

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: December 1, 2009
Public Hearing: December 22, 2009

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4029

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance granting Special Permit No. ZON09-00053, to permit an assisted living facility and a convalescent home, on the property described as being a portion of Blocks 1 and 30 and portions of ROW out of Silver Cholla Drive, and Moon Ranch Court, and all of Cow Ranch Court, all within Sandstone Ranch Unit 7, 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 in Chapter 20.24 of the El Paso City Code. Subject Property: West of Sean Haggerty Drive and South of Marcus Uribe Drive. Property Owners: Tropicana Development Inc. ZON09-00053 (**District 4**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (4-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00053, TO PERMIT AN ASSISTED LIVING FACILITY AND A CONVALESCENT HOME, ON THE PROPERTY DESCRIBED AS BEING A PORTION OF BLOCKS 1 AND 30 AND PORTIONS OF ROW OUT OF SILVER CHOLLA DRIVE, AND MOON RANCH COURT, AND ALL OF COW RANCH COURT, ALL WITHIN SANDSTONE RANCH UNIT 7, 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 IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Tropicana Development Inc., Applicant, has applied for a Special Permit under Section 20.04.320 of the El Paso City Code to permit an assisted living facility and a convalescent home; and,

WHEREAS, a report was made by 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 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 an R-3A (Residential) District:

A portion of Blocks 1 and 30 and Portions of ROW out of Silver Cholla Drive, and Moon Ranch Court, and all of Cow Ranch Court, all within Sandstone Ranch Unit 7, City of El Paso, El Paso County, Texas.

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 a convalescent home, and,

3. That this Special Permit is issued subject to the development standards in the **R-3A (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 "A" and is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON09-00053** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 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 _____, 2009.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

(Agreement on following page)

MEMORANDUM

DATE: November 18, 2009

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00053

The City Plan Commission (CPC) on October 22, 2009, voted **4-0** to recommend **APPROVAL** of the special permit application to allow for an assisted living facility and a convalescent home in agreement with the recommendation from the DCC and staff.

The CPC found that the 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 Central Planning Area. 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 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: Staff report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00053
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: October 22, 2009
Staff Planner: Andrew Salloum, 915-541-4029

Location: West of Sean Haggerty Drive and South of Marcus Uribe Drive
Legal Description: A portion of Blocks 1 and 30 and Portions of ROW out of Silver Cholla Drive, and Moon Ranch Court, and all of Cow Ranch Court, all within Sandstone Ranch Unit 7, City of El Paso, El Paso County, Texas

Acreage: 4.009 acres
Rep District: 4
Existing Use: Vacant
Existing Zoning: R-3A (Residential)
Request: To permit an assisted living facility and a convalescent home

Property Owner: Tropicana Development Inc.
Applicant: Tropicana Development Inc.
Representative: CEA Group

SURROUNDING ZONING AND LAND USE

North: R-3A (Residential) / Single-Family Residential
South: A-2 (Apartment) / Multi-Family Residential
East: A-2 (Apartment) / Vacant
West: R-3A (Residential) / Vacant

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

NEAREST PARK: Veterans Park (4,375 Feet)

NEAREST SCHOOL: Dr. Nixon Elementary (3,180 Feet)

NEIGHBORHOOD ASSOCIATIONS

Northeast El Paso Civic Association
North Hills Neighborhood Pride Association

NEIGHBORHOOD INPUT

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed special permit on October 7, 2009. Planning did not receive any calls or letters in support or opposition.

APPLICATION DESCRIPTION

The property owner is requesting a special permit and detailed site development plan approval to allow for the construction of a 42,609 square-foot assisted living facility and convalescent home. The detailed site development plan shows 75 parking spaces and 3 bicycle parking spaces. Access to the subject property is proposed to be from Sean Haggerty Drive.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The Development Coordinating Committee provides the following comments:
DCC recommends **APPROVAL** of the special permit and detailed site development plan.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan.

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: develop a balanced and complete community which contains a mix of land uses and densities, housing type and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city’s neighborhoods.

Development Services Department - Building Permits and Inspections Division

Zoning: no objection.

Landscaping: This project will meet the landscape code as submitted.

Development Services Department – Planning Division

Current Planning: Recommends **APPROVAL** of the special permit and detailed site development plan.

Land Development: no comments received.

Engineering Department - Traffic Division

- No objections.
- No additional median cut shall be allowed on Sean Haggerty Drive

Fire Department

No comments received.

El Paso Water Utilities

EPWU does not object to this request.

Street Department

All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and the City Of El Paso Design Standards for Construction.

CITY PLAN COMMISSION OPTIONS

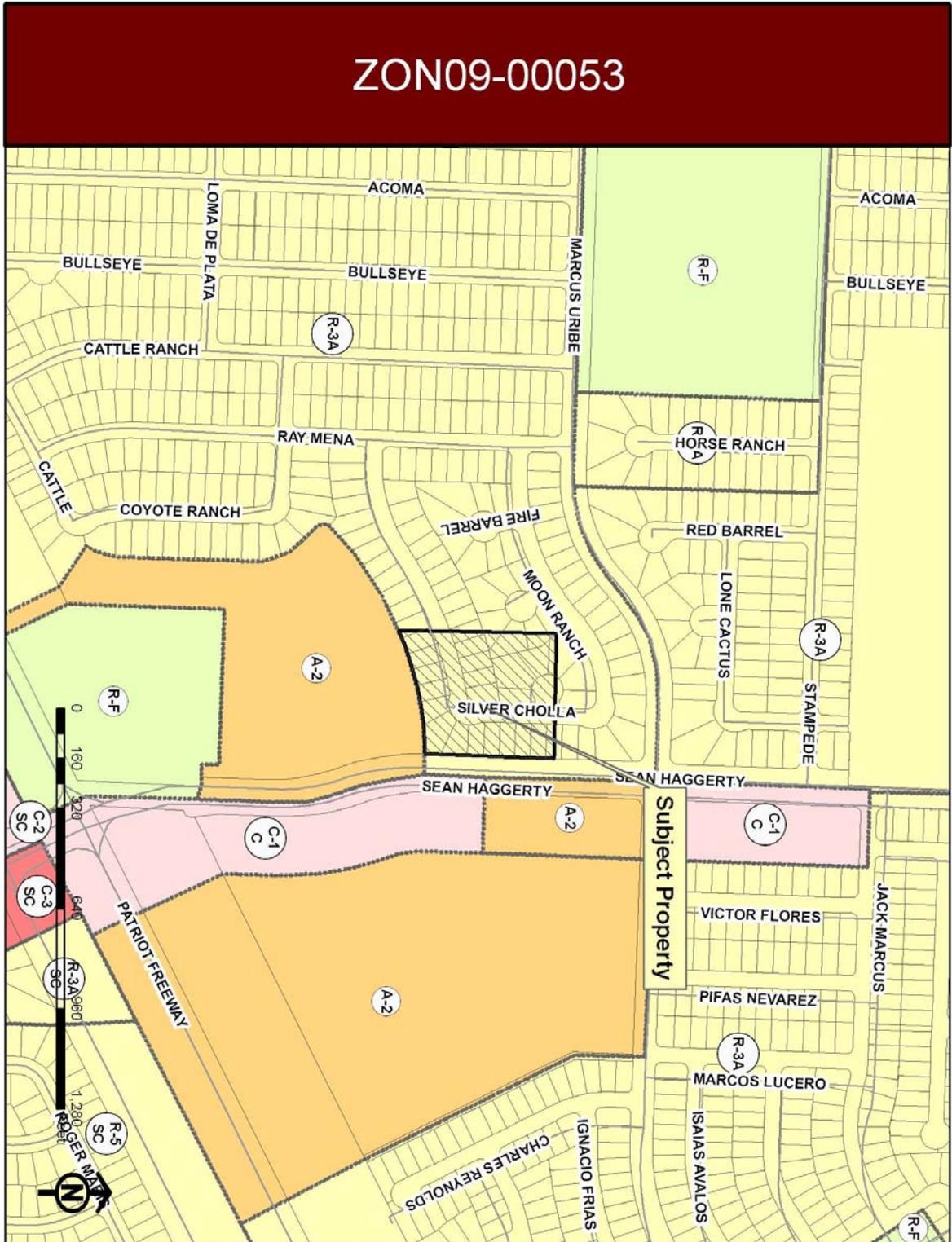
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

1. Recommend approval of the application finding that the special permit and detailed site development plan are 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 and Elevations

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP



