

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

**DEPARTMENT:** Planning and Economic Development Department, Planning Division

**AGENDA DATE:** Introduction: October 12, 2010  
Public Hearing: November 2, 2010

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An ordinance approving a detailed site development plan for all of Lot 1, Block 1, Sierra Crest, City of El Paso, El Paso County, Texas, pursuant to section 20.04.150. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1 Silent Crest Drive. Applicant: Frederick & Ginger Francis. ZON10-00079 (**District 1**)

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Reviewed  
City Plan Commission (CPC) – Pending Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:**

Matthew S. McElroy  
Deputy Director, Planning and Economic Development

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**ORDINANCE\_\_\_\_\_**

**AN ORDINANCE APPROVING A DETAILED SITE DEVELOPMENT PLAN FOR ALL OF LOT 1, BLOCK 1, SIERRA CREST, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS, FREDERICK AND GINGER FRANCIS**, (the "Owners") have applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval, to increase building height as required under the Planned Residential I District as per Section 20.10.360 (C) (4) (c). The detailed site development plan is subject to the development standards in the **PR-I/sc (Planned Residential I/special contract) District** regulations and 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 "A" and is incorporated herein by reference for all purposes; and,

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

**WHEREAS**, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and,

**WHEREAS**, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. Pursuant to requirements, the City Council hereby approves the detailed site development plan submitted by the Applicant, to increase building height as required under the Planned Residential I District as per Section 20.10.360 (C) (4) (c), on the following described property which is located in a PR-I (Planned Residential I) District:

*Lot 1, Block 1, Sierra Crest, City of El Paso, El Paso County, Texas.*

2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "A" and incorporated herein by reference.

3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the PR-I (Planned Residential I) District regulations.

4. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the PR-I (Planned Residential I) District. 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.

5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.**

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook, Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

\_\_\_\_\_  
Mathew S. McElroy  
Deputy Director  
Planning and Economic Development  
Department

*(Development Agreement on Page 3)*

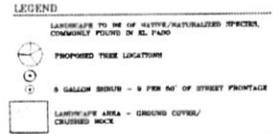
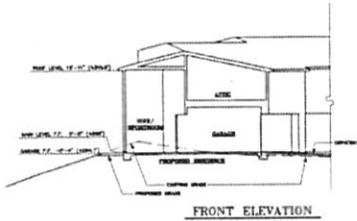
**ORDINANCE \_\_\_\_\_**



# FRANCIS RESIDENCE EL PASO, TEXAS

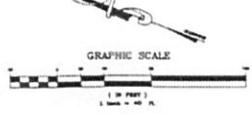
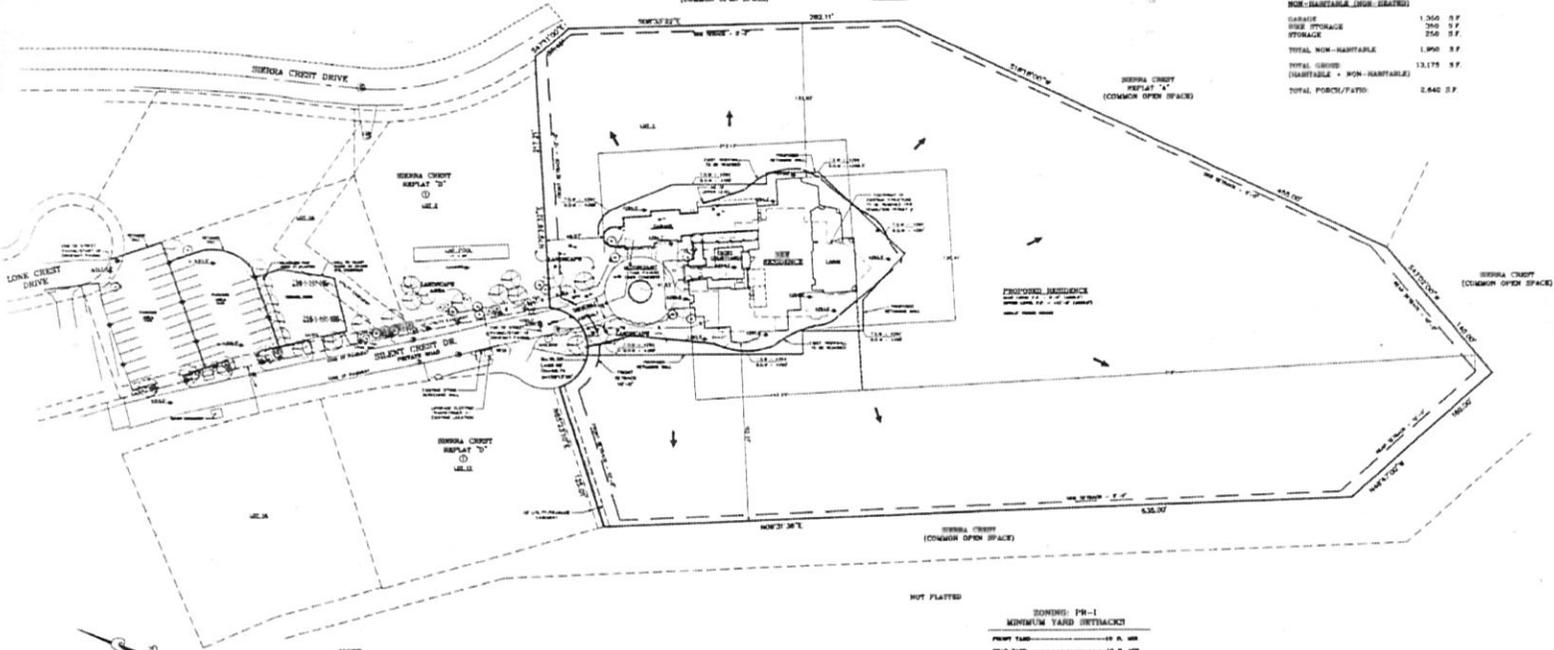
## DETAIL SITE PLAN

BEING LOT 1, BLOCK 1, SIERRA CREST,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS  
CONTAINING: 6.0417± ACRES



**AREA CALCULATION**

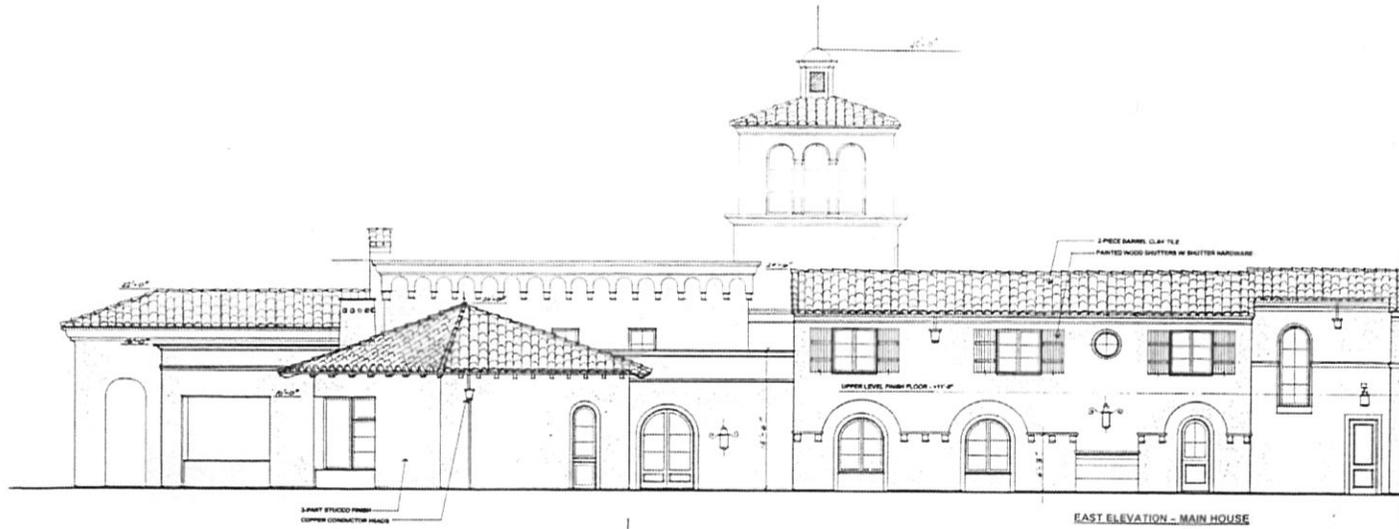
BUILDING AREA CALCULATIONS	
<b>HABITABLE (HEATED)</b>	
MAIN LEVEL	8,410 S.F.
UPPER LEVEL	2,775 S.F.
TOTAL HABITABLE	11,225 S.F.
<b>NON-HABITABLE (W/OUT HEATED)</b>	
GARAGE	1,500 S.F.
WHEEL STORAGE	300 S.F.
STORAGE	250 S.F.
TOTAL NON-HABITABLE	1,950 S.F.
TOTAL COVERED (HABITABLE + NON-HABITABLE)	13,175 S.F.
TOTAL PORCH/PATIO	2,440 S.F.



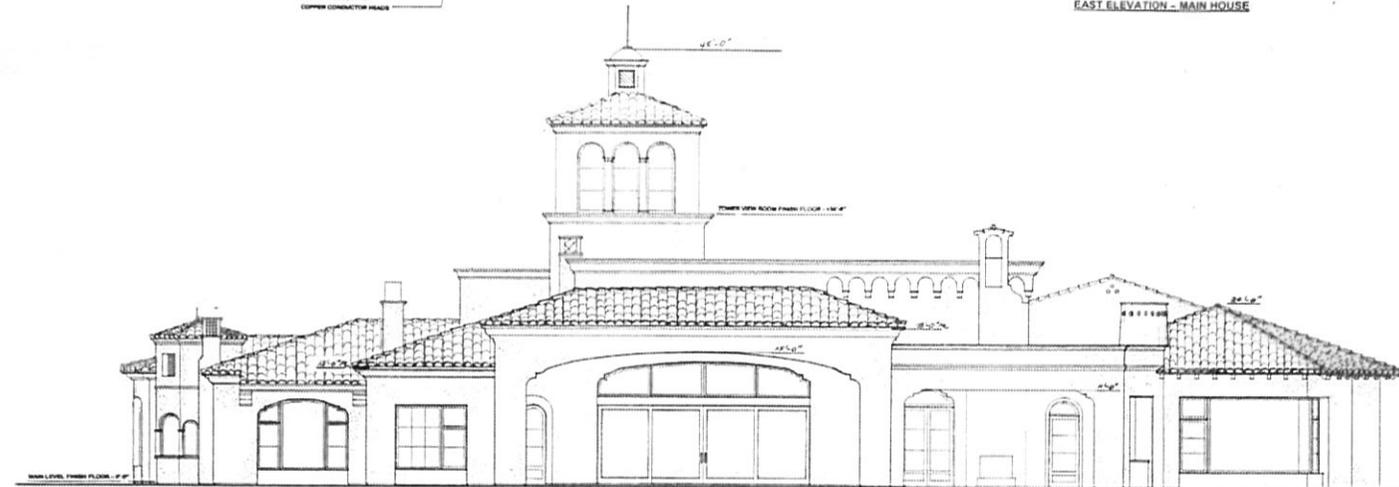
**DON EDSON**  
ARCHITECT AIA (760) 439-5827  
703 PALOMAR AIRPORT RD-220  
CARLSBAD CA 92011



ZON10-00079



EAST ELEVATION - MAIN HOUSE



SOUTH ELEVATION

EXTERIOR ELEVATIONS

**FRANCIS RESIDENCE**  
PI PASEO TEVAG

**DON EDSON**  
ARCHITECT, AIA (1960) 48-527  
700 PALOMAR APPOINT RD-225

**A-9**

**MEMORANDUM**

**DATE:** October 4, 2010

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** ZON10-00079

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The City Plan Commission's (CPC) recommendation is pending a review scheduled for October 21, 2010 the detailed site development plan allow for increased building height in the PR-I (Planned Residential I) District.

The applicant is requesting to increase building height requirement from the maximum allowed 35 feet to 45 feet for a 15,815 sq. ft. single-family dwelling. The supplemental requirements 20.10.360 (C) (4) (c) of the El Paso City Code to allow for a height variance under PR-I (Planned Residential I) District.

There is no **OPPOSITION** to this request.

**Attachment:** Staff report



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** ZON10-00079  
**Application Type:** Detailed Site Development Plan Review  
**CPC Hearing Date:** October 21, 2010  
**Staff Planner:** Andrew Salloum, 915-541-4633, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**Location:** 1 Silent Crest Drive  
**Legal Description:** Lot 1, Block 1, Sierra Crest, City of El Paso, El Paso County, Texas  
**Acreage:** 6.04 acres  
**Rep District:** 1  
**Existing Zoning:** PR-I/sc (Planned Residential/special contract)  
**Existing Use:** Vacant  
**Request:** Increase building height from 35' to 45'  
**Proposed Use:** Single-family residential

**Property Owner:** Frederick & Ginger Francis  
**Applicant:** Frederick & Ginger Francis  
**Representative:** Conde, Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** PR-I/sc (Planned Residential/special contract) / Single-family residential

**South:** PR-I/sc (Planned Residential/special contract) / Vacant

**East:** PR-I/sc (Planned Residential/special contract) / Vacant

**West:** PMD (Planned Mountain Development) / Vacant and PR-I (Planned Residential) / Single-family residential

**THE PLAN FOR EL PASO DESIGNATION:** Residential (Northwest Planning Area)

**Nearest Park:** Arroyo Park (3,998 feet)

**Nearest School:** Mesita Elementary (8,596 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

El Paso Central Business Association

### **NEIGHBORHOOD INPUT**

Detailed Site Development Plan does not require public notification as per Section 20.04.520, Notice, of the El Paso City Code.

### **CASE HISTORY**

On August 8, 1975, City Council approved the rezoning of subject property to PUD-1 (Planned Unit Development) and added a special contract which imposed conditions by Ordinance No. 5603, dated August 8, 1975:

#### **Ordinance No. 5603:**

- 1. No buildings shall be permitted on the property except detached, single-family dwellings and; (Condition has been satisfied)*
- 2. Not more than two detached, single-family dwellings per acre shall be permitted on the property. (Complies with condition).*

On September 25, 1979, the subject property was rezoned from PUD-1 (Planned Unit Development) to PR-I (Planned Residential I) by City initiated Ordinance No. 6725.

**APPLICATION DESCRIPTION**

The applicant has submitted a detailed site development plan in accordance with the PR-I (Planned Residential I) district supplement requirements 20.10.360, to increase building height from 35 feet to 45 feet. The site plan shows a 15,815 sq. ft. single-family dwelling with access from Silent Crest Drive.

**DEVELOPMENT SERVICES DEPARTMENT-PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

**The Plan for El Paso-City-Wide Land Use Goals**

All applications for detailed site development plan shall demonstrate compliance with the following criteria:

- a. Goal: Provide and enforce standards for providing decent, safe and sanitary housing for all El Pasoans in accordance with federal, state and local regulations.
- b. Goal: Provide a wide range of housing types that respond to the needs of all economic segments of the community.

The purpose of PR-I (Planned Residential) district is to encourage planned developments as a means of creating a superior living environment through unified planning and building operations at lower residential densities. The regulations of the district are designed to encourage variety in housing needed to meet changing housing demands and to provide adequate community facilities well-located with respect to needs; to protect the natural beauty of the landscape; to encourage preservation and more efficient use of open space; and to offer an opportunity for design flexibility and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.

**Development Coordinating Committee Review**

The DCC reviewed and discussed the application for detailed site development plan review and offered no objections to the Planning Staff's recommendation for **APPROVAL**.

**Engineering & Construction Management Service Department**

Construction Management Division:

Zoning Review: Plan review has no objections.

Land Development:

General Comments:

- 1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
- 2. Grading plan and permit shall be required.\*
- 3. Storm Water Pollution Prevention Plan and/or permit required.\*
- 4. Drainage plans must be approved by the Development Services Department, Engineering Section.\*
- 5. The Subdivision is within Flood Zone C, "Areas of minimal flooding"- Panel # 480214 0033B, date October 15, 1982.

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

**Department of Transportation:**

Recommends sidewalk/pedestrian access to house.

**Fire Department:**

El Paso Fire Department has no objections.

**El Paso Water Utilities:**

1. EPWU does not object to this request  
EPWU-PSB Comments

Water:

2. There is an existing 6-inch diameter water main extending along Silent Crest Drive that is available for service, the water main is located approximately 10 feet east from the center right of way line.

3. Previous water pressure from fire hydrant #4931 located approximately 175-feet east from the north west property line have yielded a static pressure of 116 (psi), a residual pressure of 116 (psi), and a discharge of 750 (gpm).

4. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sewer:

5. There is an existing 8-inch diameter sanitary sewer main that extends along Silent Crest Drive that is available for service, the sanitary sewer main is located approximately 5-feet west from the center right of way line.

General:

6. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, 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. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant 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.

**Open Space Advisory Board**

Pending review for October 13, 2010.

**CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the detailed site plan application:

1. Recommend approval of the application finding that the detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the detailed site development plan into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the detailed site development plan does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

**Attachments**

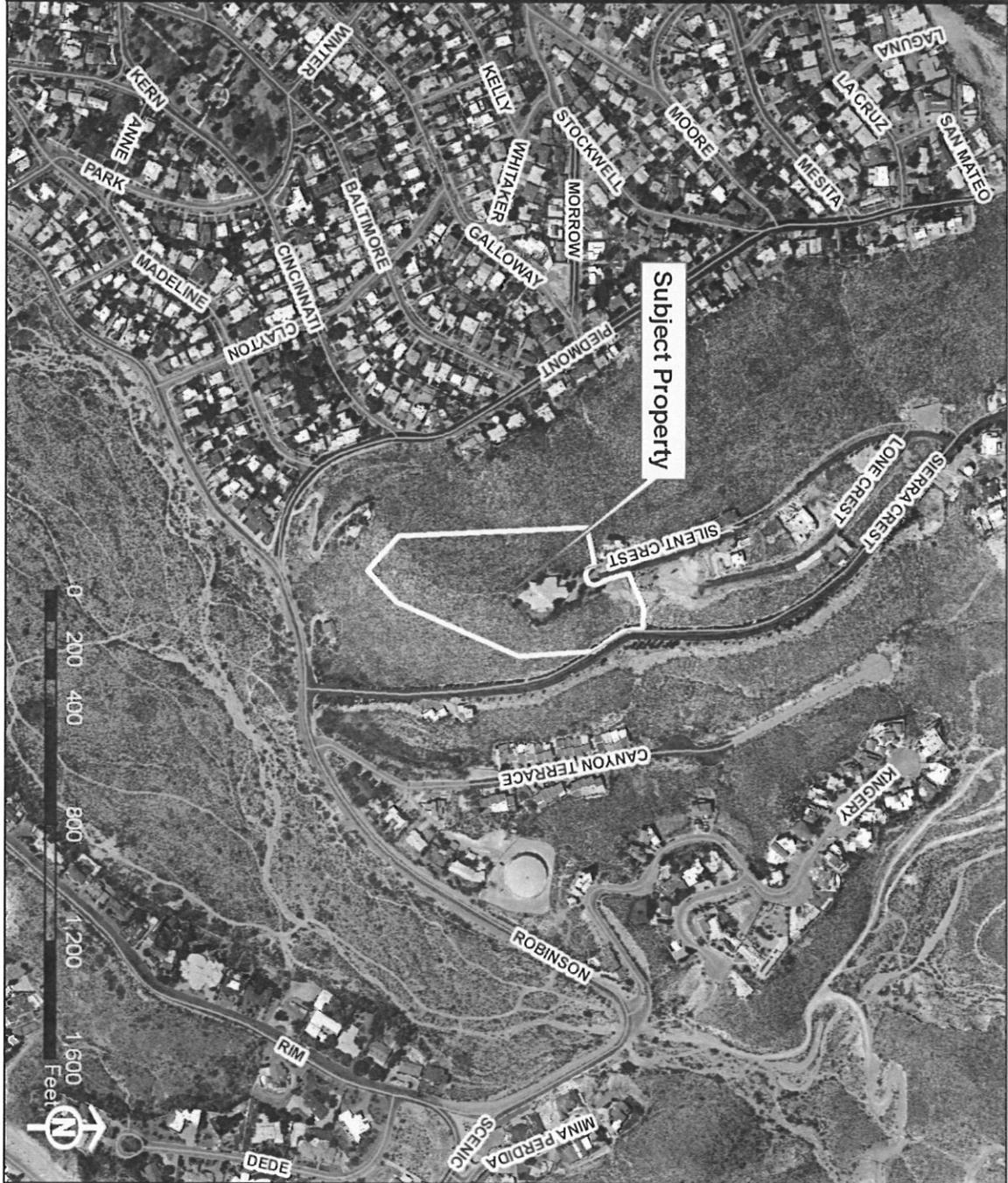
1. Zoning Map
2. Aerial Map

3. Detailed Site Plan
4. Site Plan, Enlarged
5. Elevations
6. Ordinance No. 5603
7. Ordinance No. 6725



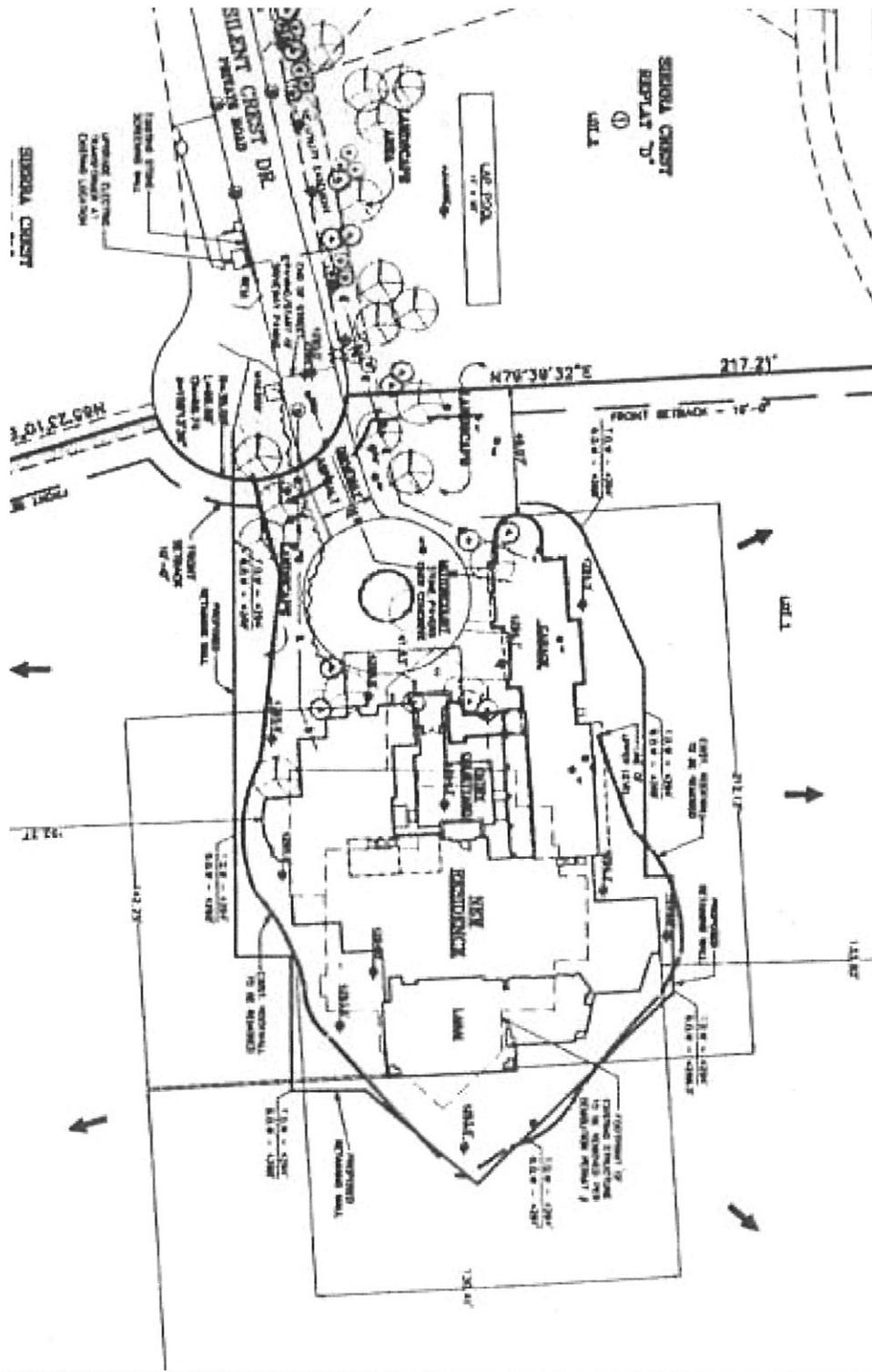
ATTACHMENT 2: AERIAL MAP

ZON10-00079

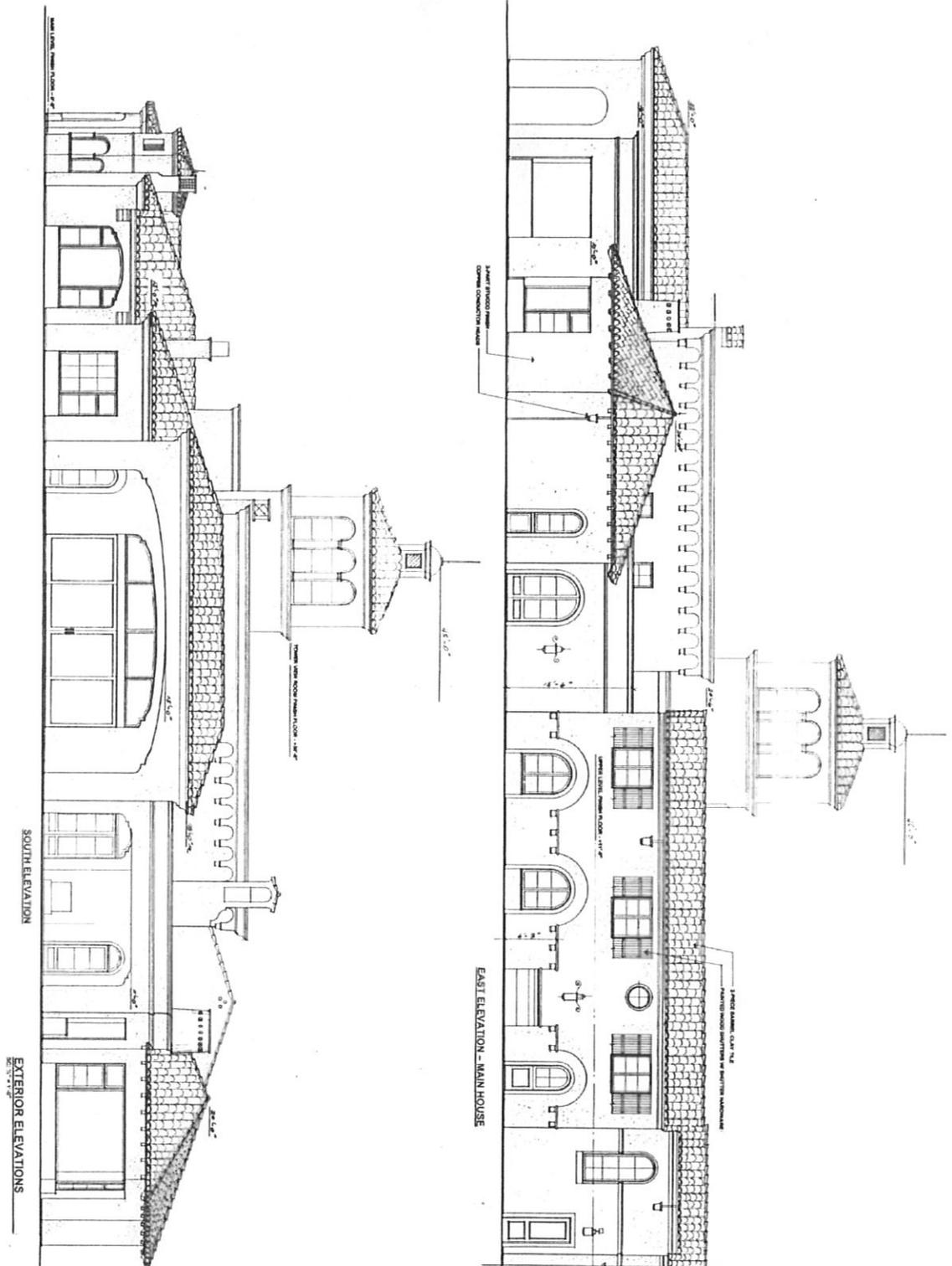




ATTACHMENT 4: SITE PLAN, ENLARGED



**ATTACHMENT 5: ELEVATIONS**



**A-9**  
**DON EDSON**  
 ARCHITECT AIA (760) 438-5827  
 703 PALOMAR AIRPORT RD-220

**FRANCIS RESIDENCE**  
 FI PASO TEXAS

ATTACHMENT 6: SPECIAL CONTRACT ORDINANCE NO. 5603

AN ORDINANCE CHANGING THE  
ZONING OF M. J. MC KELLIGON  
SURVEY #270 AND THAT PORTION  
OF THE UNDEVELOPED KERN  
PLACE SUBDIVISION IN CRAZY  
CAT MOUNTAIN

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of M. J. McKelligon Survey #270 and that portion of the undeveloped Kern Place Subdivision in Crazy Cat Mountain, more particularly described by metes and bounds below, be changed to PUD-1 (Planned Unit Development) within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

A portion of McKelligon Survey No. 270, H. T. & B. Railway Company, Grantee, Cert. No. 586, being the unplatted area on Crazy Cat Mountain as shown upon the Original Map of Kern Place Addition to the City of El Paso, Texas made by W. L. Rider, C. E., dated May, 1914, and as shown upon the Second Supplemental Map of Kern Place Addition to the City of El Paso, Texas, on file in the County Clerk's Office of said County, said Kern Place Addition being a subdivision of said Survey 270, and described as follows, to-wit:

I CERTIFY THAT THE FOLLOWING ZONING MAPS  
HAVE BEEN REVISED: *A.O.*  
*8-28-75* COUNTER  
*8-27-75* ORIGINAL  
*8-28-75* *BLDG INSPECTION*  
*8-28-75* CONTROL *R. Gonzalez*

I certify that the zoning map has been revised to  
reflect the amendment of ordinance # *5603*  
By *R. Gonzalez* Date *8-29-75*

*(75-3921)*

ATTACHMENT 6: SPECIAL CONTRACT ORDINANCE NO. 5603

The tract described above contains that adjoining portion (24 feet side) of Piedmont Avenue which was closed by Ordinance dated March 21, 1930, and filed for record in Book 1330, Page 67 of the Deed Records of El Paso County, Texas.

PASSED AND APPROVED this 14 day of August,  
1975.

  
\_\_\_\_\_  
Mayor

ATTEST:  
  
\_\_\_\_\_  
City Clerk

75-3921

ATTACHMENT 6: SPECIAL CONTRACT ORDINANCE NO. 5603

CONTRACT

This contract, made this 5<sup>TH</sup> day of AUGUST, 1975, by and between RICHARD G. MILLER and wife, DEANE G. MILLER, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of a portion of M. J. McKelligon Survey #270 and a portion of Kern Place Addition in the City of El Paso, El Paso County, Texas, such property being more particularly described in Ordinance No. 5603 now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference.

In order to remove certain objections to such rezoning, First Parties covenant that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. No buildings shall be permitted on the property except detached, single-family dwellings.
2. Not more than two detached, single-family dwellings per acre shall be permitted on the property.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS the following signatures and seal:

Richard G. Miller  
Richard G. Miller  
Deane G. Miller  
Deane G. Miller

75-3921

ATTACHMENT 6: SPECIAL CONTRACT ORDINANCE NO. 5603

THE CITY OF EL PASO

By E. D. Boyd  
Mayor PRO TEM

ATTEST:

W. R. Jones  
City Clerk

THE STATE OF TEXAS )  
                                  )  
COUNTY OF EL PASO )

Before me, the undersigned authority, on this day personally appeared RICHARD G. MILLER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 8<sup>TH</sup> day of AUGUST, 1975.

Jeraldine Hubbard  
Notary Public, El Paso County,  
Texas. JERALDINE HUBBARD, Notary Public  
In and for El Paso County, Texas  
My commission expires June 1, 1977

THE STATE OF TEXAS )  
                                  )  
COUNTY OF EL PASO )

Before me, the undersigned authority, on this day personally appeared DEANE G. MILLER, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that she executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 8<sup>TH</sup> day of AUGUST, 1975.

Jeraldine Hubbard  
Notary Public, El Paso County,  
Texas. JERALDINE HUBBARD, Notary Public  
In and for El Paso County, Texas  
My commission expires June 1, 1977

75-3921



ATTACHMENT 6: SPECIAL CONTRACT ORDINANCE NO. 6725

6725

9/18/79  
City Clerk  
Date  
City

AN ORDINANCE ADOPTING A REVISED ZONING MAP OF THE CITY OF EL PASO, THE PENALTY BEING AS PROVIDED IN SECTION 25-96 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That pursuant to Section 25-8 of the El Paso City Code (Zoning District Maps - incorporated by reference) the following attached maps:

- a) The map, consisting of sheets 1 to 62, inclusive, captioned "Official Zoning Map Series, City of El Paso, Scale 1" = 300'," and bound together with a title-index sheet;
- b) The map, consisting of sheets 1 to 15, inclusive, captioned "Zoning Map Series Supplement, 1" = 600' series," and bound together with a title-index sheet;

which maps are made a part of this Ordinance by reference, be and are hereby adopted as the Revised Zoning Map of the City, and shall supersede all prior maps and revisions thereof.

2. That the use districts and area districts shall be as shown on said map; and all notations, references and other information shown on said maps are hereby made a part of the Zoning Ordinance and shall be considered as much a part of the same as if the matters and information set forth by said map were all fully described therein. Except as otherwise provided in the Zoning Ordinance, no building shall be used, erected, or structurally altered, except in conformity with the regulations provided in the Zoning Ordinance for the use and area districts in which such building is located as shown by such revised map.

PASSED AND APPROVED this 18 day of September, 1979.

ATTEST:

[Signature]  
City Clerk

[Signature]  
Mayor

APPROVED AS TO FORM:

[Signature]  
City Attorney

6725