

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: October 29, 2013
Public Hearing: November 19, 2013

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

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance granting Special Permit No. PZST13-00020, to permit an expansion of an assisted living facility on the property described as Lots 17 through 20, Block 76, Supplemental Map No. 1 of East El Paso, 3330 E. Yandell Drive, City of El Paso, El Paso County, Texas, Pursuant to Section 20.04.320 of the El Paso City Code. The Penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3330 E. Yandell Drive. Property Owner: Oscar and Rosemary Melendez. PZST13-00020 (**District 2**)

BACKGROUND / DISCUSSION:

Staff report attached.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (9-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Director, City Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00020, TO PERMIT AN EXPANISON OF AN ASSISTED LIVING FACILITY ON THE PROPERTY DESCRIBED AS LOTS 17 THROUGH 20, BLOCK 76, SUPPLEMENTAL MAP NO. 1 OF EAST EL PASO, 3330 E. YANDELL DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Oscar and Rosemary Melendez, have applied for a Special Permit under Section 20.04.320 of the El Paso City to permit an expansion of an assisted living facility; 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 Special Permit; and,

WHEREAS, the 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 Section 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-5 (Residential)** Zone District:
Lots 17 through 20, Block 76, Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas; and,
2. That the City Council hereby grants a Special Permit under Section 20.04:320 of the El Paso City Code to allow for an assisted living facility; and,
3. That this Special Permit is issued subject to the development standards in the **R-5 (Residential)** District regulations as defined in Section 20.06.020 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 "A" and incorporated herein by reference for all purposes; and,
4. Pursuant to Section 20.04.260 F., if at any time the owner fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST13-00020

shall automatically terminate, and 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 _____, 2013.

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

MEMORANDUM

DATE: October 21, 2013

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

FROM: Andrew Salloum, Planner

SUBJECT: PZST13-00020

The City Plan Commission (CPC) on October 3, 2103, voted **9-0** to recommend **APPROVAL** of the special permit application to allow for an expansion of an assisted living facility with the recommendation that the trees be replaced.

The CPC found that the special permit is in conformance with Plan El Paso and that the proposed use is in conformance with the Plan El Paso-Future Land Use Map Designation. The proposed development is compatible with adjacent land uses. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; and the special permit will have no negative effects 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.

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZST13-00020
Application Type: Special Permit
CPC Hearing Date: October 3, 2013
Staff Planner: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Location: 3330 E. Yandell Drive
Legal Description: Lots 17 through 20, Block 76, Supplemental Map No. 1 of East El Paso, City of El Paso, El Paso County, Texas
Acreage: 0.3214 acres
Rep District: 2
Zoning: R-5 (Residential)
Existing Use: Assisted Living Facility
Request: Special Permit to allow for an expansion of existing Assisted Living Facility in R-5 (Residential) zone district
Proposed Use: Assisted Living Facility

Property Owner: Oscar and Rosemary Melendez
Representative: Oscar and Rosemary Melendez

SURROUNDING ZONING AND LAND USE

North: R-5 (Residential) / Single-family dwellings
South: R-5 (Residential) / Single-family dwellings
East: R-5 (Residential) / Single-family dwellings
West: R-5 (Residential) / Single-family dwellings

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable)

NEAREST PARK: Mary Webb Park (464 feet)

NEAREST SCHOOL: Alta Vista Elementary (1,431 feet)

NEIGHBORHOOD ASSOCIATIONS

Leona Ford Washington Neighborhood Association
Five Points Development Association
El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 18, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the special permit request.

APPLICATION DESCRIPTION

The property owner is requesting a special permit and detailed site development plan review to allow for an expansion of existing assisted living facility in the R-5 (Residential) zone as required by the zoning code. The existing assisted living facility is currently being used as a home occupation. The expansion requires a special permit. The site plan shows an existing 3,334 sq. ft. building with 12 patient units and an existing 140 sq. ft. structure for storage. The use requires 3 parking spaces; the applicant is providing 4 parking spaces and 3 bicycle spaces. The detailed site development plan complies with all setbacks and parking requirements. Access to the subject property is proposed from the alley via Luna Street.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for assisted living facility, as it complies with 20.04.320 special permit and 20.04.150 detailed site development plan.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

G-2, Traditional Neighborhood (Walkable): This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the R-5 (Residential) zone 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.

COMMENTS:

City Development Department – Planning Division - Transportation

No objections.

City Development Department – Plan Review

No objections.

City Development Department – Landscaping Division

Additional Landscape is not required for the proposed special permit request.

City Development Department - Land Development

No objections.

Fire Department

Recommend approval of “Detailed Site Plan Application” as presented.

In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi- family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems.

“When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”.

The Fire Planning Division has reviewed the submitted “Detailed Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

Police Department

No issues.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

1. EPWU does not object to this request.

Water:

2. There is an existing 4-inch diameter water main along the alley between Cebada and Luna Streets that is available for service. The water main is located approximately 4-ft north from the center line of the right-of-way.

3. There is an existing 6-inch diameter water main extending along Luna Street that is available for service, the water main is located approximately 18-ft east from the center line of the right-of-way.

4. EPWU records indicate a 3/4-inch water meter and a 2-1/2 inch fire line serving the subject property. The service address for these meters is 3330 East Yandell Drive.

5. Previous water pressure tests from fire hydrant # 486 located at the northeast corner of Cebada Street and Wyoming Avenue have yielded a static pressure of 96 (psi) pounds per square inch, a residual pressure of 90 (psi) pounds per square inch, and a discharge of 1592 (gpm) gallons per minute.

6. 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.

Sanitary Sewer:

7. There is an existing 8-inch diameter sanitary sewer main along the alley between Cebada and Luna Streets that is available for service. The sewer main is located approximately 10-ft south from the southern property line.

General:

8. 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.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

ATTACHMENT 2: AERIAL MAP

PZST13-00020



