

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: February 14, 2012
Public Hearing: March 6, 2012

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

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance granting Special Permit No. PZST11-00013, to allow for infill development with reduced lot width on the property described as all of Lots 21 and 20 Except the Westerly 3 Feet of 20, Block 73D, Logan Heights Addition First Revised Plat, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3604 Keltner Avenue. Property Owner: Stone Nest LLC. PZST11-00013 (**District 2**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Deputy Director, Planning and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST11-00013, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT WIDTH ON THE PROPERTY DESCRIBED AS ALL OF LOTS 21 AND 20 EXCEPT THE WESTERLY 3 FEET OF 20, BLOCK 73D, LOGAN HEIGHTS ADDITION FIRST REVISED PLAT, 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, Stone Nest LLC, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a Two-family Dwelling Unit with reduced lot width; 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 an **A-2 (APARTMENT)** Zone District:

All of Lots 21 and 20 Except the Westerly 3 Feet of 20, Block 73D, Logan Heights Addition First Revised Plat, 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 Two-family Dwelling Unit with reduced lot width; and,
3. That this Special Permit is issued subject to the development standards in the A-2 (APARTMENT) 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,

ORDINANCE NO. _____

PZST11-00013

4. That if at any time the Owner fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST11-00013 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 _____, 2012.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy
Deputy Director – Planning and
Economic Development Department

ORDINANCE NO. _____

PZST11-00013

AGREEMENT

Stone Nest 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 A-2 (APARTMENT) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2012.

Stone Nest LLC:

By: _____
(name/title)

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2012, by _____, for Stone Nest LLC, as Owner.

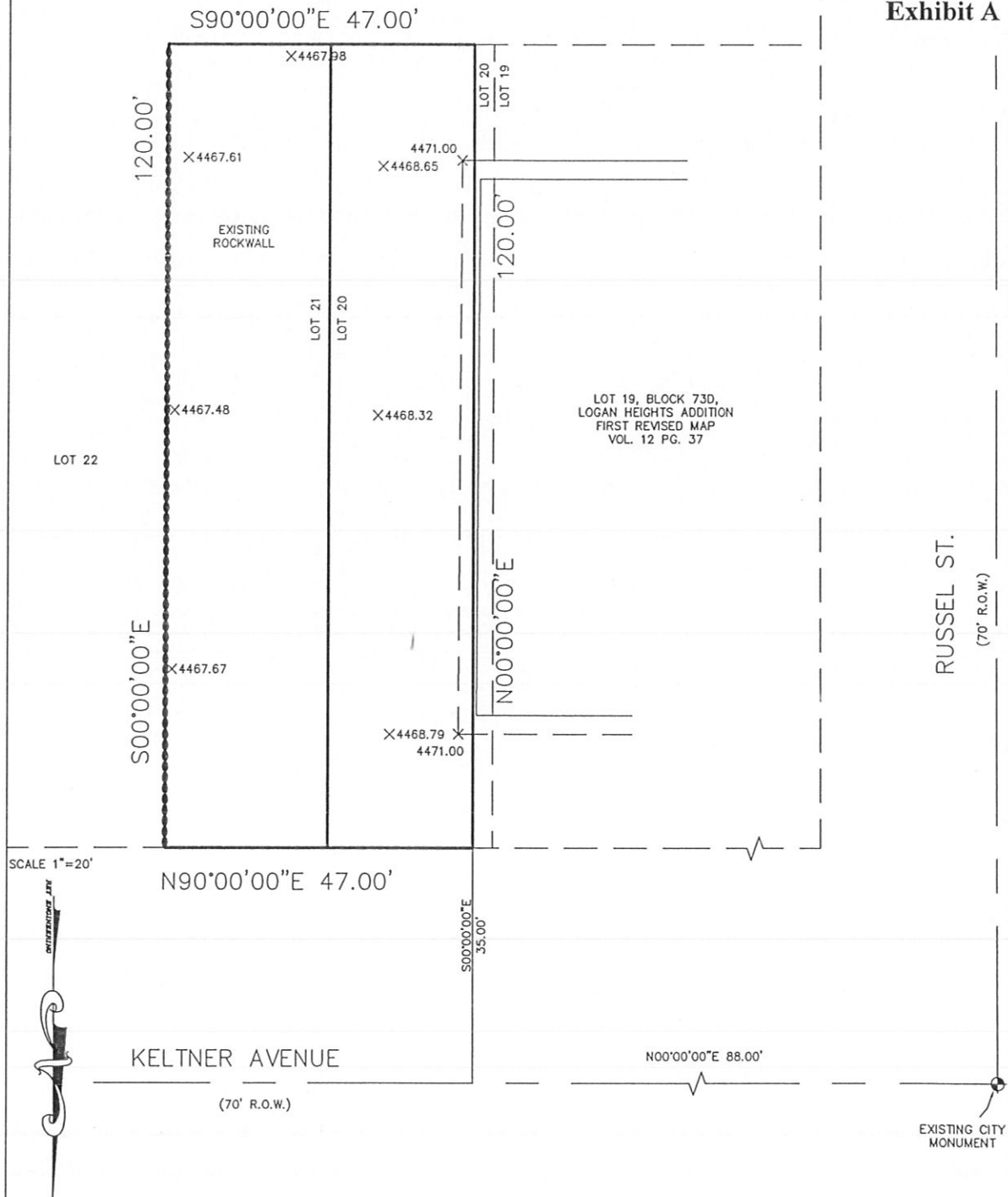
My Commission Expires:

Notary Public, State of Texas

Notary's Printed or Typed Name:

ORDINANCE NO. _____

PZST11-00013



LOT AREA
5,640 sq. ft.

PLAT OF SURVEY BEING
ALL OF LOTS 21 AND 20 EXCEPT THE WESTERLY
3 FEET OF 20, BLOCK 73D,
LOGAN HEIGHTS ADDITION FIRST REVISED PLAT,
CITY OF EL PASO, EL PASO COUNTY, TEXAS
EL PASO COUNTY RECORDS VOL. 12 PG. 37
PREPARED BY AND UNDER THE SUPERVISION OF

NOTE:
THIS PROPERTY LIES IN ZONE C, AS DESIGNATED BY THE
F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL
NO. 480214 0029 B, DATED, OCTOBER 15, 1982 EL PASO
COUNTY, TEXAS

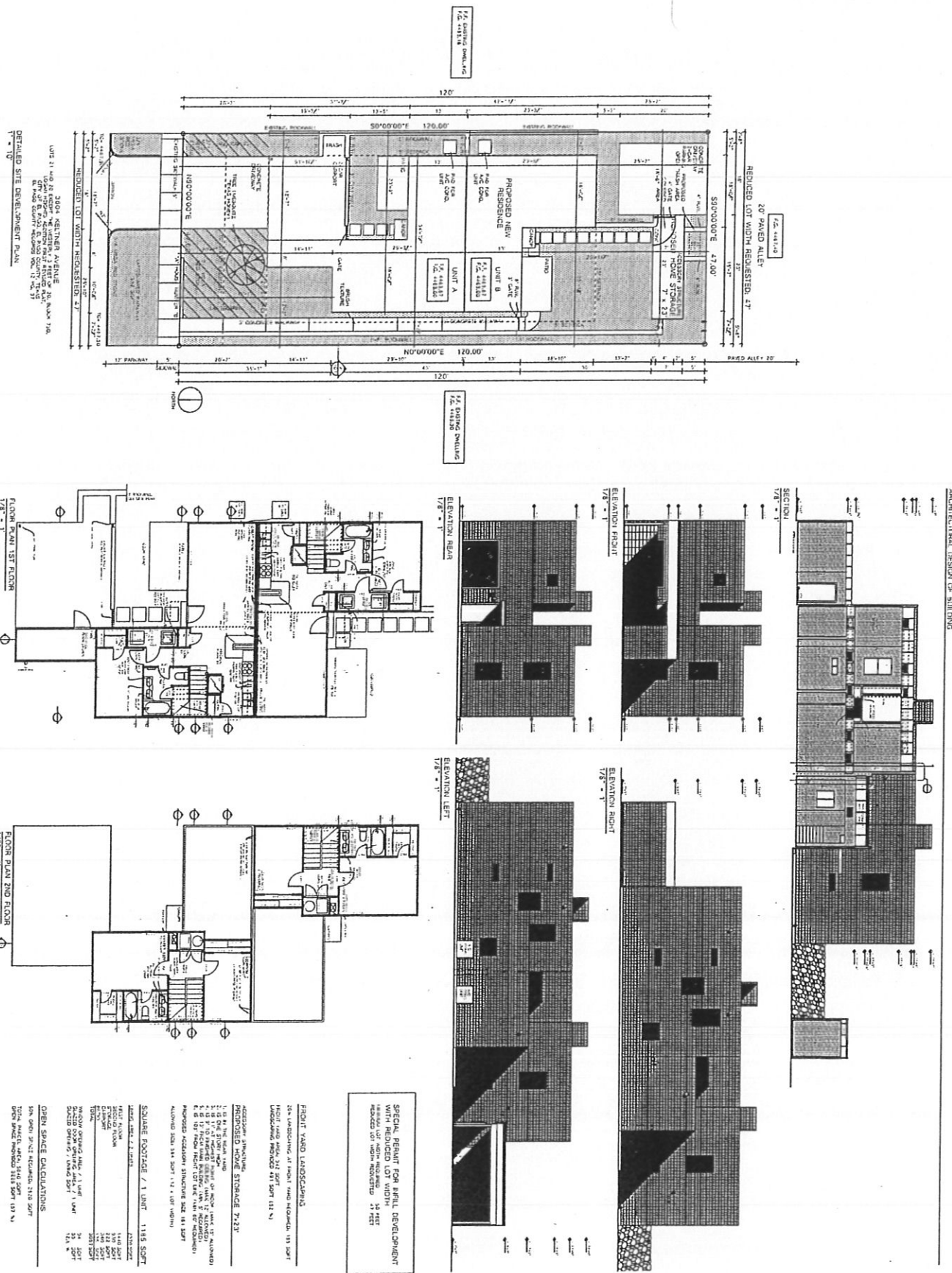
ENRIQUE A. REY
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS N O. 3505

JOB No. 3602 KELTNER AVE.

DATE: MARCH-28-2011

REY ENGINEERING
CONSULTING ENGINEERING-SURVEYING-LAND PLANNING
2267 TRAWOOD DR. SUITE B-3 EL PASO TEXAS, 79935
PH. 3091889

EXHIBIT "B"



MEMORANDUM

DATE: February 6, 2012

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

FROM: Andrew Salloum, Planner

SUBJECT: PZST11-00013

The City Plan Commission (CPC) on October 6, 2011, voted **6-0** to recommend **APPROVAL** of the special permit application to allow for infill development.

The CPC found that the special permit is in conformance with the Plan for El Paso and that the proposed use is in conformance with the projected 2025 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.

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZST11-00013
Application Type: Special Permit
CPC Hearing Date: December 15, 2011
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 3604 Keltner Avenue
Legal Description: All of Lots 21 and 20 Except the Westerly 3 Feet of 20, Block 73D, Logan Heights Addition First Revised Plat, City of El Paso, El Paso County, Texas
Acreage: 0.125-acre
Rep District: 2
Existing Use: Vacant
Existing Zoning: A-2 (Apartment)
Request: Infill Development with reduced lot width
Proposed Use: Duplex

Property Owners: Stone Nest LLC
Applicant: Stone Nest LLC
Representative: Martha Sanchez

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Multi-family dwellings and vacant
South: A-2 (Apartment) / Multi-family dwellings
East: A-2 (Apartment) / Multi-family dwellings
West: A-2 (Apartment) / Multi-family dwellings

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

NEAREST PARK: Logan Park (519 feet)

NEAREST SCHOOL: Burnet Elementary (2,212 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Logan Heights Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 30, 2011. The Planning Division did not receive any phone calls or letters in support or opposition to the request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan review for an infill development to reduce the required lot width from 50 feet to 47 feet for a duplex. Access to the subject property is proposed from Keltner Avenue and from the alley.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan request as it meets all the requirements of 20.04.150, Detailed Site Development Plan, and 20.04.320, Special Permit. Planning Division also recommends that the alley be improved to city standard if used as access.

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: provide and enforce standards for providing decent, safe and sanitary housing for all El Pasoans in accordance with federal, state, and local regulations.
- b. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

The A-2 (Apartment) district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for special permit and detailed site development plan and offered no objections to the Planning Staff's recommendation for **APPROVAL**.

Engineering & Construction Management Services Department – Plan Review

No objections.

Engineering & Construction Management Service Department – Landscaping Plan

The landscape is not required for residential use.

Engineering & Construction Management Services Department – Land Development

1. Comments: None.
2. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required and shall be complied with the City Standard Design for construction.*
3. Grading plan and permit shall be required.*
4. Storm Water Pollution Prevention Plan and/or permit required.*
5. Drainage plans must be approved by the Engineering and Construction Management Department, Land Development Section.*
6. The Subdivision is within Flood Zone "C"- Panel # 480214 0029 B, dated October 15, 1982. *

*This requirement will be applied at the time of development.

Department of Transportation

Department of Transportation does not object to the special permit request.

Department of Transportation recommends the alley be improved to city standards as per Section 19.15.160 (Alleys) of the El Paso City Code and in accordance with the DSC.

Note:

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

El Paso Water Utilities

We have reviewed the zoning change request described above and provide the following comments:

EPWU does not object to this request.

EPWU-PSB Comments

Water:

Along the alley located between Keltner Avenue and Fred Wilson Road, east of Russell Street there is an existing eight (8) inch diameter water main fronting the subject Property.

Previous water pressure readings conducted on fire hydrant number 398 located at the corner of Keltner Avenue and Byron Street have yielded a static pressure of 160 pounds per square inch (psi), residual pressure of 120 psi, discharge of 1,661 gallons per minute (gpm). Private water pressure regulating devices will be required at the discharge side of each water meter. The Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. Additionally, the lot buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

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 is 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
4. Elevations

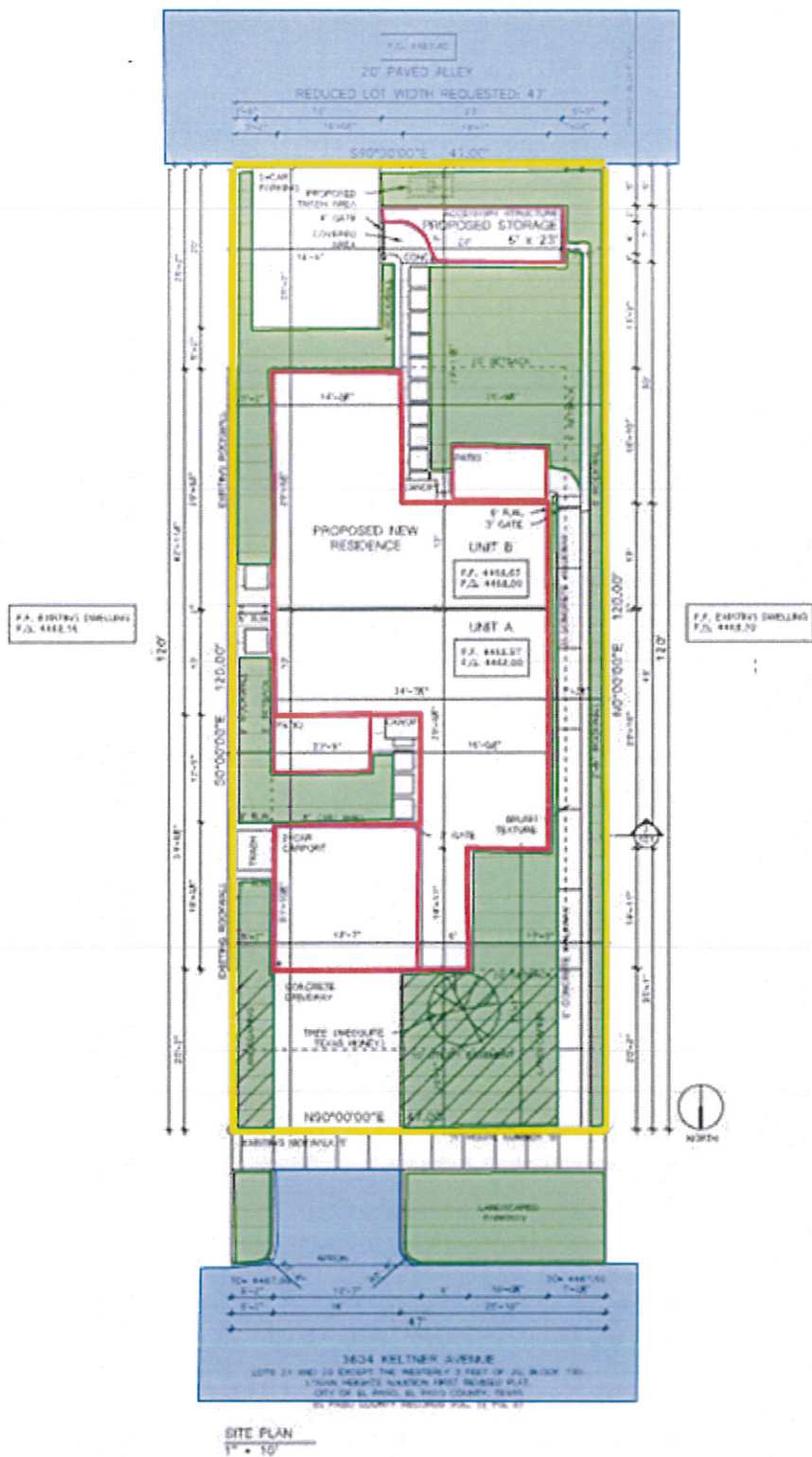
ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS

ARCHITECTURAL DESIGN OF BUILDING

