City of El Paso – City Plan Commission Staff Report

Case No:	PZST17-00016
Application Type:	Special Permit
CPC Hearing Date:	February 22, 2018
Staff Planner:	Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov
Location:	11260 Thundercloud Dr.
Legal Description:	Lot 15, Block 25, Map of Indian Ridge Subdivision Unit 2, an addition to the City of El Paso, El Paso County, Texas
Acreage:	0.176
Rep District:	5
Existing Zoning:	R-3 (Residential)
Existing Use:	Single-family, Dwelling
C/SC/SP/ZBA/LNC:	N/A
Request:	Infill Special Permit to allow setback reduction
Proposed Use:	Single-family, Dwelling
Property Owner:	Luis Pizaña & Loreina Pizana
Representative:	CAD Consulting

SURROUNDING ZONING AND LAND USE
North: R-3 (Residential) / Single-family Dwellings
South: R-3 (Residential) / Single-family Dwellings
East: R-3 (Residential) / Single-family Dwellings
West: R-3 (Residential) / Single-family Dwellings

PLAN EL PASO DESIGNATION: G-3, Post-War (East Planning Area)
NEAREST PARK: Indian Ridge Park (2,817 feet)
NEAREST SCHOOL: Pebble Hills Elementary School (3,668 feet)

NEIGHBORHOOD ASSOCIATIONS
Eastside Civic Neighborhood Association

NEIGHBORHOOD INPUT
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 24, 2018. The Planning Division did not receive any calls in support or in opposition of this special permit request.

APPLICATION DESCRIPTION
The applicant is requesting a special permit and detailed site development plan review to allow for a rear setback reduction from 20ft. to 11.5ft., front yard setback from 25ft. to 0ft., a cumulative setback reduction from the required 50ft. to 11.5ft., and side setback reduction from the required 5ft to 0ft. The proposed setback reduction is to accommodate an existing 249 sq. ft. carport and a 395 sq. ft. covered patio. The existing landscaping for the proposed development is to remain. Access to the property is proposed from Thundercloud Dr. Please note this application was submitted prior to the new infill ordinance.

Planning and Inspections Department – Planning Division Recommendation
The Planning Division recommends **pending** of the request, and acceptance of the detailed site development plan, as the proposed development is consistent with the surrounding single-family residential development. Additionally, the proposed development is compliant with the G-3, Post-War (Walkable) (East Planning Area) and use designation in the Plan El Paso East Planning Area. Further, the property meets the requirements of Sections 20.10.280 Infill Development, 20.04.320 Special Permit Approvals, and

20.04.150 Detailed Site Development Plan.

Plan El Paso-Future Land Use Map Designation
All applications for rezoning shall demonstrate compliance with the following criteria:

G-3 Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the R-3 (Residential): Low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations, permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

The proposal includes redevelopment of an existing single-family property, which utilizes the current configuration of the existing lot.

Plan El Paso - Goals & Policies
Goal 2.2: The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed-use neighborhoods.

This application addresses policy 2.2.5. "The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.

The Planning Division recommendation is based on redevelopment of an existing single-family property, which utilizes the current configuration of the existing lot.

ANALYSIS
To grant the special permit to allow for infill development, the applicant must comply with the following standards, per Section 20.10.280, Infill Development:

A. Location Criteria. An infill development may be designated for any property on which at least two of the following factors are present: the property is wholly or partially located within a designated tax increment financing district, or the property is wholly or partially located within a designated state or federal enterprise zone, or the property is wholly or partially located within an empowerment zone, or the property is wholly or partially located within a designated redevelopment area pursuant to Chapter 20.14 of this title, or the property is located within a designated historic district, or the property is within an older neighborhood of the city. An older neighborhood of the city defined as a legally recorded and developed subdivision for at least thirty years. Where an infill development is able to satisfy only one of the preceding factors, an applicant shall be allowed to make a formal request to city council to waive the two factor requirement prior to the submission of a special use permit application for the property. In all instances where a waiver is requested and authorized by city council, at least one location factor shall be met. For purposes of this section, any property with a historic designation shall be subject to the requirements and review provisions of Chapter 20.20 (Historic Designations) of this title, and shall not be waived by any provision of this section.

The property is located within the empowerment zone and is part of the Indian Ridge #2 plat recorded back in 1979 (attachment #6).

B. Use Regulations. Unless the ordinance designating the infill development provides otherwise, a proposed infill development may be approved for any use permitted in the base-zoning district in which it is located.

However, the ordinance designating an infill development overlay may provide a list of principal uses,

accessory uses and prohibited uses pursuant to a specific area plan adopted by the city council.

Single-family dwellings are a permissible use in the R-3 (Residential) zone district.

C. Setback Provisions. The setback requirements of the base-zoning district on which it is located may be reduced up to one hundred percent for an infill development as approved by city council. Buildings should be designed to relate to and take advantage of any existing site attributes, and shall be a consideration for reduction of the setback requirements.

Dimensional Standards Required and Proposed		
Dimension	Required	Proposed
Rear	20’	11.5’
Front	25’	0’
Cumulative Front and Rear Yard Setback	50’	11.5’
Side	5’	0’

The applicant is requesting a side, front, rear, and cumulative setback reduction.

D. Parking. The minimum parking requirements enumerated in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall be automatically reduced by fifty percent for any use within a designated infill development.

The proposed development meets the parking requirement in Chapter 20.14 (existing parking spaces are to remain).

E. Design. Unless otherwise approved by city council, any construction permitted pursuant to this section shall be designed to consistently relate to the massing and character of the surrounding properties. Consistency of massing and character shall be determined as shown on the site plan with typical elevations and proposed construction materials, that the proposed construction is compatible with the overall design features and building development of the neighborhood within which the proposed infill development is located. Design features include, but shall not be limited to, building height, architectural style, building materials, landscape and setbacks.

The proposed development is consistent with the G-3, Post-War (Walkable) (East Planning Area.)

F. Landscaping. The landscape standards contained within Title 18 of this Code shall apply to an infill development.

The proposed development meets the landscaping standards in Title 18 (the existing landscaping is to remain).

G. Density. The maximum number of dwelling units per gross acre permitted in the base-zoning district may be increased up to fifty percent for an infill development as approved by city council.

The existing density of one (1) single-family home will remain.

H. Lots. There shall be no minimum area requirement for lots within an infill development unless otherwise provided in the ordinance designating the infill development overlay.

The current lot area meets the minimum lot area requirements in the R-3 zoning district.

20.04.320 Special permit approvals.

A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.
B. Building and occupancy permits shall not be issued for any building or use identified in this title as requiring an approved detailed site development plan as required by Article III, until such approval has been granted.
C. No building or occupancy permit may be granted for the erection, rehabilitation, enlargement or demolition of any building in a designated historic area or for any building that is a designated historic landmark until prior approval has been granted by the historic landmark commission.
D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum requirements necessary to protect the public health, safety and general welfare of the community:
    1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;
    2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;
    3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;
    4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;
    5. The design of the proposed development mitigates substantial environmental problems;
    6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;
    7. The proposed development is compatible with adjacent structures and uses;
    8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.
E. The applicant may request that the city plan commission waive one or more of the criteria based on its no applicability to the proposed development. The city plan commission, upon a recommendation of the planning official, shall make a determination on the no applicability of the criteria and shall render a finding based on such determination, and shall forward their recommendation to city council for final review and approval.

The application meets the requirements for special permit.

20.04.140. When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

Detailed Site Development Plan review is required as part of the special permit application.

20.04.150 Detailed Site Development / Procedure.

D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
    1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
    2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
    3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and storm water drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
    4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
    5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan, and it meets all requirements of Sections 20.04.320, Special Permit, and 20.04.150 Detailed Site Development Plan.

COMMENTS:

Planning and Inspections Department – Planning Division – Transportation
No objections.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Planning and Inspections Department – Land Development
No objections to the proposed special permit.

Note:
Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Planning and Inspections Department – BPI
Recommends approval.

Texas Department of Transportation (TxDOT)
Not required.

Note:
Development is not abutting TxDOT Right of Way

Sun Metro
Recommends approval.

El Paso Fire Department

Recommends approval.

<u>El Paso Police Department</u>
Recommends approval.

<u>El Paso Water Utilities</u>
EPWater does not object to this request.

Water:

1. There is an existing 8-inch diameter water main extending along Thundercloud Drive, located approximately 40-feet north of the property's northern property line. This water main is available for service.

2. EPWater records indicate (1) ¾" service meter (Active) on the property with 11260 Thundercloud Drive as the service address.

3. Previous water pressure from fire hydrant #5550 located at 11233 Thundercloud Drive and 685' west of Proud Eagle Drive, has yielded a static pressure of 50 psi, a residual pressure of 44 psi, and a discharge of 1,061 gallons per minute.

Sanitary Sewer:

4. There is an existing 8-inch diameter sanitary sewer main extending along Thundercloud Drive, located approximately 25-feet north of the property's northern property line. This sanitary sewer main is available for service.

General:

5. EPWater requires a new service application to provide additional services 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 EPWater 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.

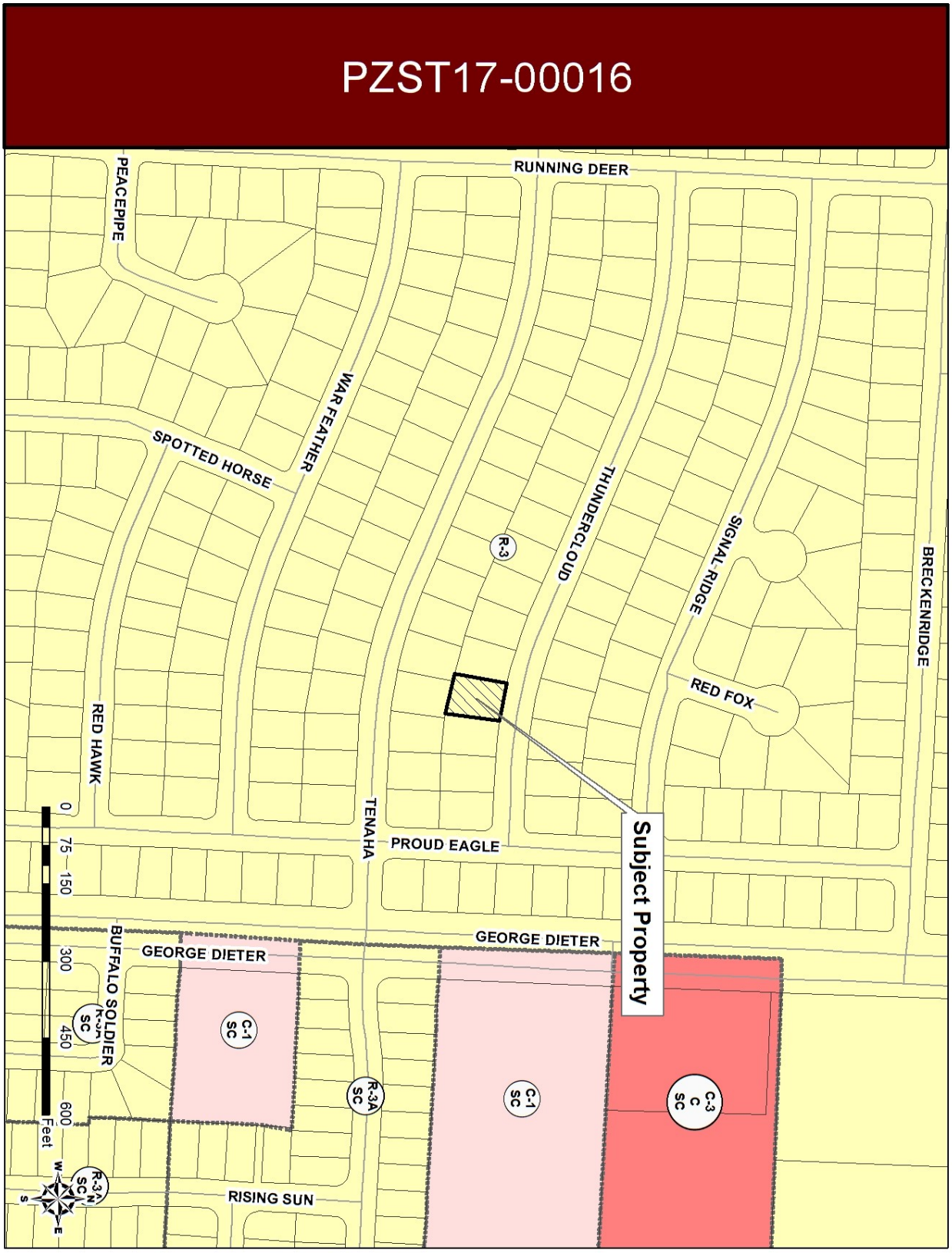
<u>Stormwater Division</u>
EPW-Stormwater Engineering reviewed the property described above and has no objections to the request.

Note: We recommend using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

Attachments

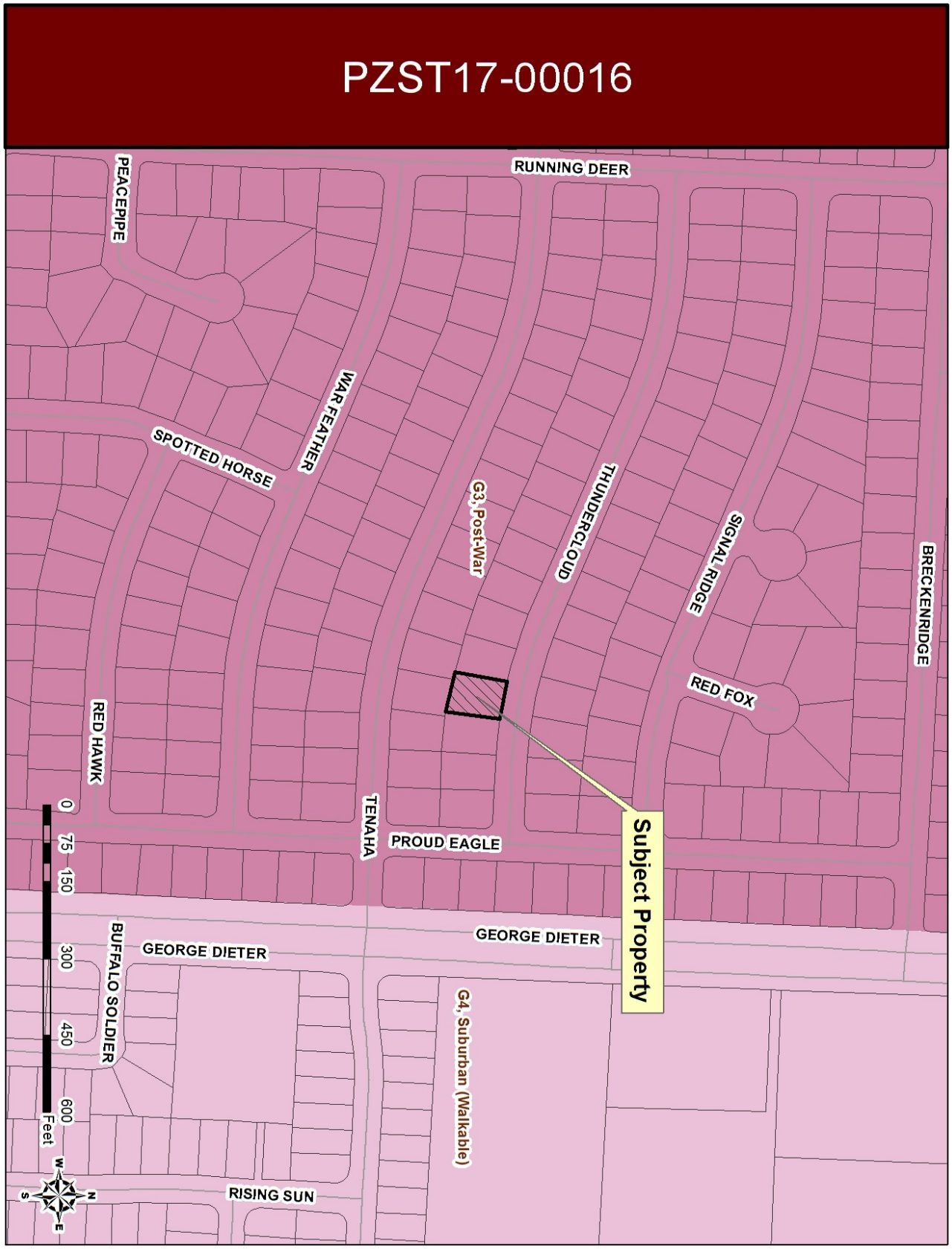
1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Elevations
6. Recorded Plat

ATTACHMENT 1: LOCATION MAP

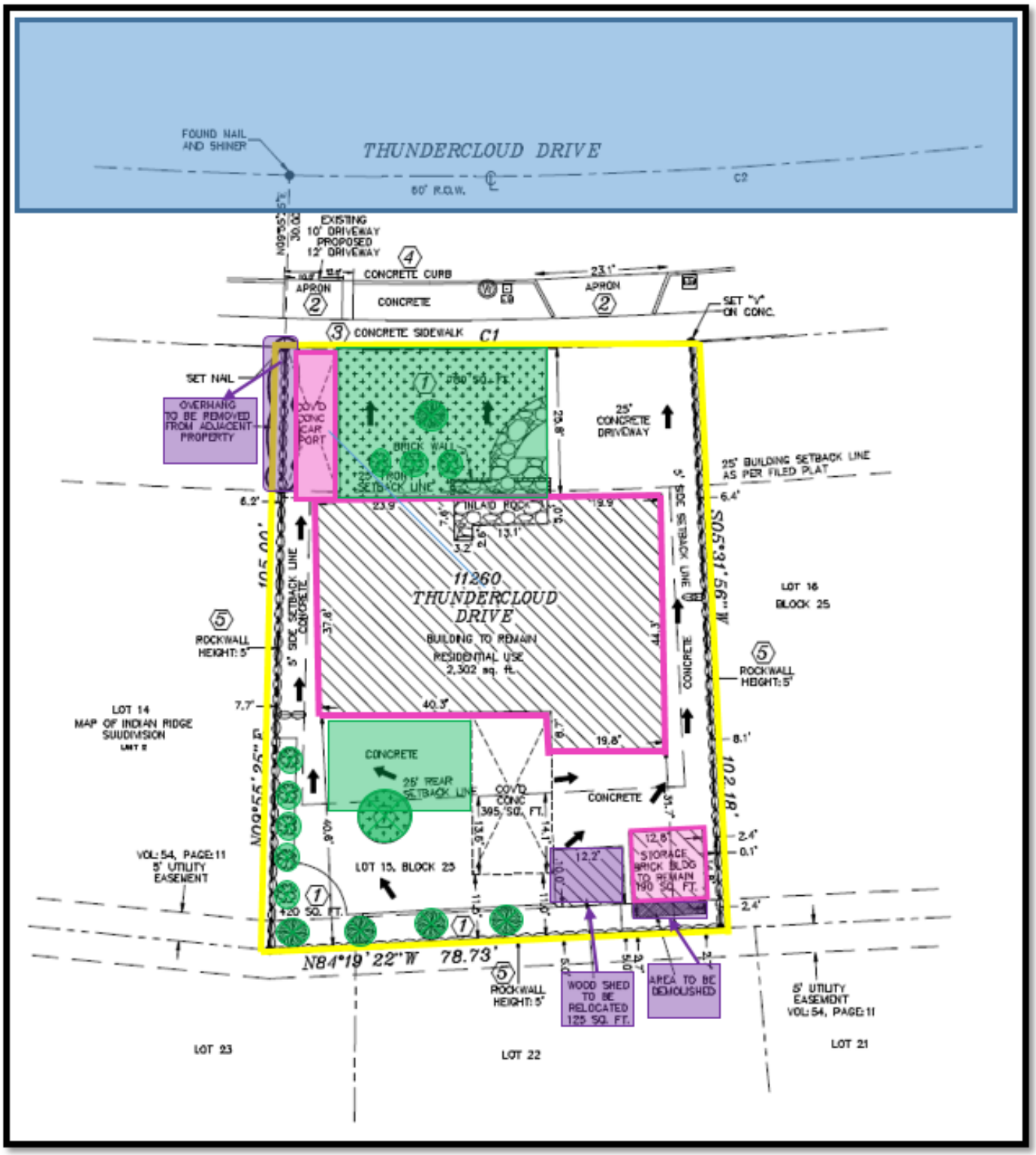


ATTACHMENT 2: AERIAL MAP

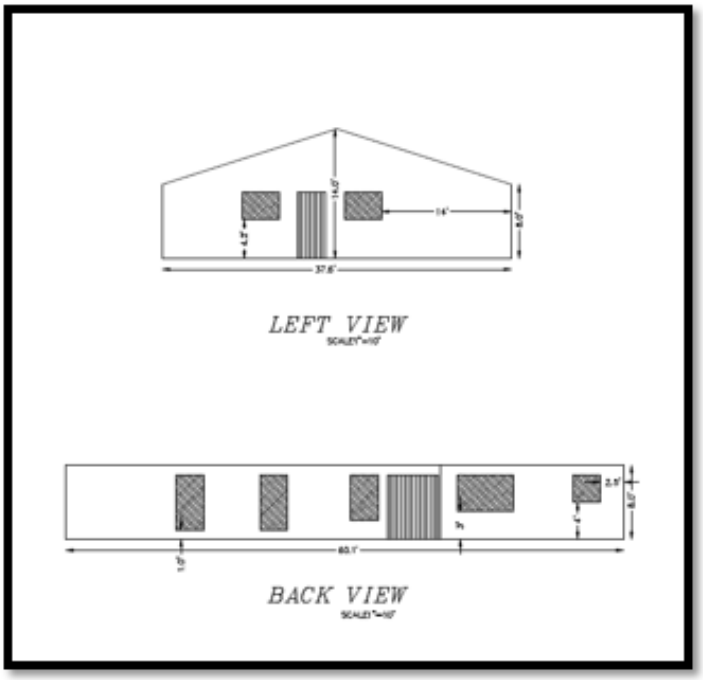
ATTACHMENT 3: FUTURE LAND USE MAP

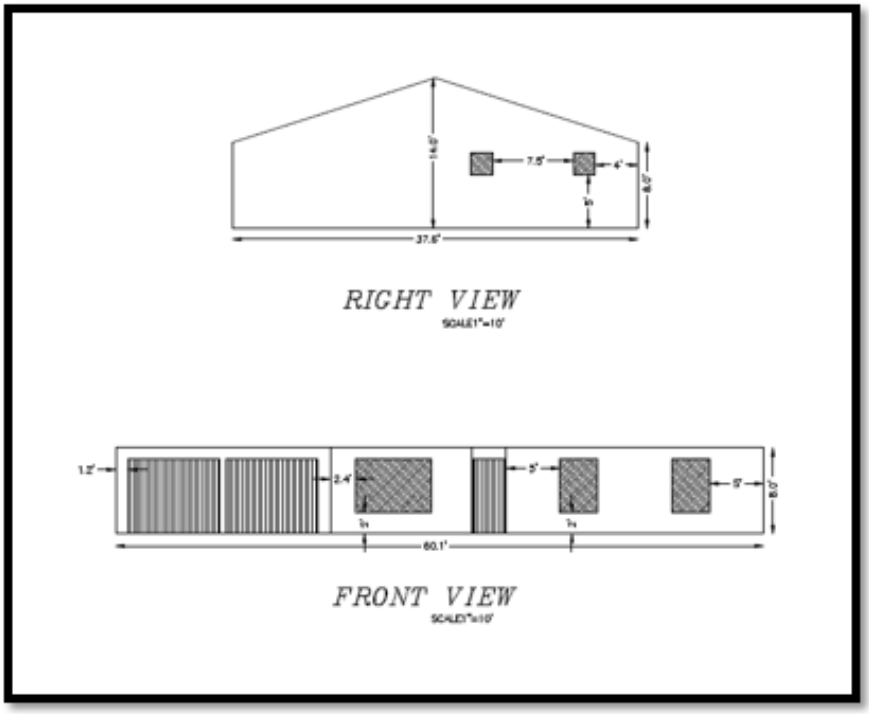
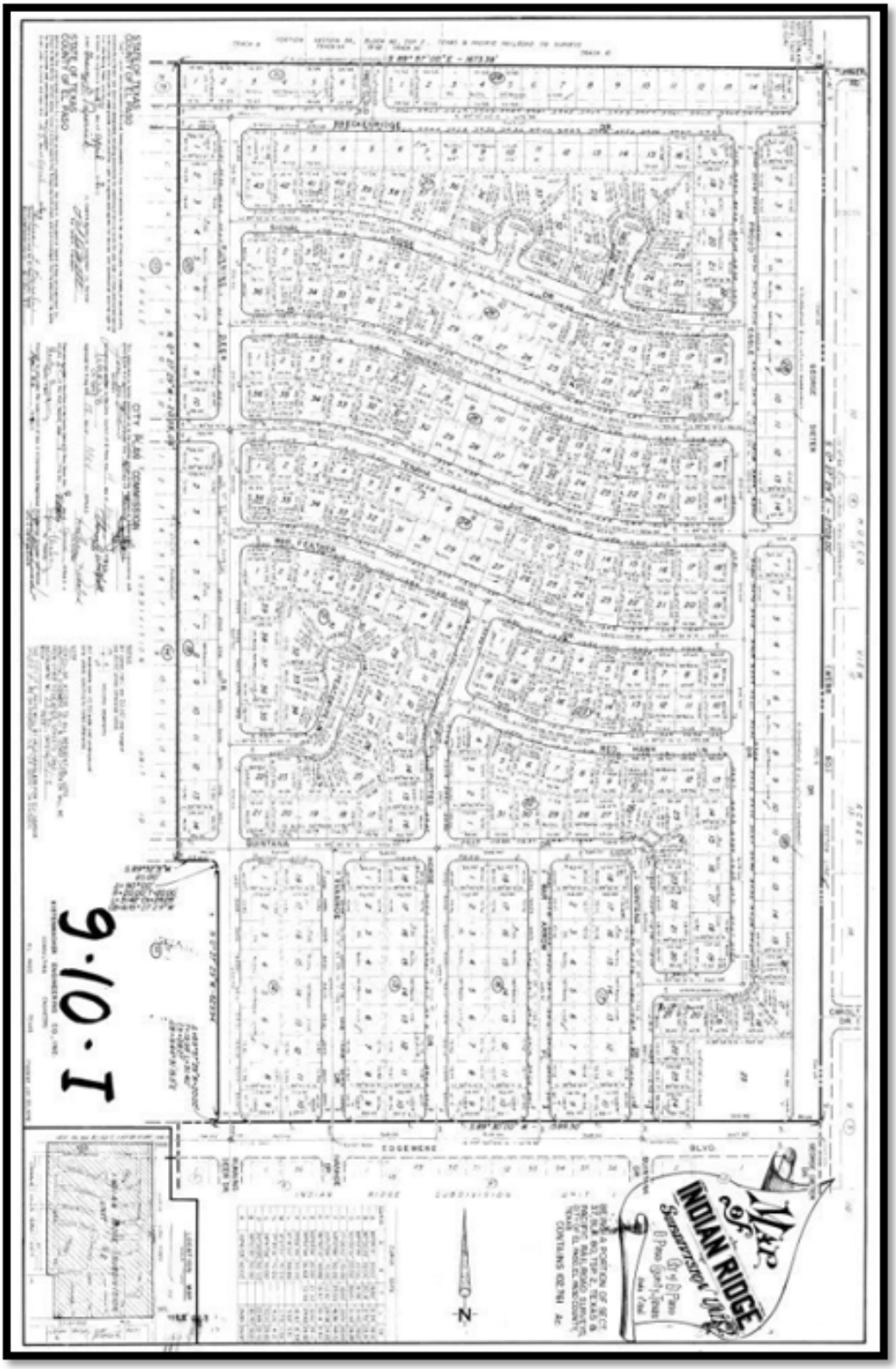


ATTACHMENT 4: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 5: ELEVATIONS





ATTACHMENT 6: RECORDED PLAT