City of El Paso – City Plan Commission Staff Report

Case No:	PZST12-00015 (Reconsideration)
Application Type:	Special Permit
CPC Hearing Date:	May 2, 2013
Staff Planner:	Michael McElroy, 915-541-4238, *mcelroyms@elpasotexas.gov*
Location:	2413 Tremont
Legal Description:	Lots 9 through 14, Block 25, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas
Acreage:	0.413 acres
Rep District:	2
Zoning:	R-5 (Residential)
Existing Use:	Vacant
Request:	Infill development / Reduction in front, rear, and side setback / 50% parking reduction / 50% density bonus (Related to PZRZ12-00022)
Proposed Use:	Apartments
Property Owner:	Hector Barraza
Representative:	Jorge Avila

SURROUNDING ZONING AND LAND USE

North: R-5 (Residential) / Single family homes
South: R-5 (Residential) & A-2 (Apartments) / Single family homes & Vacant
East: A-2/sc (Apartments/Special contract) / Parking structure
West: R-5 (Residential) / Single family homes

Plan El Paso Designation: G2, Traditional Neighborhood (Central)
Nearest Park: Scenic Drive Park (2,197 ft.)
Nearest School: Moreno Annex Elementary (573 ft.)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notices of the May 2, 2013 public hearing were mailed to all property owners within 300 feet of the subject property on April 18, 2013. The Planning Division received five letters in opposition to the request.

APPLICATION BACKGROUND

The property was rezoned in October 2012 from R-5 to S-D with the condition that no development may exceed 35' in height.

This case was originally approved 6-0 on November 15, 2012. It was heard but not acted upon at the April 4, 2013 City Council meeting. It has returned to the City Plan Commission due to a notification discrepancy.

APPLICATION DESCRIPTION

The applicant is requesting a special permit for infill development to allow reductions in rear setback from 10' to 0', front setback from 20' to 0', side setback from 10' to 0', a 50-percent parking reduction, and a 50% density bonus, to permit the construction of an apartment complex.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for infill development as the applicant meets the requirements of Section 20.04.320, Special Permit Approvals and 20.04.150 Detailed Site Development Plan.

Plan El Paso- Future Land Use Map Designation

All applications for special permits shall demonstrate compliance with the following criteria:

G-2 – Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly face streets; schools, parks, and small shops are integrated with residential areas. This sector is well suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the R-5 (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 S-D (Special Development) district is to provide mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. Designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. Older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

COMMENTS:

City Development Department - Planning Division - Transportation

1. The location does not comply with Section 20.10.010.C (legal access required). Tremont Avenue is not constructed adjacent to the proposed development.
2. Improvements to Tremont are required to provide access to the site.
3. The proposed new sidewalk shall continue across the proposed driveway.

Note:

1. All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS regulations and City Design Standards for construction.

City Development Department – Planning Division - Land Development

Approved No Objection.

City Development Department – Building Permits & Inspections Division

Recommend approval

El Paso Fire Department

D105.3 Proximity to building. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building. Ensure prior to any construction that IFC 2009, section 503.1.1 Access shall allow the extension within 150 feet of all portions of any facility or building. Section 503.2 Fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, all weather surface. ** Note, A more detailed reviewed will be done by fire plan review during the permitting

process.

Sun Metro
Sun Metro does not oppose this request.

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

Water:
2. There is an existing 4-inch diameter water main that is available for service along the alley between Dakota and Kentucky Streets. The water main is located approximately 16-ft north from the northern property line.

3 Previous water pressure reading from fire hydrant # 1965 located at the northeast intersection of Pittsburg Avenue and Indiana Street, have yielded a static pressure of 90 (psi) pounds per square inch, a residual pressure of 30 (psi) pounds per square inch and a discharge of 667 (gpm) gallons per minute.

4. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:
5. There is an existing 8-inch diameter sanitary sewer main along Tremont Avenue that is available for service, the sewer main is located approximately 1-ft south from the center line of the right-of-way.

6. The El Paso Water Utilities – Public Service Board (EPWU-PSB) requires a complete set of improvement plans, and grading plans for review and approval prior to any work along Tremont Avenue East of Dakota Street fronting the subject property. This is required in order to ascertain that the proposed improvement and/or grading will not adversely affect the existing eight inch diameter sanitary sewer main.

General:
7. 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.

CITY PLAN COMMISSION OPTIONS

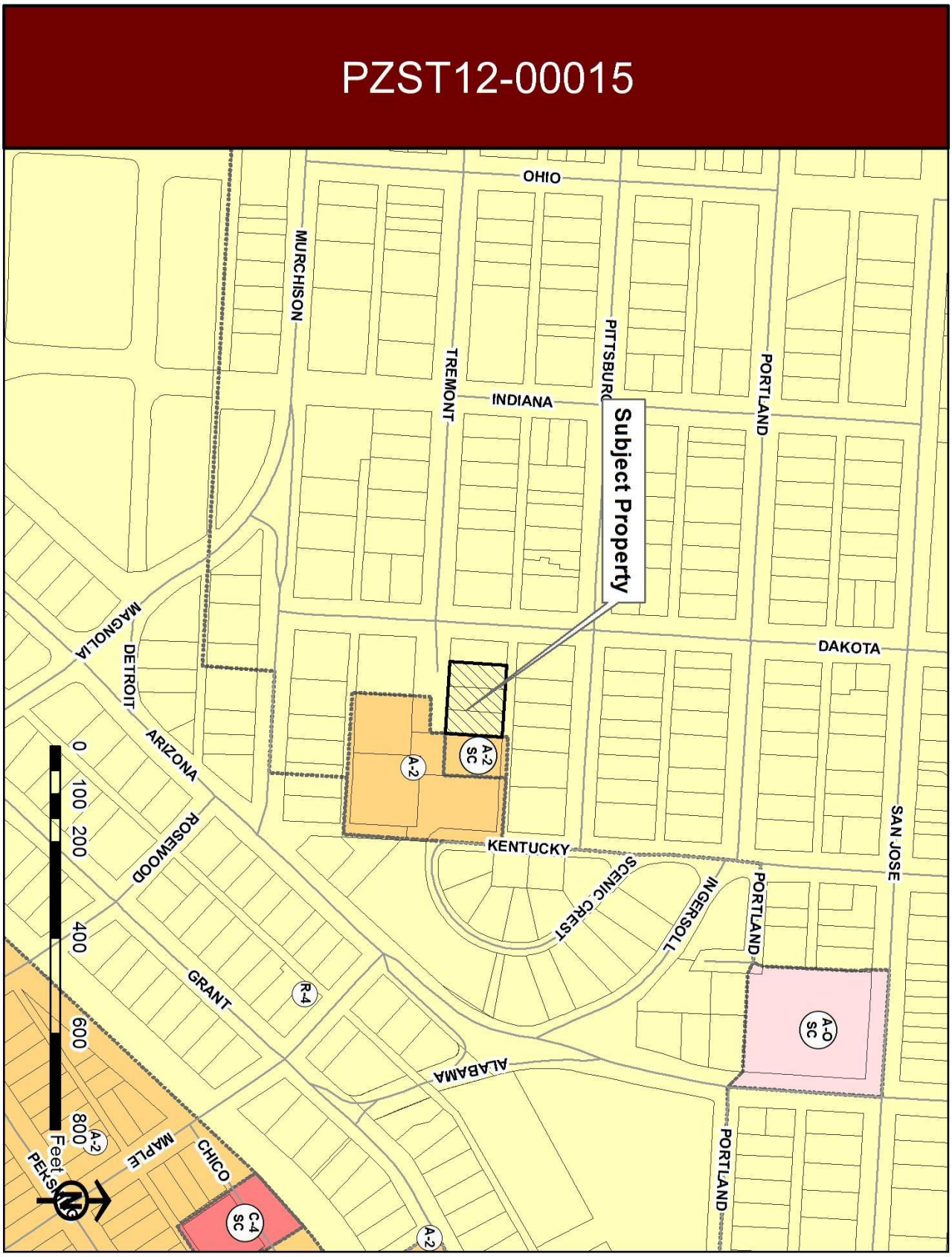
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of Plan 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 Plan 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 Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments:

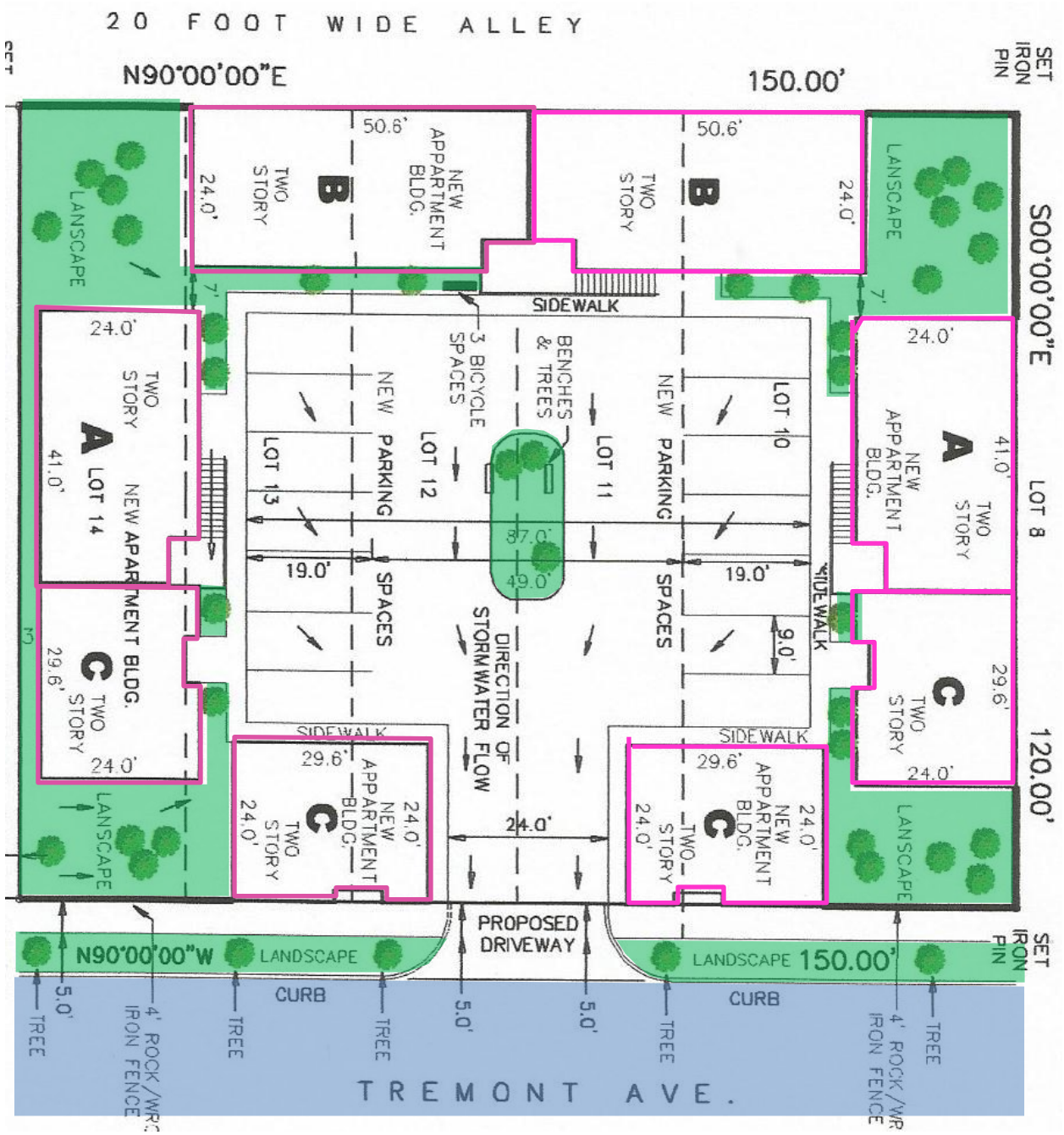
Attachment 1: Zoning Map
Attachment 2: Aerial Map
Attachment 3: Detailed Site Development Plan
Attachment 4: Opposition Letters

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ARCHITECTURE DESIGN SPECIALTIES CONSTRUCTION MANAGEMENT

HARRY M. FARAH & ASSOCIATES, INC.

MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS

2500 Scenic Crest Circle, Suite 5 El Paso, Texas 79930-2732
Telephone 915-565-2255 Facsimile 915-565-7111 hfarah1@elp.rr.com

21 March 2013

To: City of El Paso
City Council

Re: Special Permit No. PZST12-00015
hearing , Tuesday, April 2, 2013 @ 8:30 AM

Message: Since I will be out of the City on 2April, Mr. Ed Hamlyn will represent me at the hearing to express my questions and protest to the continuing requests for variances to this parcel of property.

Thank you for your consideration of this request,

Harry M Farah,

AIA, NCARB

cc: Michael McElroy

Mayor John Cook and Members of the El Paso City Council
c/o Richarda Duffy Momsen, Municipal Clerk via cityclerk@elpasotexas.gov

I, Hector Serrano, hereby express my/our opposition to **Special Permit No. PZST12-00015**, pending before the El Paso City Council during its meeting of 2 April 2013.

The property at issue (Lots 9 through 14, Blk. 25, 3rd Amended Map of Highland Park Addition) was rezoned from R-5 Residential to S-D Special Development on 16 October 2012. This rezoning increased the maximum allowable density from 7.26 to 20 dwelling units/acre. At that time, the 18 parking spaces were to be provided on the site.

The applicant is now requesting additional flexibility, including the elimination of setbacks on the front, rear, and sides of the property, a 50% increase in density, and a 50% *reduction* in the required parking.

The responsible development of the subject property would be in everyone's best interest. What is proposed, however, is irresponsible and will have a deleterious impact on the value of adjoining and other nearby properties.

I respectfully request the City Council to **DENY** the proposed Special Permit.

Respectfully submitted,

Hector Serrano
Name

2500 Scenic Crest Circle, Unit 6, El Paso, TX 79930
address

Mayor John Cook and Members of the El Paso City Council
c/o Richarda Duffy Momsen, Municipal Clerk via cityclerk@elpasotexas.gov

I, David D. Mills, hereby express my/our opposition to **Special Permit No. PZST12-00015**, pending before the El Paso City Council during its meeting of 2 April 2013.

The property at issue (Lots 9 through 14, Blk. 25, 3rd Amended Map of Highland Park Addition) was rezoned from R-5 Residential to S-D Special Development on 16 October 2012. This rezoning increased the maximum allowable density from 7.26 to 20 dwelling units/acre. At that time, the 18 parking spaces were to be provided on the site.

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The responsible development of the subject property would be in everyone's best interest. What is proposed, however, is irresponsible and will have a deleterious impact on the value of adjoining and other nearby properties.

I respectfully request the City Council to **DENY** the proposed Special Permit.

Respectfully submitted,

David D. Mills
Name

2500 Scenic Crest Circle, Unit 1, El Paso, TX 79930
address

Mayor John Cook and Members of the El Paso City Council
c/o Richarda Duffy Momsen, Municipal Clerk via cityclerk@elpasotexas.gov

I/we William J. Ellis hereby express my/our opposition to **Special Permit No. PZST12-00015**, pending before the El Paso City Council during its meeting of 2 April 2013.

The property at issue (Lots 9 through 14, Blk. 25, 3rd Amended Map of Highland Park Addition) was rezoned from R-5 Residential to S-D Special Development on 16 October 2012. This rezoning increased the maximum allowable density from 7.26 to 20 dwelling units/acre. At that time, the 18 parking spaces were to be provided on the site.

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The responsible development of the subject property would be in everyone's best interest. What is proposed, however, is irresponsible and will have a deleterious impact on the value of adjoining and other nearby properties.

I/we respectfully request the City Council to **DENY** the proposed Special Permit.

Respectfully submitted,

William J. Ellis
Name

2500 Scenic Crest Cir., No.8 79930
address

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ARCHITECTURE DESIGN SPECIALTIES CONSTRUCTION MANAGEMENT

HARRY M. FARAH & ASSOCIATES, INC.

MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS

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17 April 2013

To: City Planning Commission
City Development Dpt.

From: Harry M Farah
Abutting Property Owner

Attn: Michael McElroy

Ref: pzrz12-00022 & pzst12-00015
Hearing date: April 18, 20013 @ 1:30pm

Message: Original date of hearing: April 16, 20013. Due to this continuing change of dates, I and my representative Ed Hamlyn, will be out of the country on 18-25 April 2013. After reviewing the submitted site plan from Hector Barraza, Owners at 2500 Scenic Crest Circle Condominiums and I wish submit a strong protest to "0" side yard setbacks. Granting this request would give an unfair advantage to Barraza over the abutting property Owners, who would later wish develop the existing undeveloped properties. Mr. Barraza needs to submit a detailed site development plan indicating how he plans to support the exposed cut, some 18' below the existing grade at the property line between Lots 8 & 9, the alley north of his lots 9-14. The required structural retaining wall footings design; drainage of water detail; and the construction of the extension of Tremont Street East of Dakota St., to enable Barraza to access his development. The angle of repose of excavated site Barraza did in 1991 has been eroding ever since. We do not object to the zoning changes. But '0' side yards are strongly opposed. Please indicate if a meeting with your dpt. before the may 7, 2013 Council Hearing would be appropriate.

Thank you for attention to this request

Harry M Farah, AIA,NCARB