



City of El Paso – City Plan Commission Staff Report

Case No: PZST14-00036
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: February 12, 2015
Staff Planner: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location: 190 Edgar Road
Legal Description: Lot 2, Block 1, Cudahy-Locke Subdivision, City of El Paso, El Paso County, Texas
Acreage: 0.9861
Rep District: 1
Existing Zoning: C-3 (Commercial) and R-3 (Residential)
Existing Use: Apartments
C/SC/SP/ZBA/LNC: Registered Legal Non-Conforming for apartments, RV, and mobile home park prior to annexation
Request: Rear Yard Setback Reduction / 50% Density Bonus / 50% Parking Reduction (Related to Rezoning PZRZ14-00063)
Proposed Use: Apartments
Property Owner: Cudahy-Locke Investments LLC
Representative: Gilberto Millot

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Automobile wrecking yard

South: R-3 (Residential) / Single family and duplex dwellings

East: R-3 (Residential) / Single family and duplex dwellings

West: P-I/sc (Planned-Industrial/special contract) and P-R 2/sc (Planned Residential II/special contract) / Automobile auctions and single family dwellings

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

NEAREST PARK: Ruby Coates Park (1,421 feet)

NEAREST SCHOOL: Herrera Elementary (1,880 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association

Upper Mesa Hills Neighborhood Association

Montoya Heights Community Improvement Association

Coronado Neighborhood Association

Upper Valley Neighborhood Association

Save the Valley

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 28, 2015. The Planning Division received one phone call in support of the special permit.

APPLICATION DESCRIPTION

The request is for a special permit and detailed site plan development approval to allow for infill development for a reduction in the rear yard setback from 25 feet to 20 feet, a 50 percent density bonus, and a 50 percent parking reduction, to permit the construction of an apartment complex. In conjunction with a rezoning to C-3 (Commercial) with an allowed density of twenty-eight units, the infill special permit would allow 42 units. Thirty-nine units are proposed in total. The property is currently occupied by an existing apartment complex of 11 units inclusive of one studio, eight one-bedroom, and two two-bedroom

units. The additional 28 units are inclusive of 12 studio, 14 one-bedroom, and two two-bedroom units. The development requires 54 parking spaces and proposes 30, to include required bicycle and ADA accessible spaces. Access to the property is proposed from Edgar Road.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of the request as the proposed development is consistent with the existing multifamily housing on the subject and surrounding properties and is compliant with the G-3 Post-War land use designation in the Northwest Planning Area. Further, the property meets the requirements of Section 20.04.320, Special Permit Approvals, Section 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.

The purpose of the C-3 (Commercial) district is to provide goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods. The district permits intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

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 one of the two criteria for infill development. The Cudahy-Locke subdivision was originally platted in August 2014 (see Attachment 5). On December 9, 2014, City Council passed a resolution waiving the two criteria minimum for this property.

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.

Apartments are a permissible use in the C-3 (Commercial) zoning 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.

C-3 Apartment Setback Reduction Request		
	Required	Proposed
Rear Yard Setback	25 feet	20 feet

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 requires 54 parking spaces and proposes 30, a 44 percent reduction in the required parking. The applicant has requested a 50 percent reduction.

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

Planning and Inspections Department - Landscaping

No objection. Landscape required will be based on 15 % of the new construction.

El Paso Fire Department

Recommend “APPROVAL with Conditions” of “Application” as presented. PZST14-00036. Applicant shall provide an access walkway from the apparatus access roads to the exterior of all buildings shown on the proposed site plan. *****NOTE ***** In accordance with the requirements of the Zoning Code

Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi- family structures, and Driveways as applicable to the following sections of the fire code; Chapter 5 Fire Service Features, and Appendix D Fire Apparatus Access Roads, Please note: Fire Protection Systems are not being reviewed at this time “When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”. The Fire Planning Division has reviewed the submitted “Detailed Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES comply within the zoning regulations.

El Paso Water Utilities

EPWU does not object to this request.

1. Doniphan Drive is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Doniphan Drive right-of-way requires written permission from TxDOT.

Water:

1. There is an existing 16-inch diameter water main extending along Doniphan Drive, the water main is located approximately 45-ft east from the center right-of-way line.
2. There is an existing 6-inch diameter water main extending along Johannson Road that is available for service, the water main is located approximately 19-ft east from the center right-of-way line.
3. EPWU records indicate a 1-1/2-inch water meter serving the subject property. The service address for this meter is 5888 Doniphan Drive.

Sewer:

1. There is an existing 21-inch diameter sanitary sewer main extending along a 25-foot utility easement within the subject property. Said main is located approximately 10-ft east from the western property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
2. There is an existing 8-inch diameter sanitary sewer main extending along Johannson Road that is available for service, the sewer main is located approximately 5-ft west from the center right-of-way line.
3. The EPWU recommends that grading for Lots 1 and 2 be directed toward Edgar Road to allow sewer service by gravity.

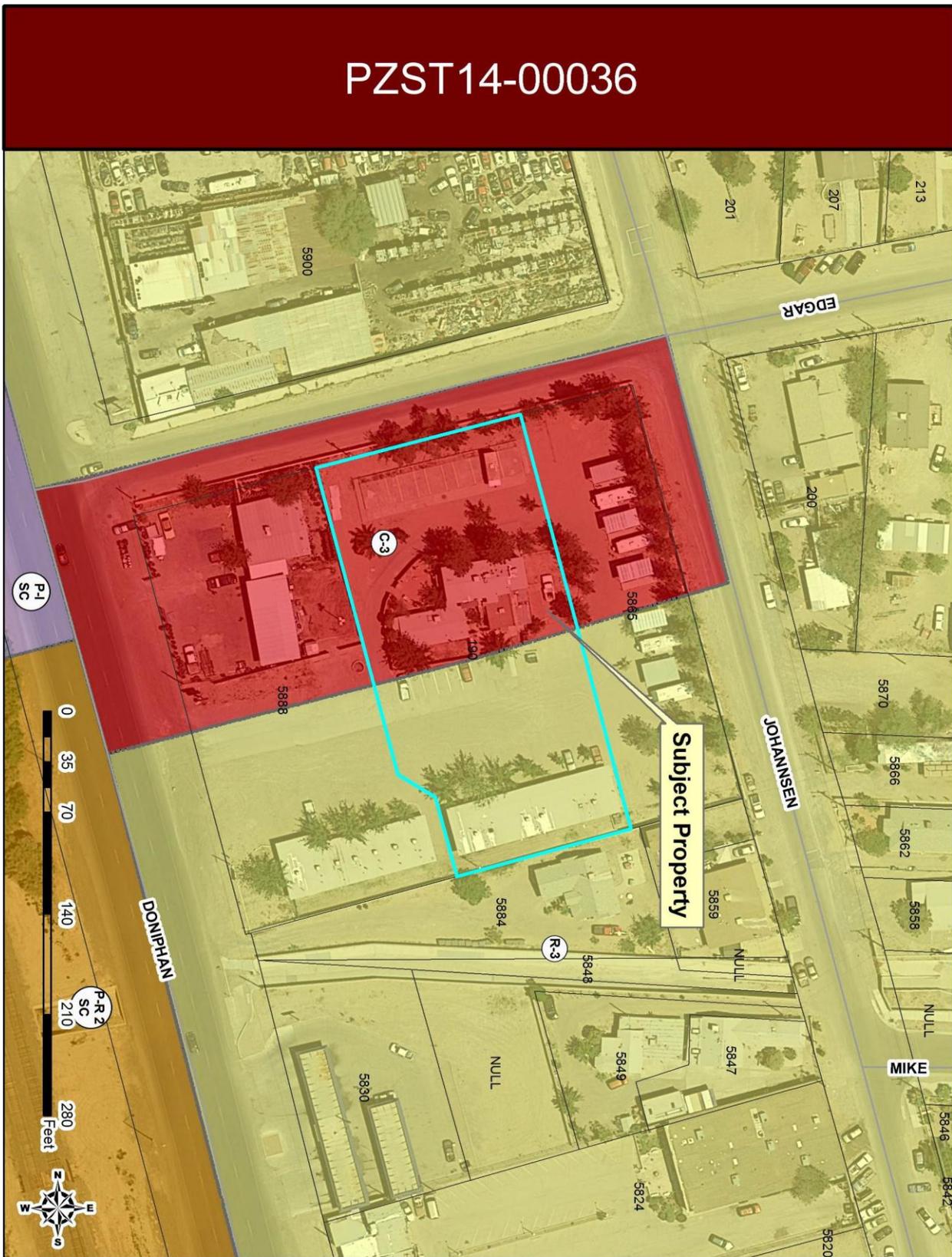
General:

1. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWU-PSB easement without the written consent of EPWU-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, or any structure that will interfere with the access to the PSB easements. There shall be at least 5-foot setback from the easement line to any sign or structure.
2. 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.

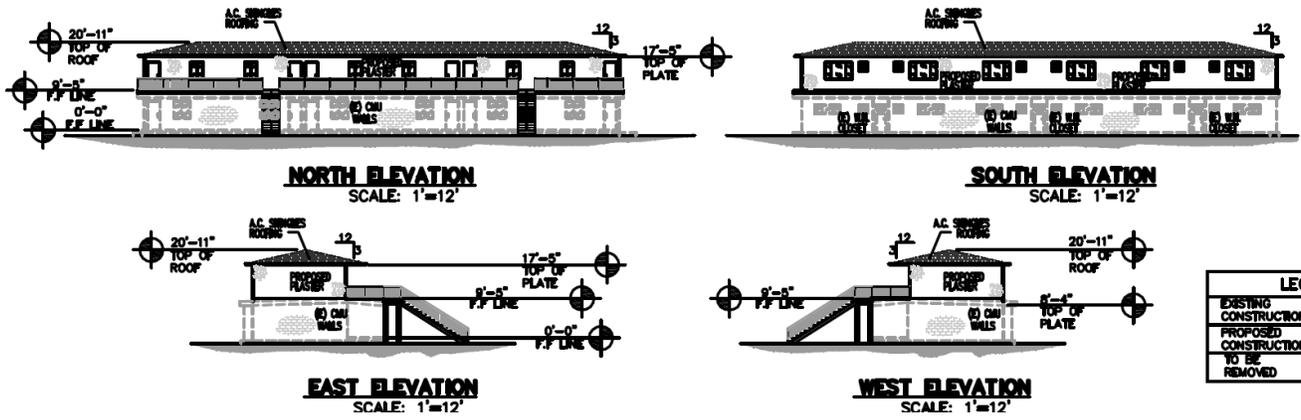
Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Plat of Cudahy-Locke Subdivision

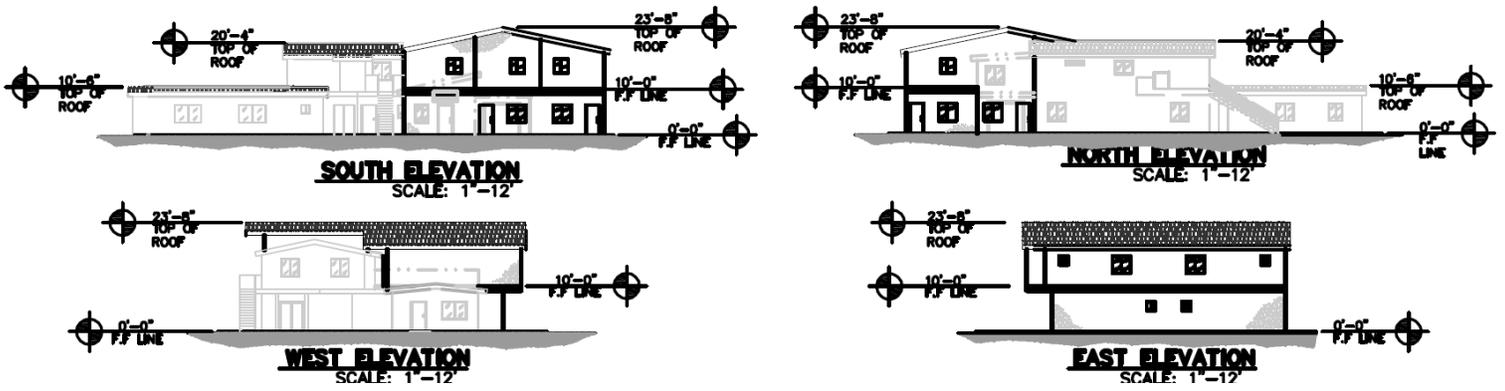
ATTACHMENT 1: LOCATION MAP



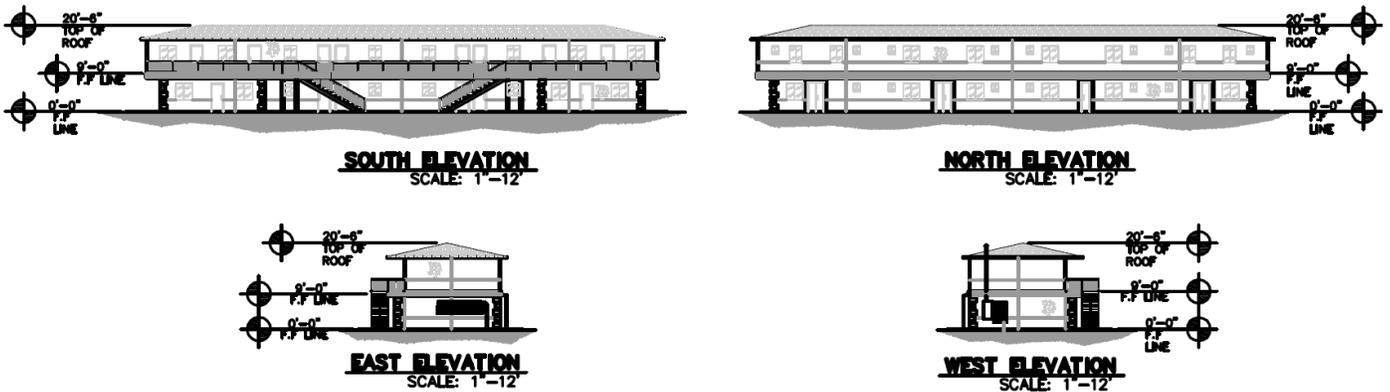
ATTACHMENT 4: ELEVATIONS



Existing Building "A"



Existing Building "B"



Proposed Building "C"

ATTACHMENT 5: PLAT OF CUDAHY-LOCKE SUBDIVISION

