

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

DEPARTMENT: Planning and Economic Development Department

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

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 7

SUBJECT:

An ordinance granting Special Permit No. ZON10-00051, to allow for infill development on the property described as a portion of Lot 3, Block 8, Lafayette Place, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8014 Floyd Way. Property Owner: Thomas Ayala. ZON10-00051 (**District 7**)

BACKGROUND / DISCUSSION:

N/A

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 (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00051, TO ALLOW FOR INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 3, BLOCK 8, LAFAYETTE PLACE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Thomas Ayala, Owner, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a Single-family Residence with a reduced lot size and reduced lot depth; 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 the application conforms to all requirements of Sections 20.04.320 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 a **R-3 (Residential)** Zone District:
Portion of Lot 3, Block 8, Lafayette Place, City of El Paso, El Paso County, Texas and as more particularly described by metes and bounds on the attached Exhibit "A"; and,
2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a Single-family Residence with a reduced lot size and reduced lot depth; and,
3. That this Special Permit is issued subject to the development standards in the **R-3 (Residential)** 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 incorporated herein by reference for all purposes; and,
4. That if at any time the Owner fails to comply with any of the requirements of this Ordinance, Special Permit No. **ZON10-00051** shall automatically terminate, and

ORDINANCE NO. _____

ZON10-00051

construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,

- 5. That the Owner 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.

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

ORDINANCE NO. _____

ZON10-00051

A portion of Lot 3, Block 8,
Lafayette Place,
City of El Paso, El Paso County, Texas
June 22, 2010

METES AND BOUNDS DESCRIPTION

8014 Floyd Way
Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of Lot 3, Block 8, Lafayette Place, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found iron rod located at the common boundary line of Lots 3 and 4, same being the westerly right-of-way line of Floyd Way (40' R.O.W.) and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said westerly right-of-way and along said common boundary line, South 60°20'00" West, a distance of 88.89 feet to a set nail for corner;

THENCE, North 29°40'00" West, a distance of 60.00 feet to a set nail for corner;

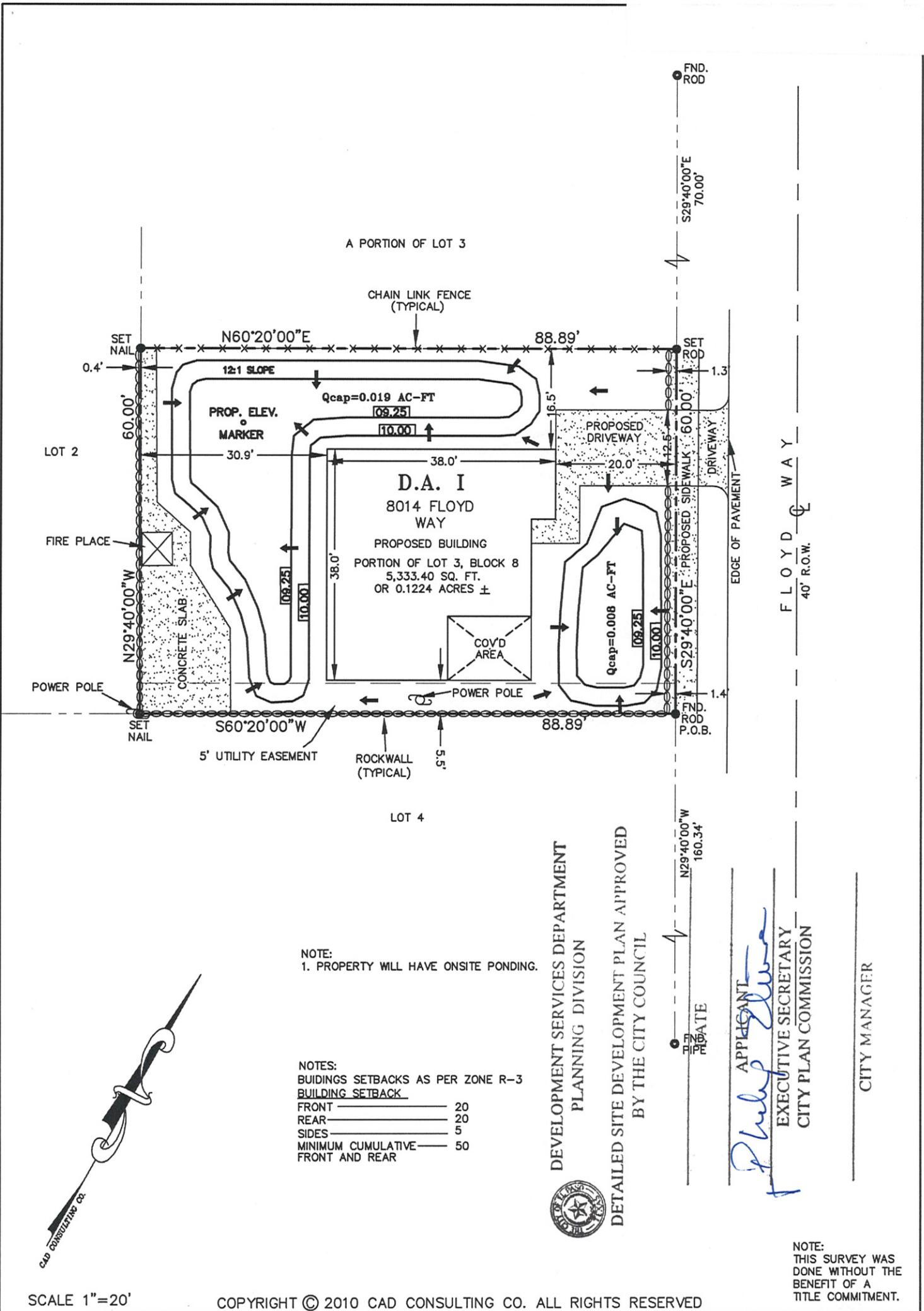
THENCE, North 60°20'00" East, a distance of 88.89 feet to a set iron rod for corner;

THENCE, South 29°40'00" East, a distance of 60.00 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 5,333.40 square feet or 0.1224 acres of land more or less.

Carlos M. Jiménez
Registered Professional Land Surveyor
Texas No. 3950

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2010\8014.wpd





NOTE:
1. PROPERTY WILL HAVE ONSITE PONDING.

- NOTES:
BUILDINGS SETBACKS AS PER ZONE R-3
BUILDING SETBACK
FRONT _____ 20
REAR _____ 20
SIDES _____ 5
MINIMUM CUMULATIVE _____ 50
FRONT AND REAR

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

APPLICANT
Phyllis Rivera
EXECUTIVE SECRETARY
CITY PLAN COMMISSION
CITY MANAGER

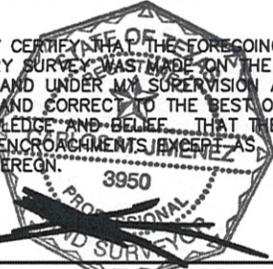
NOTE:
THIS SURVEY WAS
DONE WITHOUT THE
BENEFIT OF A
TITLE COMMITMENT.

SCALE 1"=20'

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CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THERE ARE NO ENCROACHMENTS BY ME AS SHOWN HEREON.



CARLOS M. JIMENEZ
R.P.L.S. No. 3950

JOB # 8014 DATE: 06-22-10 FIELD: JM OFFICE: EA FILE: NET:\ENRIQUE\2010\8014
LOCATED IN ZONE X PANEL # 480214-0045-C DATED 02-16-06
RECORDED IN VOLUME 9 PAGE 28, PLAT RECORDS, EL PASO COUNTY, TX

8014 FLOYD WAY
A PORTION OF LOT 3, BLOCK 8 (SEE EXHIBIT "A")
LAFAYETTE PLACE
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CD CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
(915) 633-6422



Date: October 4, 2010
TO: Honorable Mayor and City Council
Joyce Wilson, City Manager
FROM: Esther Guerrero, Planner
SUBJECT: ZON10-00051

The City Plan Commission (CPC) on August 26, 2010, voted **5-0** to recommend **approval** of a special permit request for infill development to allow a single-family residence with a reduced lot size and reduced lot depth.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

The CPC found that special permit is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Mission Valley Planning Area. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; and will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no one present at the meeting to speak in favor or in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00051
Application Type: Special Permit and Detailed Site Development Plan for Infill Development
CPC Hearing Date: August 26, 2010
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 8014 Floyd Way
Legal Description: Portion of Lot 3, Block 8, Lafayette Place, City of El Paso, El Paso County, Texas
Acreage: 0.1224 acres
Rep District: 7
Existing Use: Vacant
Existing Zoning: R-3 (Residential)
Request: Special Permit for Infill Development
Proposed Use: Single-family Residence

Property Owners: Thomas Ayala
Applicant: Same
Representative: CAD Consulting Co.

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / single-family
South: R-3 (Residential) / single-family
East: R-3 (Residential) / single-family, mobile home park
West: R-3 (Residential) / single-family

Plan for El Paso Designation: Mixed-Use (Mission Valley Planning Area)

Nearest Park: E.L. William Park (1,916 feet)

Nearest School: Hillcrest Middle School (2,913 feet)

NEIGHBORHOOD ASSOCIATIONS

Santa Lucia Neighborhood Association

NEIGHBORHOOD INPUT

Public hearing notifications were mailed to all property owners within 300 feet of the subject property on August 16, 2010. No calls or letter have been received in favor or in opposition to this request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan review for an infill development to reduce the lot size from the required 6,000 sq. ft. to 5,333.4 sq. ft. and from the required lot depth of 90 ft. to 88.9 ft.

The site plan shows a proposed single-family structure with on-site ponding and access via Floyd Way.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan request for infill development.

The Plan for El Paso –City-wide Land Use Goals

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

- a. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city’s neighborhoods.

The purpose of R-3 (Residential) district is to promote and preserve residential development within the City to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

Development Services Department - Building Permits and Inspections Division

Zoning: No objections

Development Services Department – Land Development

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the Development Services Department, Engineering Section.*
- No water runoff allowed outside the proposed development boundaries, (on-site ponding required)
- The Subdivision is within Flood Zone X – “Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood” - Panel # 480214 0045C, dated February 16, 2006.
- * This requirement will be applied at the time of development.

Engineering Department - Traffic Division

No objections.

Street Department

No comments received.

Fire Department

No objections.

El Paso Water Utilities

EPWU does not object to this request.

CITY PLAN COMMISSION OPTIONS

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

1. Recommend approval of the application finding that the special permit and 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 special permit and 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 special permit and 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

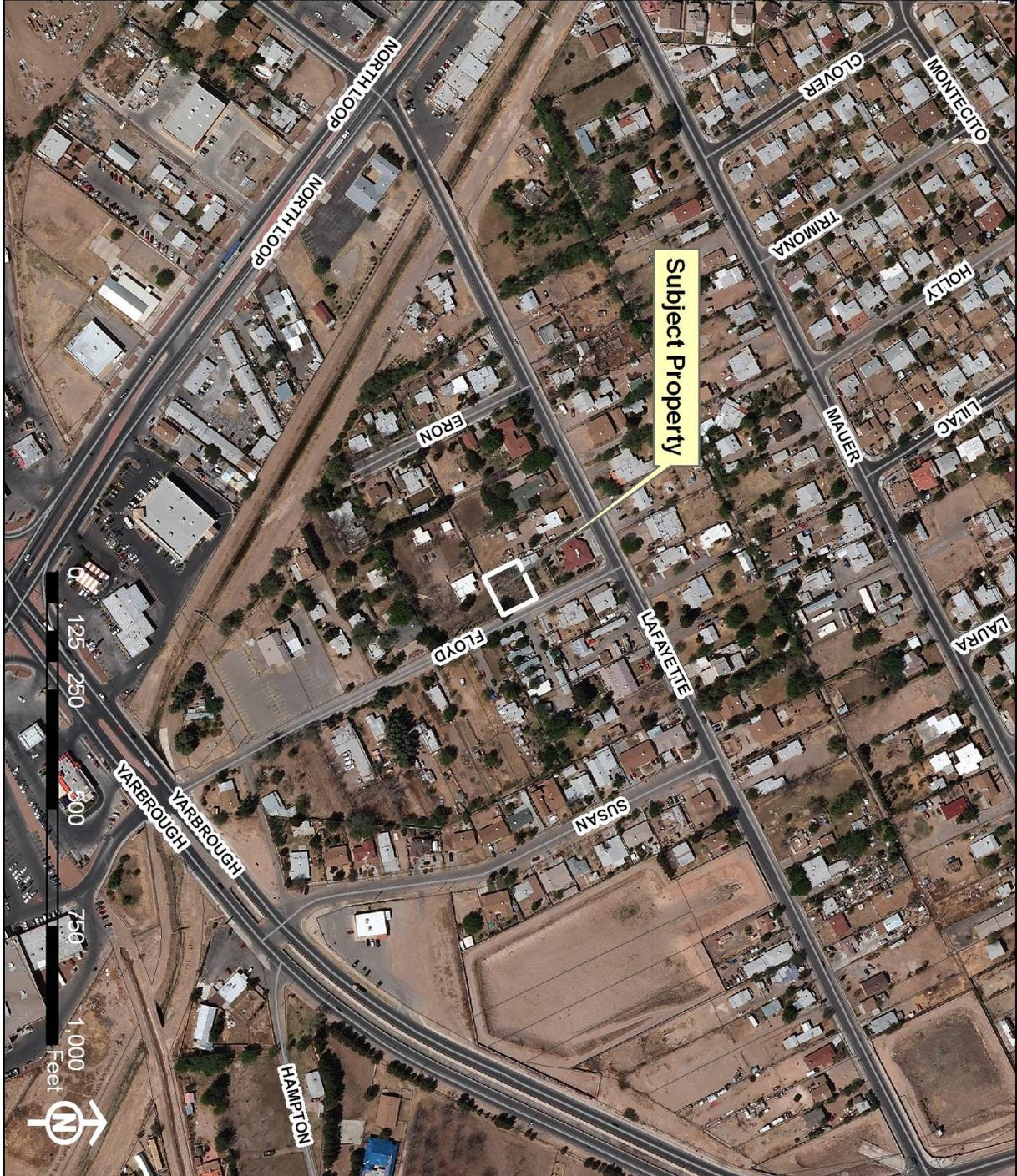
1. Location Map
2. Aerial Map
3. Detailed Site Plan
4. Elevations

ATTACHMENT 1: LOCATION MAP

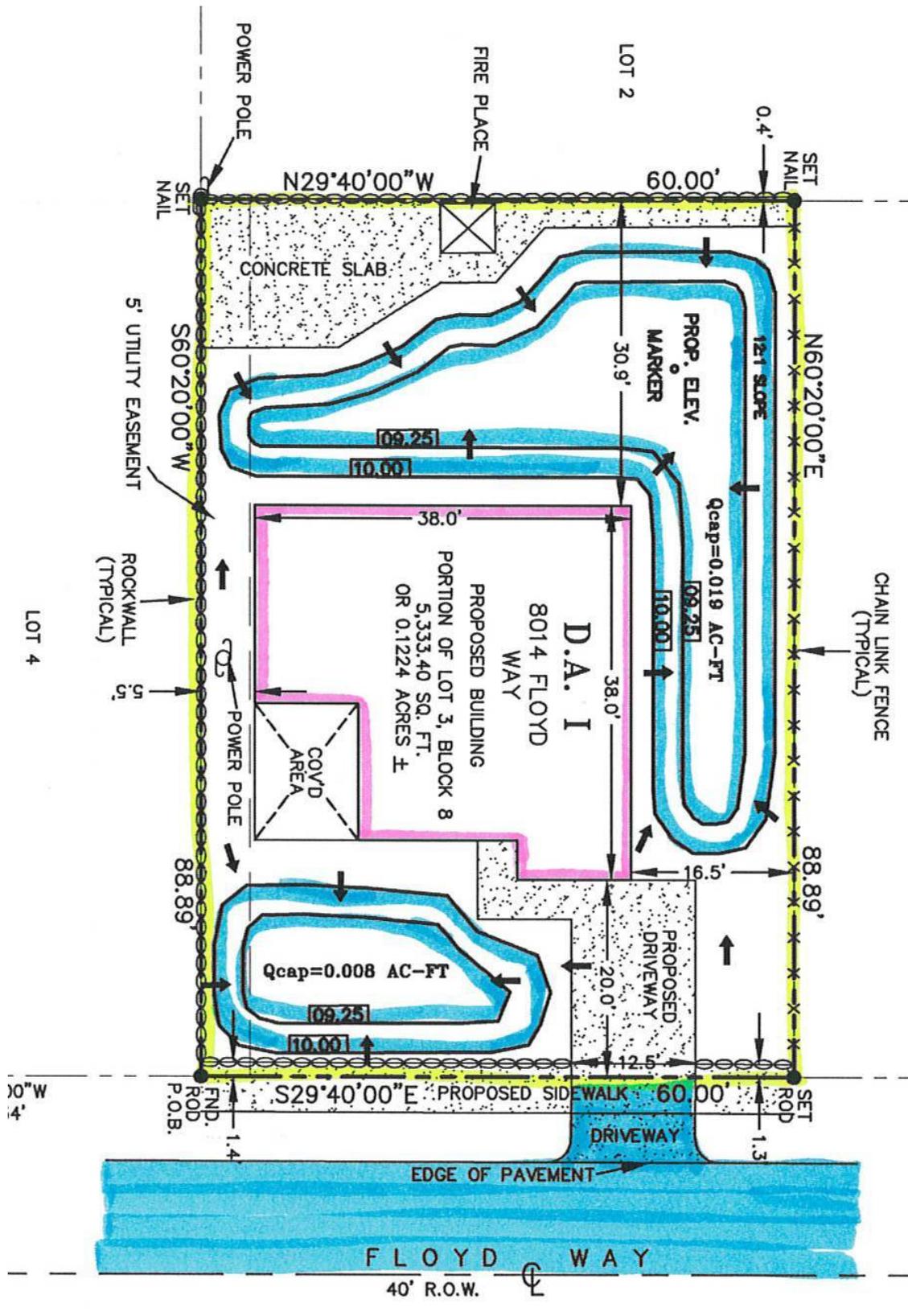


ATTACHMENT 2: AERIAL MAP

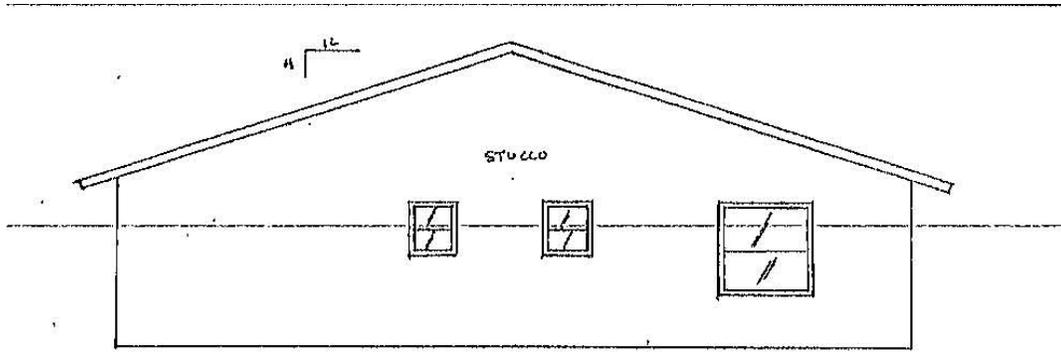
ZON10-00051



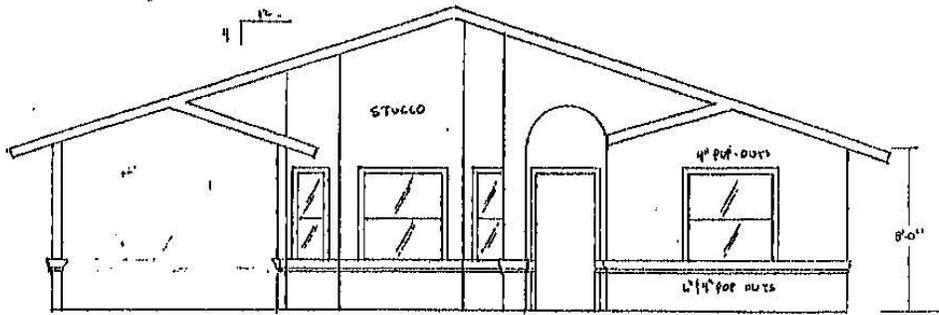
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



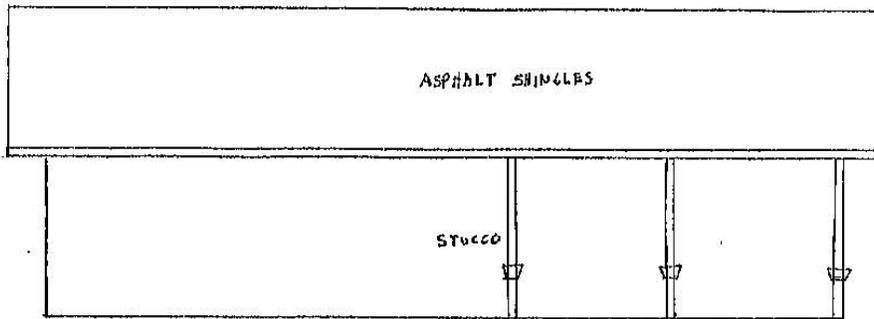
ATTACHMENT 4: ELEVATIONS



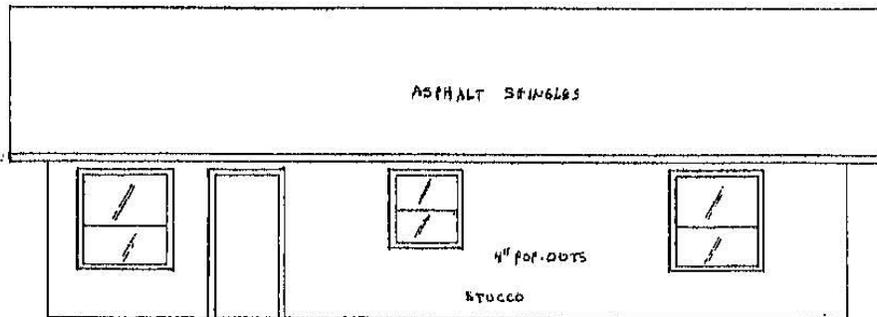
REAR VIEW



FRONT VIEW



LEFT SIDE VIEW



RIGHT SIDE VIEW