

**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 Nichols, (915) 212-1550, NicholsLF@elpasotexas.gov
Adriana Martinez, (915) 212-1611, MartinezAD@elpasotexas.gov

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance granting Special Permit No. PZST15-00042, to allow for infill development with a reduced lot width, lot area, and cumulative front and rear yard setback on the property described as A Portion of Tracts 357 and 358, Sunrise Acres No. 1, 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: 3805, 3809, 3813 Moonlight Drive. Property Owner: Casas Diamantina, LLC. PZST15-00042 (District 2). **THIS IS A 211 ON APPEAL.**

BACKGROUND / DISCUSSION:

The special permit would allow a total of four two-family dwellings (duplex). All other density and dimension standards are being met. City Plan Commission recommended denial on a 4-1 vote. The applicant requests an appeal.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this special permit application.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Recommended Denial on 4-1 vote. Applicant has requested an Appeal to City Council.


*****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: _____

PZST15-00042

AGREEMENT

Casa Diamantina, LLC, 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-4 (Residential)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 28 day of March, 2016.

Casa Diamantina, LLC:

By: Daniel Alderete / member
(name/title)

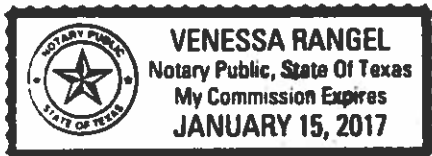
[Signature]
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 28th day of March,
2016, Casa Diamantina, LLC as Owner.

My Commission Expires:



[Signature]
Notary Public, State of Texas

Notary's Printed or Typed Name:

Venessa Rangel

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00042, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCED LOT WIDTH, LOT AREA, AND CUMULATIVE FRONT AND REAR YARD SETBACK ON THE PROPERTY DESCRIBED AS A PORTION OF TRACTS 357 AND 358, SUNRISE ACRES NO. 1, 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, Casa Diamantina, LLC has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City Code for a reduced lot width, lot area, and cumulative front and rear 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 denial (4-1) 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-4 (Residential)** Zone District:

Portion of Tracts 357 and 358, Sunrise Acres No. 1, 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 for infill development under Section 20.10.280 of the El Paso City Code to allow reduced lot width, lot area, and cumulative front and rear yard setback; and,
3. That this Special Permit is issued subject to the development standards in the **R-4 (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 Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST15-00042 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.

APPROVED this _____ day of _____, 2016.

THE CITY OF EL PASO

ATTEST:

Oscar Leeser
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Omar A. DeLaRosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
Planning and Inspections Department

ORDINANCE NO. _____

16-1007-1648/513418
Sunrise Acres Infill Development
OAD

PZST15-00042

DORADO ENGINEERING INC.

2717 E Yandell El Paso, Texas 79903 (915) 562-0002 Fax (915) 562-7743

**Portion of Tracts 357 and 358
Sunrise Acres No. 1**

Metes and Bounds description of a portion of Tracts 357 and 358 Sunrise Acres No. 1, City of El Paso, County of El Paso, Texas and being more particularly described as follows;

Commencing from an existing city monument located at the centerline intersection of Eclipse Drive and Moonlight Drive; thence North 88° 51' 00" East a along the centerline of Moonlight Drive a distance of seven hundred seventy-five and no hundredths (775.00) feet to a set nail; thence North 01° 09' 00" West a distance of thirty and no hundredths (30.00) feet to a set ½ inch rebar on the northerly right-of-way line of Moonlight Drive and the southeasterly corner of the parcel being describes, said point also being the Point of Beginning for this description;

Thence, South 88° 51' 00" West along the northerly Right-of-Way line of Moonlight Drive a distance of one hundred seventy-five and no hundredths (175.00) feet to a set ½ inch rebar on the Southwesterly corner of the parcel being described

Thence, North 01° 09' 00" West along the westerly line of the parcel being described a distance of one hundred sixty-two and no hundredths (162.00) feet to a set ½ inch rebar on the northwesterly corner of the parcel being described;

Thence, North 88° 51' 00" East along the northerly line of the parcel being described a distance of seventy-five and no hundredths (75.00) feet to a set ½ inch rebar for a corner on the northwesterly corner of the parcel being described;

Thence, North 01° 09' 00" West along the westerly line of the parcel being described a distance of fifty-six and no hundredths (56.00) feet to a set ½ inch rebar for the Northwesterly corner of the parcel being described, said corner also being the common corner of Tracts 357, 358, 379 and 380 Sunrise Acres No. 1

Thence, North 88° 51' 00" East along the common line of Tracts 358 and 379, Sunrise Acres No. 1 a distance of one hundred and no hundredths (100.00) feet to a set ½ inch rebar the Northeasterly corner of the parcel being described;

Thence, South 01° 09' 00" East along the easterly line of the parcel being described a distance of two hundred eighteen and no hundredths (218.00) feet to a set ½ inch rebar for a corner lying on the northerly Right-of-Way line of Moonlight Drive, said corner also being the Point of Beginning for this description.

Said parcel of land contains 33,933.24 Square Feet or 0.779 Acres of land more or less.

Prepared By:

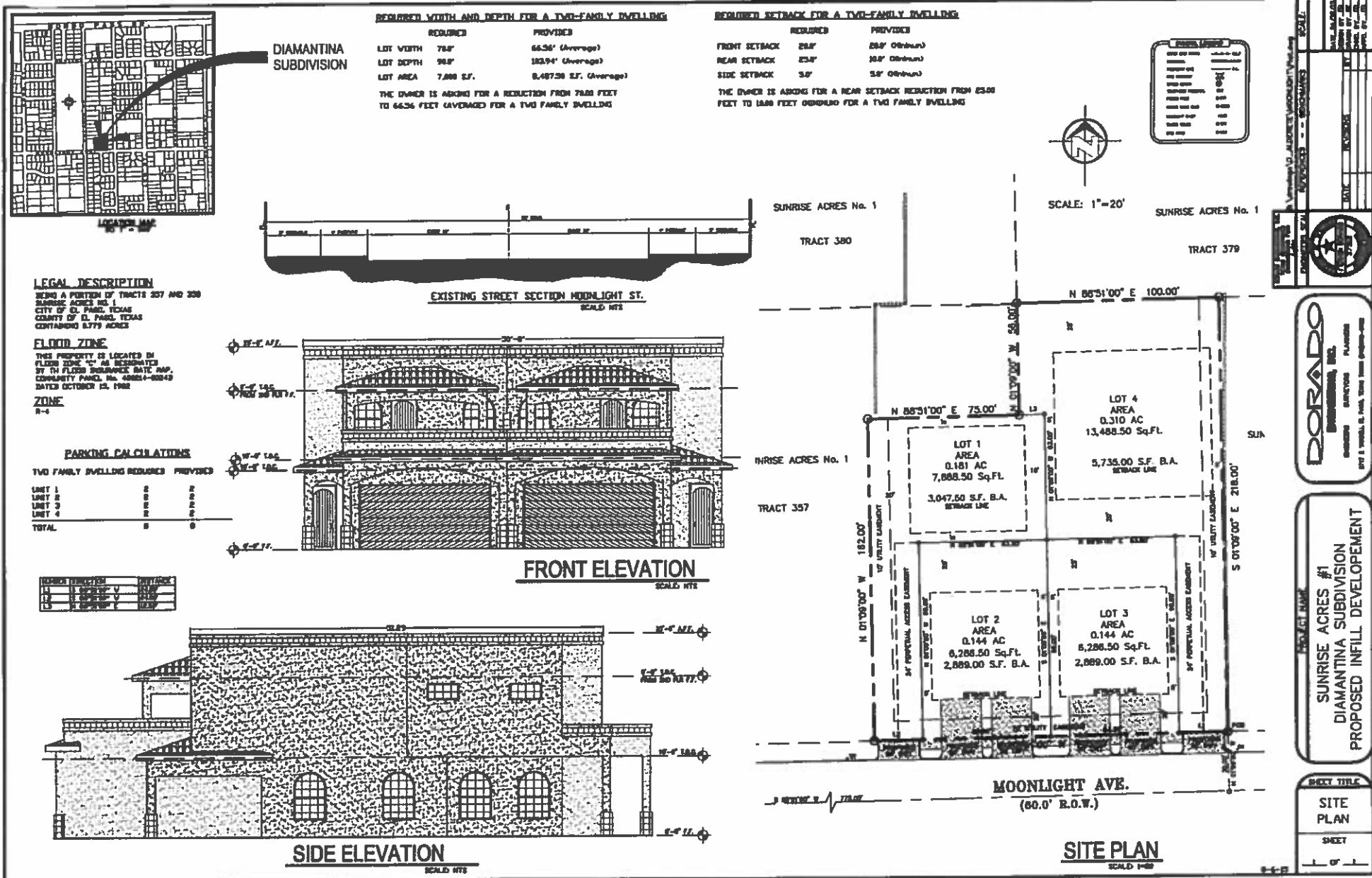


Fermin Dorado, R. L. S.



January 11, 2016

EXHIBIT B



MEMORANDUM

DATE: March 28, 2016

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

FROM: Adriana Martinez, Planner

SUBJECT: PZST15-00042

The City Plan Commission (CPC), on February 11, 2016, voted 4-1 to recommend **denial** of the special permit application to allow for infill development with a reduced lot width, lot area, and cumulative front and rear yard setback on the property.

The CPC found that the special permit is not in conformance with Plan El Paso. The CPC also determined that the special permit does not protect the best interest, health, safety and welfare of the public in general; that the proposed use is not compatible with adjacent land uses; and the special permit will have negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division has received one call in support and 1 email, 3 speakers at CPC, and a petition with 116 signatures which in opposition to the special permit request. **THIS IS A 211 ON APPEAL.**

The property owner submitted an appeal letter on February 22, 2016.

Property Owner/Applicant: Casas Diamantina, LLC.
Representative: Dorado Engineering, Inc.

Attachments:
Staff Report
211 Map
Appeal Letter



City of El Paso – City Plan Commission Staff Report

Case No: PZST15-00042
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: February 11, 2016
Staff Planner: Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov
Location: 3805, 3809, and 3813 Moonlight Drive
Legal Description: Portion of Tracts 357 and 358, Sunrise Acres No. 1, City of El Paso, El Paso County, Texas
Acreage: 0.779 acres
Rep District: 2
Existing Zoning: R-4 (Residential)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: N/A
Request: Infill / Cumulative Front & Rear Setback and Lot Width & Lot Area
Proposed Use: Two-Family Dwelling (Duplex)
Property Owner: Casa Diamantina, LLC
Representative: Daniel Alderete; Dorado Engineering, Inc.

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / Vacant
South: R-4 (Residential) / Single-Family Dwellings
East: R-4 (Residential) / Single-Family Dwellings
West: R-4 (Residential) / Single-Family Dwellings

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

NEAREST PARK: Sunrise Park (1,570 feet)

NEAREST SCHOOL: Canyon Hills Middle (263 feet)

NEIGHBORHOOD ASSOCIATIONS

Sunrise Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 26, 2016. The Planning Division has received one call in support and 1 email, 3 speakers (CPC), and a petition with 116 signatures which in opposition to the special permit request. **THIS IS A 211.**

APPLICATION DESCRIPTION

The request is for a special permit and detailed site plan approval to allow for infill development to permit a reduction in lot width from the required 70 ft. to 63.0 ft. for lot 1, 63.50 ft. for lots 2 and 3 and 57.32 ft. for lot 4. The request also includes a cumulative set-back reduction from 45 ft. to 30 ft. and lot area reduction from 7,000 sq. ft. to 6,286.50 sq. ft. for lots 2 and 3. The development is walking distance to Sunrise Park at 1,750 ft. and Canyon Hills Middle School at only 263 ft. away. Both offer basketball courts, playgrounds, and a variety of amenities available to residents. The proposed use is a two-family dwelling (duplex) per lot. All other density and dimension standards are being met. The proposed development provides the four parking spaces required for the two-family dwellings (duplex) per lot. Access to the property is proposed from Moonlight 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 residential development. Additionally, the proposed development is compliant with the G-3 Post-War land use designation in the Plan El Paso Northeast 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-4 (Residential) district is intended to provide 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 was platted in 1929 (Attachment 5), fulfilling the two-criterion requirement.

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.

Two-family dwellings (duplex) are a permissible use in the R-4 (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.

| Lot Number | Lot Requirements (R-4) | | | | | |
|------------|------------------------|-------------|----------|----------|----------|-----------|
| | Width | | Depth | | Area | |
| | Required | Provided | Required | Provided | Required | Provided |
| 1 | 70.0' | 63.0' | 90.0' | 101.50' | 7,000 | 8,770.50 |
| 2 | 70.0' | 63.50' | 90.0' | 99.0' | 7,000 | 6,286.50 |
| 3 | 70.0' | 63.50' | 90.0' | 99.0' | 7,000 | 6,286.50 |
| 4 | 70.0' | 57.32' Avg. | 90.0' | 218.0' | 7,000 | 12,606.50 |

| Lot Number | Setback Requirements (R-4) | | | | | | | |
|------------|----------------------------|----------|----------|----------|----------|----------|----------------|----------|
| | Front | | Rear | | Side | | Cumulative F&R | |
| | Required | Provided | Required | Provided | Required | Provided | Required | Provided |
| 1 | 20' | 44' | 10' | 10' | 5' | 5' | 45' | 54' |
| 2 | 20' | 20' | 10' | 10' | 5' | 5' | 45' | 30' |
| 3 | 20' | 20' | 10' | 10' | 5' | 5' | 45' | 30' |
| 4 | 20' | 44' | 10' | 10' | 5' | 5' | 45' | 54' |

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 provides the four parking spaces required of two-family dwellings (duplex) per lot.

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 objections to proposed runoff onto Moonlight Avenue.

Note: Include drainage within both easements and label them “24’ perpetual access and **drainage** easement”.

Planning and Inspections Department – Plan Review

No objections based on signed approval from Streets and Maintenance for reduction of minimum edge to edge spacing between driveways.

Planning and Inspections Department - Landscaping

Landscape is not required.

Texas Department of Transportation (TxDOT)

Not a state roadway.

El Paso Fire Department

No objections.

El Paso Water Utilities

No objections.

EPWU Stormwater Division

Note:

At the improvement stage, provide an acceptable drainage plan in accordance with Section 19.01.050 of the current City Ordinance.

Sun Metro

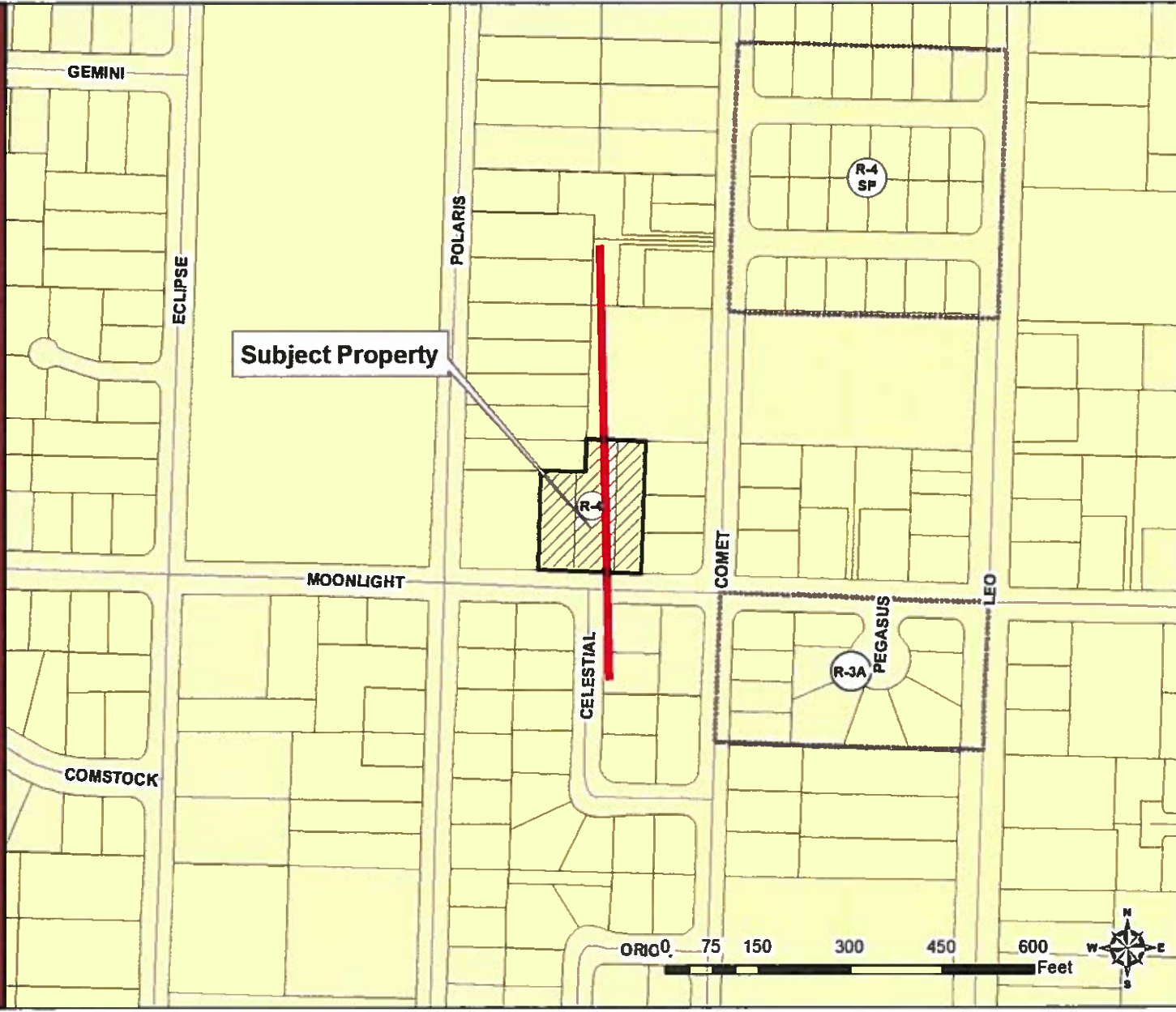
Sun Metro has made contact with Mr. Dorado and has agreed to coordinate during the construction phase to insure safety and service to the adjacent bus stop is not affected.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Plat of Sunrise Acres Subdivision
6. Drive Way Waiver
7. Opposition Letter
8. 211 Map

ATTACHMENT 1: LOCATION MAP

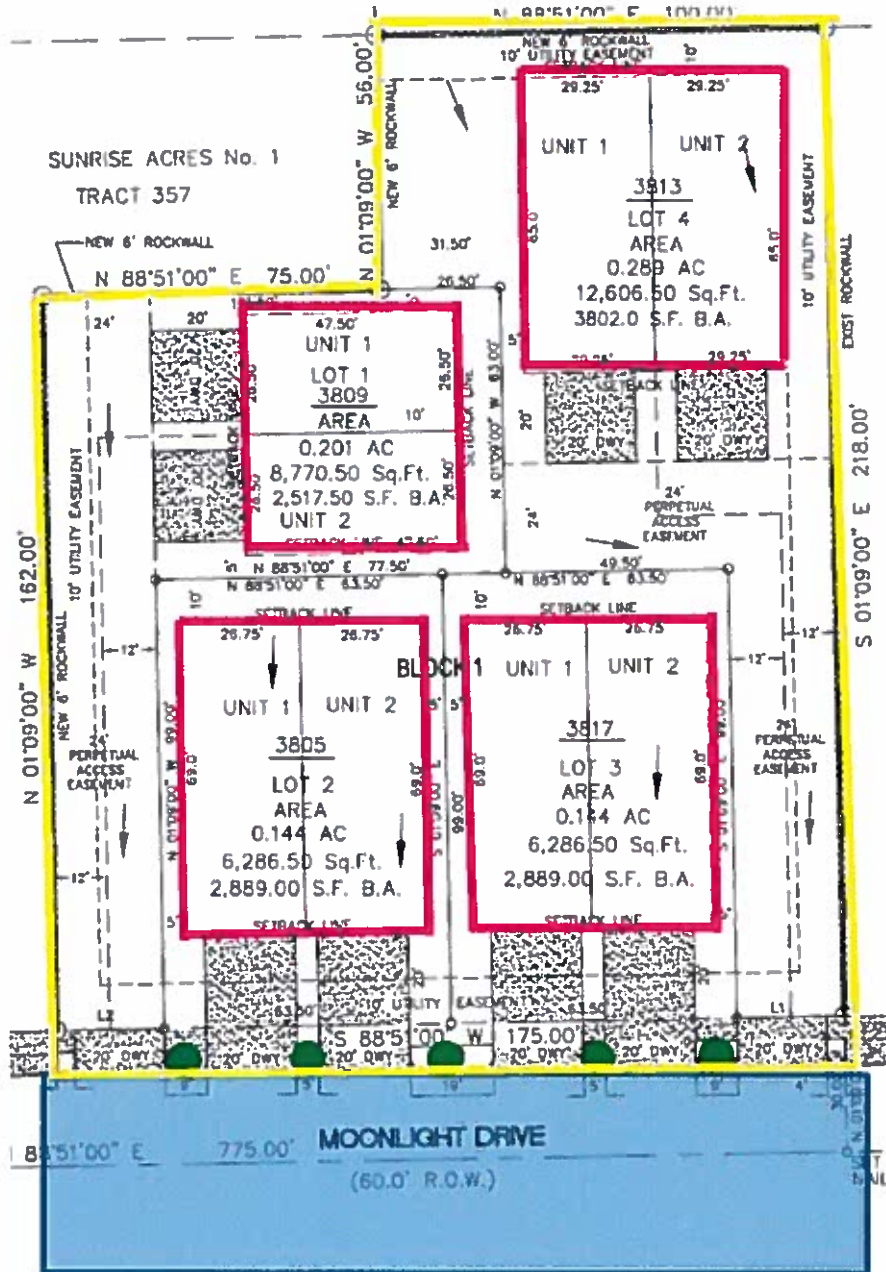
PZST15-00042



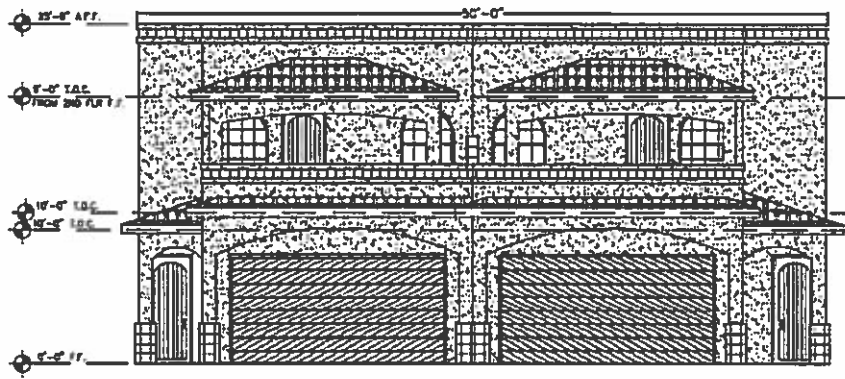
PZST15-00042



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

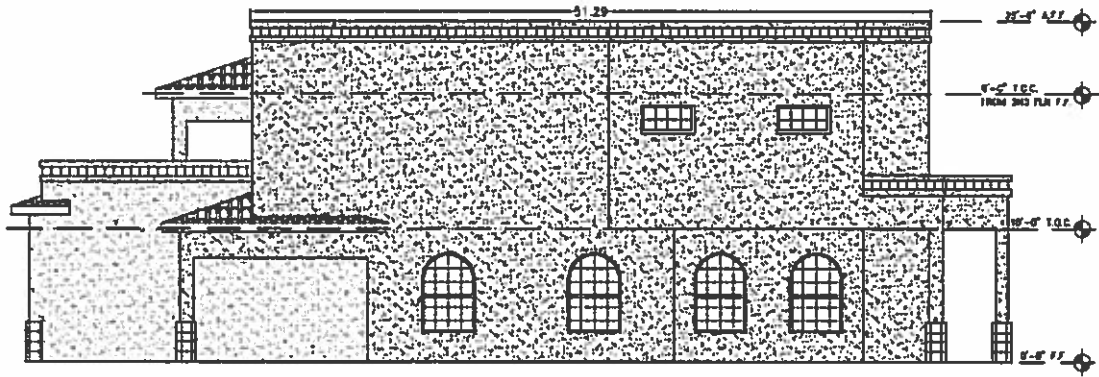


ATTACHMENT 4: ELEVATIONS



FRONT ELEVATION

SCALE: NTS



SIDE ELEVATION

SCALE: NTS

15

In Section 8 Block 81, Twp. 2, Tex. Pac. Ry. Survey El Paso County Texas
Prepared, September 1929 by *R. J. Brown*

CHECK ALL SUBSEQUENT REPLAYS.
PERTINENT REPLAYS INCLUDE THE APOLLO AND
DESERT HILLS ADDITIONS.

Scale: 1" = 300'
All areas 1 Acre except as shown
on this map

Sum of Total
County of LA Parc

Dedication

[illegible][illegible]

Made at Toledo
 County of El Paso
 before me the undersigned, Judge of the Peace in and for the County of El Paso, State of Texas, on this 1st day of April, 1911, personally appeared the undersigned, [Name], known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and intents of said instrument.

My commission expires the 1st day of April, 1911.

JUDGE OF THE PEACE AND CLERK OF DISTRICT COURT
 COUNTY OF EL PASO, TEXAS

History Month 11/2000, 70-011

APPROVAL OF CITY PLAN COMMISSION

Has now been approved by the
Senate and the House of Representatives
are waiting for Chapter 231 Act 102 of the
General Statutes, in issue of the Journal,
Legislature of the State of Texas,
written as Article 231 Act 102

City Plan Commission
City Engineer

City Plan Commission
Vice Chairman

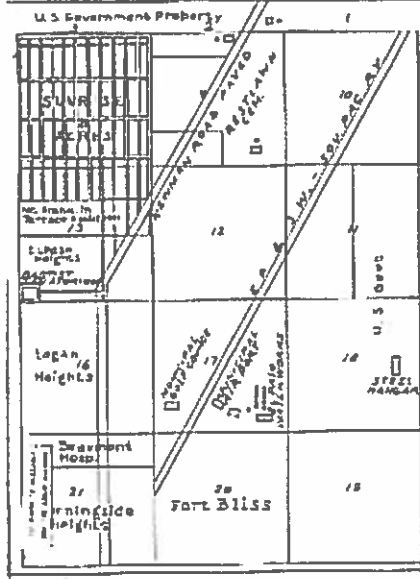
Filed for recording in the office of the
County Clerk of Adams County, Texas
at 2 O'clock PM December 6, 1922
W. H. GROSS County Clerk

Source: Author.

James M. Smith, Army

LOCATION MAP Scale: 1"=2000'

U.S. Government Property



ATTACHMENT 6: DRIVEWAY WAIVER



Streets and Maintenance

Mayor
Oscar Leaser

City Council

District 1
Peter Svarzbein

District 2
Larry Romero

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Claudia Ordaz

District 7
Lily Limón

District 8
Cortney C. Noland

City Manager
Tommy Gonzalez

January 27, 2016

Dorado Engineering Inc.
Attn: Mr. Fermin Dorado, P.E.
2712 E. Yandell Street
El Paso, Texas 79903

RE: REQUEST TO WAIVE MINIMUM EDGE TO EDGE DRIVEWAY SPACING FOR
PROPOSED INFILL DEVELOPMENT AT MOONLIGHT (DIAMANTINA SUBDIVISION)

Dear Mr. Dorado,

The City of El Paso has received your email requesting a waiver for the minimum edge to edge spacing between driveways.

Below is the criteria.

| Type I and Type II Two-Way Driveway Standards | | | | | | |
|---|--|------------|------|-------------|------|--|
| Driveway | Type of Development | Curb | | | | Minimum Edge to Edge Spacing Between Drives (ft) |
| | | Width (ft) | | Radius (ft) | | |
| | | Min. | Max. | Min. | Max. | |
| Type I | Single-Family 60' lots | 10 | 20 | 5 | 5 | 10 |
| | Less than 60' lots, Duplex and Townhouse | 15 | 25 | 10 | 10 | 20 |
| | Multi-Resident Apartments | 25 | 30* | 10 | 10 | 20 |
| Type II | Office, Commercial and Parking Lots | 25 | 35 | 10 | 15 | 20 |
| | Industrial | 24 | 45 | 10 | 15 | 20 |
| | Banks, Service Stations, and convenience Stores with Gas Pumps | 25 | 35** | 10 | 15 | 1/3 x Frontage |

Based on our analysis as well as Section 13.12.210 of the City Code, the minimum edge to edge spacing between driveways of twenty (20.00) feet will be waived for the proposed development because the proposed spacing will not impact traffic flow in this residential area.

Please let us know if you require additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read "C. Marquez", is written over the typed name.

Ted Marquez, P.E.
Streets and Maintenance Director

Ted Marquez, P.E., Director
MSC | 7968 San Paulo | El Paso, Texas 79907 | (915) 212-7015
"Delivering Outstanding Services"

ATTACHMENT 6: OPPOSITION LETTER

Petition - Case No PZST15-00042 1

Petition

Case No: PZST15-00042


















February 2016

We protest the proposed building of duplex dwellings at 3805, 3809, and 3813 Moonlight.

| Name | Address | Signature |
|------------------|-------------------|------------------|
| Karin Katusic | 8901 Comet St | Karin Katusic |
| Donnie S Malpass | 8903 Comet | Donnie Malpass |
| Oguchi Soto | 8900 Comet St. | Oguchi Soto |
| Jaisy Flores | 8824 Comet St | Jaisy Flores |
| Thomas Throx. | 8820 Comet | Thomas Throx. |
| DAVID TURNER | 8816 COMET | David Turner |
| McNeil, Curtis | 8808 Comet | McNeil, Curtis |
| Catalina Sandoz | 8804 Comet | Catalina Sandoz |
| McNeil, Wayne | 8804 Celestial Pl | McNeil, Wayne |
| McNeil Sandoz | 8804 Celestial pl | McNeil Sandoz |
| Betty Wilkin | 8801 Celestial Pl | Betty Wilkin |
| Felipe Garcia Jr | 8809 Celestial | Felipe Garcia Jr |
| Cecilia Katzoff | 8813 Celestial | Cecilia Katzoff |
| Ramon Zuniga | 8816 Celestial | Ramon Zuniga |
| James Watson | 8804 Celestial | James Watson |

| Name | Address | Signature |
|--|------------------|-----------------|
| MARtha Falcon Eduardo Noriega | 8425 Celestial | M. Falcon |
| Robert / Mem | 5833 Celestial | |
| Enoch Mitchell | 8825 Celestial | |
| Renee Nowak | 8933 Comet St A | Renee |
| Olga Marquez | 8933 Comet B | Olga Nowak |
| Yadira Valdez | 8935 Comet St B | Olga Marquez |
| Yadira Valdez | 8935 Comet St B | Yadira Valdez |
| Beth De Leon | 8939 Comet St A | Beth De Leon |
| SUSANA DE LEON | 8939 Comet B | Susana De Leon |
| FRANK DE LUCA | 9001 Comet St A | Frank De Luca |
| Maribel Barragan | 9027 Comet | Maribel |
| ARTHUR CALDWELL | 3828 SKYLINE AVE | Arthur Caldwell |
| NAI | | |
| Valdez | 3820 SKYLINE | |
| Melinda | 3801 Skyline Hwy | Melinda |
| PAUL DANIGGELIS | 3817 SKYLINE AV | Paul Daniggelis |
| Armida Escobar | 3805 SKYLINE AVE | Armida Escobar |
| JARED ONTIVEROS | 3801 SKYLINE | Jared Ontiveros |

| Name | Address | Petition - Case No PZST15-00042 3 | Signature |
|---------------------------|------------------|-----------------------------------|-----------------|
| Hazel Hawes | 9063 Polaris St | | Hazel Hawes |
| Alex Veloz | 9059 POLARIS | | [Signature] |
| BRIAN K. WEAVER | 9055 POLARIS | | Brian K. Weaver |
| Mara C. Bequis | 9051 Polaris st. | | Mara C. Bequis |
| VALDO SANDOVAL | 9039 POLARIS | | V. Sandoval |
| Gerardo Sosa | 8948 Polaris | | [Signature] |
| Kenn Zurita | 8925 Polaris | | [Signature] |
| Jesus Smith | 8924 Polaris St | | [Signature] |
| Carlos Zuniga | 8904 Polaris st. | | C. Zuniga |
| Refugio Zuniga | 8904 Polaris st | | [Signature] |
| Ally Weathers | 8816 Polaris st | | [Signature] |
| Corrine Duarte | 8829 Polaris St | | [Signature] |
| Robert & Denise Rodriguez | 8812 Polaris St | | [Signature] |
| ARMANDO | 8740 Polaris | | [Signature] |
| JUAN Rodriguez | 8724 POLARIS | | [Signature] |
| Fl. Gallegos | 8712 ✓ | | [Signature] |
| Robert Chavez | 3805 Vega St | | [Signature] |

| Name | Address | Signature |
|---------------------------------------|----------------|---|
| GRISelda Martinez | 3808 Vega CT |  |
| Jose Cufredo | 3817 Vega CT |  |
| Amanda Bryant | 3821 Vega ct |  |
| ANCEL MANUEL | 3820 VEGA CT |  |
| Jose Reyes | 3901 Sunrise |  |
| Natalie Reyes | 3901 Sunrise |  |
| Elsie Petry | 8712 Comet |  |
| Ruby Quiz | 8730 Comet |  |
| Cynthia A Ramos ^{Bustamante} | 8738 Comet St |  |
| Jordan Williams ^{Maree} | 8824 Comet st |  |
| Cindy Funes | 8824 Comet St |  |
| CESAR VILLALBA | 8828 COMET ST |  |
| Oria Patino | 8747 Orion PL |  |
| Michelle Velazquez | 8743 Orion Pl |  |
| Robert Maguregui | 8737 Orion Pl. |  |
| Alicia Maguregui | 8737 Orion Pl. |  |
| Gabriel Velezuela | 8733 Orion Pl |  |

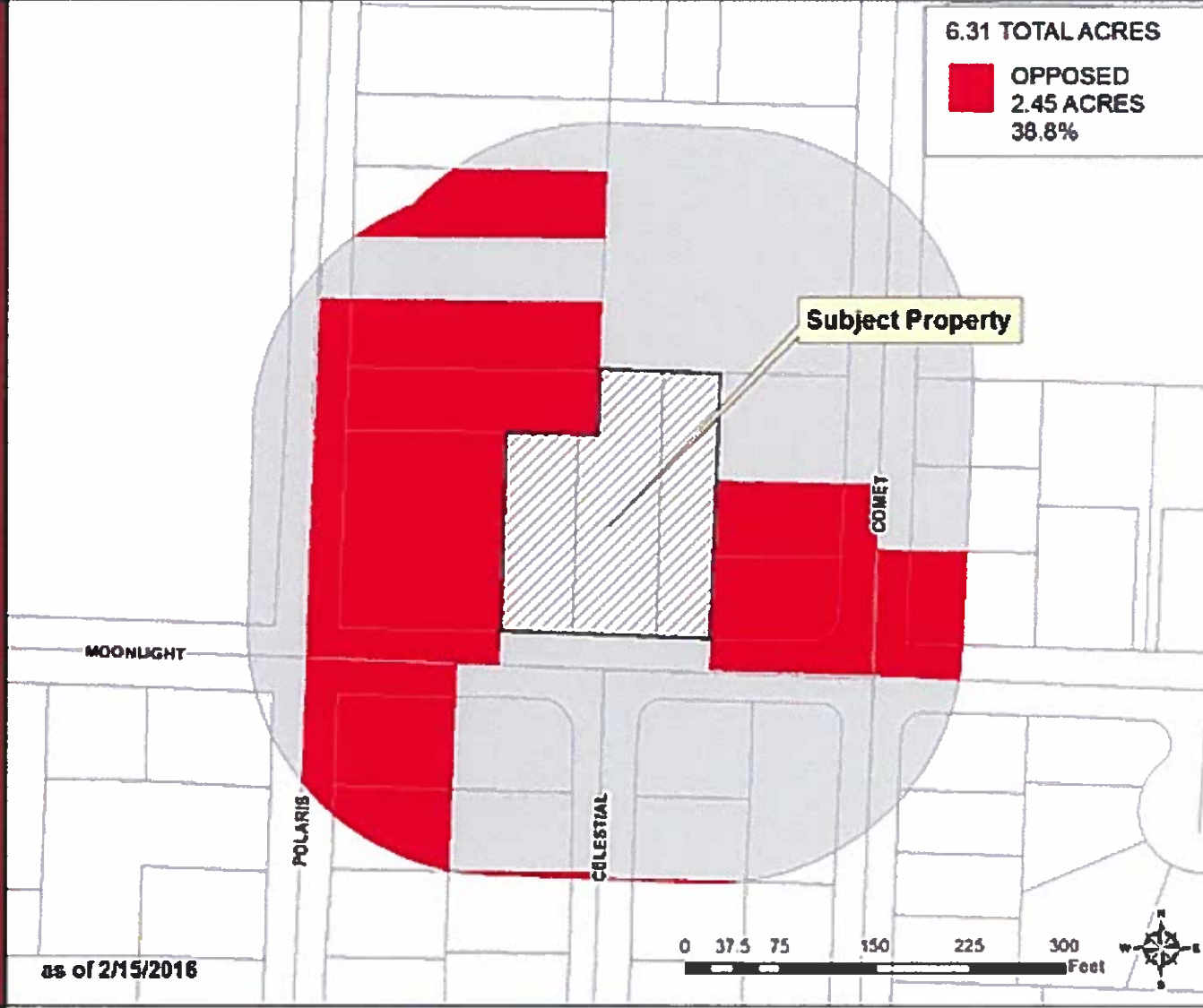
| Name | Address | Signature |
|------------------|------------------------|------------------|
| Issac Moreno | 8729 Orion | Issac Moreno |
| Violeta Shushan | 8725 Orion Pl | Violeta Shushan |
| Javier Paredes | 8725 Orion Pl | Javier Paredes |
| Maria Paredes | 8725 Orion Pl | Maria V. Paredes |
| Marilyn Cruz | 8721 Orion Pl | Marilyn Cruz |
| Olya Wotkinspan | 8717 Orion Pl | Olya Wotkinspan |
| Rosa Dominguez | 8713 Orion Pl. | R.C. Dominguez |
| Suan Ouna | 8715 Orion Pl | Suan Ouna |
| Alfonso Nune | 8735 Orion | Alfonso Nune |
| LEONARDO RAMIREZ | 3813 VEGA DR | Leonardo Ramirez |
| Marilyn Skye | 8726 Comet | Marilyn Skye |
| Yvette Vargas | 8746 COMET | Yvette Vargas |
| Maggie Cuevas | 3900 Milky Way 71/77th | Maggie Cuevas |
| Rocio Demme | 3904 MILKY WAY CT | Rocio Demme |
| Ismael M. | 3901 Milky Way | Ismael M. |
| Javier Montes | 3912 Milky Way | Javier Montes |
| Maria Agginton | 3920 Milky Way | Maria Agginton |

| Name | Address | Signature |
|--------------------|-------------------|--------------------|
| REY GAMEZ | 3913 MILKY WAY | Rey Gamez |
| LINDA DELAZIVA | 3917 Milkyway | Linda |
| Matthew Anderson | 3916 Stargazer Ct | Matthew Anderson |
| José Morino | 3920 Stargazer | José Morino |
| Maeagan Barcus | 3921 Stargazer | Maeagan Barcus |
| Andrew Mason | 3901 Stargazer CT | Andrew Mason |
| Matthew Pearson | 3900 Taurus | Matthew Pearson |
| Steve Piepenbriak | 3901 Taurus | Steve Piepenbriak |
| Jason Gore | 3905 Taurus | Jason Gore |
| Christine Zimmerly | 3913 Taurus | Christine Zimmerly |
| Sandra Lucero | 3916 Taurus | Sandra Lucero |
| H. MORENO | 3912 TAURUS | H. Moreno |
| David A Barajas | 3908 Taurus | David A Barajas |
| Jaclyn Cortez | 9045 Comet | Jaclyn Cortez |
| Harry Cortez | 9045 COMET | Harry Cortez |
| Tiffany Kleppe | 9045 comet | Tiffany Kleppe |
| David Cox | 9049 Comet | David Cox |

| Name | Address | Signature |
|-------------------|----------------------|-----------------------|
| MARILYN GUIDA | 3714 Moonlight | Marilyn Rosa Guida |
| Michael Halson | 8904 Comet St Unit A | |
| Frank Cunyus | 8904 B Comet Unit B | |
| RICHARD WIKES | 8947 Comet | |
| ROSE GILLIS | 8908 Polaris | |
| OTIS NICHOLAS L | 3801 Moonlight Ave | |
| REYNA, MAX | 8821 Pegasus Ct | |
| Rubena Rodriguez | 8820 Pegasus | |
| Quinn Bridges | 8828 Pegasus Ct | |
| Schofield William | 3919 Moonlight Ave | |
| Antonio Banda | 3917 Moonlight Ave | |
| Nicole Marin | 3909 Moonlight Ave | |
| Sara Davila | 9033 Leo St | Sara Davila@gmail.com |
| CHRIS PEDERSEN | 8820 Polaris ST | |
| Denise Ramos | 3812 Moonlight | |

PZST15-00042
211 MAP

as of 2/15/2016





Recommendation/Public Input

- Planning Division recommendation: Approval
- CPC Denied Recommendation on a Vote: 4-1
- Public Input: Planning has received 1 phone call in support, 1 email, 3 speakers (public hearing), and petition with 116 signatures in opposition to the special request.

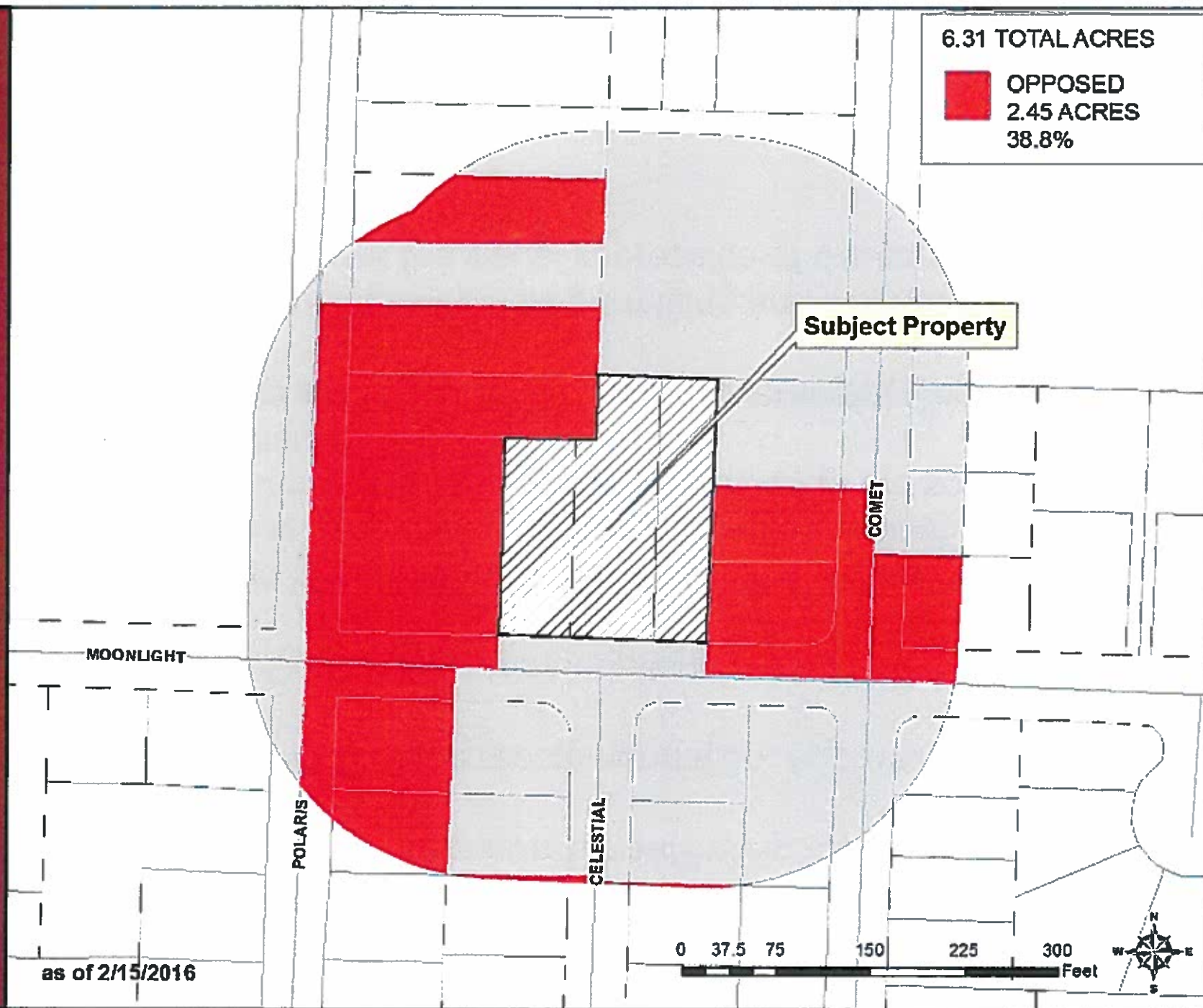
This is a 211 per Texas Local Government Code.
Applicant has request to **Appeal** to City Council.

- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community

PZST15-00042
211 MAP

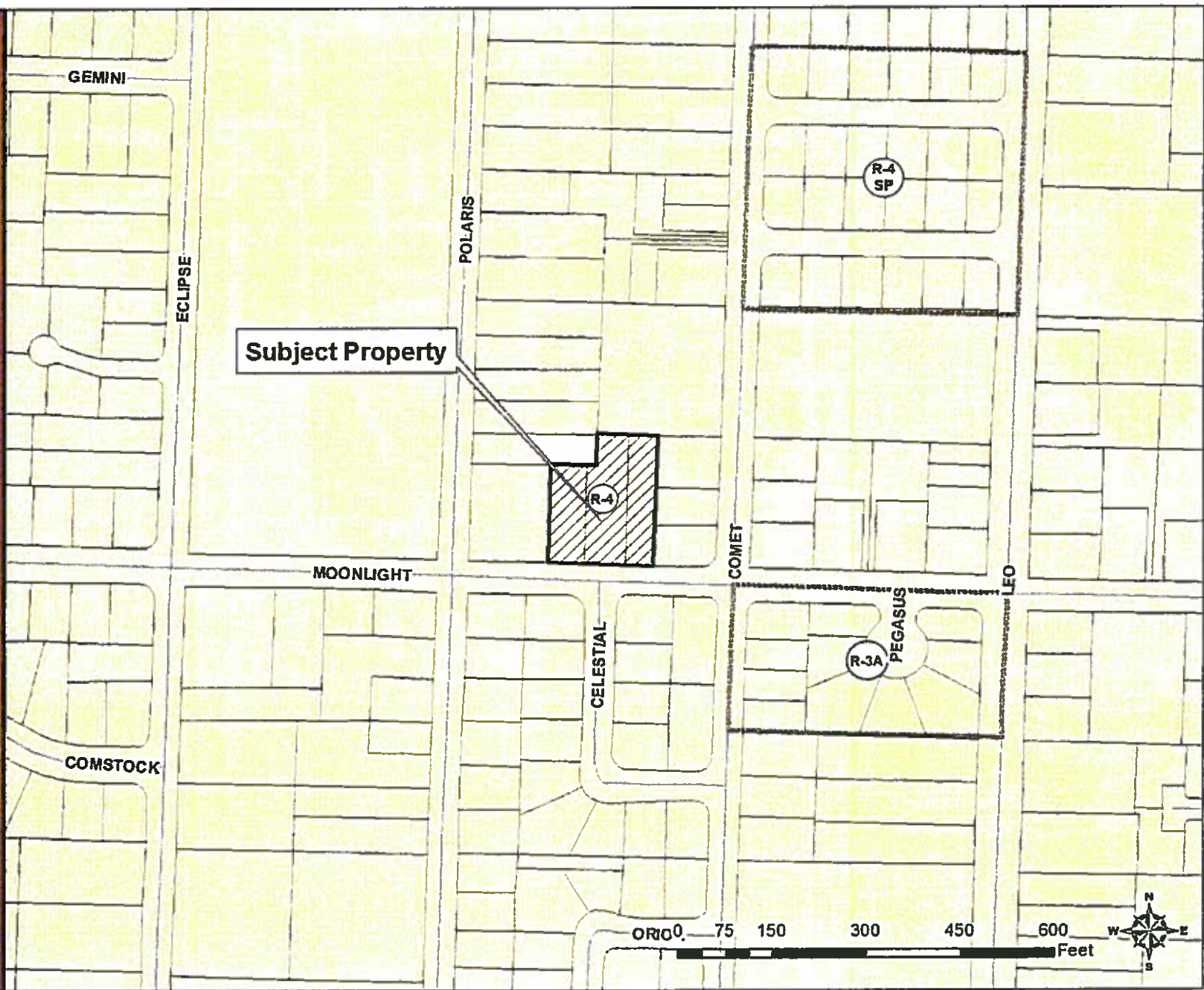
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as of 2/15/2016



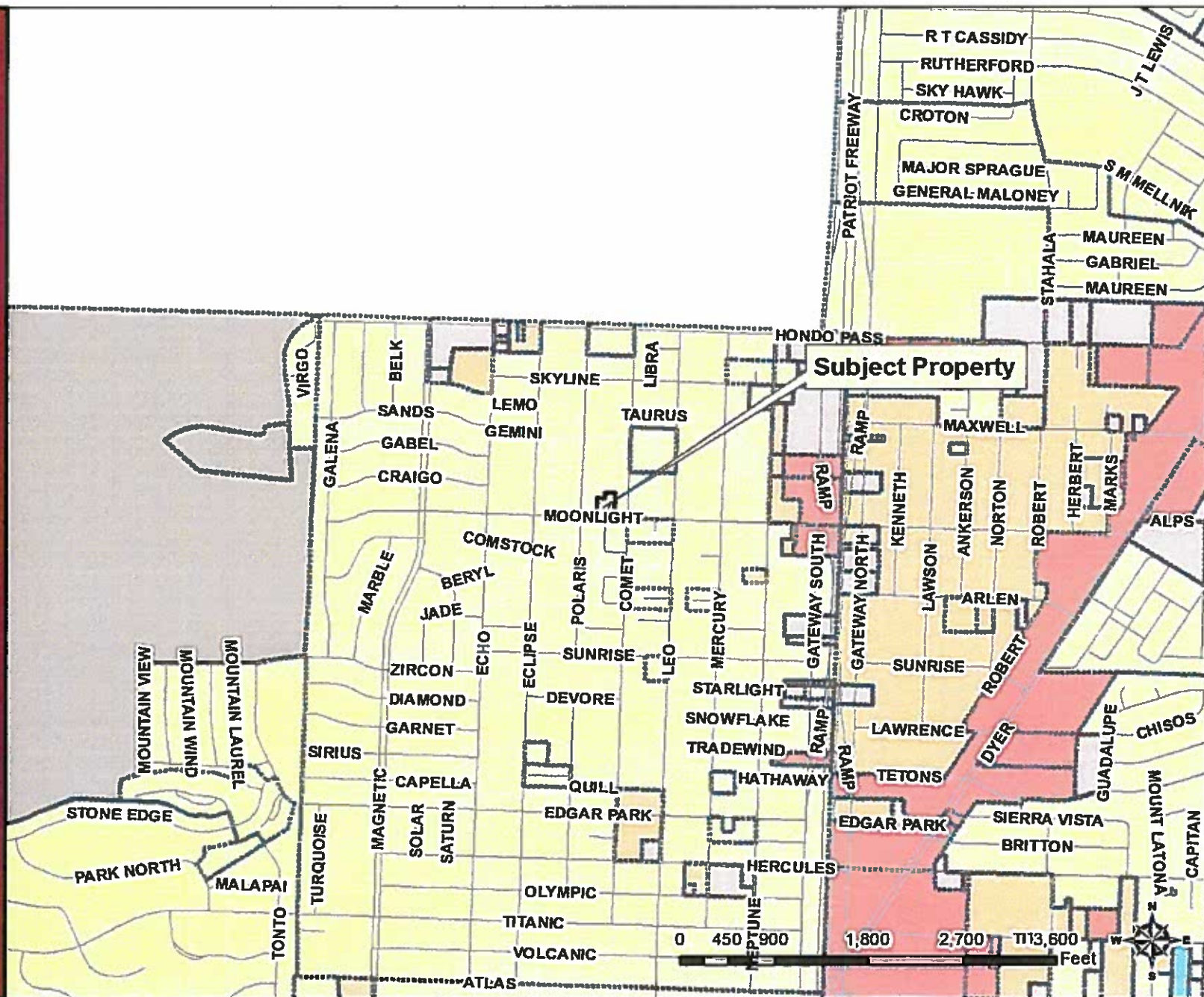
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PZST15-00042



PZST15-00042

4

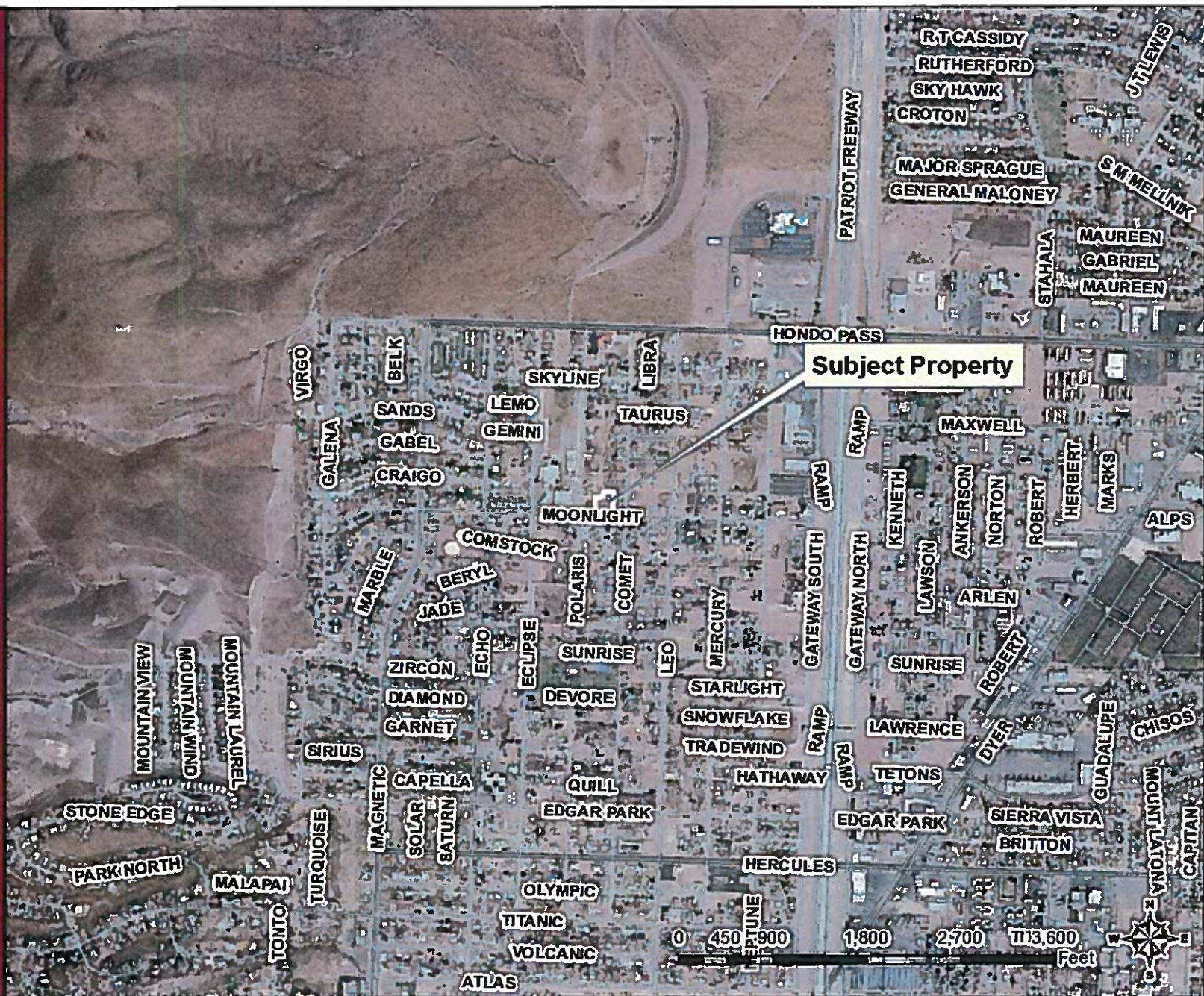


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PZST15-00042

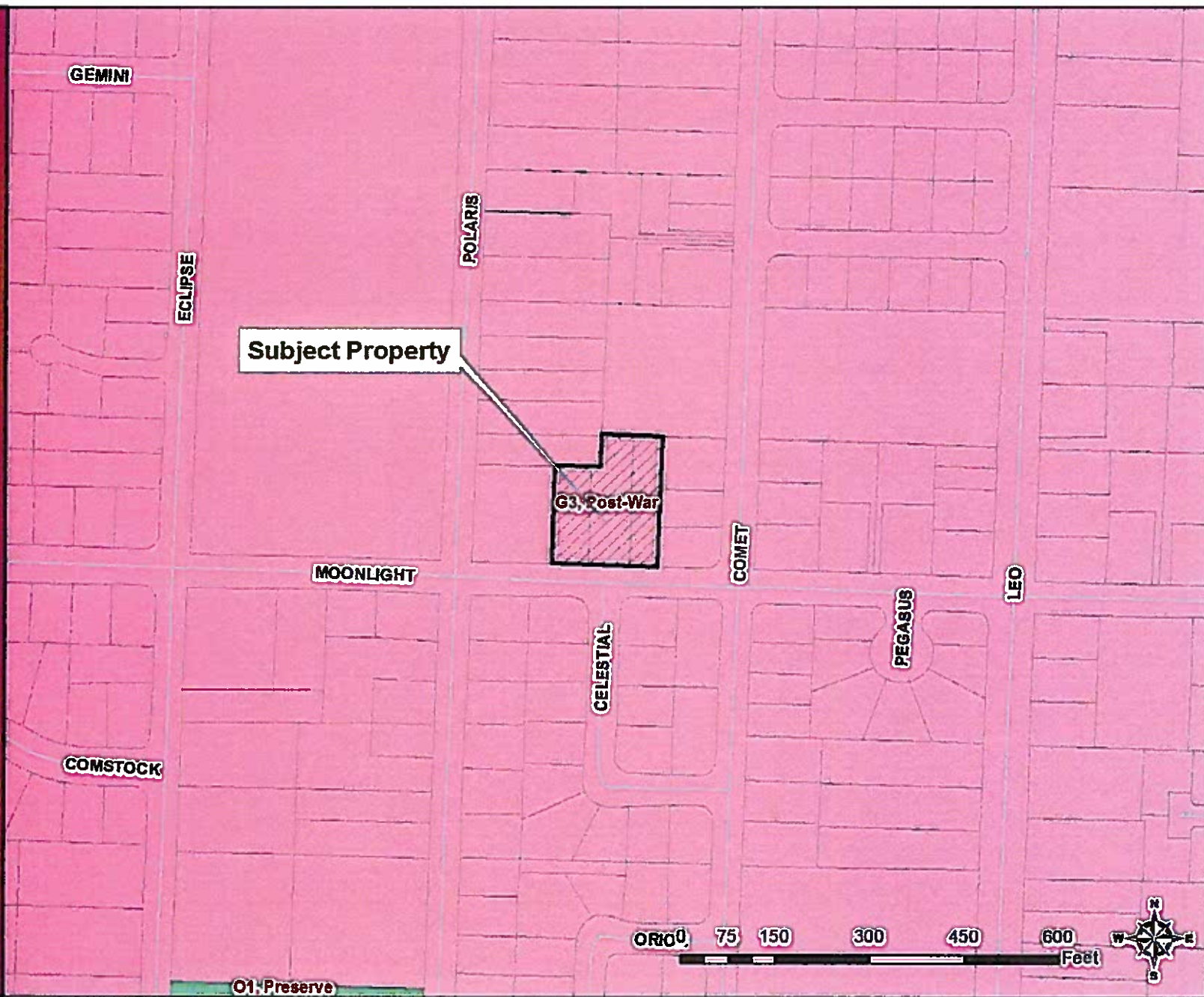


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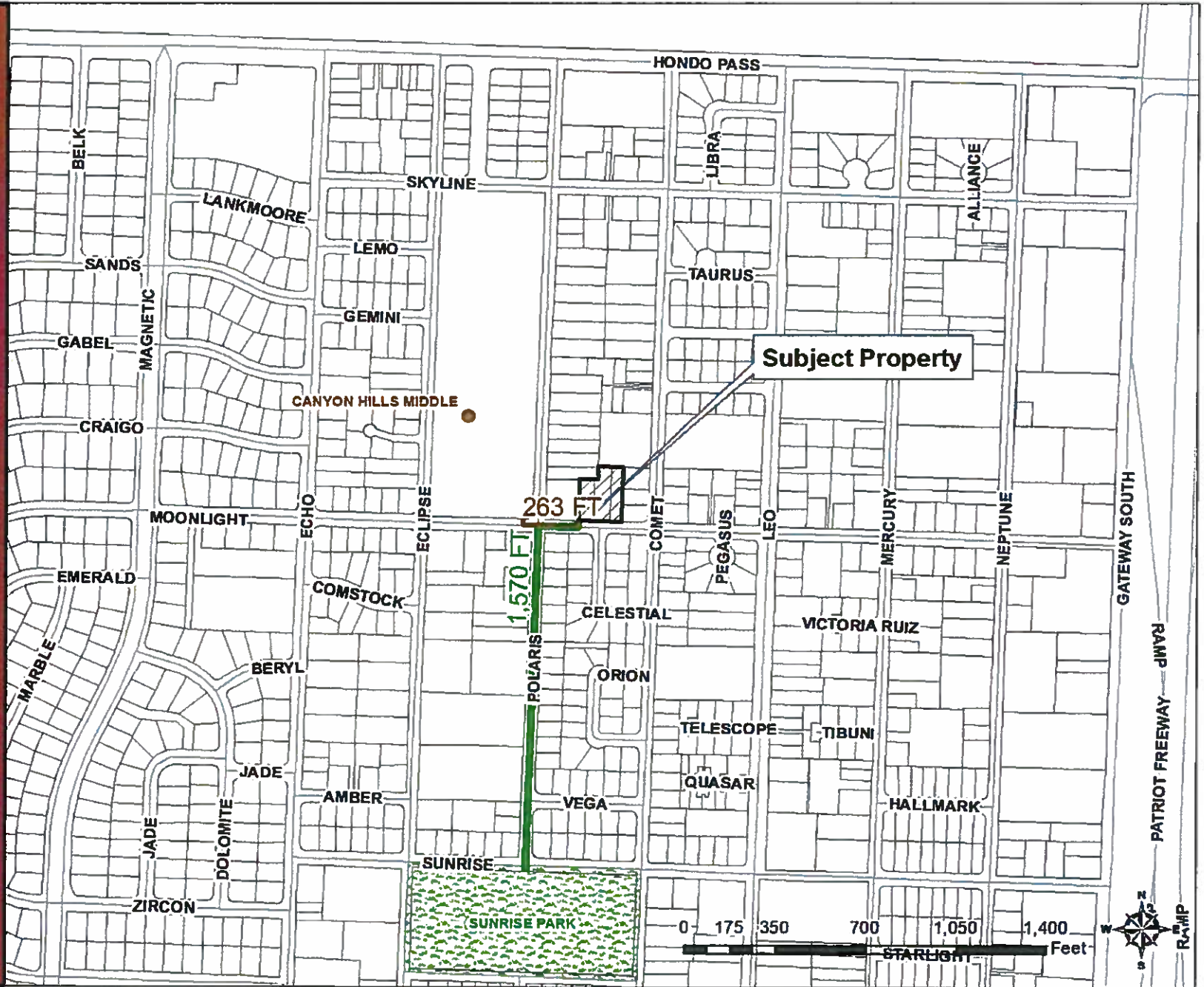
PZST15-00042

7



8

PZST15-00042





Sunrise Park and Canyon Hills Middle School

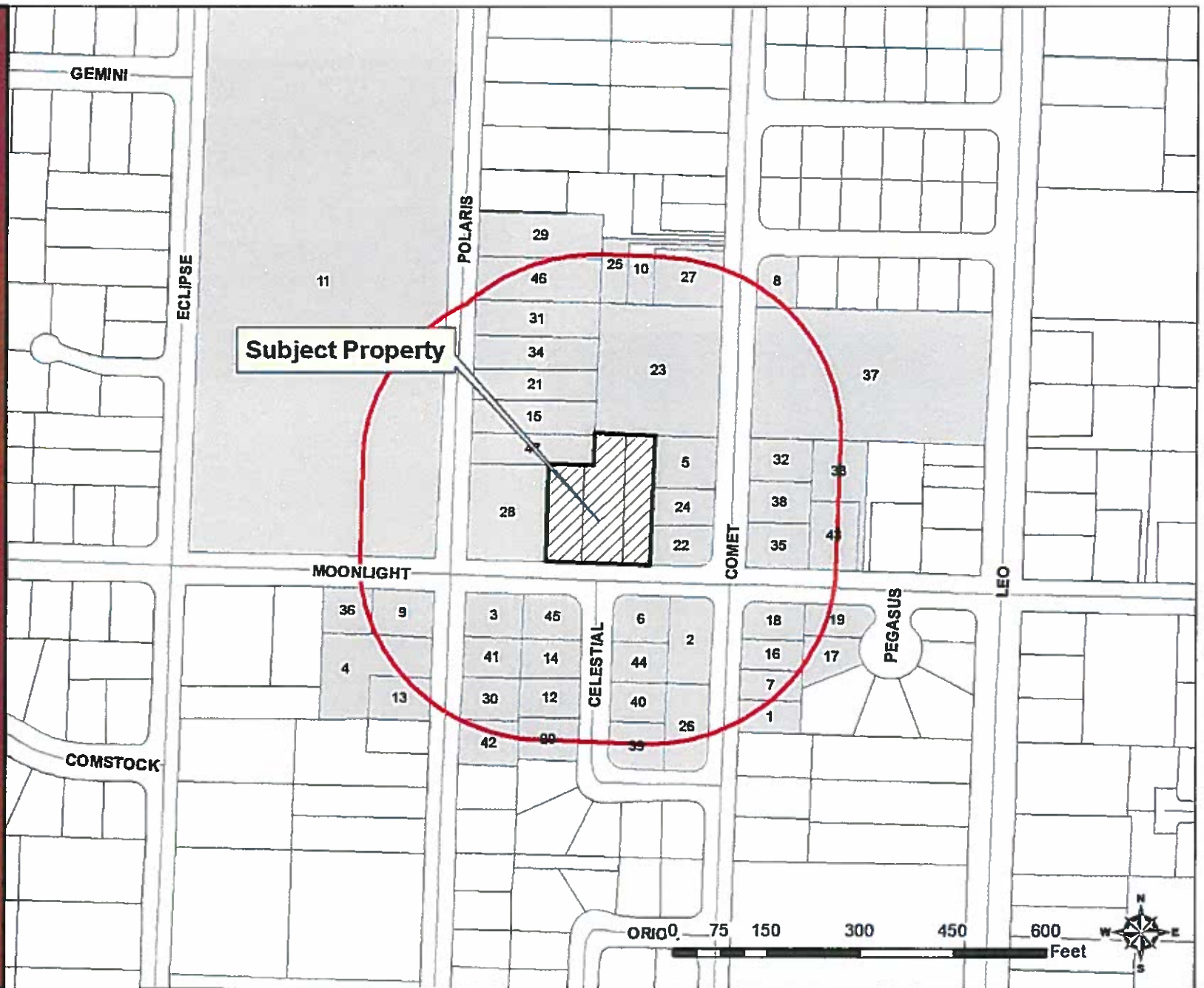


Canyon Hills
Middle School
Moonlight Ave



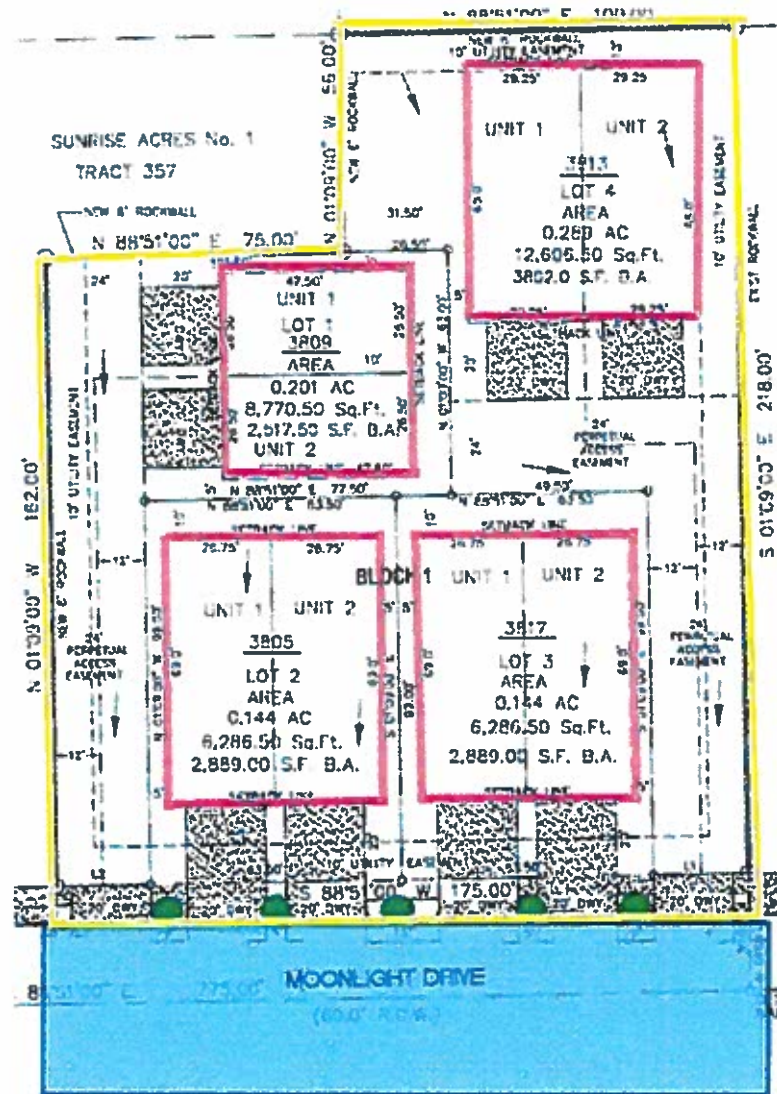
PZST15-00042

10





Detailed Site Development Plan





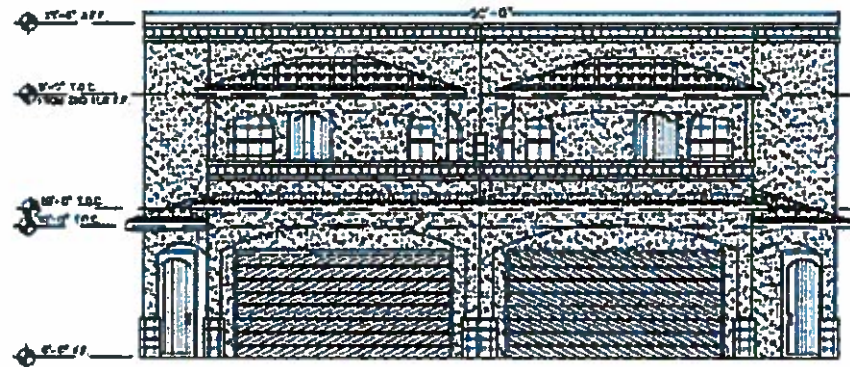
Required and Proposed Set Backs

| Lot Number | Lot Requirements (R-4) | | | | | |
|------------|------------------------|-------------|----------|----------|----------------|-----------|
| | Width | | Depth | | Area (sq. ft.) | |
| | Required | Provided | Required | Provided | Required | Provided |
| 1 | 70.0' | 63.0' | 90.0' | 101.50' | 7,000 | 8,770.50 |
| 2 | 70.0' | 63.50' | 90.0' | 99.0' | 7,000 | 6,286.50 |
| 3 | 70.0' | 63.50' | 90.0' | 99.0' | 7,000 | 6,286.50 |
| 4 | 70.0' | 57.32' Avg. | 90.0' | 218.0' | 7,000 | 12,606.50 |

| Lot Number | Setback Requirements (R-4) | | | | | | | |
|------------|----------------------------|----------|----------|----------|----------|----------|------------|----------|
| | Front | | Back | | Side | | Cumulative | |
| | Required | Provided | Required | Provided | Required | Provided | Required | Provided |
| 1 | 20' | 44' | 10' | 10' | 5' | 5' | 45' | 54' |
| 2 | 20' | 20' | 10' | 10' | 5' | 5' | 45' | 30' |
| 3 | 20' | 20' | 10' | 10' | 5' | 5' | 45' | 30' |
| 4 | 20' | 44' | 10' | 10' | 5' | 5' | 45' | 54' |

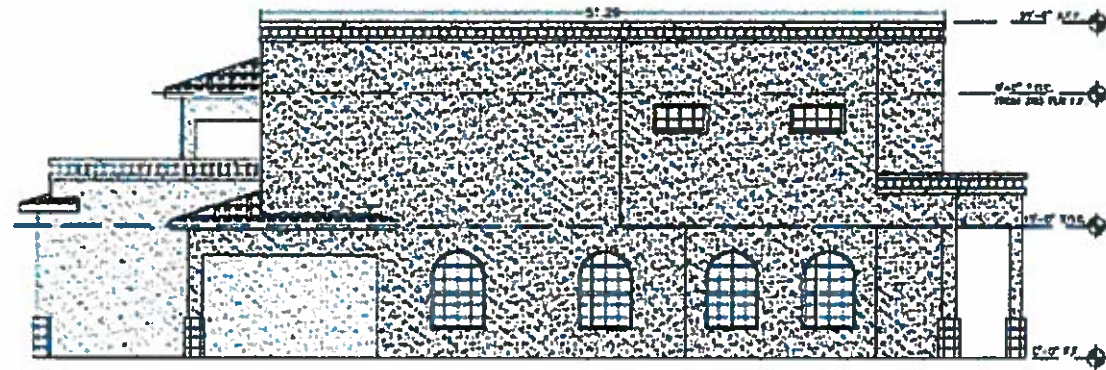


Elevations



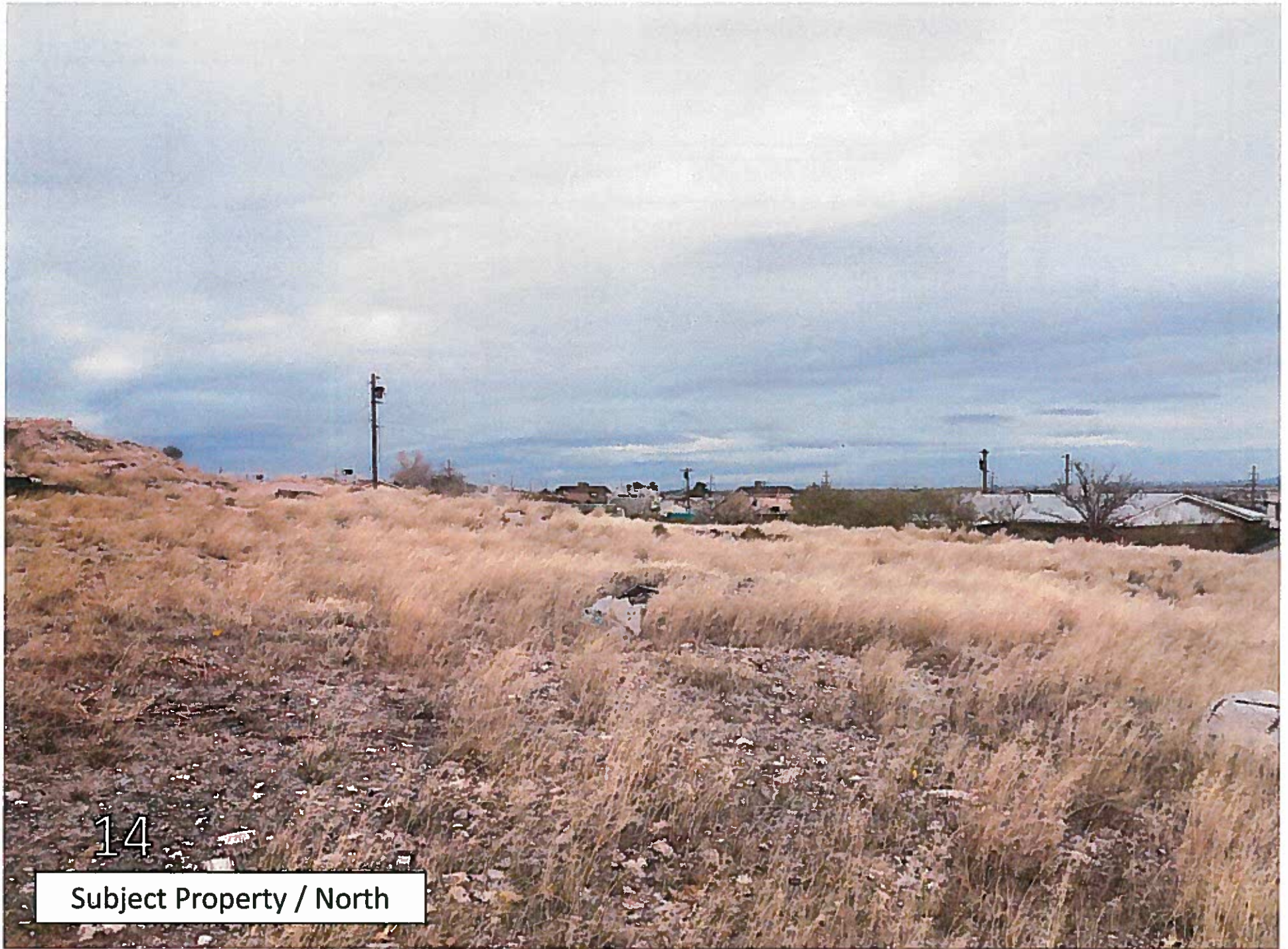
FRONT ELEVATION

SCALE: NTS



SIDE ELEVATION

SCALE: NTS



14

Subject Property / North



15

South



16

East

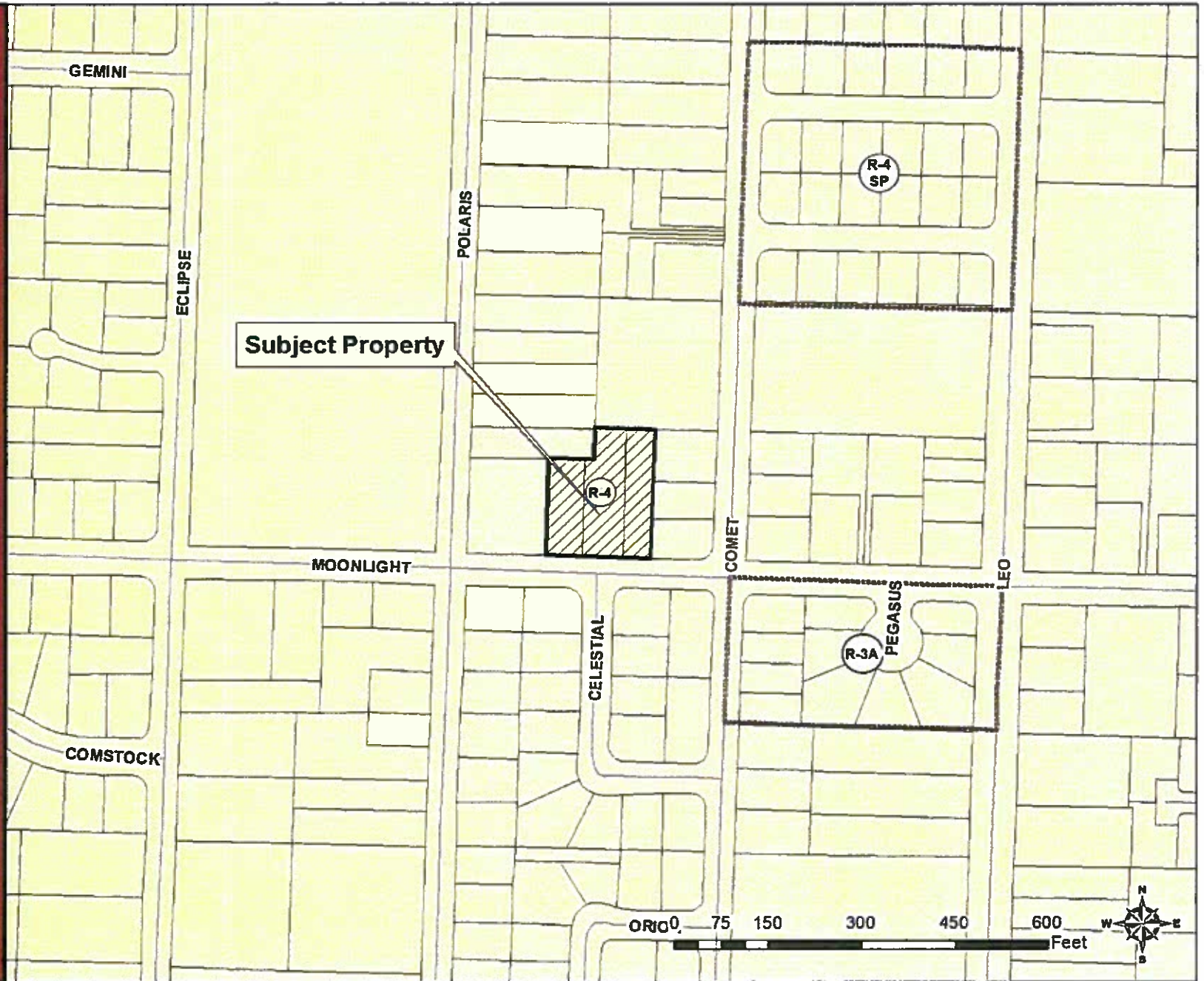


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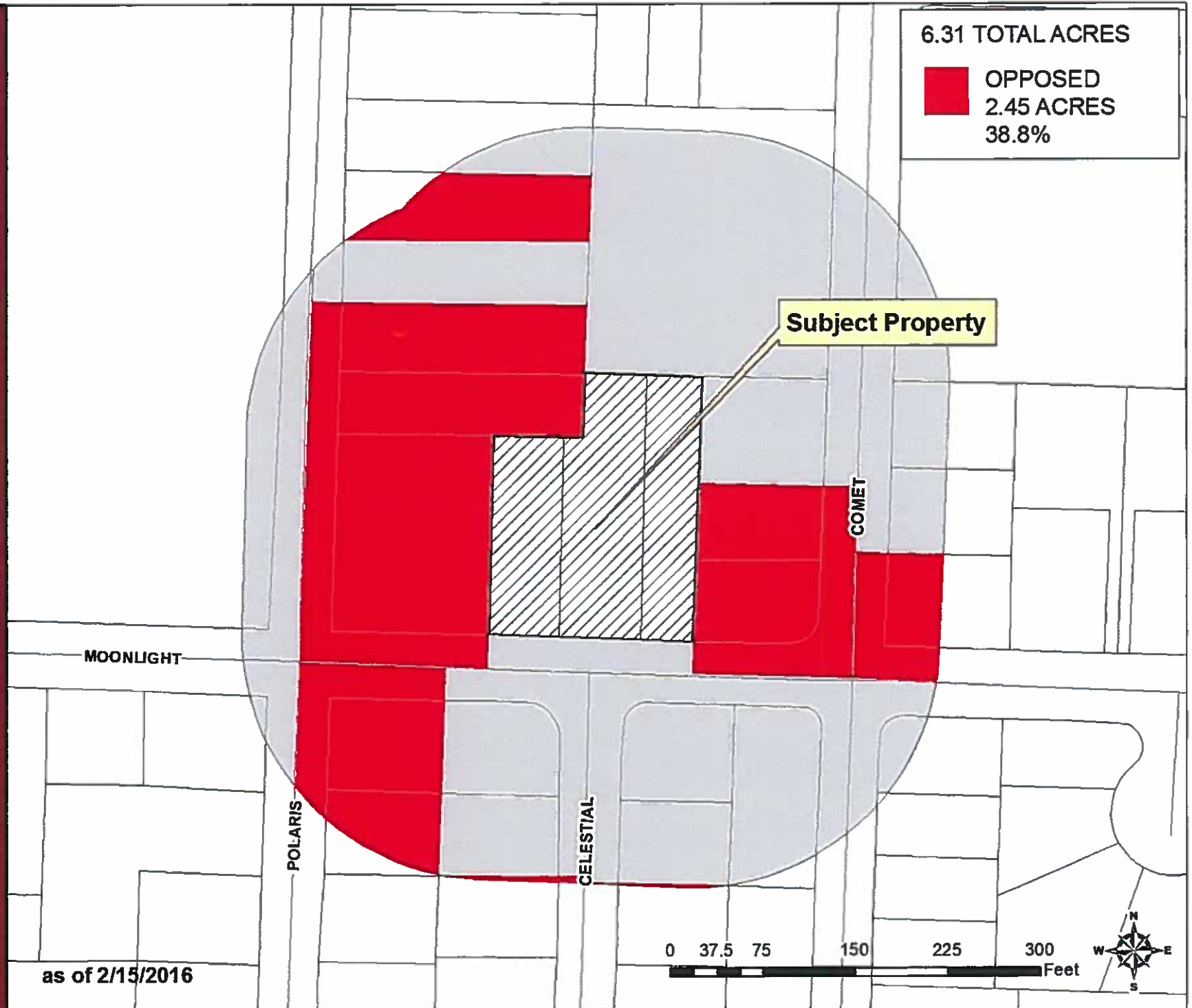
West

PZST15-00042

18



PZST15-00042
211 MAP



Martinez, Adriana

From: Martinez, Sylvia
Sent: Tuesday, February 23, 2016 9:54 AM
To: Nichols, Larry F.; Rubio, Arturo; Gallinar, Carlos
Cc: City Clerk; Martinez, Adriana
Subject: FW: PZST15-00042 / Appeal Request

Good morning.
FYI on this appeal. Thank you.

Sylvia Martinez
Municipal Clerk's Office
(915) 212-1211

From: Martinez, Adriana
Sent: Tuesday, February 23, 2016 9:47 AM
To: City Clerk
Subject: PZST15-00042 / Appeal Request

To whom it may concern:

Mr. Alderete wishes to appeal the decision that was made by CPC (4-1) on 02/11/2016 for Case # PZST15-00042. He wishes to move forward and have his case heard by City Council. Below is the email that was received.

Please advise if anything else is needed in order to move forwards with the appeal.

Sincerely,
Adriana Martinez

City Planner
Planning and Inspections Department | City of El Paso
City 3 | 801 Texas Avenue
El Paso, Texas 79901
Phone: 915.212.1611
MartinezAD@elpasotexas.gov



Click on the links for more information about Planning & Inspections:



From: Daniel Alderete [<mailto:dalderetejr@gmail.com>]
Sent: Monday, February 22, 2016 2:07 PM
To: Martinez, Adriana
Subject: Special Permit for Proposed Moonlight Subdivision

Ms Martinez

Based on CPC results and our conversation, I would like to proceed with the appeal to City Council on the above mentioned case.

Please advise if there is any further action required on my part.

Thanks

Daniel Alderete