

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: April 5, 2016
Public Hearing: May 3, 2016

CONTACT PERSON/PHONE: Larry F. Nichols, (915) 212-1550, NicholsLF@elpasotexas.gov
Michael McElroy, (915) 212-1612, McelroyMS@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance granting Special Permit No. PZST15-00022, to allow for infill development with a reduction in side yard setback, on the property described as Tract 10B5, Block 17, Ysleta Grant, 7756 Wenda Drive, 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: 7756 Wenda Drive. Property Owners: Miguel F. Quinones & Lazara M. Quinones. PZST15-00022 (**District 7**)

BACKGROUND / DISCUSSION:

The request is for a special permit to allow for a reduction in side yard setback from the required 5' to 3.5'.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission – Approval Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Larry F. Nichols
Director, Planning and Inspections Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00022, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN SIDE YARD SETBACK, ON THE PROPERTY DESCRIBED AS TRACT 10B5, BLOCK 17, YSLETA GRANT, 7756 WENDA DRIVE, 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, Miguel F. Quinones & Lazara M. Quinones, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City Code for a reduction in side yard setback; 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:
Tract 10B5, Block 17, Ysleta Grant, 7756 Wenda Drive, 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 reduction in side setback; 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 or the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST15-00022 shall

ORDINANCE NO. _____

PZST15-00022

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

5. That the Owners 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.

APPROVED this _____ day of _____, 20__.

THE CITY OF EL PASO

ATTEST:

Oscar Leaser
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Larry Nichols
Planning & Inspections Department

ORDINANCE NO. _____

PZST15-00022

16-1007-1602 / #493217 – Special Permit 7756 Wenda Dr
KMN

AGREEMENT

The owners, Miguel F. Quinones & Lazara M. Quinones, referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the R-3 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 20__.

Miguel F. Quinones & Lazara M. Quinones:

By: _____
(name/title)

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 20____, by _____, for Miguel F. Quinones & Lazara M. Quinones, as Owners.

My Commission Expires:

Notary Public, State of Texas

Notary's Printed or Typed Name:

ORDINANCE NO. _____

PZST15-00022

Being all of Tract 10B5, Block 17,
Ysleta Grant,
City of El Paso, El Paso County, Texas
April 6, 2015

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of being all of Tract 10B5, Block 17, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the common boundary corner of Tract 10B and 10B5, same being the westerly right-of-way line of Wenda Drive (40' R.O.W.), and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said westerly right-of-way line, and along common boundary line, North 89°06'00" West, a distance of 329.14 feet to a point;

THENCE, leaving said common boundary line, North 69°59'32" West, a distance of 138.20 feet to a point;

THENCE, North 00°55'00" West, a distance of 56.06 feet to a point;

THENCE, South 89°01'00" East, a distance of 461.50 feet to a point;

THENCE, South 00°54'00" West, a distance of 100.60 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 43,497.90 square feet or 0.9985 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2015\wpd



PARKING CALCULATIONS		
PARKING SPACES, REQ'D. AS PER CH. 20 APPENDIX "C" OF ZONING ORDINANCE FOR TOWN OF EL PASO, TEXAS		
PARKING COUNT:	REQUIRED SPACES:	PROVIDED:
SINGLE-FAMILY HOME	2 PARKING SPACES	2 PARKING SPACES

LANDSCAPING REQUIRED

EXPANSION TO THE PARCEL:		
TOTAL FLOOR GROSS AREA (EXPANSION) x 15% = LANDSCAPE REQ'D.		
TOTAL FLOOR GROSS AREA :	REQUIRED	PROVIDED
1,562.44 x 15% =	234.37 SQ. FT.	42,894.27 SQ. FT.

LEGEND	
	= UTILITY BOX
	= WATER METER
	= MANHOLE
	= POWER POLE
	= GAS METER
	= TREES

KEYED NOTES	
1.	EXISTING LANDSCAPE AREA.
2.	EXISTING DRIVEWAY TO MEET CITY AND OR STATE STANDARDS.
3.	EXISTING CHAIN LINK TO REMAIN.
4.	EXISTING EDGE OF PAVEMENT

EXISTING ZONING:

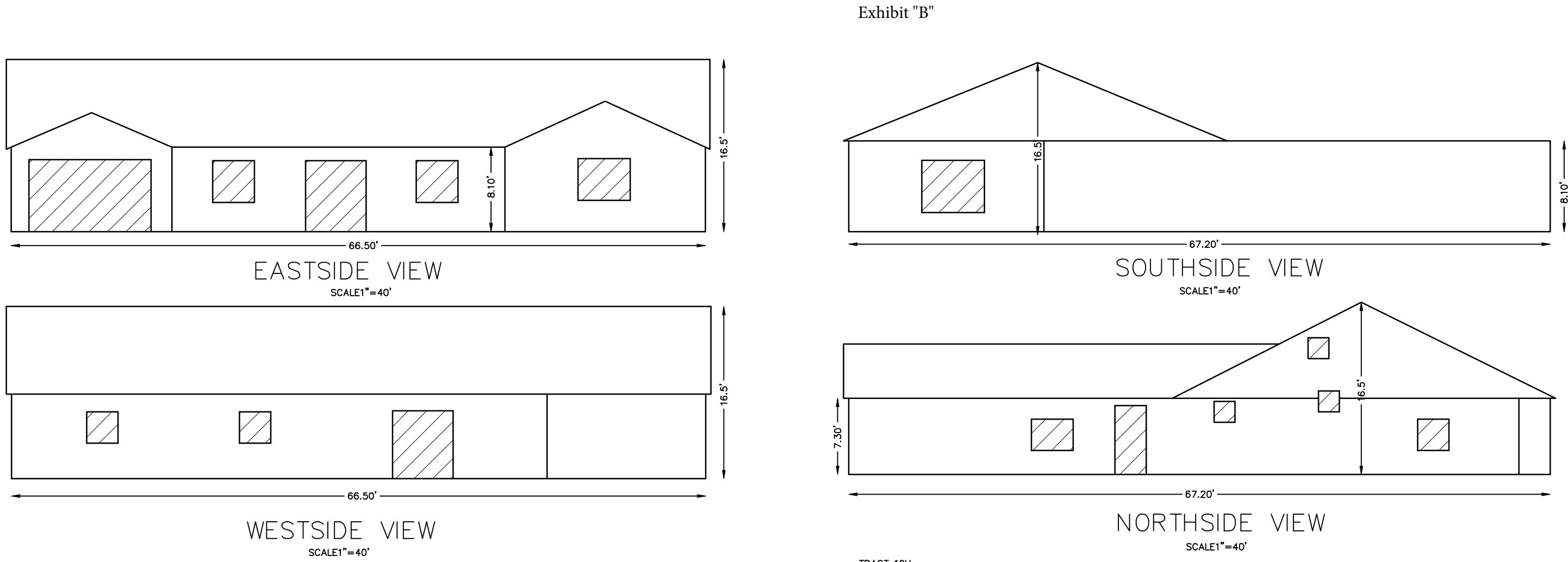
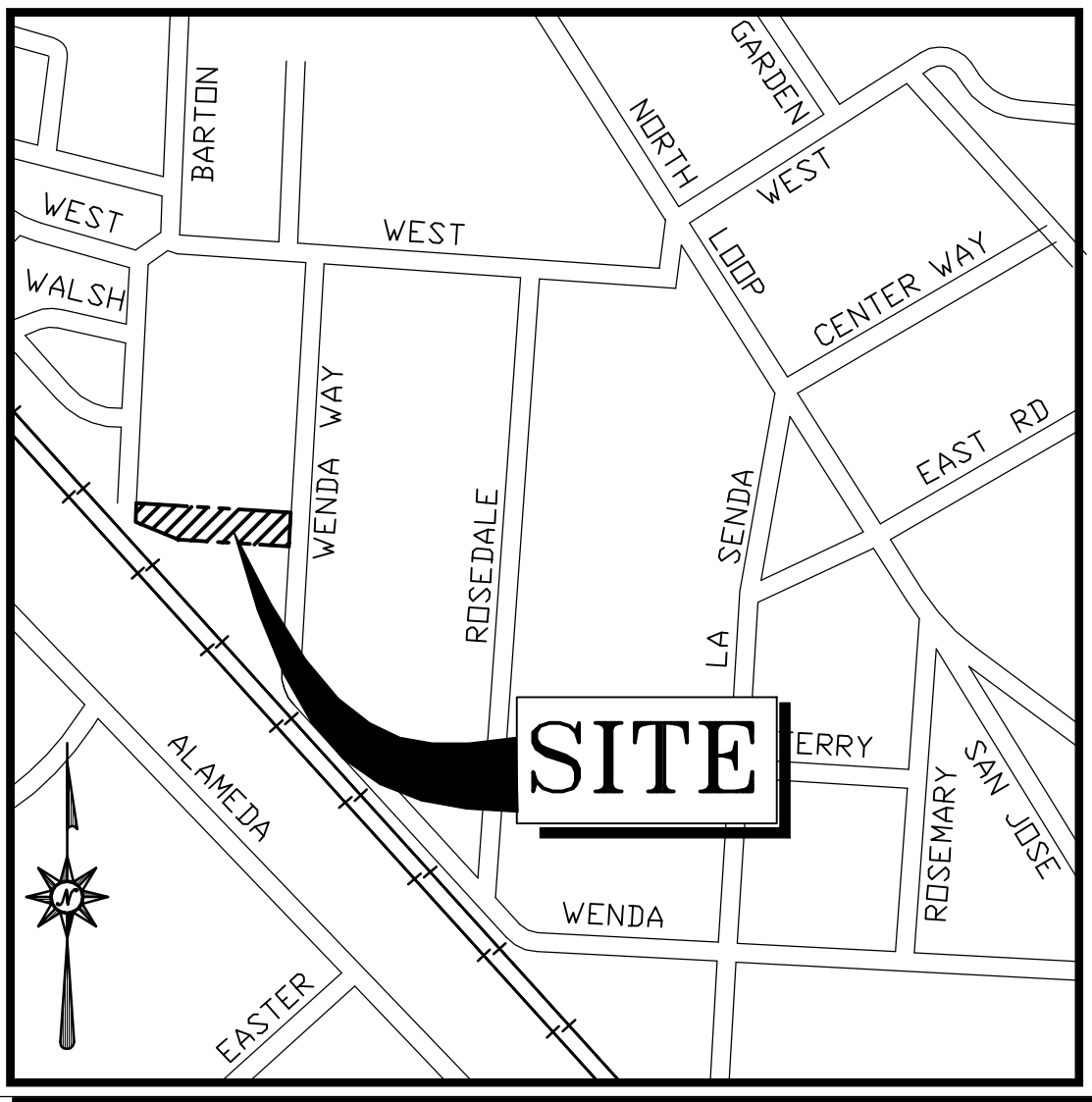
YARD, LOT AND HEIGHT STANDARDS AS PER R-3 ZONING

A. All uses shall have a minimum front yard of twenty feet, rear yard of twenty feet and a side yard of five feet where adjacent to a residential or apartment district or ten feet for a side yard abutting a side street; except that for multifamily dwellings the minimum yard standards shall be:

1. FRONT YARD: 20 FEET
2. REAR YARD: 20 FEET
3. INTERIOR SIDE YARD: 5 FEET
4. SIDE STREET SIDE YARD: 10 FEET
5. MINIMUM CUMULATIVE FRONT AND REAR YARD: 50

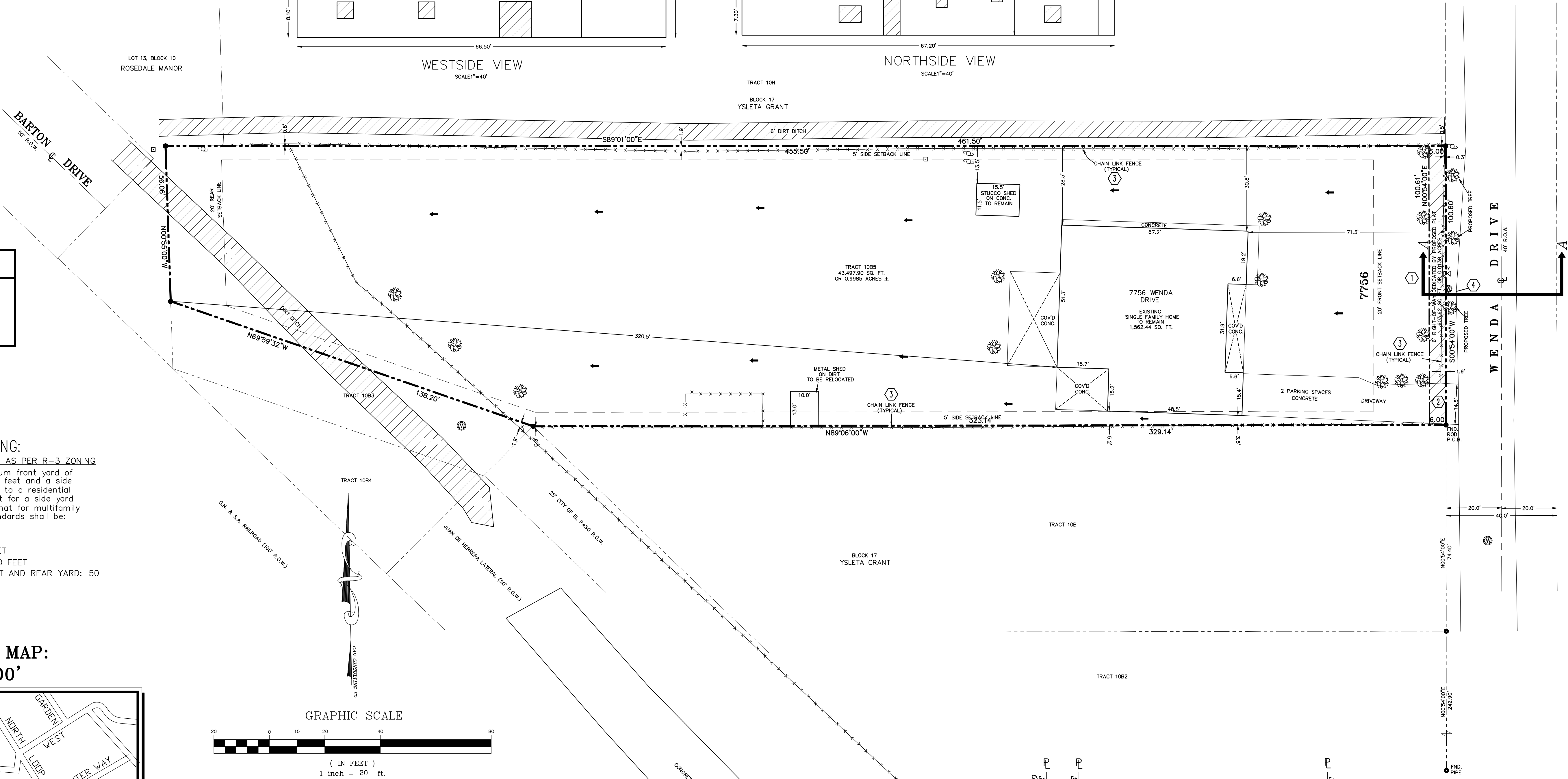
LOCATION MAP:

1" = 600'



DETAILED SITE DEVELOPMENT PLAN

BEING ALL OF TRACT 10B5, BLOCK 17
YSLETA GRANT
CITY OF EL PASO, EL PASO COUNTY TX.
CONTAINING:
43,497.90 SQ. FT.
OR 0.9985 ACRES ±
SEE EXHIBIT "A"



METES AND BOUNDS DESCRIPTION

Exhibit "A"

FIELD NOTE DESCRIPTION of being all of Tract 10B5, Block 17, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

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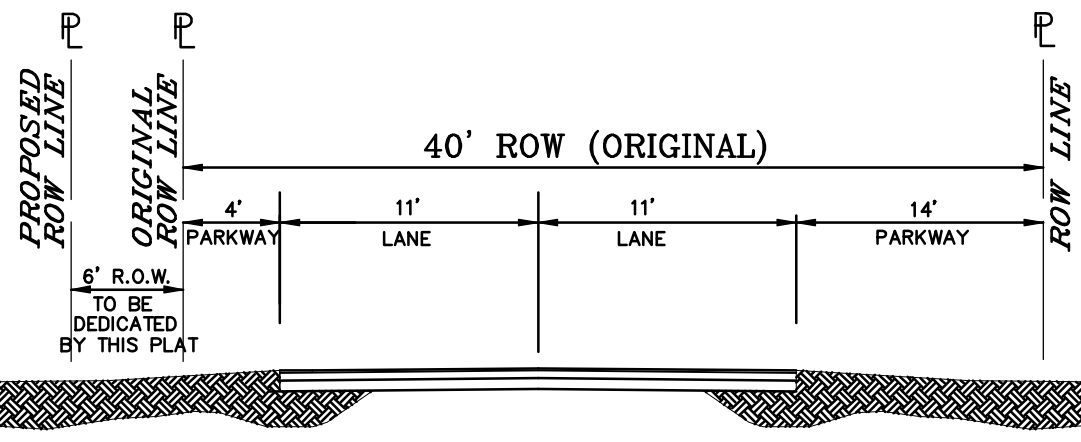
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THENCE, South 00°54'00" West, a distance of 100.60 feet to the POINT OF BEGINNING of the herein described parcel and containing 43,497.90 square feet or 0.9985 acres of land more or less.

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

NOTE(S):
1) ACCORDING TO THE FLOOD INSURANCE RATE MAP HEREON DESCRIBED TRACT LIES IN ZONE X COMMUNITY PANEL NO. 480214-0044-C, DATED 02-16-06



40' R.O.W.
LOCAL RESIDENTIAL STREET
SCALE: NTS
SECTION A-A

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY AND IMPROVEMENT SURVEY WAS MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CARLOS M. JIMENEZ R.P.L.S. No. 3950
FIRM# 10099300

MEMORANDUM

DATE: March 21, 2016

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Michael McElroy, Senior Planner

SUBJECT: PZST15-00022

The City Plan Commission (CPC), on January 28, 2016, voted 7-0 to recommend **approval** of a special permit to allow for infill development for an existing single family home to reduce the side yard setback from 5' to 3.5'.

The CPC found that the special permit is in conformance with Plan El Paso. The CPC also determined that the special permit protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; 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 were no communications in support or opposition to the special permit request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZST15-00022
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: January 28, 2016
Staff Planner: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location: 7756 Wenda Drive
Legal Description: Tract 10B5, Block 17, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 0.9985 acres
Rep District: 7
Existing Zoning: R-3 (Residential)
Existing Use: Single-family Dwelling
C/SC/SP/ZBA/LNC: N/A
Request: Infill Development / Side Yard Setback Reduction
Proposed Use: Single-family Dwelling
Property Owner: Miguel F. Quinones & Lazara M. Quinones
Representative: CAD Consulting Co.

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Single-family Dwelling
South: R-3 (Residential) / Single-family Dwelling
East: R-3 (Residential) / Single-family Dwelling
West: C-4 (Commercial) / Railroad and Automobile Sales

PLAN EL PASO DESIGNATION: G-3, Post-War (Mission Valley Planning Area)

NEAREST PARK: Riverside Park (4,202 feet)

NEAREST SCHOOL: Constance Hulbert Elementary School (1,148 feet)

NEIGHBORHOOD ASSOCIATIONS

Mission Valley Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 12, 2016. The Planning Division has not received any communications in support or opposition to the special permit request.

APPLICATION DESCRIPTION

The request is for a special permit and detailed site plan approval to allow for infill development to permit a reduction in side yard setback, from the required 5' to 3.5'. The property is occupied by an existing 1,562 sq. ft. single-family dwelling, proposed to remain. While no additional on-site landscaping is proposed, street trees 30' on center within the parkway are being provided through this detailed site development plan. Access to the property is proposed from Wenda Drive.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** 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 land use designation in the Plan El Paso Mission Valley Planning Area. Further, the property meets the requirements of Sections 20.04.320, Special Permit Approvals, 20.10.280, Infill Development, 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-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) district is to provide a 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.

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 in a state enterprise zone and fulfills only one of the two criteria for infill development. On January 12, 2016, City Council approved a waiver of the two factor criteria.

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 homes are a permissible use in the R-3 (Residential) zone district.

C. Setback Provisions. The side, front and rear 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
Side Yard	5'	3.5'

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.

No parking reduction has been requested.

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 growth sector.

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 objection.

Planning and Inspections Department – Plan Review

No objections to special permit request. Applicant is required to obtain a building permit for construction that was performed without building permits

Planning and Inspections Department - Landscaping

No objections to special permit request. Applicant is required to obtain a building permit for construction that was performed without building permits

El Paso Fire Department

No objections

El Paso Water Utilities

EPWU does not object to this request.

Water:

1. There is an existing 8-inch diameter water main extending along Wenda Drive that is available for service, the water main is located approximately 9-ft east from the center line of the right-of-way.
2. EPWU records indicate an active 3/4-inch water meter serving the subject property. The service address for this meter is 7756 Wenda Drive.
3. Previous water pressure from fire hydrant #4337 located approximately 150-ft south of south eastern subject property line has yield a static pressure of 98 (psi), a residual pressure of 86 (psi), and a discharge of 1,186 gallons per minute.
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.

Sanitary Sewer:

1. There is an existing 6-inch diameter sanitary sewer main extending along Wenda Drive that is available for service, the sewer main is located approximately 2-ft east from the center line of the

- right-of-way.
2. There is an existing 21-inch diameter sanitary sewer main extending along a 25-ft City of El Paso right-of-way, the sewer main is located approximately 2.5-ft south from the center line of the right-of-way. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

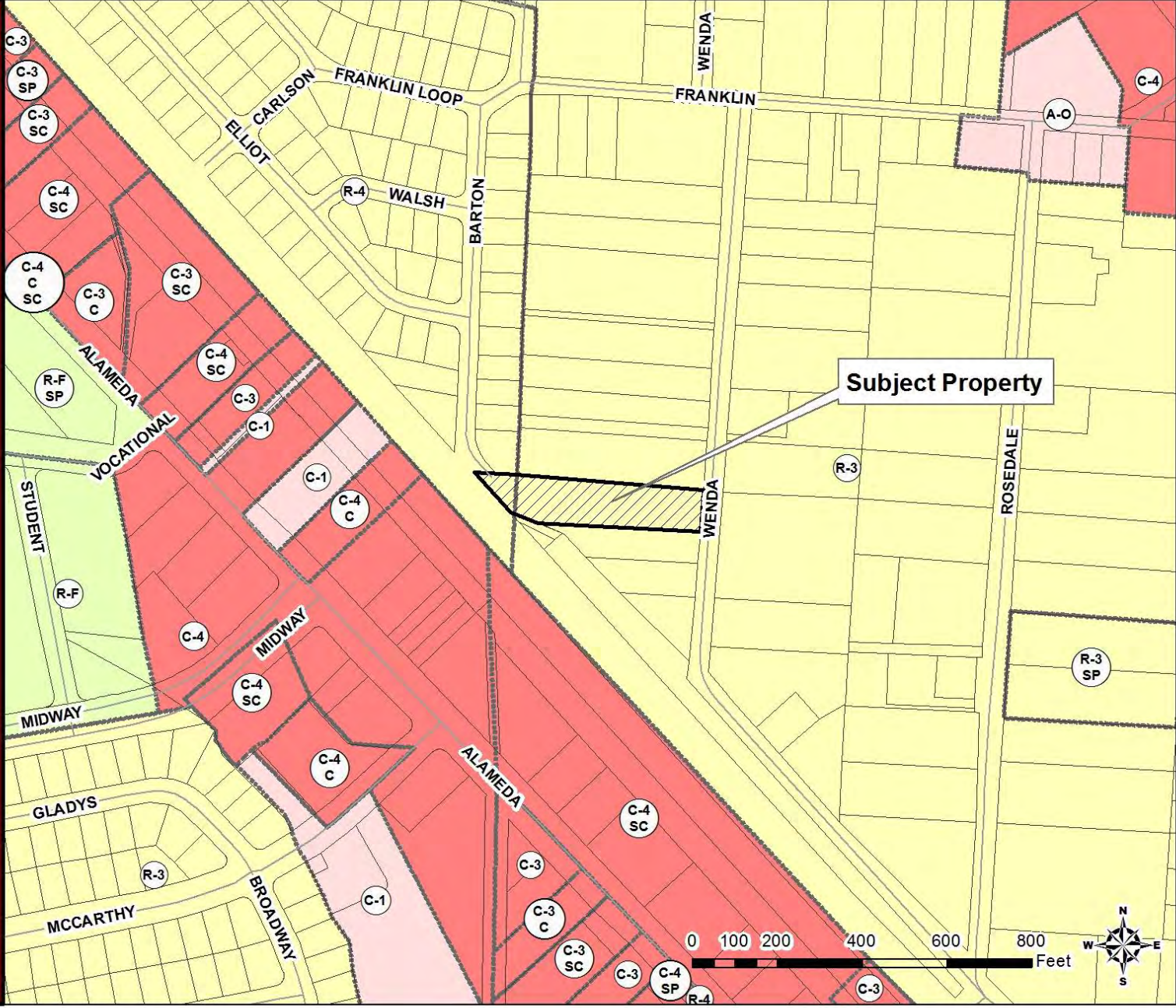
General:

1. 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.

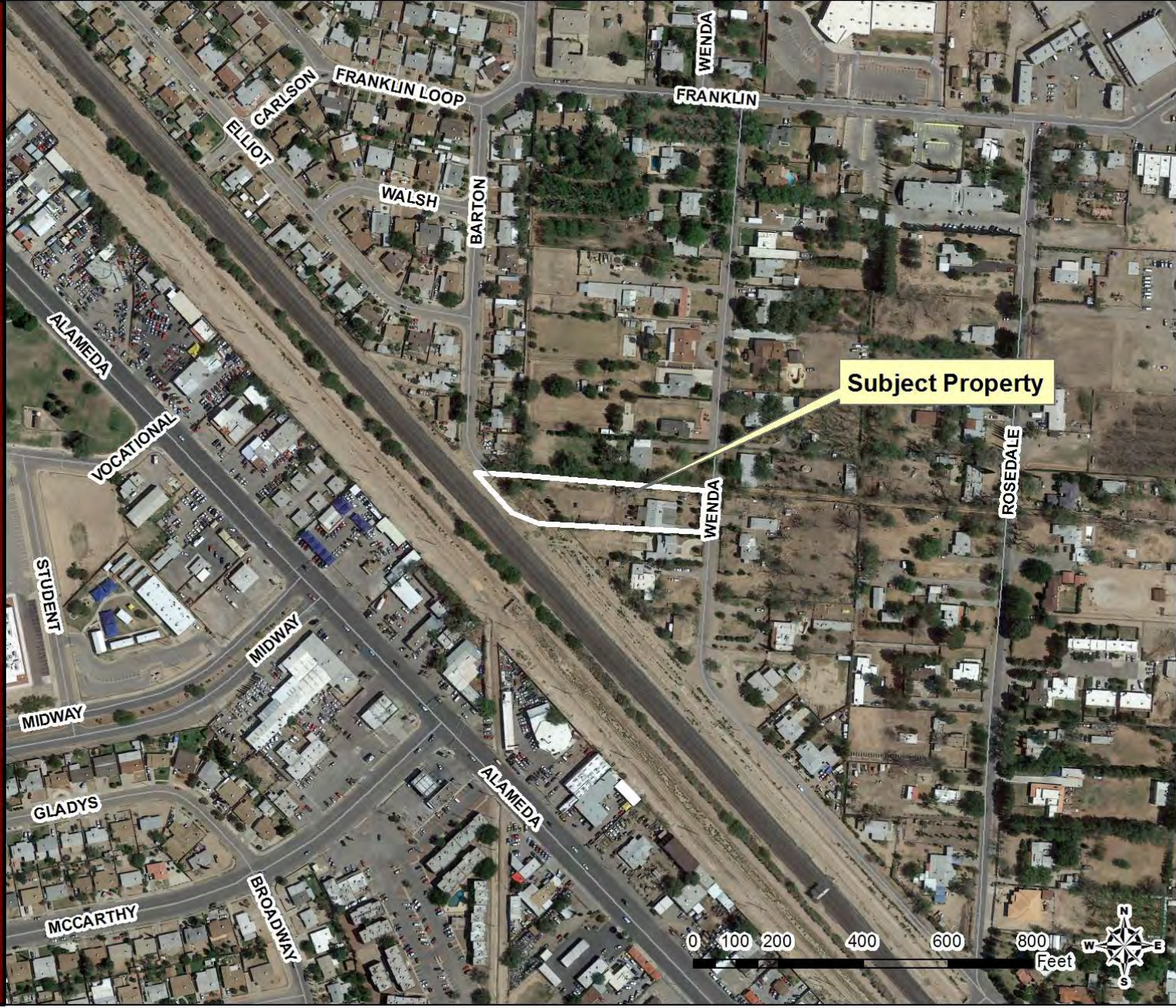
Attachments

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

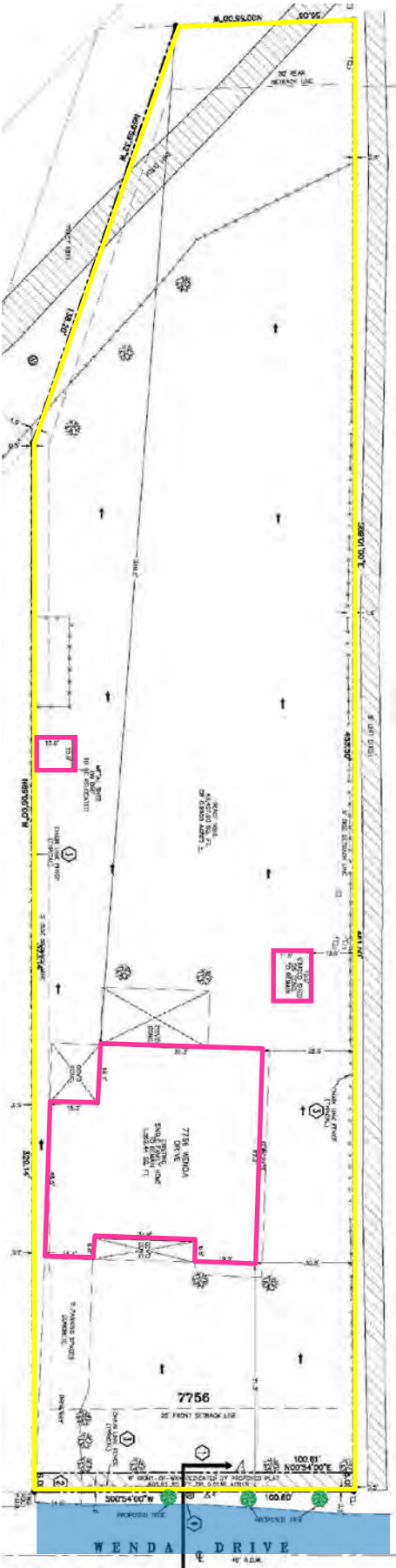
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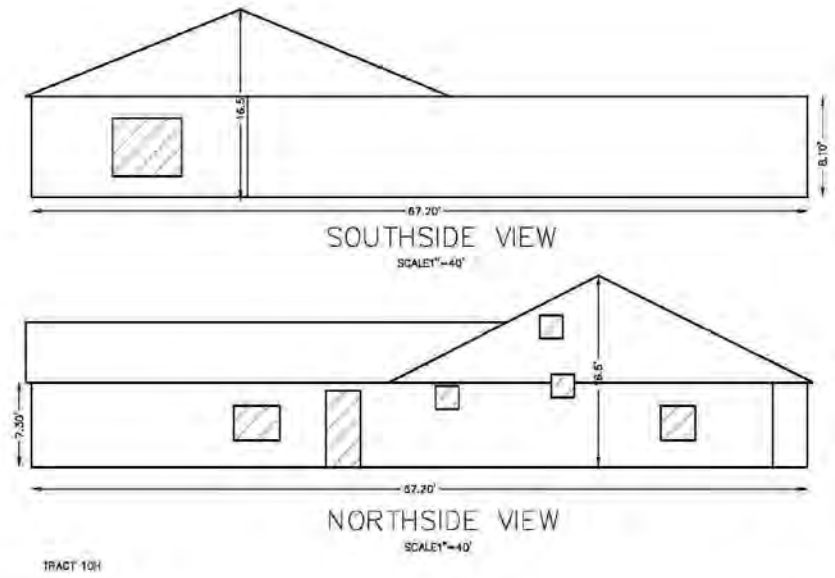
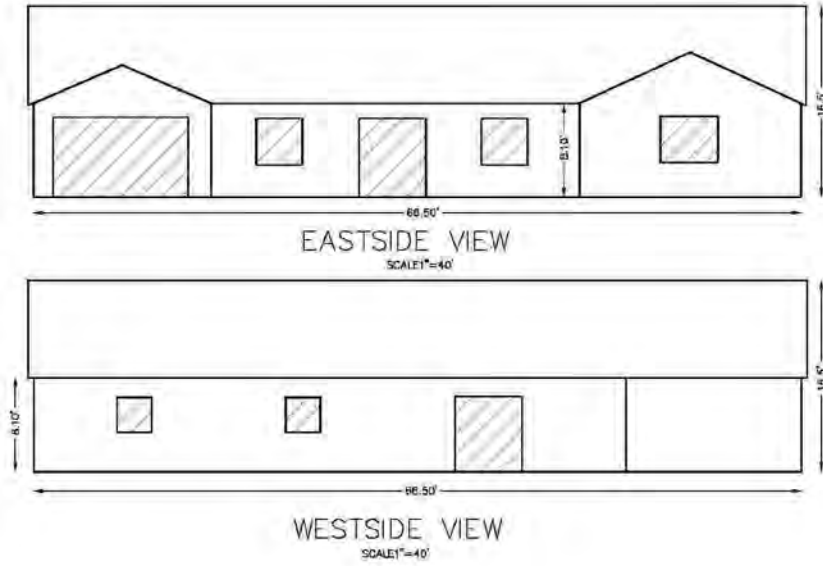
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ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

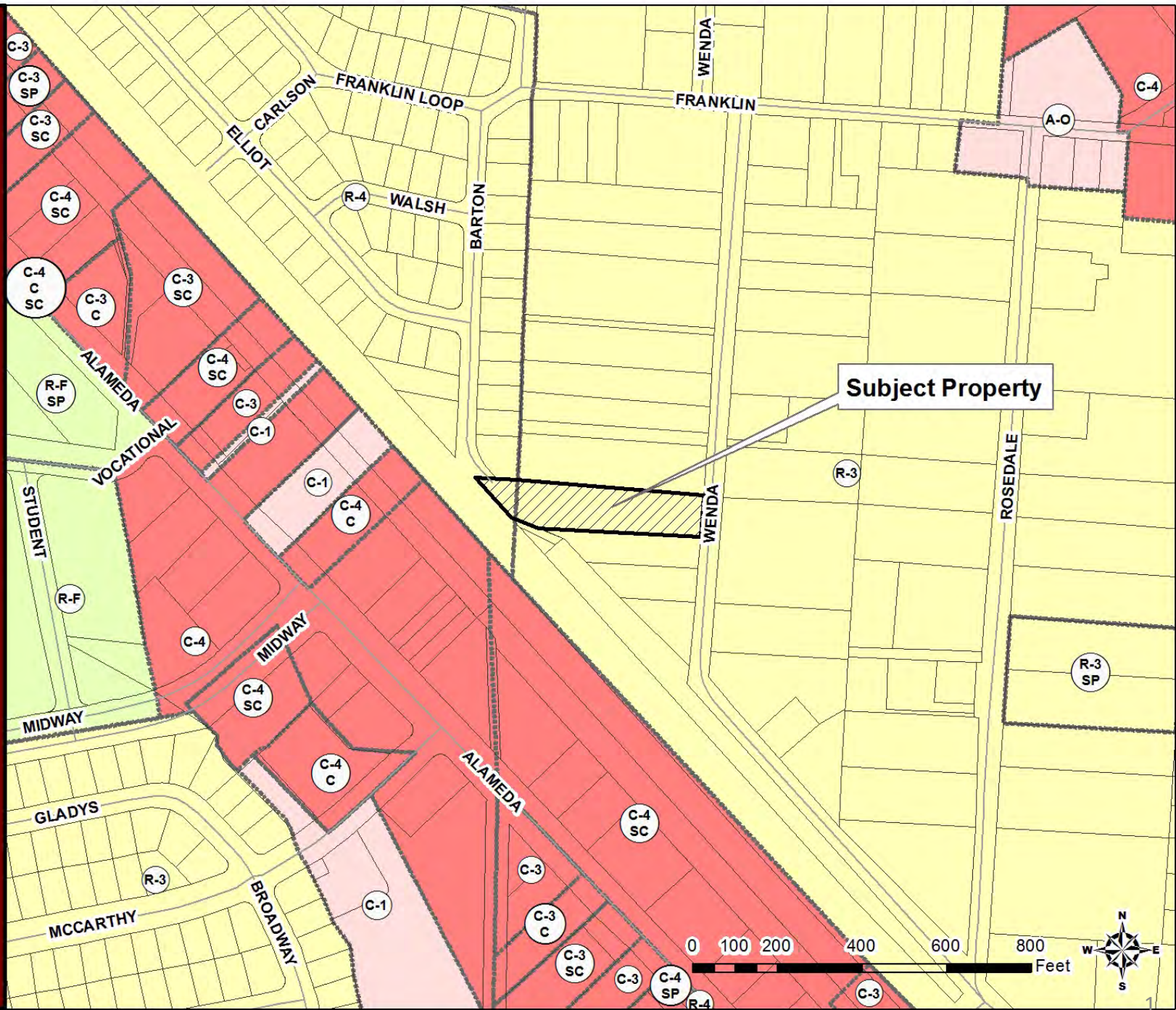


ATTACHMENT 4: ELEVATIONS

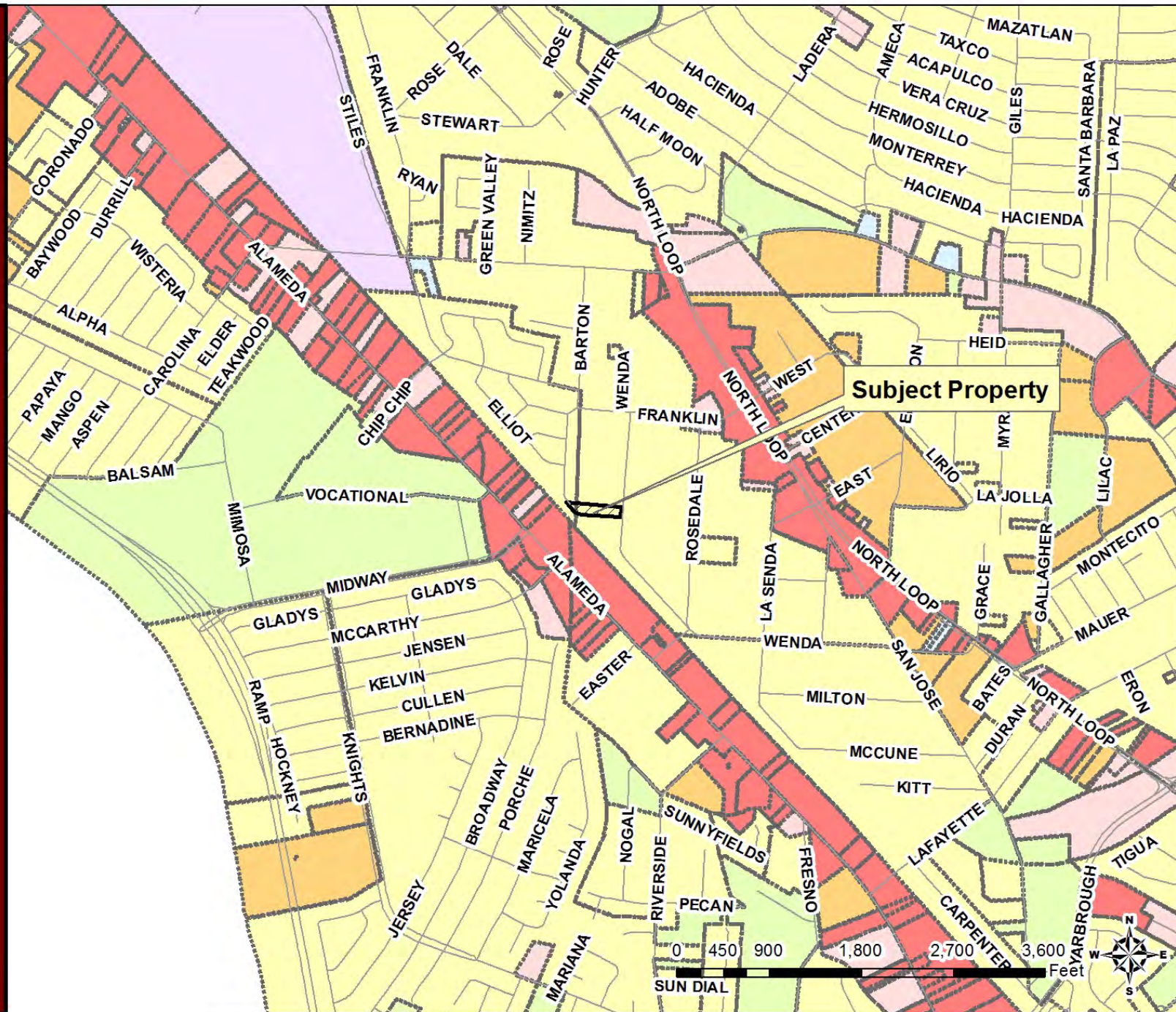


PZST15-00022

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PZST15-00022

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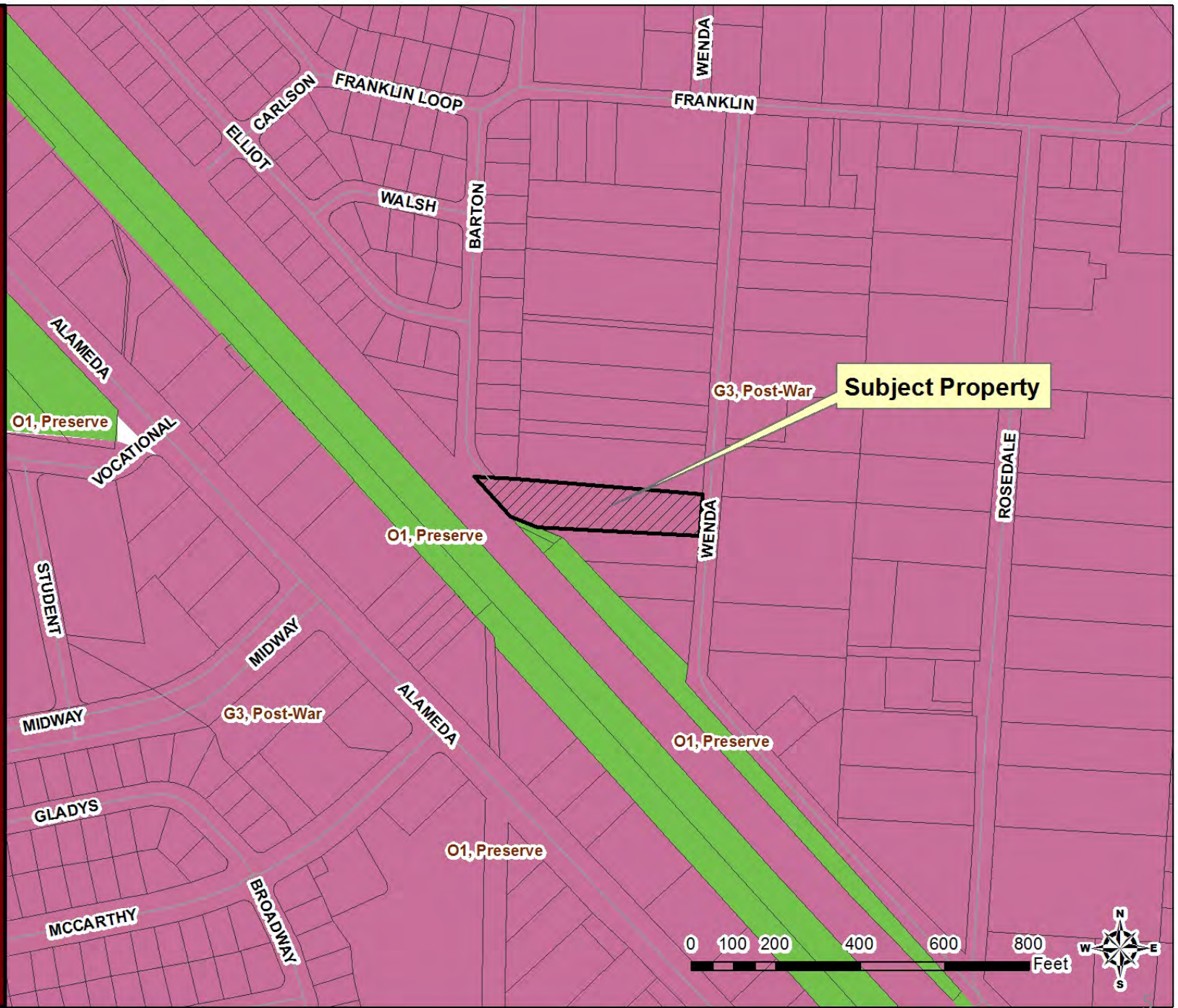


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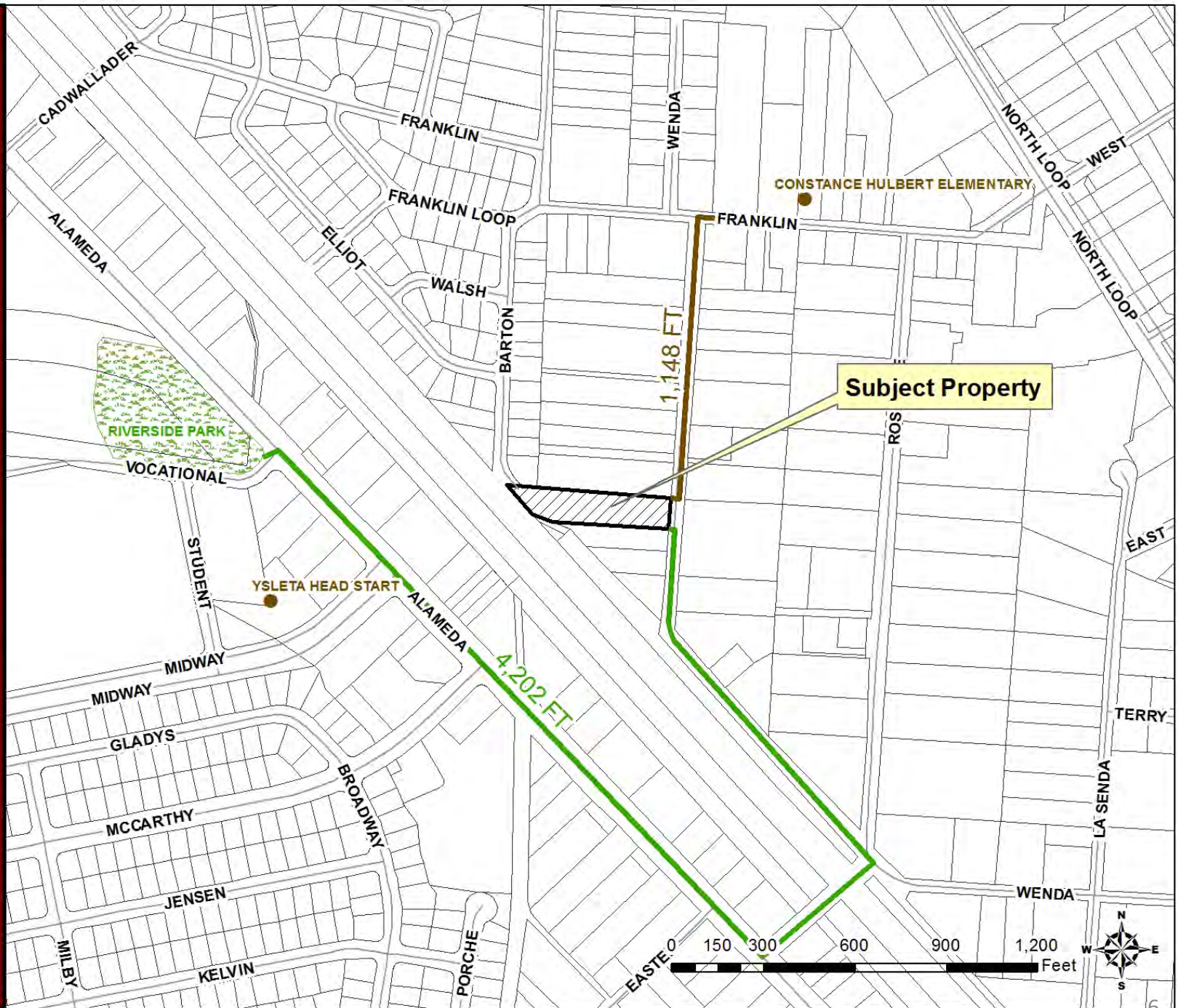
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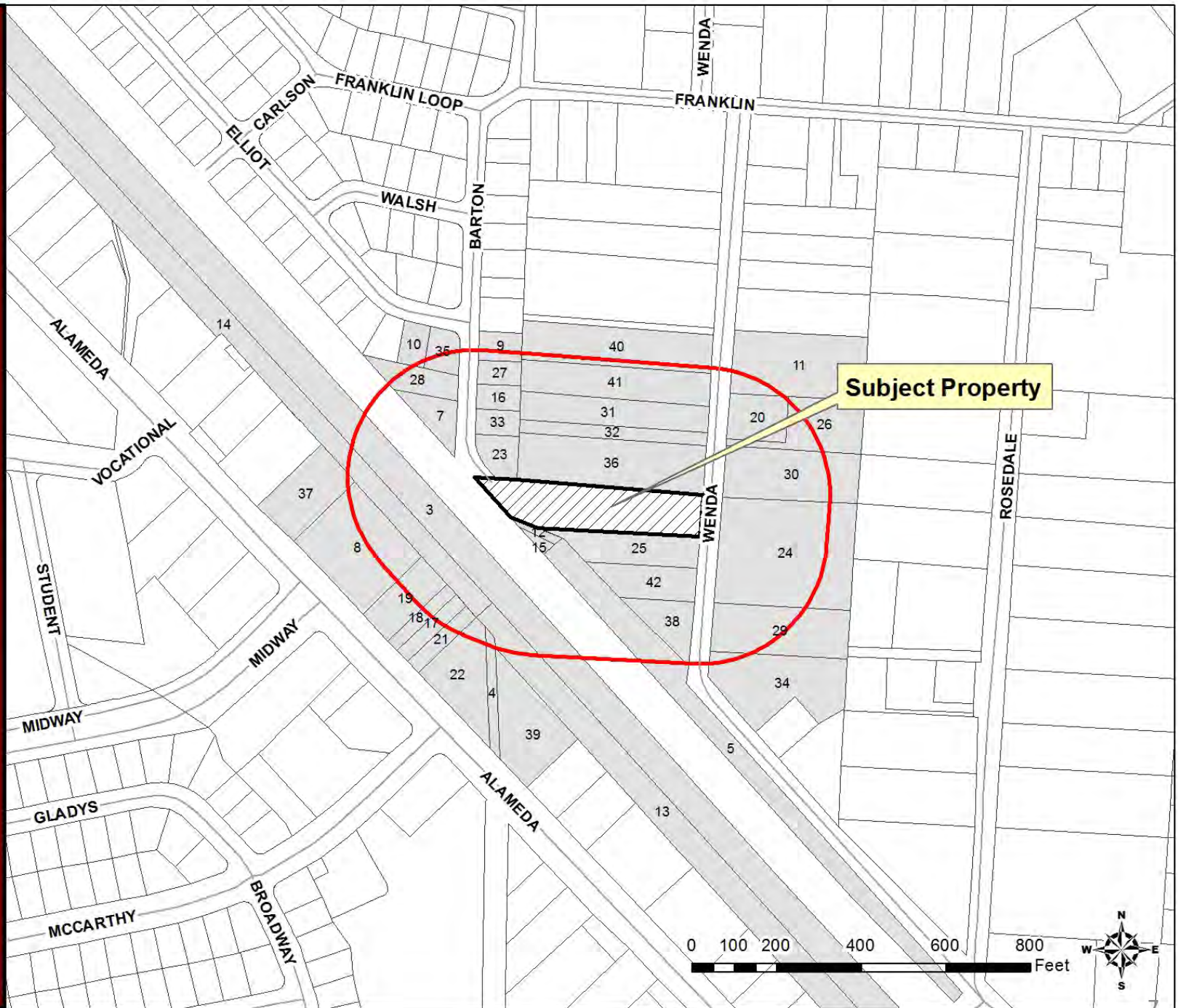
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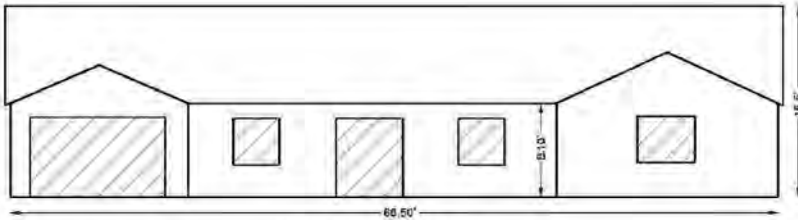
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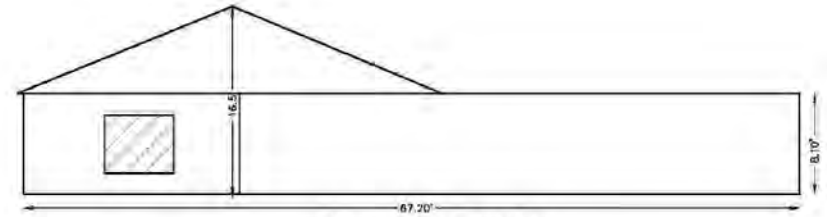




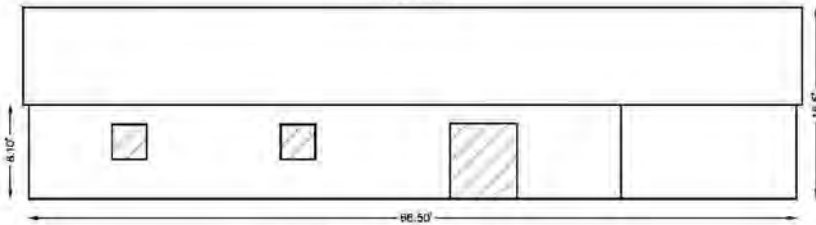
Elevations



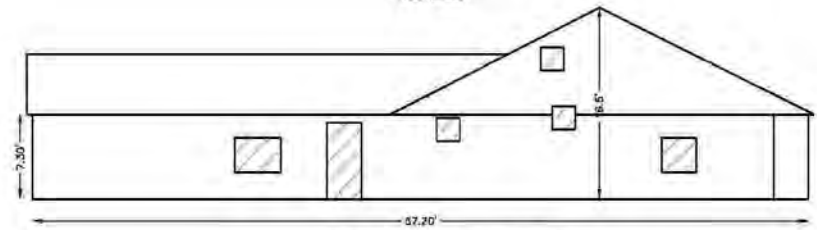
EASTSIDE VIEW
SCALE 1"=40'



SOUTHSIDE VIEW
SCALE 1"=40'



WESTSIDE VIEW
SCALE 1"=40'



NORTHSIDE VIEW
SCALE 1"=40'

TRACT 10H



Special Permit Table

Dimensional Standards		
Dimension	Required	Proposed
Side Yard	5'	3.5'



11

Subject Property & West



12

Subject Property



13

North



14

South



15

East

PZST15-00022

16

