this application with the stealth palm tree option.

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



ZON05-00057

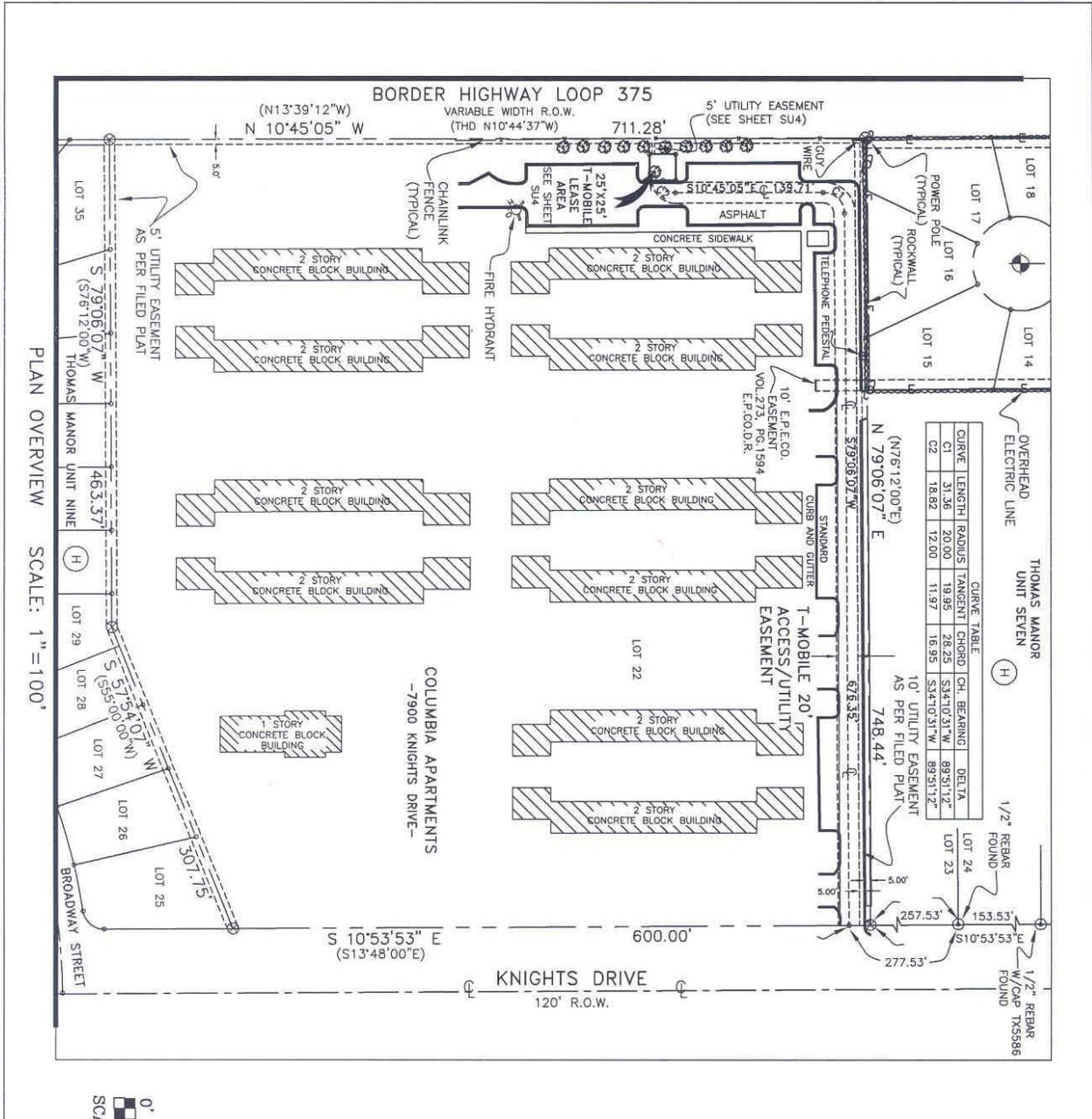
PLANNING, RESEARCH & DEVELOPMENT

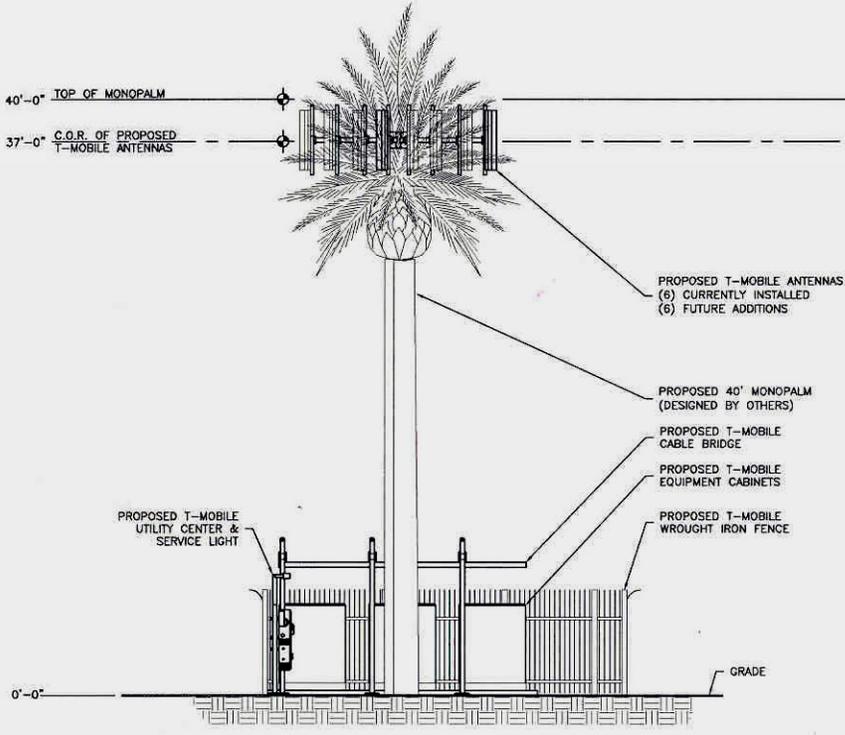
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AERIAL MAP

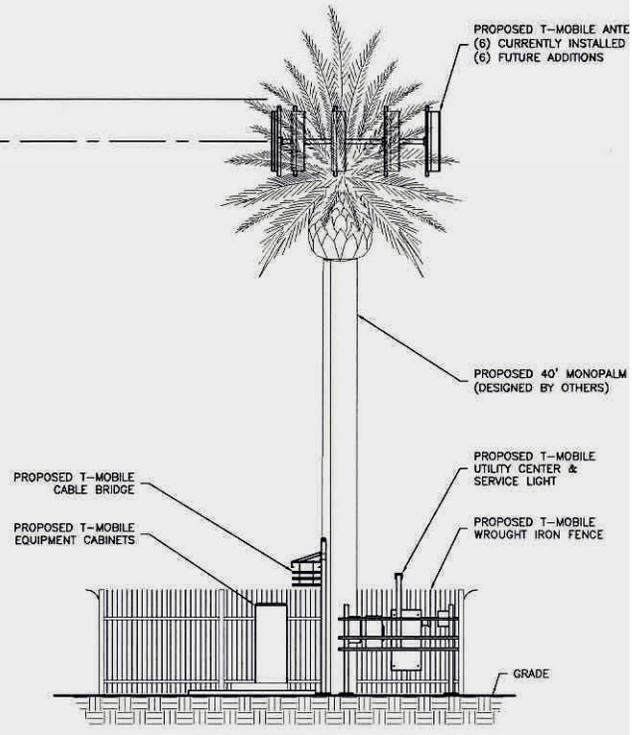


GENERALIZED PLOT





WEST ELEVATION
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION
SCALE: 1/8" = 1'-0"

