

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: November 10, 2015
Public Hearing: December 1, 2015

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. PZST15-00033 to allow for infill development with a reduction in lot area and depth, as well as rear, side, and cumulative front and rear yard setback reductions on the property described as a Portion of Tract 29, Country Club Place South Side, 825 Sunset Road, 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: 825 Sunset Road. Property Owner: Walter and Margaret Tippin. PZST15-00033 (**District 8**)

BACKGROUND / DISCUSSION:

The special permit would permit a reduction in lot area and depth, as well as rear, side, and cumulative front and rear yard setback reductions, to allow for the existing single-family dwelling to remain on a proposed lot of a size less than required by the zoning district.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission – Approval Recommendation (5-0)

*****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. PZST15-00033 TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN LOT AREA AND DEPTH, AS WELL AS REAR, SIDE, AND CUMULATIVE FRONT AND REAR YARD SETBACK REDUCTIONS ON THE PROPERTY DESCRIBED AS A PORTION OF TRACT 29, COUNTRY CLUB PLACE SOUTH SIDE, 825 SUNSET ROAD, 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, Walter and Margaret Tippin have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reduction in lot area and depth, as well as rear, side, and cumulative front and rear yard setback reductions; 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-1 (Residential) Zone District:
A portion of Tract 29, Country Club Place South Side, 825 Sunset Road, 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 infill development for a reduction in lot area and depth, as well as rear, side, and cumulative front and rear yard setback reductions; and,
3. That this Special Permit is issued subject to the development standards in the R-1 (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,

ORDINANCE NO. _____

PZST15-00033

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST15-00033 shall 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.

ADOPTED this _____ day of _____, 2015.

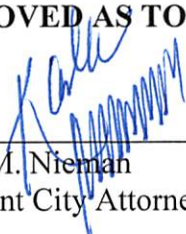
THE CITY OF EL PASO

ATTEST:

Oscar Leeser
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Larry F. Nichols, Director
Planning & Inspections Department

ORDINANCE NO. _____

PZST15-00033

AGREEMENT

Walter and Margaret Tippin, referred to in the above Ordinance, hereby agree 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-1 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2015.

OWNERS:

Walter Tippin

Margaret Tippin

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2015, by Walter and Margaret Tippin, as Owners.

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name:

ORDINANCE NO.

PZST15-00033

EXHIBIT "A"

PREPARED FOR: WALTER L. & MARGARET TIPPIN
A Portion of Tract 29, Country Club Place South Side,
City of El Paso, El Paso County, Texas
W.O. 120914-4

Metes and Bounds Description
(4808 VISTA DEL MONTE STREET)

Description of a 0.4145 acre parcel of land being a Portion of Tract 29, Country Club Place South Side, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

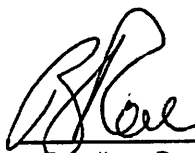
Commencing at a city monument 2.97 feet along Sunset Road; Thence North 89°55'00" East 2.97 feet to the intersection of Sunset Road and Vista Del Monte Street; Thence North 89°55'00" East continuing along Sunset road a distance of 20.00 feet to a point; Thence North 00°05'00" West a distance of 208.00 feet, marking the "True Point of Beginning" of this description;

Thence North 00°05'00" West along the East right-of-way line of Vista Del Monte Street a distance of 126.00 feet to a found 5/8" diameter rebar with cap stamped TX. R.P.L.S. 2449 Roe Eng. L.C.;

Thence North 89°55'00" East along the North boundary line of Tract 29, Country Club Place South Side a distance of 143.29 feet to a set 1/2" diameter rebar with cap stamped TX. R.P.L.S. 2449 Roe Eng. L.C.;

Thence South 00°05'00" East along the common Tract line between Tracts 28 and 29, Country Club Place South Side a distance of 126.00 feet to a set 1/2" diameter rebar with cap stamped TX. R.P.L.S. 2449 Roe Eng. L.C.;

Thence South 89°55'00" West a distance of 143.26 feet to a set 1/2" diameter rebar with cap stamped TX. R.P.L.S. 2449 Roe Eng. L.C. back to the "True Point of Beginning" and containing in all 0.4145 acres or 18,054.54 square feet of land more or less.

 18 Aug 2015
Bradley Roe, R.P.L.S. 2449
Roe Engineering, LC
TBPLS-10060700

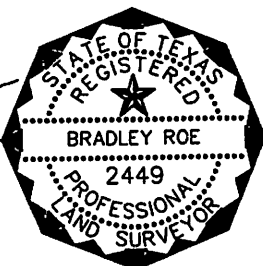
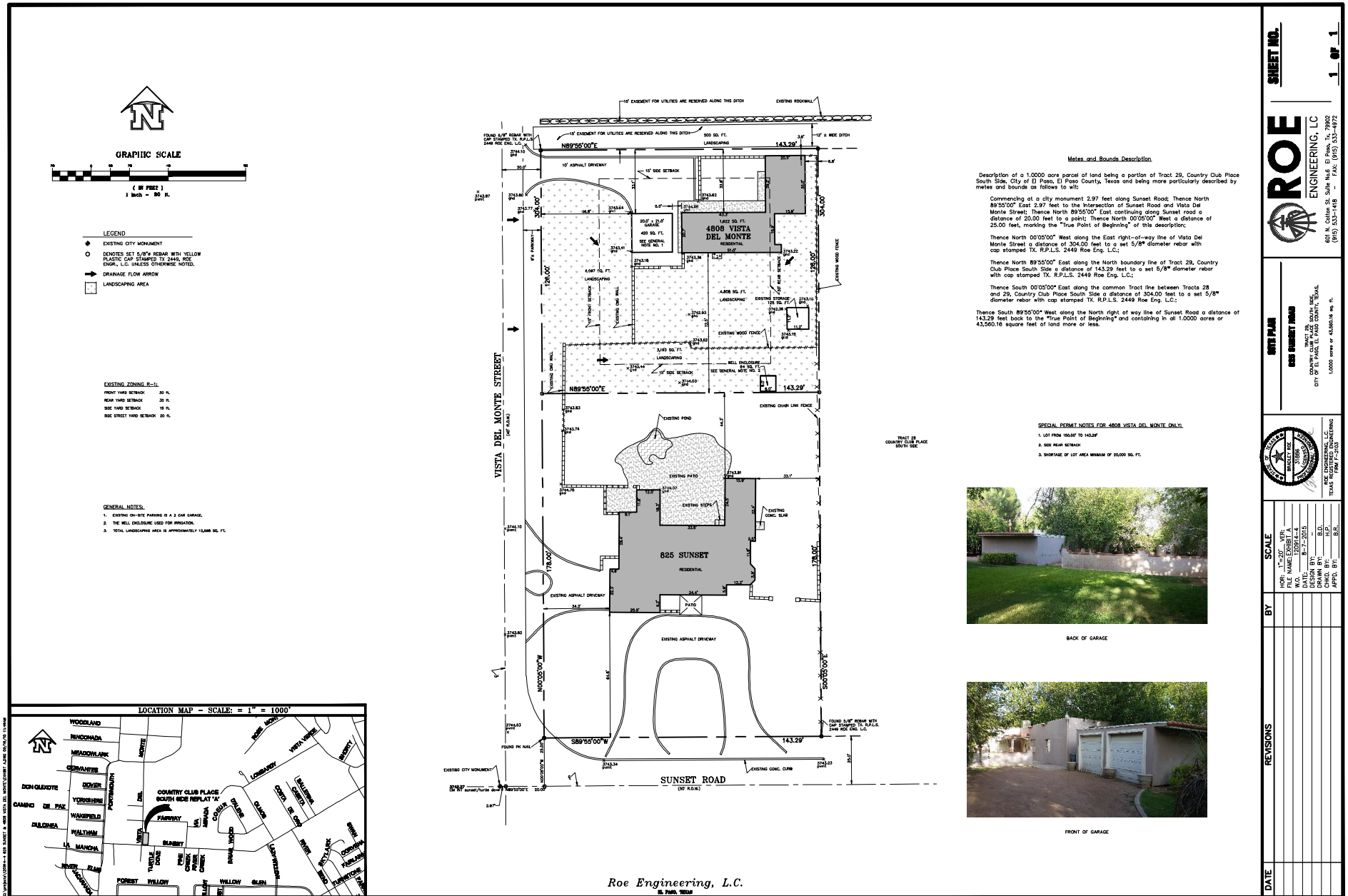


Exhibit "B"



MEMORANDUM

DATE: October 27, 2015

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

FROM: Michael McElroy, Senior Planner

SUBJECT: PZST15-00033

The City Plan Commission (CPC), on October 8, 2015, voted 5-0 to recommend **approval** of a special permit to allow for a reduction in lot area and depth, as well as rear, side, and cumulative front and rear yard setback reductions, to allow for the existing single-family dwelling to remain on a proposed lot of a size less than required by the zoning district.

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: PZST15-00033
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: October 8, 2015
Staff Planner: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location: 825 Sunset Road
Legal Description: Portion of Tract 29, Country Club Place South Side, City of El Paso, El Paso County, Texas
Acreage: 0.4145 acres
Rep District: 8
Existing Zoning: R-1 (Residential)
Existing Use: Single-family dwelling
C/SC/SP/ZBA/LNC: N/A
Request: Infill Development / Lot Area and Depth Reduction / Rear, Side, and Cumulative Front and Rear Setback Reductions
Proposed Use: Single-family dwelling
Property Owner: Walter and Margaret Tippin
Representative: Roe Engineering, LC

SURROUNDING ZONING AND LAND USE

North: R-1 (Residential) / Single-family Dwellings
South: R-2 (Residential) & R-2/sc (Residential/special contract) / Single-family Dwellings
East: R-1 (Residential) / Single-family Dwellings
West: R-1 (Residential) / Single-family Dwellings

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

NEAREST PARK: White Spur Park (6,644 feet)

NEAREST SCHOOL: Mitzi Bond Elementary School (9,028 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association
Coronado Neighborhood Association
Upper Valley Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 21, 2015. 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 lot area from the required 20,000 sq. ft. to 18,054.54 sq. ft. and lot depth from 150' to 143.29'. Additionally, reductions in the required rear, side, and cumulative front and rear yards setbacks are proposed from 30' to 6.8', 15' to 3.6', and 100' to 53.6', respectively. The proposed use is an existing single-family dwelling. All other density and dimension standards are being met, to include those of the original lot. The proposed development provides the two parking spaces required of detached single-family dwellings. Access to the property is proposed from Vista del Monte Street.

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 Northwest 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-1 (Residential) district is intended to provide a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations, permits 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 1932 (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.

Single-family dwellings are a permissible use in the R-1 (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
Lot Area	20,000 sq. ft.	18,054.54 sq. ft.
Lot Depth	150'	143.29'
Rear Setback	30'	6.8'
Side Setback	15'	3.6'
Front/Rear Cumulative Setback	100'	53.6'

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 two parking spaces required of detached single-family dwellings.

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

Recommend approval. At the time of submittal for building permits project will need to comply with all provisions of the IBC, TAS and local municipal code.

Planning and Inspections Department - Landscaping

Recommend approval. At the time of submittal for building permits project will need to comply with all provisions of the IBC, TAS and local municipal code.

Sun Metro

Sun Metro does not oppose this request. Recommend the construction of sidewalks.

El Paso Fire Department

Recommend approval.

El Paso Water Utilities

El Paso Water Utilities (EPWU) does not object to this request.

The site plan accompanying PZST15-00033 Special Permit and Detailed Site Development Plan Review portrays the properties 825 Sunset Road and 4808 Vista Del Monte Street located within of Tract 29, Country Club Place South Side subdivision. EPWU-PSB Records describe individual water services for each address.

Water

1. Along Sunset Road between Vista Del Monte Street and Turtle Dove Street there is an existing eight (8) inch diameter water main. This main is available for service.
2. Along Vista Del Monte Street between Sunset Drive and Fair Way Street there is an existing eight (8) inch diameter water main. This main is available for service.
3. Previous water pressure readings conducted on fire hydrant number 2359 located at the corner of Sunset Road and Vista Del Monte Street have yielded a static pressure of 74 pounds per square inch (psi), residual pressure of 70 psi, discharge of 750 gallons per minute (gpm).

Sanitary Sewer

1. Along Sunset Road between Vista Del Monte Street and Turtle Dove Street there is an existing fifteen (15) inch diameter sanitary sewer main.
2. Along Vista Del Monte Street between Sunset Drive Fair Way Street there are two (2) sanitary sewer mains of different sizes: (a) a twelve (12) inch diameter main with an average depth of 15 vertical feet, and, (b) an eight (8) inch diameter main with an average depth of 5 vertical feet fronting the Property. This 8-inch diameter main is available for service.

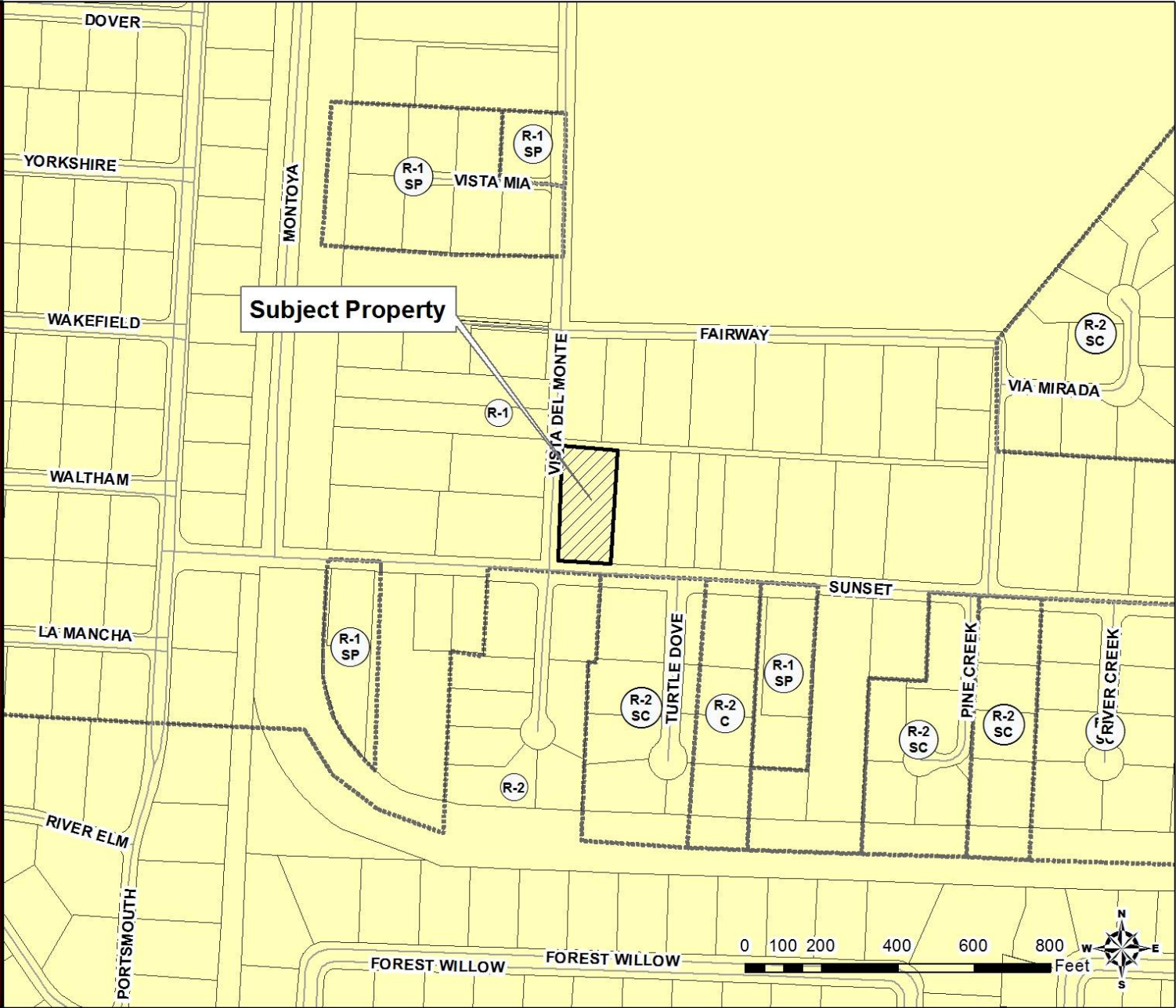
General

1. As per EPWU-PSB Records 825 Sunset Road and 4808 Vista De Monte Street each have their own water service and sanitary sewer service.
2. Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. 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
5. Plat of Country Club Place South Side

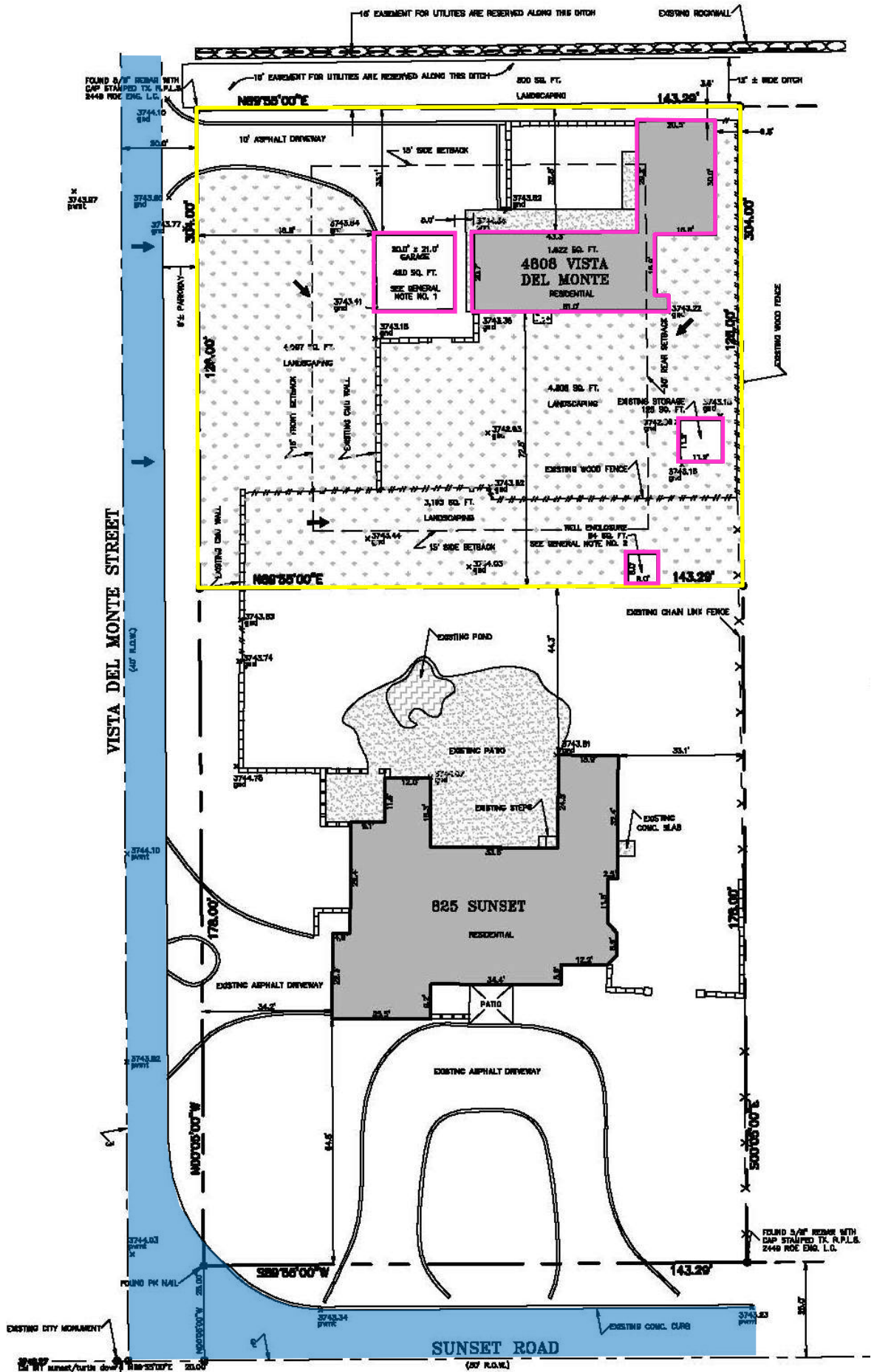
PZST15-00033



PZST15-00033



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



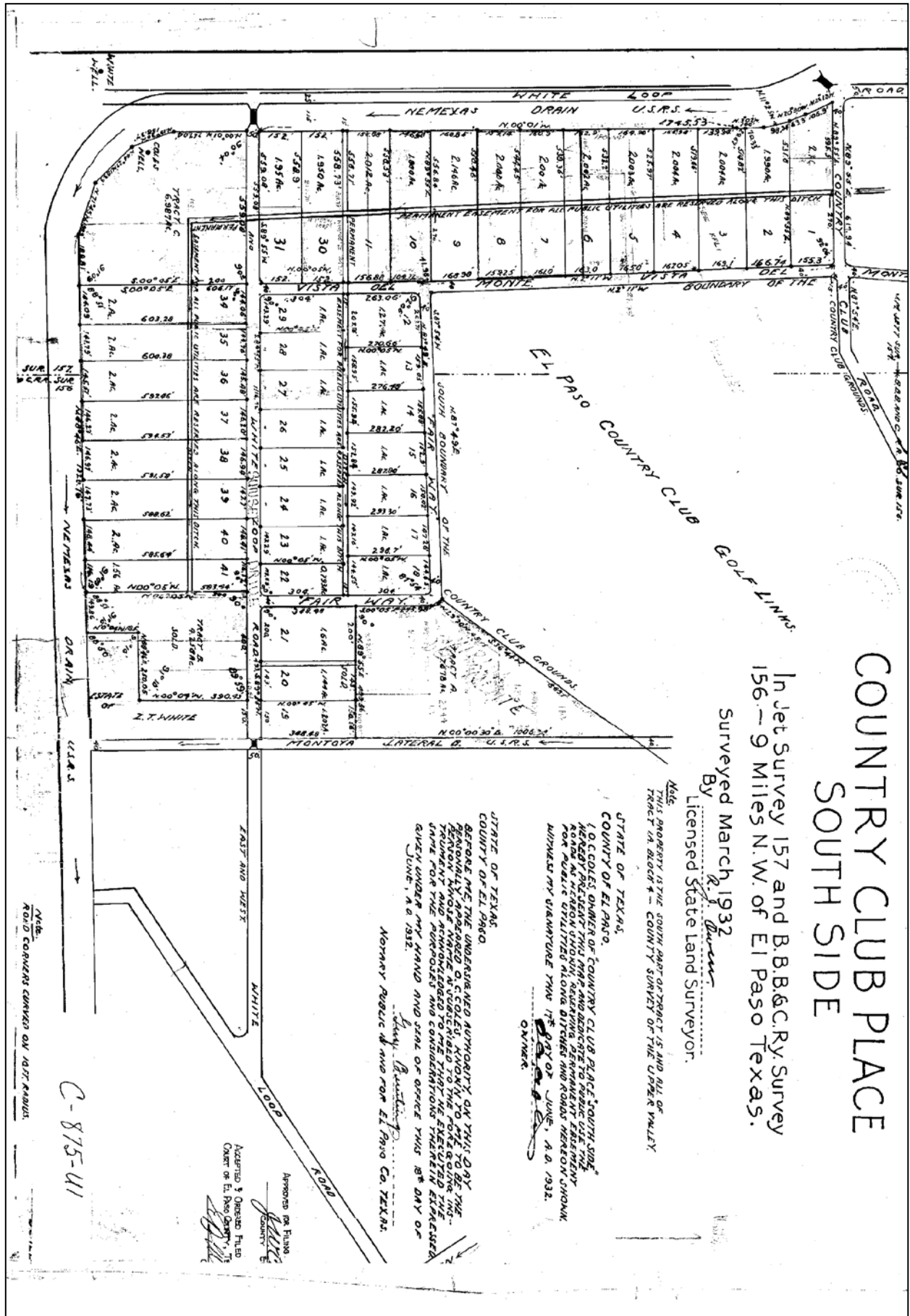
ATTACHMENT 4: ELEVATIONS



BACK OF GARAGE



FRONT OF GARAGE





Recommendation/Public Input

- Planning Division Recommendation: Approval
- CPC Vote: Approval Recommendation (5-0)
- Public Input: No communications in support or opposition to the special permit request.

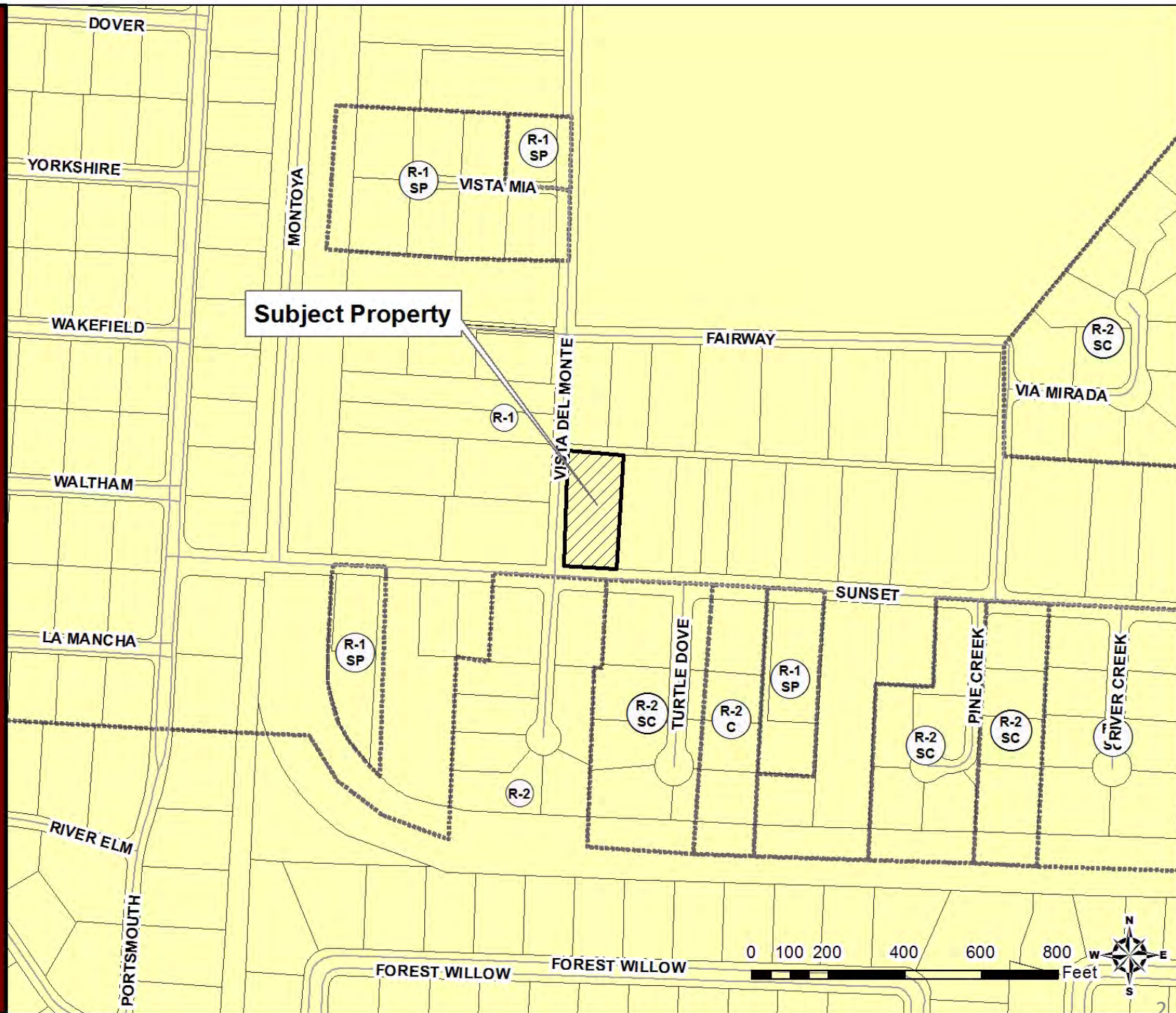
Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

PZST15-000033

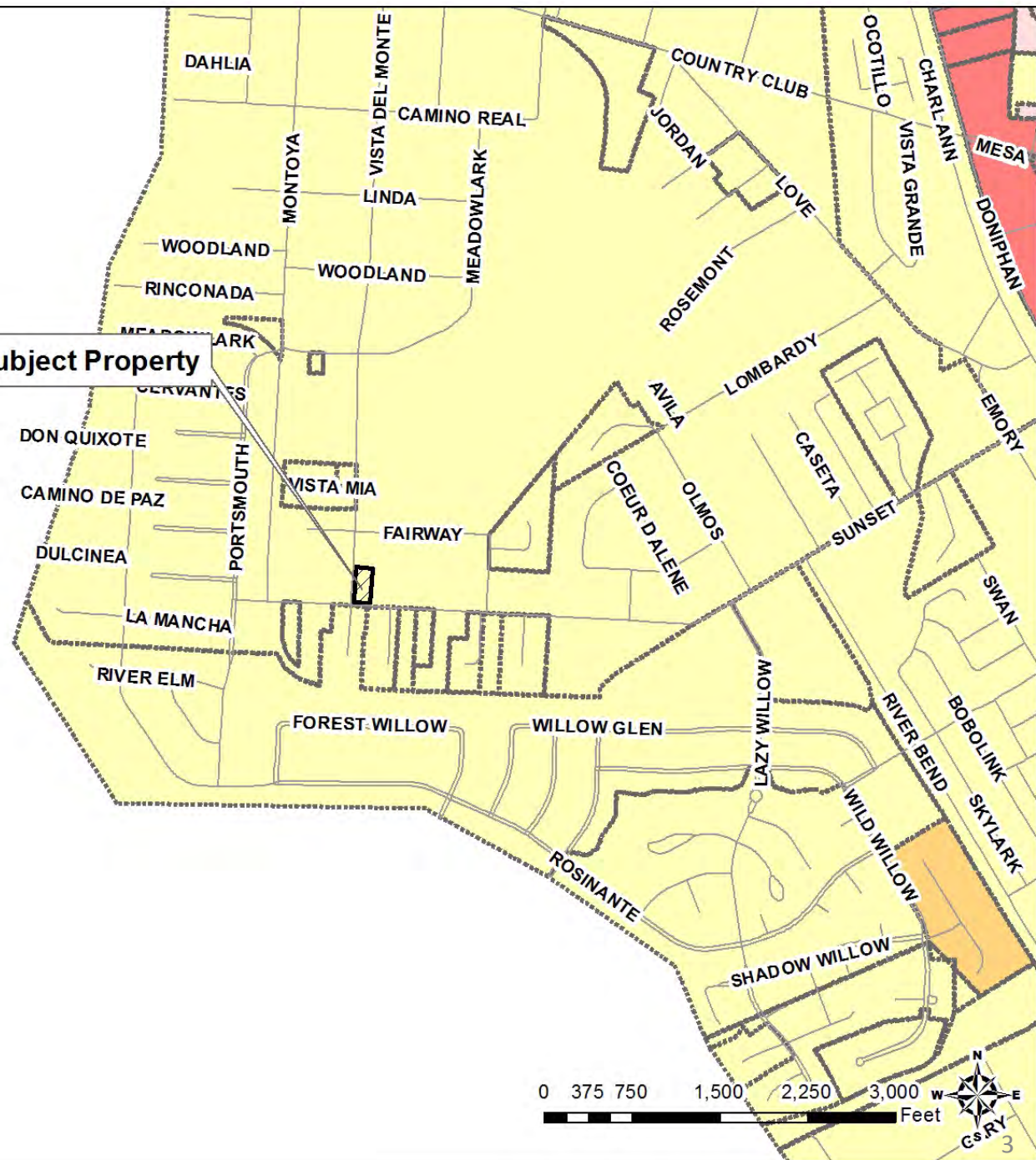
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Subject Property



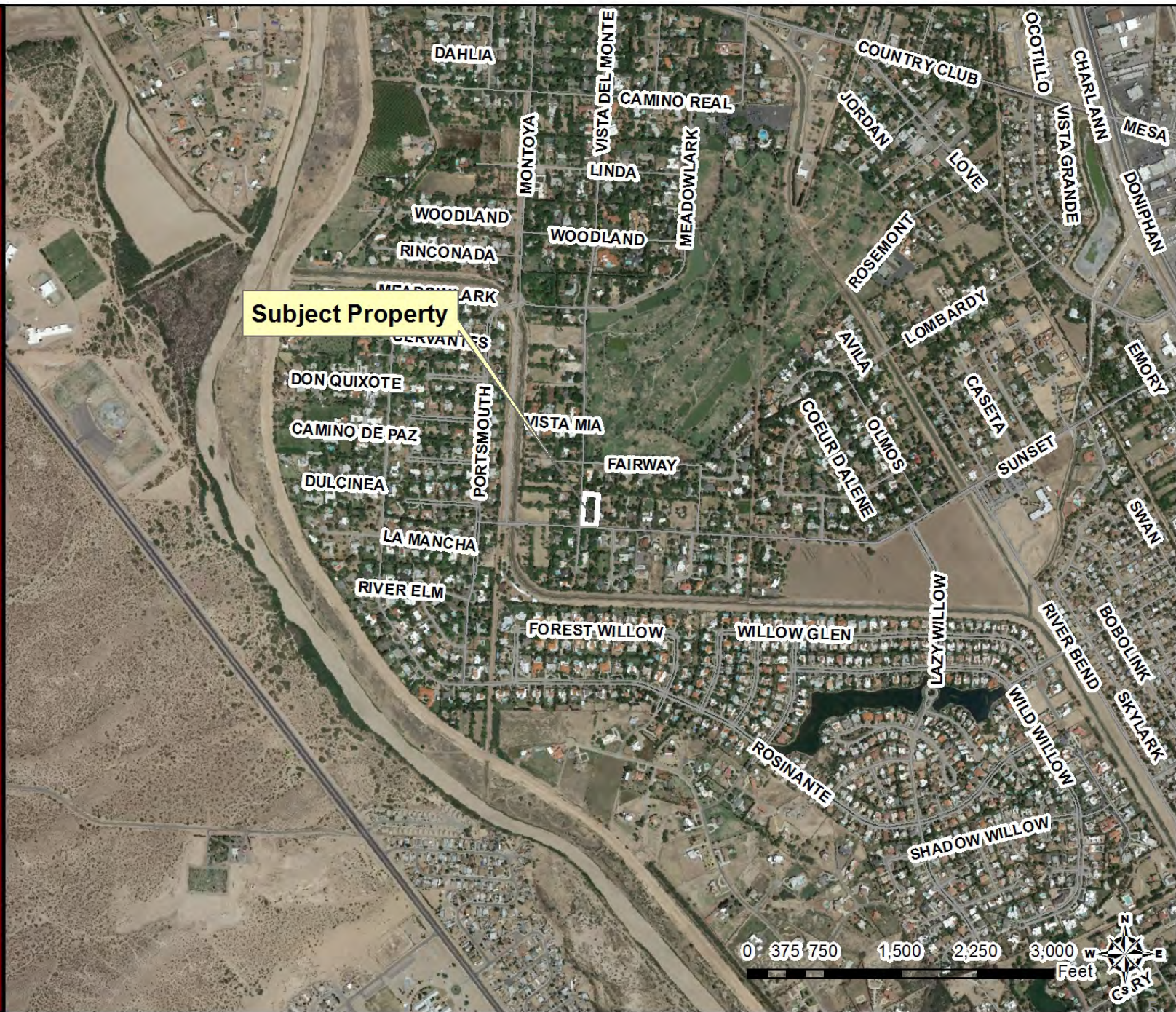
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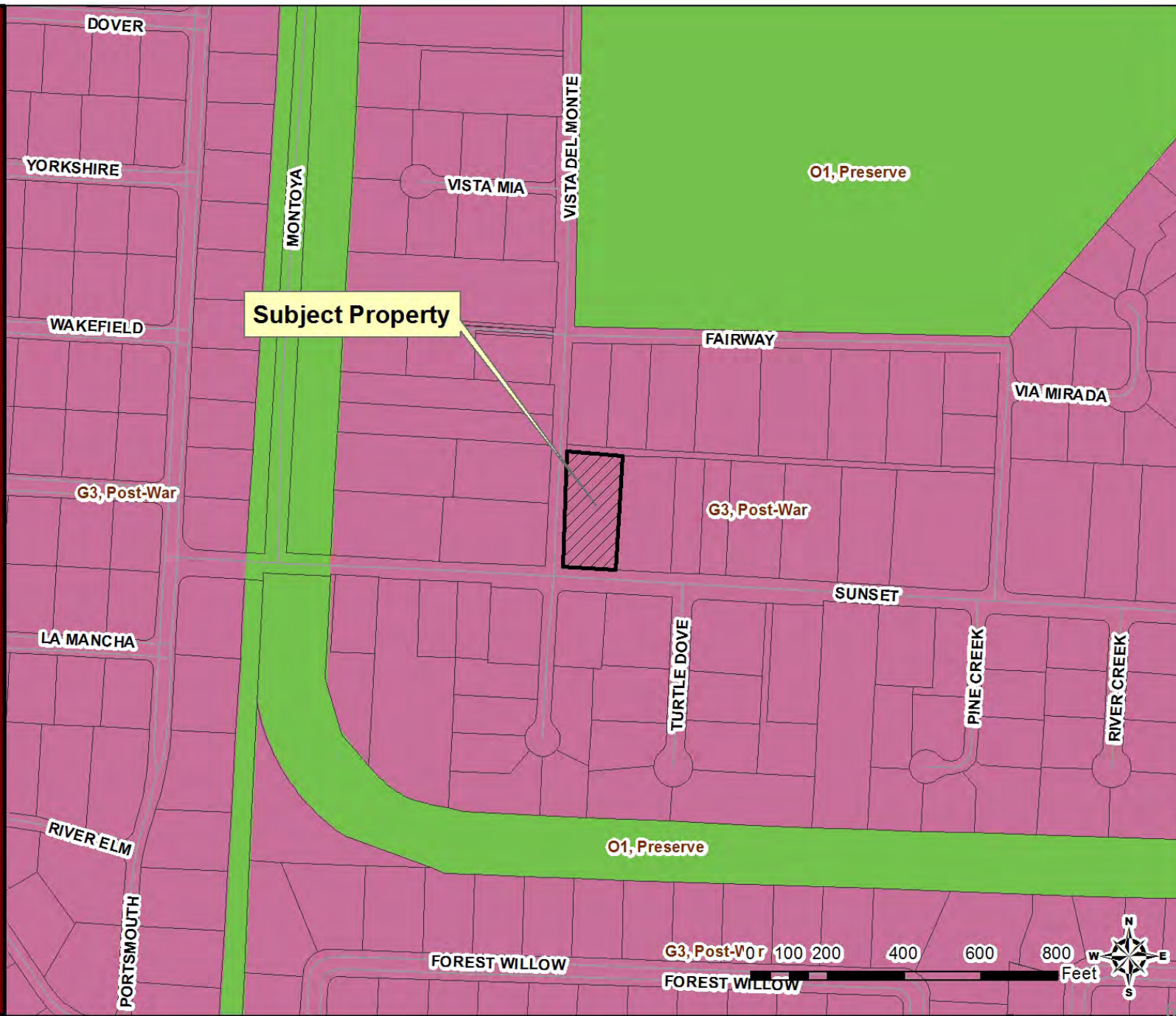
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PZST15-00033

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PZST15-00033

7

Subject Property

RIO GRANDE RIVER TRAIL #1

TAYOPA

STOTTS

MITZI BOND ELEMENTARY

CUPRITE

DESERT 1-10

COUNTRY CLUB

MEMORY

YUCCA

CHARLANN

BAUXITE

MCCLINTOCK

COLUMBINE

MEADOWLARK

JORDAN

LOVE

OCOTILLO

CONLEY

MESA

OSBORNE

LINDA

WOODLAND

CHARYL ANN DUCK POND

WHITE SPUR PARK

MEADOWLARK

PORTSMOUTH

CERVANTES

DON QUIXOTE

DULCINEA

LA MANCHA

RIVER ELM

FOREST WILLOW

WILLOW GLEN

ROSIANTE

LAZY WILLOW

WILD WILLOW

BOBOLINK

BELVA

BIRD

FINCH

MARWOOD PARK

ZACH WHITE ELEMENTARY

PERTH

GARY

ADELITA

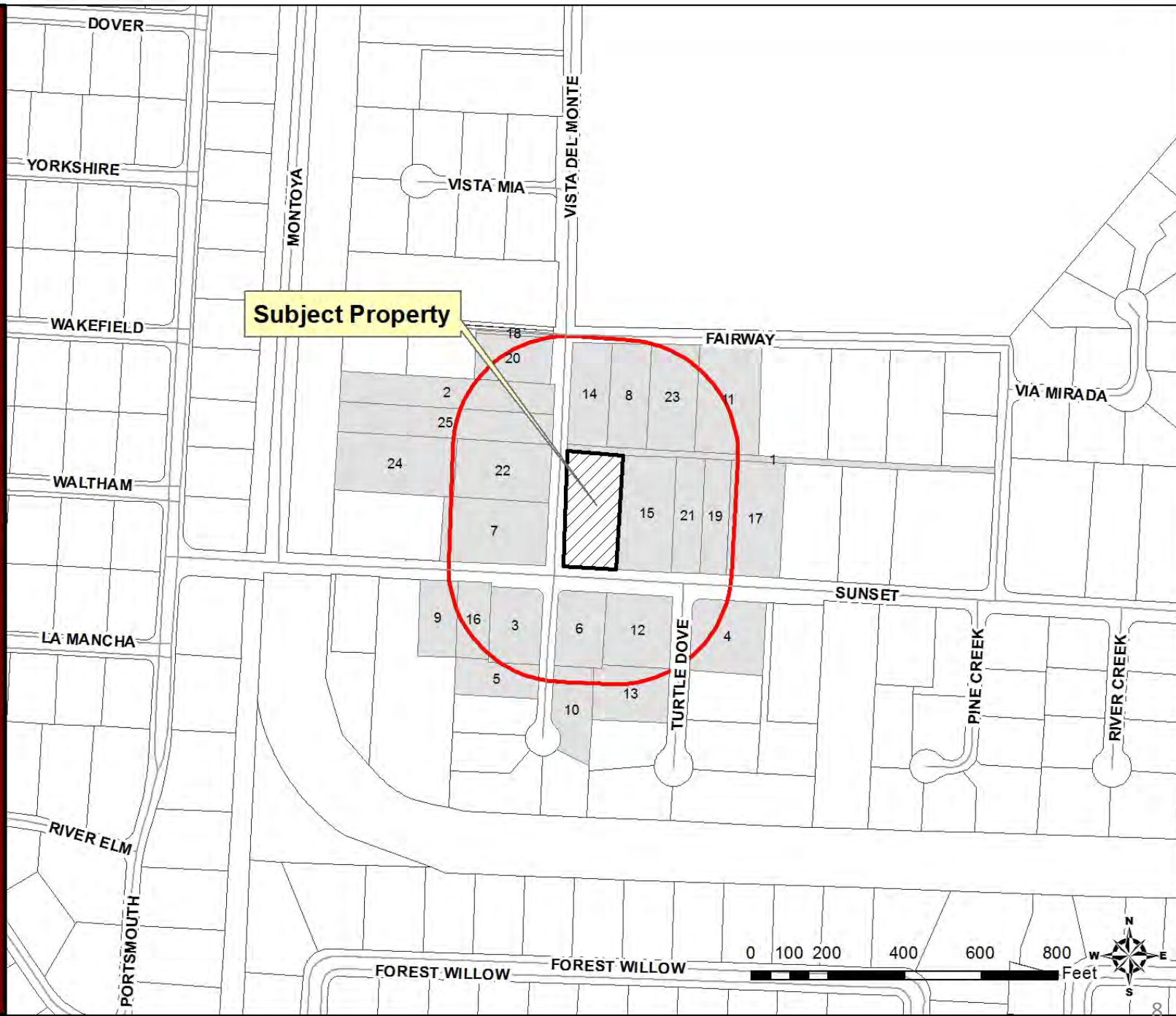
BOY SCOUT

0 500 1,000 2,000 3,000 4,000 Feet



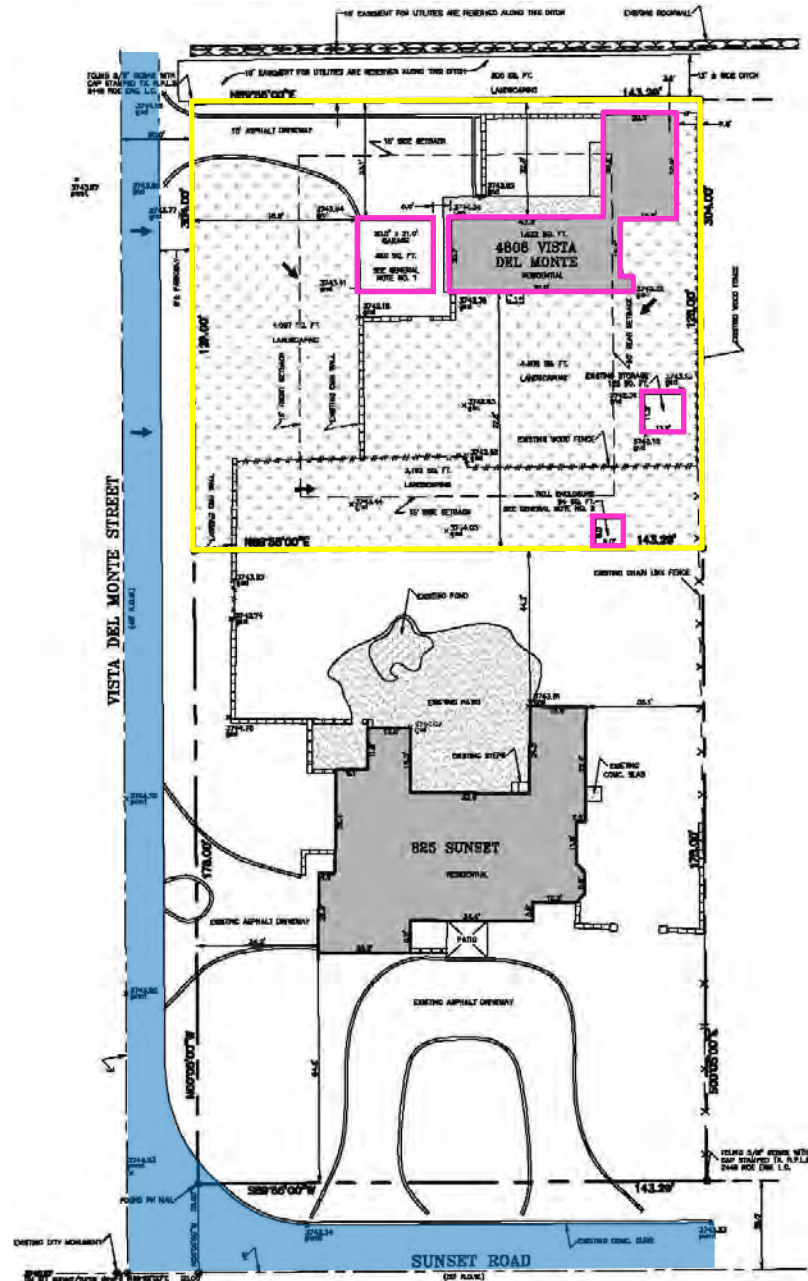
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Detailed Site Development Plan





Special Permit Request

Dimensional Standards Required and Proposed		
Dimension	Required	Proposed
Lot Area	20,000 sq. ft.	18,054.54 sq. ft.
Lot Depth	150'	143.29'
Rear Setback	30'	6.8'
Side Setback	15'	3.6'
Front/Rear Cumulative Setback	100'	53.6'



Subject Property



Subject Property & West



North



East



South

PZST15-000033

16

