



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ13-00047
Application Type: Rezoning
CPC Hearing Date: April 24, 2014
Staff Planner: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
Location: 2 De Leon Drive
Legal Description: Tract 23-A-3, AF Miller Survey No. 214, City of El Paso, El Paso County, Texas
Acreage: 0.5464 acres
Rep District: 8
Current Zoning: R-5/c/sp (Residential/Condition/Special permit)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Yes; Condition & Special Permit (attachment 6)
Request: R-5/c/sp (Residential/Condition/Special permit) to RMU/c/sp (Residential Mixed-Use/Condition/Special permit)
Property Owner: Westmount Assets, Inc.
Representative: Jesus Jaime

SURROUNDING ZONING AND LAND USE

North: C-3 (Commercial) / Car Wash
South: R-3 (Residential) / Single-Family Homes
East: C-3 (Commercial) / Mobile Homes
West: C-3 (Commercial) / Apartments

PLAN EL PASO DESIGNATION: G-4 Suburban (Walkable) (Northwest Planning Area)

NEAREST PARK: Palo Verde Park (1,162 feet)

NEAREST SCHOOL: Putnam Elementary School (1,372 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association, Upper Mesa Hills Neighborhood Association, Coronado 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 April 3, 2014. The Planning Division has received no communications in support or opposition to the rezoning request.

APPLICATION BACKGROUND

Ordinance No. 16994, dated September 9, 2008, granted a special permit for a planned residential development in the R-5 (Residential) zoning district. The ordinance additionally imposed a condition specifically prohibiting the applicant or subsequent property owners from applying to the Zoning Board of Adjustment for further setback reductions than those approved in the special permit's detailed site development plan (see attachment 5).

As the special permit does not comply with the terms of the ordinance or the development agreement associated with it, the special permit is regarded to have automatically terminated.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-5/c/sp (Residential/Condition/Special permit) to RMU/c/sp (Residential Mixed-Use/Condition/Special permit). This proposed development features two four-story buildings that will house 3,210 square feet of retail space on the ground floor. Sixteen

apartment units inclusive of 12 two-bedroom and 4 one-bedroom units, for total apartment square footage totaling 16,064 square feet, will occupy the upper floors. The mix of uses proposed is detailed in the Master Zoning Plan (MZP) Report (attachment 4). Yard setbacks are proposed at 5' from the front property line, 5'6" from the rear, and 0' along the northerly side setback. Vehicular and pedestrian access is from De Leon Drive.

Retail frontage, comprised of two retail spaces, is proposed along De Leon within Building 1, and one retail space within the property inside Building 2.

Twenty-six parking spaces are proposed while 43 are required per standard off-street parking calculations. A 40 percent parking reduction is requested for both the retail and residential uses (for a reduction of 17 spaces). A parking study shows the existence of seventy-one spaces within a 300' radius of the subject property. Four off-street spaces can be accommodated immediately adjacent to the property. The parking study, covering both peak AM and PM times, shows that a maximum of 14 spaces (20%) were in use at any time (see attachment 5). Furthermore, a Bus Rapid-Transit (BRT) station is planned at the corner of Mesa and Camille, 888 feet west of the subject property to efficiently accommodate increased transit ridership. Six bicycle parking spaces are proposed.

As the property is less than the required one acre for a RMU district, City Council will consider a reduction in minimum district area as part of the rezoning request.

ANALYSIS

20.10.360(G)

Residential, General and Industrial Mixed Use Districts (RMU, GMU and IMU). Uses permitted in a mixed-use development are as approved by city council through a master zoning plan. A mixed-use development may be authorized to encourage use schemes such as but not limited to, residential, entertainment, medical, and employment centers. The following principles and requirements shall apply to a mixed-use development and shall serve as the basis for approval of a master zoning plan.

1. General Design Principles. These design principles shall serve as guidelines only, and compliance with any guideline within a mixed-use development shall be determined on a case by case basis as part of the master zoning plan and mixed use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design guidelines.
 - a. Development Perspective.
 - i. That the natural infrastructure and visual character of the development area be retained as derived from existing topography, riparian corridors and other environmentally sensitive areas.
 - ii. That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods.
 - iii. That proposed development contiguous to urban areas be organized as town centers and neighborhoods, and be integrated with the existing urban pattern.
 - iv. That proposed development noncontiguous to urban areas be organized in the pattern of an isolated community consisting of a complete town center serving the neighborhood(s).
 - v. That a mixture of housing types and densities be distributed throughout the mixed-use development.
 - vi. That transportation corridors be planned and reserved in coordination with land use patterns.
 - vii. That natural or man-made green corridors and open space areas be used to define and connect neighborhoods to other facilities within the development, and that these areas allow for connectivity outside of the development where feasible.
 - viii. That the development include a framework of transit, pedestrian and bicycle systems that provide alternatives to the automobile.
 - ix. That neighborhoods with town centers be the preferred pattern of development and that developments specializing in single use be discouraged.

- x. That neighborhoods be compact, pedestrian-friendly, and mixed use.
 - xi. That ordinary activity of daily living occurs within walking distance of most dwellings.
 - xii. That interconnected networks of streets be designed to disperse and reduce the length of vehicle trips.
 - xiii. That within neighborhoods, a range of housing types and price levels be provided to accommodate people of diverse ages and incomes.
 - xiv. That appropriate building densities and land use be provided within walking distance of transit stops.
 - xv. That civic, institutional and commercial activity be embedded, and not isolated, in the development.
 - xvi. That a range of open space including parks, squares, and playgrounds be distributed within the development.
 - xvii. That a development have sufficient size to accommodate the mixed-use concentration of uses.
- b. Building Perspective.
- i. That buildings and landscaping contribute to the physical definition of streets as civic places.
 - ii. That the design of streets and buildings reinforce safe environments.
 - iii. That architecture and landscape design grow from local climate, topography, history and building practice.
 - iv. That public gathering spaces be provided in locations that reinforce community identity.
 - v. That the preservation and renewal of historic buildings be facilitated.
 - vi. That principal buildings and facades, where possible, be located parallel to the frontage line to encourage a community-friendly environment.

The applicant complies 20.10.360(G)(1)

2. General Design Elements. A mixed-use development is characterized by any combination of the design elements described below. These design elements shall serve as guidelines only, and compliance with any design element within a mixed-use development shall be determined on a case-by-case basis as part of the master zoning plan and mixed-use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design elements.
- a. Neighborhoods limited in size and oriented toward pedestrian activity.
 - b. A variety of housing types, jobs, shopping, services, and public facilities.
 - c. Residences, shops, workplaces, and other buildings interwoven within the neighborhood, all within close proximity.
 - d. A network of interconnecting streets and blocks that maintain respect for the natural landscape.
 - e. Natural features and undisturbed areas that are incorporated into the open space of the neighborhood.
 - f. A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles.
 - g. Well-configured squares, plazas, greens, landscaped streets, preserves, greenbelts, or parks dedicated to the collective social activity, recreation, and visual enjoyment of the neighborhood.
 - h. Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
 - i. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character and landscaping to establish a livable and harmonious environment.
 - j. Classification of uses deploying a range from rural-to-urban to arrange in useful order the typical context groupings of natural and urban areas to ensure compatibility of land uses.

The applicant complies 20.10.360(G)(2)

3. Architectural Objectives. As part of the review of the mixed-use development plan the architectural design shall achieve the following objectives:
 - a. Architectural compatibility;
 - b. Human scale design;
 - c. Integration of uses;
 - d. Encouragement of pedestrian activity;
 - e. Buildings that relate to and are oriented toward the street and surrounding buildings;
 - f. Residential scale buildings in any mixed residential area;
 - g. Buildings that contain special architectural features to signify entrances to the mixed-use development; and
 - h. Buildings that focus activity on a neighborhood open space, square or plaza.

The applicant complies 20.10.360(G)(3)

4. Roadway Design. The roadway designs, whether public or private, used within a mixed-use development may vary depending on the proposed function of the roadway, the anticipated land uses, and the anticipated traffic load. A variety of designs to lend character to the neighborhood are encouraged. The requirements of Title 19 (Subdivisions) of this Code shall apply in all instances.

20.10.360(G)(4) is not applicable to the proposed development.

5. Parking. The off-street parking requirements in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall apply for purposes of calculating required spaces. Community-parking facilities or shared parking shall be encouraged in lieu of traditional off-street parking design. This concept would permit the collocation of required parking for individual uses in order to promote pedestrian activity within the neighborhood. In instances where shared parking is proposed, a shared parking study shall be reviewed by the city along with any traffic engineering and planning data that are appropriate to the establishment of parking requirements for the uses proposed. A shared parking study shall include, but not be limited to, estimates of parking requirements based on recommendations in studies such as those from the Urban Land Institute, the Institute of Traffic Engineers, or the Traffic Institute, and based on data collected from uses or combinations of uses that are the same or comparable to the proposed uses. The shared parking analysis shall be based on the mixture of uses and corresponding peak demand for all uses. The study shall document the source of data used to develop recommendations.

A 40% parking reduction is requested as part of the rezoning request. A parking study suggests the availability of seventy-one spaces within 300' of the subject property with a maximum of fourteen (20%) in use at any one time (see attachment 5).

6. Setbacks. Properties within a mixed-use development shall be allowed zero setbacks for all uses, unless otherwise required by the city council as part of the review of the master zoning plan.

The applicant complies 20.10.360(G)(6)

7. Landscaping. Uses within a mixed-use development shall not be required to conform to the landscaping requirements of Title 18 (Building and Construction) of the El Paso City Code. Landscaping, streetscape, and other green areas proposed within the mixed-use development shall be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

The applicant complies 20.10.360(G)(7). The landscaping area required for this project is 2,806 sq. ft. while the applicant has proposed 3,419 sq. ft.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-5/c/sp (Residential/Condition/Special permit) to RMU/c/sp (Residential Mixed-Use/Condition/Special permit) and acceptance of the Master Zoning Plan. The approval recommendation is based on the compatibility with existing commercial and apartment zoning in the area and the Future Land Use Map.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-4 – Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. 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 RMU (Residential Mixed Use) district is to provide neighborhood-serving residential and commercial land uses, provide service to a neighborhood with uses compatible with the residential areas that the uses serve, and to allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

COMMENTS:

Planning Division - Transportation

Recommend approval.

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

City Development Department – Plan Review

Recommend approval. The project will be required to comply with all applicable municipal code and 2009 building code.

City Development Department - Land Development

No objections.

Fire Department

No objections.

El Paso Water Utilities

We have reviewed the rezoning change request reference above and provide the following comments:

EPWU does not object to this request.

EPWU-PSB Comments

Water:

1. There is an existing 8-inch diameter water main that extends along De Leon Dr. located approximately 15 feet west of the street centerline. This main is available for service.
2. Previous water pressure readings from a fire hydrant number 952 located at the south east intersection of De Leon Dr. and Fiesta Dr. have yielded a static pressure of 70 pounds per square inch (psi), residual pressure of 64 psi and a discharge of 2361 gallons per minute (gpm).

Sewer:

1. There is an existing 8-inch diameter sewer main that extends along De Leon Dr. This main is available for service.

General

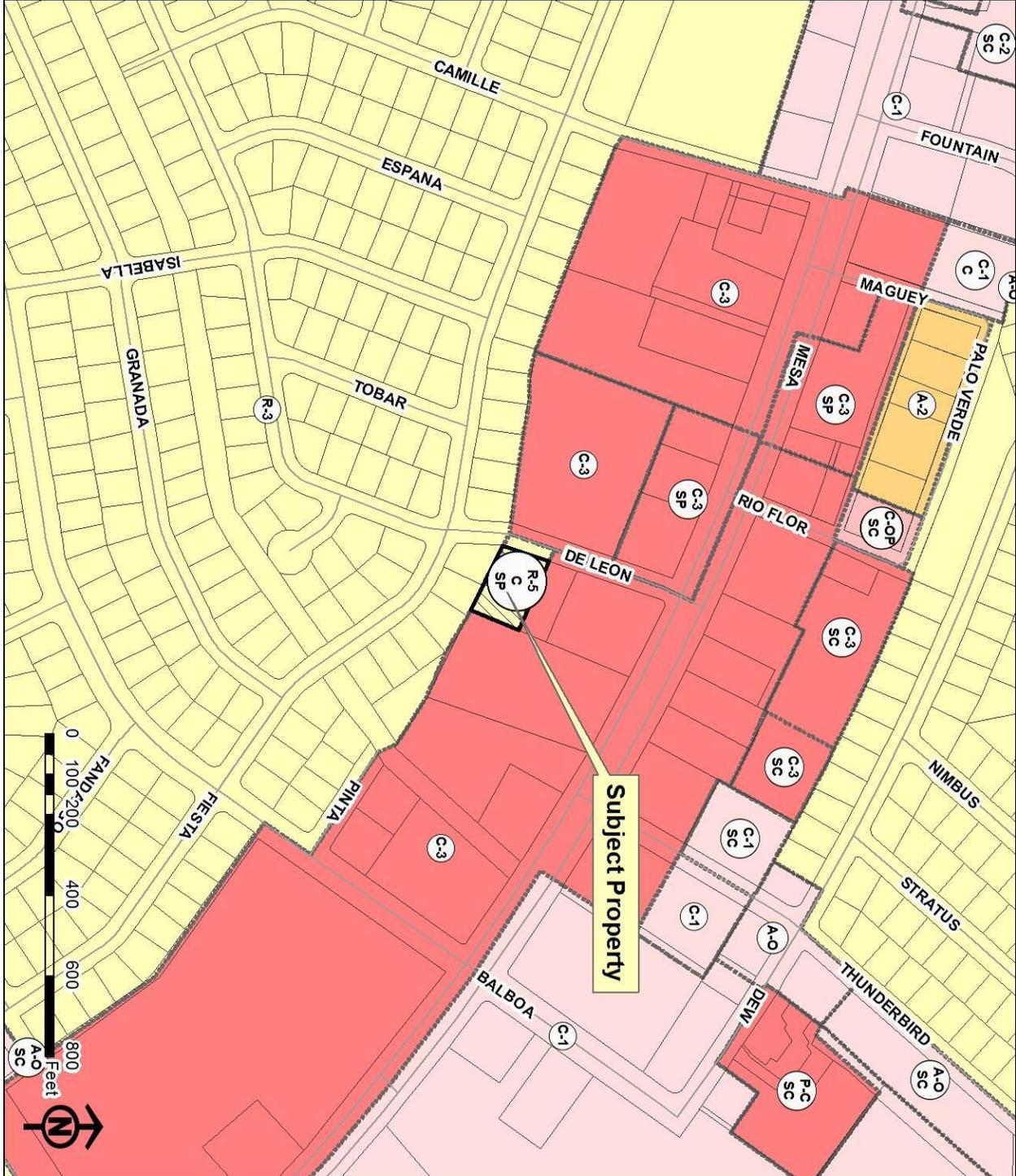
1. EPWU requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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:

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Master Zoning Plan (MZP)
- Attachment 4: Master Zoning Plan (MZP) Report
- Attachment 5: Parking Study
- Attachment 6: Ordinance No. 16994

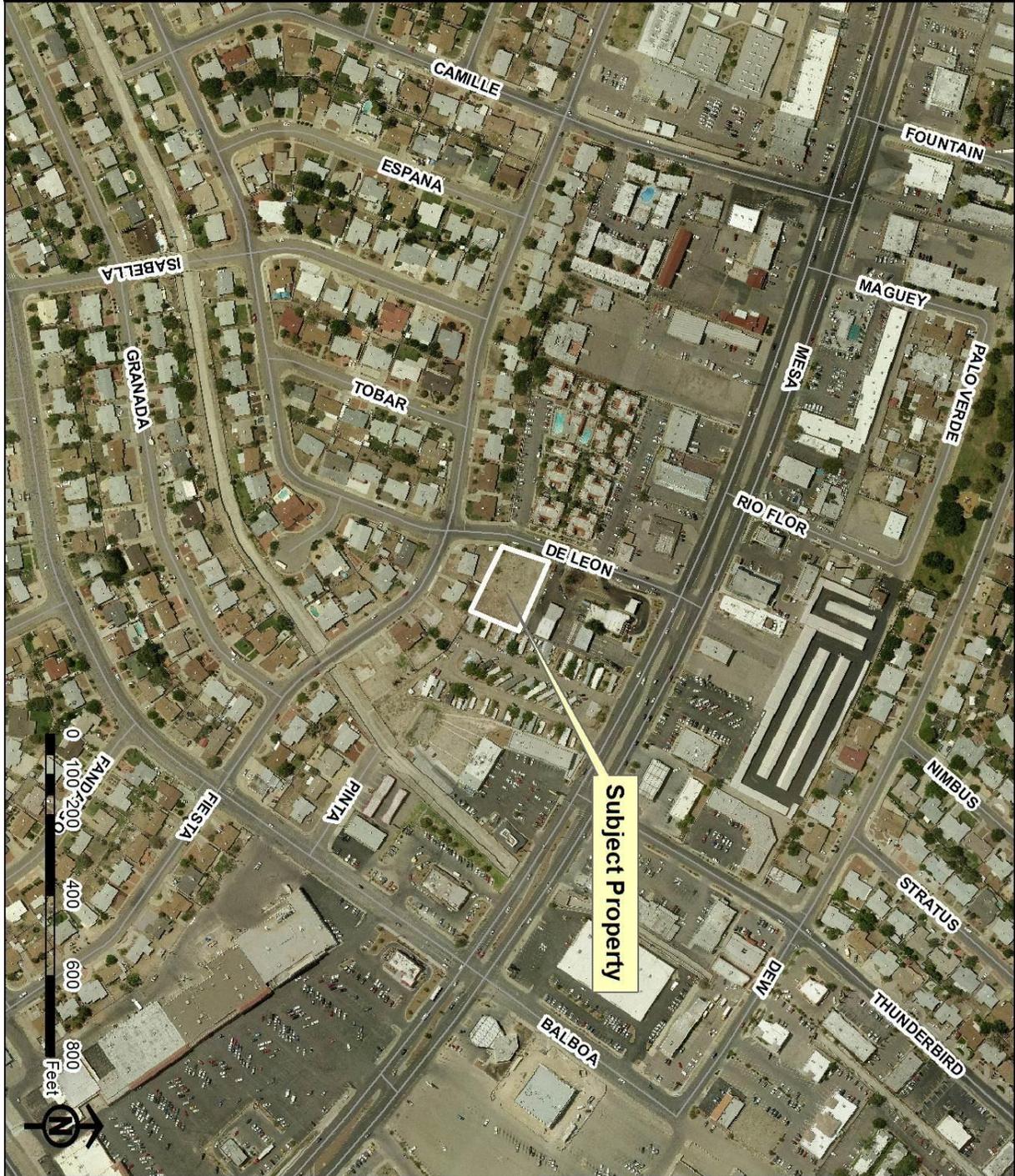
ATTACHMENT 1: ZONING MAP

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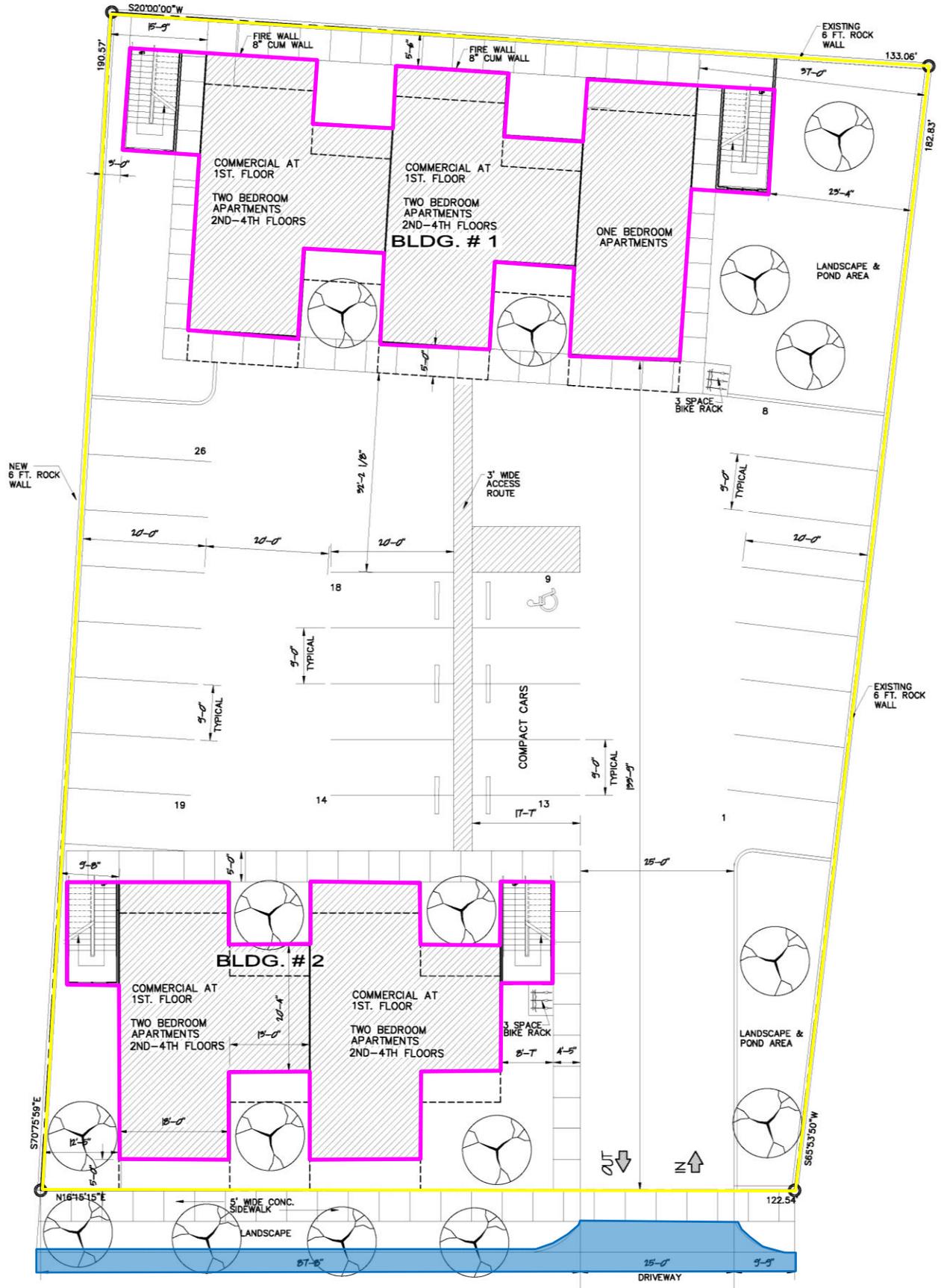


ATTACHMENT 2: AERIAL MAP

PZRZ13-00047



ATTACHMENT 3: MASTER ZONING PLAN (MZP)



**Proposed Platting, Residential Mixed Use
Zoning Report**

**Tract 23-A-3, A.F. Miller Survey # 214
City of El Paso, El Paso County, Texas**

Owner: Westmount Assets, Inc.

Prepared by: Enrique A. Rey P.E.

El Paso, Texas, February 24, 2014

MIXED USE ZONING REPORT
4DeLeon Dr., El Paso, Texas

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ABSTRACT

This report is submitted to assist the owner / developer to meet the City of El Paso requirements for platting and rezoning the existing tract of land. It addresses the requirements as set in the City of El Paso Municipal Code Title 20, Section 20.10.360G

LIMITATIONS

The report has been prepared for the exclusive use of the City of El Paso, Westmount Assets Inc. and its consultants for evaluation purposes and does not contain information for other parties or other uses. Westmount Assets Inc. authorized this study on 1 Dec. 2013.

Results submitted in this report are based on data obtained from the following sources:

1. Rey Engineering, Inc.
2. JLJ Designs.
3. Field data collected during the study.

If the project information described in this report is incorrect or altered, or if new information is available, we should be retained to review and modify the results of this study.

INTRODUCTION

Rey Engineering Inc. is in the process of introducing a Rezoning Application for existing residential site (R-5) containing 0.5464 acres located on 4 De Leon Dr., El Paso, Texas. The developer is applying for a residential mixed use to accommodate ,

EXECUTIVE SUMMARY

The proposed development shall be in compliance with all the General Design Principals, General Design Elements, Architectural objectives, Roadway Design, Parking, Setbacks and Landscaping principals and requirements listed under Chapter 20.10.360G Supplemental Use Regulations, residential Mixed Use Development.

Also the proposed development is in compliance with the Land Use and City Goals and Policies:

- **Land Use City Forms:** The proposed development consists of balanced multifamily and commercial areas. The two areas will be within walking distance from each other. This will encourage a better and more efficient and positive social environment.
- **Residential:** The Multifamily development will be located on the second, third and fourth floors of buildings #1 and #2. It will consist of a total of 12- 2 bedroom apartments @ 1,070 square feet per apartment for a total of 12,840 square feet and 4- 1 bedroom apartments @ 806 square feet per apartment for a total of 3,224 square feet.
- **Commercial:** The commercial areas shall be located on the first floor of buildings #1 and #2 for a total of 3-spaces @ 1,070 square feet per space for a total of 3, 210 square feet.
- **Neighborhood:** The proposed development with the apartments, commercial spaces and parking area within walking distance from each other provides a very efficient vehicular and pedestrian circulation system. The neighborhood commercial services shall be compatible with the neighborhood residential character.

SITE LOCATION/

The proposed site is a parcel of land located in the City of El Paso, El Paso County, Texas. The site is located on 4 DeLeon in the West area of El Paso. Its legal description being Tract 23-A-3, A.F. Miller Survey # 214. It contains 0.5464 acres of land.

The site is shown on pages 12, 13, 14 and 15. The site is half a block South of Mesa St. and almost adjacent to Fiesta Dr. It is surrounded by residential development on the South and West sides and by commercial development on the North.

SITE DESCRIPTION

PLATTING DETERMINATION & PHYSICAL BOUNDARY

The site has never been platted. It was originally a C-1 zone area. Later it was changed to its present R-5 and now is being rezoned to RMU (Residential Mixed Use).

The site consists of 0.5464 acres. Its legal as mentioned before is Tract 23-A-3, A.F. Miller Survey # 214, City of El Paso, El Paso County, Texas.

PRINCIPALS AND REQUIREMENTS

The following principals and requirements shall apply to a mixed- use development and shall serve as the basis for approval. According to the General Design Principals as per Title 20.10.360G the following bullets are to be used as guidelines only and compliance with any guideline within a mixed-use development shall be determined on a case by case basis as part of the RMU residential-mixed use plan approval.

DEVELOPMENT PERSPECTIVE.

- That the natural infrastructure and visual character of the development area be retained as derived from existing topography, riparian corridors and other environmentally sensitive areas.

This is an existing site. It will contain only a parking area with a driveway that will discharge onto DeLeon St. The topography of the area shall not change.

- That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods.

The development will be considered as infill since the site has been vacant for a long period of time. The Mix-use will be compatible with the residential usage along the south and west sides and the commercial uses along the north side.

- That proposed development contiguous to urban areas be organized as town centers and neighborhoods, and be integrated and be integrated with the existing urban pattern.

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)

This item is not applicable.

- That proposed development noncontiguous to urban areas is organized in the pattern of an isolated community consisting of a complete town center serving the neighborhood(s).

This item is not applicable.

- That a mixture of housing types and densities be distributed throughout the mixed-use development.

The development consists of one and two bedroom apartments, commercial areas, a parking lot and green areas.

- That transportation corridors be planned and reserved in coordination with land use patterns.

The corridors are exiting.

- That natural or man-made green corridors and open space areas be used to define and connect neighborhoods to other facilities within the development, and that that these areas allow for connectivity outside of the development where feasible.

This item is not applicable.

- That the development includes a framework of transit, pedestrian and bicycle systems that provide alternatives to the automobile.

Use of the Sun Metro is available. Commercial areas are within walking distance and bicycles can be used.

- That neighborhoods with town centers be the preferred pattern of development and that developments specializing in single use be discouraged.

This item is not applicable.

- That neighborhoods be compact, pedestrian-friendly, and mixed-use.

The proposed development includes sidewalks with access to existing city sidewalks, bicycles can be used, and includes multi-family and commercial areas.

- That ordinary activity of daily living occurs within walking distance of most dwellings.

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)

The proposed development, amenities and bus stop are located within walking distance from all dwellings.

- That interconnected networks of streets be designed to disperse and reduce the length of vehicle trips.

This item is not applicable.

- That within neighborhoods, a range of housing types and price levels be provided to accommodate people of diverse ages and incomes.

The development comprises 1 and 2 bedroom apartments.

- That appropriate building densities and land use be provided within walking distance of transit stops.

Existing Sun Metro service on Mesa St is available half a block from the development.

- That civic, institutional and commercial activity be embedded, and not isolated, in the development.

Proposed development has commercial and multi-family built-in. Other commercial activities are within walking distance.

- That a range of open space including parks, squares, and playgrounds be distributed within the development.

This item is not applicable.

- That a development has sufficient size to accommodate the mixed-use concentration of uses.

As presented, the development has sufficient space for commercial, multi-family, parking and landscape uses.

BUILDING PERSPECTIVE

The following items are the guidelines for building perspectives under the General Design Principles as per Title 20.10.360G

- That building and landscaping contribute to the physical definition of streets as civic places.

This item is not applicable.

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)

- That the design of streets and buildings reinforce safe environment

This item is not applicable.

- That architecture and landscape design grow from local climate, topography, history and building practice.

The design will be typical of this region.

- That the preservation and renewal of historic buildings be facilitated.

This item is not applicable.

- That principal buildings and facades, where possible, be located parallel to the frontage line to encourage a community-friendly environment.

Refer to attached site plan

GENERAL DESIGN ELEMENTS

The following items are the general design elements according to the General Design Principals as per Title 20.10.360G.

- 1 Neighborhoods limited in size and oriented toward pedestrian activity.

The size and location of this development make it pedestrian friendly.

- 2 A variety of housing types, jobs, shopping, services and public facilities.

The development will have multi-family dwellings, commercial areas, parking, sidewalks and green areas.

- 3 Residences, shops, workplaces, and other buildings interwoven within the neighborhood, all within close proximity.

The development will be in a developed area. Commercial areas are within the development and at a close proximity to all dwellings..

- 4 A network of interconnecting streets and blocks that maintain respect for the natural landscape.

This item is not applicable.

- 5 Natural features and undisturbed areas that are incorporated into the open space of the neighborhood.

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)

- 6 A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles.

The site is close to bus stops to encourage residents to use alternative transportation methods.

- 7 Well configured squares, plazas, greens, landscaped streets, preserves, greenbelts, or parks dedicated to the collective social activity, recreation, and visual enjoyment of the neighborhood.
- 8 Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
- 9 Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character and landscaping to establish a livable and harmonious environment.
- 10 Classification of uses deploying a range from rural-to-urban to arrange in useful order the typical context groupings of natural and urban areas to ensure compatibility of land uses.

The proposed development complies with most of items listed above. The developer and the design team will make an extra effort with items 7 thru 10.

ARCHITECTURAL OBJECTIVES.

As previously stated, the architectural design of the proposed development will achieve the following objectives as part of the mixed-use development plan:

1. Architectural compatibility;
2. Human scale design;
3. Integration of uses;
4. Encouragement of pedestrian activity;
5. Buildings that relate to and are oriented toward the street and surrounding buildings;
6. Residential scale buildings in any mixed residential area;
7. Buildings that contain special architectural features to signify entrances to the mixed-use development;

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)

8. Buildings that focus activity on a neighborhood open space, square or plaza.

ROADWAY DESIGN.

Driveway will be used for traffic circulation within the proposed development. However, the design of this driveway will comply with the City of El Paso rules and regulations. The design used will meet the existing traffic load requirement.

PARKING.

The required parking spaces will be calculated and provided according to the parking requirements in Chapter 20.14. A parking reduction will be requested to accommodate our needs.

*Also, the community parking facility will be used to assist the installation of required parking for individual uses in order to promote pedestrian activity within the development.

| | |
|---|-----------|
| 2 Bedroom Apartments (12 Total) | 24 Spaces |
| 1.5 Bedroom Apartments (4 Total) | 6 Spaces |
| Commercial (Personal Services) 3,210 total 1 parking for every 250 ft. | 13 Spaces |
| Total Parking Required | 43 spaces |

| | | | |
|-------------------|---|------------------|----------------------|
| Parking Provided | = | 25 | Bike Rack = 6 Spaces |
| Handicap Provided | = | 1 | |
| Total | = | <u>26 Spaces</u> | |

SETBACKS.

According to the General Design Principles of Title 20.10.360G, "Properties within a mixed-use development shall be allowed zero setbacks for all uses, unless otherwise required by the City Council as part of the review of the master zoning plan". Therefore this development will have a minimum of 5 feet setbacks.

LANDSCAPING.

According to the General Design Principles of Title 20.10.360G, "Uses within a mixed-use development shall not be required to conform to the landscaping requirements of Title 18 (Building and Construction) of the El Paso City Code".

The landscaping proposed within this development will be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

*The required footage of landscaping is 2, 806 sq. ft. We are proposing 3, 419 square feet which is a 118% footage, meaning an 18% increase from the requirement.

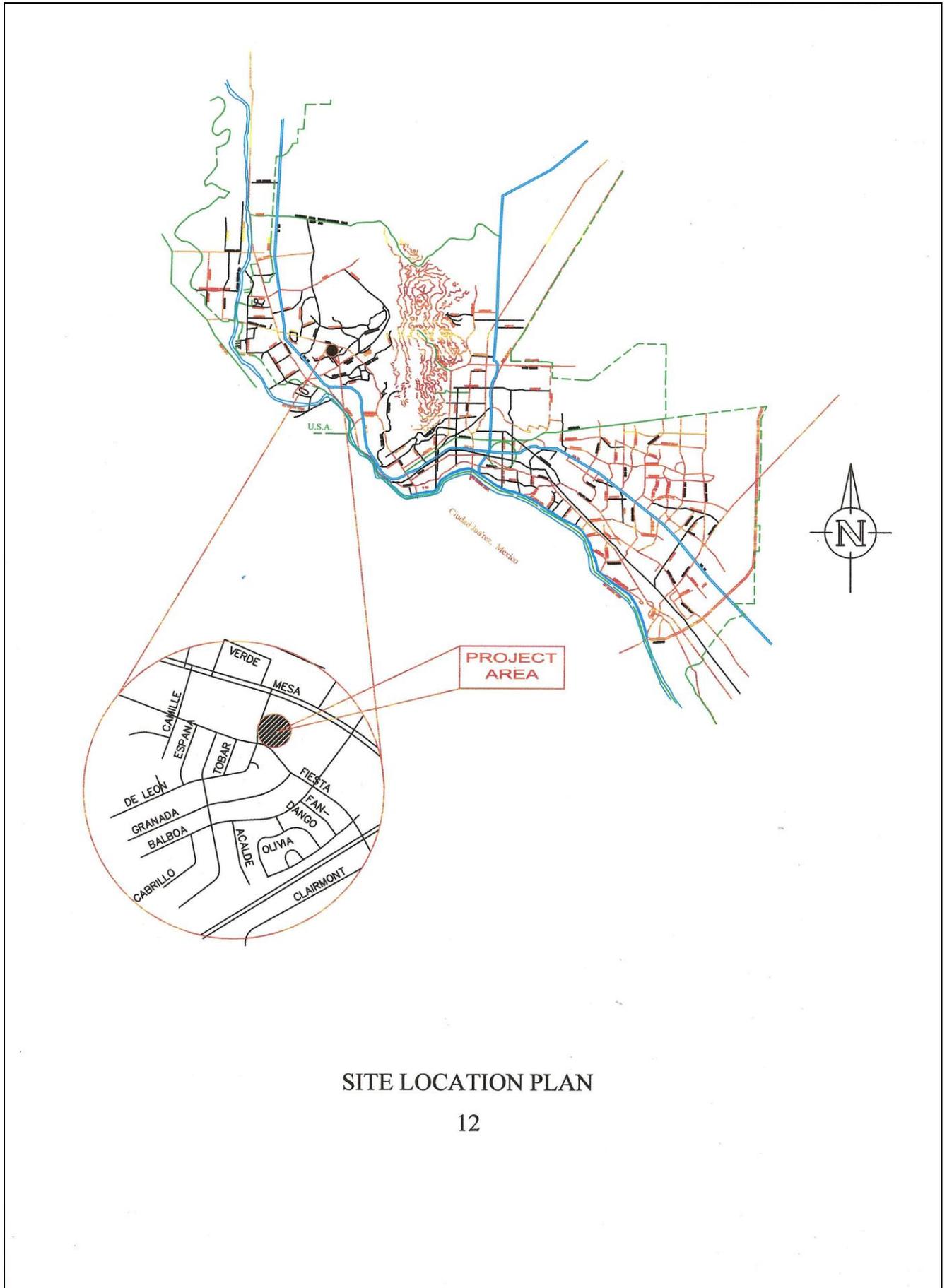
PHASING

The development will be constructed in one phase.

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)

| De Leon Courtyard Apartments Mix Use Table | | | | | |
|---|---------------------|------------------|-------------|-------------|--------------------------------|
| Use | Minimum Area | Set backs | | | Maximum Building Height |
| | | Front | Back | Side | |
| Commercial Uses | | | | | |
| Art Gallery | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Courier & Message Center | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Office, medical | 1,070 S.F. | 0 Ft. | 0 Ft. | | 10 Ft. |
| Office, professional | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| School, Arts and Crafts | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Studio, Dance and Music | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Studio, Photography | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Drug Store | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Barber Shop | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Beauty Salon | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Laundromat, laundry | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Locksmith | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Shoe repair | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Book Store | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Boutique | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Convenience Store | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Flower shop | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Hobby Store | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Music Store | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Other retail establishment (low volume) | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Pet Shop | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Print and Copy Shop | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Produce stand | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |
| Specialty Shop | 1,070 S.F. | 0 Ft. | 0 Ft. | 0 Ft. | 10 Ft. |

| | | | | | |
|----------------------------------|---------------|-------|-------|-------|--------|
| Residential Uses | | | | | |
| Multi-family: | | 0 Ft. | 0 Ft. | 0 Ft. | 48 Ft. |
| 2 Bedroom Apartments (12 spaces) | 1,070 sq. ft. | | | | 48 Ft. |
| 1 Bedroom Apartments (4 spaces) | 806 sq. ft. | | | | 48 Ft. |

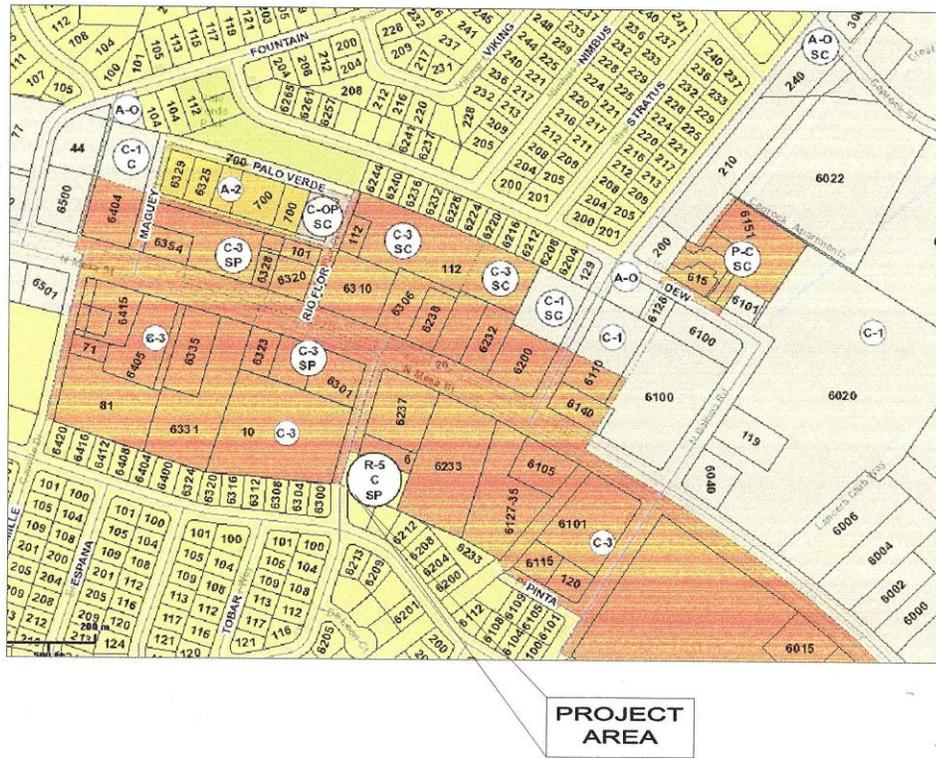


SITE LOCATION PLAN



AERIAL LOCATION MAP

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)



ZONING PLAN

ATTACHMENT 5: PARKING STUDY

April 7, 2014

PARKING STUDY WORKSHEET

Name of Project: De Leon Apartments

Address: 4 De Leon Dr.

Study Conducted By: Keyvan Parsa and Jesus Jaime

| | Mesa St. | Total parking Space | De Leon Dr. | Total parking Space | Fiesta Dr | Total parking Space | Tobar Way | Total parking Space | Unoccupied |
|-------|----------|---------------------|-------------|---------------------|-----------|---------------------|-----------|---------------------|------------|
| 08:00 | Occupied | 0 | Occupied | 28 | Occupied | 21 | Occupied | 21 | 6 |
| 09:00 | 0 | 2 | 8 | 29 | 4 | 21 | 1 | 22 | 6 |
| 10:00 | 0 | 2 | 7 | 30 | 3 | 22 | 1 | 22 | 6 |
| 11:00 | 0 | 2 | 7 | 30 | 3 | 22 | 0 | 22 | 7 |
| 12:00 | 0 | 2 | 7 | 30 | 5 | 20 | 0 | 22 | 7 |
| 13:00 | 0 | 2 | 5 | 32 | 3 | 22 | 0 | 22 | 7 |
| 14:00 | 0 | 2 | 8 | 29 | 3 | 22 | 0 | 22 | 7 |
| 15:00 | 1 | 1 | 10 | 27 | 3 | 22 | 0 | 22 | 7 |
| 16:00 | 0 | 2 | 5 | 32 | 4 | 21 | 0 | 21 | 7 |
| 17:00 | 0 | 2 | 5 | 32 | 4 | 21 | 2 | 21 | 5 |
| 18:00 | 0 | 2 | 7 | 30 | 4 | 21 | 3 | 21 | 4 |
| 19:00 | 0 | 2 | 7 | 30 | 4 | 21 | 3 | 21 | 4 |
| 20:00 | 0 | 2 | 9 | 28 | 4 | 21 | 3 | 21 | 4 |

ATTACHMENT 5: PARKING STUDY (CONTINUED)



ATTACHMENT 6: ORDINANCE NO. 16994

Doc# 20080074655

10C
15/8

CITY CLERK DEPT.

ORDINANCE NO. 016994

08 AUG 11 PM 1:59

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON08-00048, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT WITH REDUCED SETBACKS, AND REDUCED LOT DEPTH ON TRACT 23-A-3, A.F. MILLER SURVEY NO. 214, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.270 (ZONING) OF THE EL PASO CITY CODE, AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Albert Gomez Builders, has applied for a Special Permit under Section 20.04.270 of the El Paso City Code, to allow for a planned residential development to permit reduced setbacks, and reduced lot depth; 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, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D 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 R-5 (Residential) District:

Tract 23-A-3, A.F. Miller Survey No. 214, City of El Paso, El Paso County, Texas; and,

2. That a planned residential development is authorized by Special Permit in R-5 (Residential) district under Section 20.08.030 of the El Paso City Code; and,

3. That the requirements for a planned residential development under Section 20.04.270 have been satisfied; and,

4. That the City Council hereby grants a Special Permit under Section 20.04.270 of the El Paso City Code, in order to allow a planned residential development on the above-

Doc #41310/Planning/Ord/ZON08-00048/LCUE

ORDINANCE NO. 016994

Special Permit No. ZON08-00048

ATTACHMENT 6: ORDINANCE NO. 16994 (CONTINUED)

described property to allow for Planned Residential with reduced setbacks, and reduced lot depths; and,

5. That this Special Permit is issued subject to the development standards in the **R-5 (Residential)** district regulations and subject to the approved 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 "A" and incorporated herein by reference for all purposes; and,

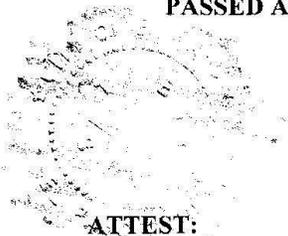
6. Further, that the property described herein be subject to the following condition which is necessitated by and attributable to the increased intensity of use generated due to the reduced setbacks and reduced lot depths in order to protect the health, safety and welfare of adjacent property owners and the residents of this City:

"The Applicant, and subsequent property owners, shall be prohibited from submitting an application and requesting further reductions in setbacks by the Zoning Board of Adjustment"; and,

7. That the Applicant 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; and,

8. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON08-00048** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this 9th day of September, 2008.



THE CITY OF EL PASO

John F. Cook
John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
Richarda Duffy Momsen
City Clerk

CITY CLERK DEPT.
08 AUG 11 PM 4:59

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ORDINANCE NO. 016994

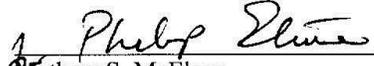
Special Permit No. ZON08-00048

ATTACHMENT 6: ORDINANCE NO. 16994 (CONTINUED)

APPROVED AS TO FORM:


Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:


Mathew S. McElroy
Deputy Director – Planning
Development Services Department

CITY CLERK DEPT.
08 AUG 11 PM 1:59

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3

ORDINANCE NO. 016994

Special Permit No. ZON08-00048

ATTACHMENT 6: ORDINANCE NO. 16994 (CONTINUED)

CITY CLERK DEPT.

08 AUG 11 PM 1:59 AGREEMENT

Albert Gomez Builders, Inc., the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the R-5 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 7 day of August, 2008.

By: Alberto E. Gomez
(name/title)
[Signature]
(signature)

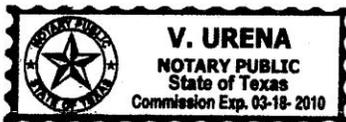
ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 7th day of August, 2008, by Albert Gomez Builders, Inc., as Applicant.

My Commission Expires: 3-18-2010

[Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name:
V. URENA



Doc #41310/Planning/Ord/ZON08-00048/LCUE

ORDINANCE NO. 016994

Special Permit No. ZON08-00048