# *City of El Paso – City Plan Commission Staff Report*
## *REVISED*

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|---|---|
| **Case No:** | PZST15-00013 |
| **Application Type:** | Special Permit and Detailed Site Development Plan |
| **CPC Hearing Date:** | May 21, 2015 |
| **Staff Planner:** | Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov |
| | |
| **Location:** | 1701 E. Yandell Drive |
| **Legal Description:** | All of Lot 17 and the West ½ of Lot 18, Block 58, Map of Franklin Heights Addition, City of El Paso, El Paso County, Texas |
| **Acreage:** | 0.103 acres |
| **Rep District:** | 8 |
| **Zoning:** | C-4 (Commercial) |
| **Existing Use:** | Business office |
| **C/SC/SP/ZBA/LNC:** | N/A |
| **Request:** | Infill Development - side yard and side street yard setbacks reduction and parking reduction |
| **Proposed Use:** | Business office, expansion |
| | |
| **Property Owner:** | PCM Capital Investment, LLC. |
| **Representative:** | GA Architecture, Inc. |

**SURROUNDING ZONING AND LAND USE**
**North**: C-2 (Commercial) / Retail
**South:** C-4 (Commercial) / Vacated building
**East:** C-4 (Commercial) / Single-family dwelling
**West:** C-4 (Commercial) / Clinic

**PLAN EL PASO DESIGNATION:** G-2, Traditional Neighborhood (Walkable) (Central Planning Area)
**NEAREST PARK:** Houston Park (3,427 feet)
**NEAREST SCHOOL:** Wiggs Middle School (3,336 feet)

**NEIGHBORHOOD ASSOCIATIONS**
Central El Paso Community Organization
El Paso Central Business Association
Golden Hills Neighborhood Association

**NEIGHBORHOOD INPUT**
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 7, 2015. The Planning Division received one letter in opposition to the special permit request (Attachment 5).

**APPLICATION DESCRIPTION**
The applicant is requesting a special permit for infill development and detailed site development plan review. The detailed site development plan shows a 837 sq. ft. garage, 283 sq. ft. canopy, and 440sq. ft. terrace addition to an existing 3,679 sq. ft., two-story business office. The use requires 8 parking spaces and the applicant is providing 1 parking space and 3 bicycle spaces. The applicant has submitted the parking study as part of the request for a 100 percent parking reduction. Transportation Planning reviewed and verified the parking study, which demonstrates sufficient on street parking available within the 300 ft. radius area (see Attachment #4).

The applicant is requesting the following reductions: from the required 5 ft. side yard setback to 0 ft. and from the required 10 ft. side street yard setback to 0 ft. (see the table on page 3). The Detailed Site Development Plan complies with all other density and dimensional standards. Access to the subject property is proposed from Dallas Street via the alley.

**PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the requests for special permit and detailed site development plan review for infill development and 100 percent parking reduction, as it complies with Sections 20.10.280 Infill Development; 20.04.320, Special Permit, 20.04.150, Detailed Site Development Plan; and 20.14.070 Parking Reductions.

**ANALYSIS**

20.10.280 Infill Development

The provisions of this section apply to any property designated with an overlay designation to encourage redevelopment and infill development, the specific purposes of which are to: provide a more flexible approach to design and development of infill projects, encourage infill development by simplifying procedures for plan approval, permit the conversion or adaptive reuse of buildings and properties, encourage planning and design flexibility and innovations, create a community environment that is enhanced by a mix of residential, commercial, recreational, open space, employment and institutional uses, and assure community compatibility and an efficient use of land and public services. In order to provide incentives for private investment in these targeted areas, the following standards shall apply:

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.

   *This development meets the two location criteria: (1) it is located in a legally recorded subdivision of at least 30 years and (2) it is within a State Enterprise Zone.*

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.

   *There is no specific plan area adopted by City Council. An office is permitted in the C-4 (Commercial) 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.

*The applicant is requesting the following reduction in dimensional standards:*

| DIMENSION | REQUIRED | PROPOSED |
|---|---|---|
| Side yard setback | 5’ | 0’ |
| Side street setback | 10’ | 0’ |

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 compatible with existing development.*

H. Lots. There shall be no minimum area requirement for lots within an infill development unless otherwise provided in the ordinance designating the infill development overlay.

*The applicant is only requesting side yard and side street yard setback reductions; the request complies with all other density and dimensional standards.*

20.04.320 Special permit approvals.

A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.

B. Building and occupancy permits shall not be issued for any building or use identified in this title as requiring an approved detailed site development plan as required by Article III, until such approval has been granted.

C. No building or occupancy permit may be granted for the erection, rehabilitation, enlargement or demolition of any building in a designated historic area or for any building that is a designated historic landmark until prior approval has been granted by the historic landmark commission.

D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum requirements necessary to protect the public health, safety and general welfare of the community:

1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;
2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;
3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;
5. The design of the proposed development mitigates substantial environmental problems;
6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;

7. The proposed development is compatible with adjacent structures and uses;
8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

E. The applicant may request that the city plan commission waive one or more of the criteria based on its no applicability to the proposed development. The city plan commission, upon a recommendation of the planning official, shall make a determination on the no applicability of the criteria and shall render a finding based on such determination, and shall forward their recommendation to city council for final review and approval.

*The application meets the requirements for special permit.*

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

*Detailed Site Development Plan review is required as part of the special permit application.*

20.04.150 Procedure.

D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and storm water drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

*Planning Staff has reviewed the detailed site development plan, and it meets all requirements of Sections 20.04.320, Special Permit, and 20.04.150 Detailed Site Development Plan.*

20.14.070 Parking reductions.

The amount of off-street parking required for a specific use may be reduced below the minimum required in Section 20.14.050 C., if a special permit is approved by city council, as provided in this section:

A. Existing development. Up to a one hundred percent reduction for a use involving an existing structure(s) located within an older neighborhood of the city that is proposed through the rehabilitation, alteration or expansion of the existing structure(s). The applicant shall satisfactorily demonstrate compliance with all of the following conditions:

1. That the structure(s) is located in an older neighborhood of the city that has been legally subdivided and developed for at least thirty years;
2. That the structure(s) does not extend into an area within the property which was previously used to accommodate off-street parking;
3. That the off-street parking required for the proposed use of the structure(s) cannot be reasonably accommodated on the property due to the building coverage, whether due to the existing structure or due to a proposed expansion of the existing structure; and
4. That no vacant areas exist within three hundred feet of the property where the proposed use is to be located that can be reasonably developed to accommodate the off-street parking requirements.

*Parking reduction request satisfies all requirements and Planning Division is recommending approval of the request.*

**Plan El Paso-Future Land Use Map Designation**
All applications for special permit shall demonstrate compliance with the following criteria:

G-2 – Traditional Neighborhood (Walkable): 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 faced 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 C-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

**COMMENTS:**

**Planning and Inspections Department - Planning Division - Transportation**
No objections to the special permit, detailed site development plan and parking reduction.

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.

**TXDOT**
Not on a state roadway.

**Planning and Inspections Department – Building and Development Permitting**
No objections to proposed special permit and DSDP. At the Time of submittal for building permits the project will need to comply with all requirements of the IBC, TAS and local municipal code.

**Planning and Inspections Department – Landscape Division**
No objections to proposed special permit and DSDP. Additional landscape is not required because the expansion is less than 1200 square feet.

**Planning and Inspections Department - Land Development**
No objections.

**Fire Department**
Special Permit and Detailed Site Plan does not adversely affect the fire department.

**Police Department**
No objections.

**Sun Metro**
Sun Metro does not oppose this request. It was determined that two bus stops/routes exist within the required 1,000 ft.

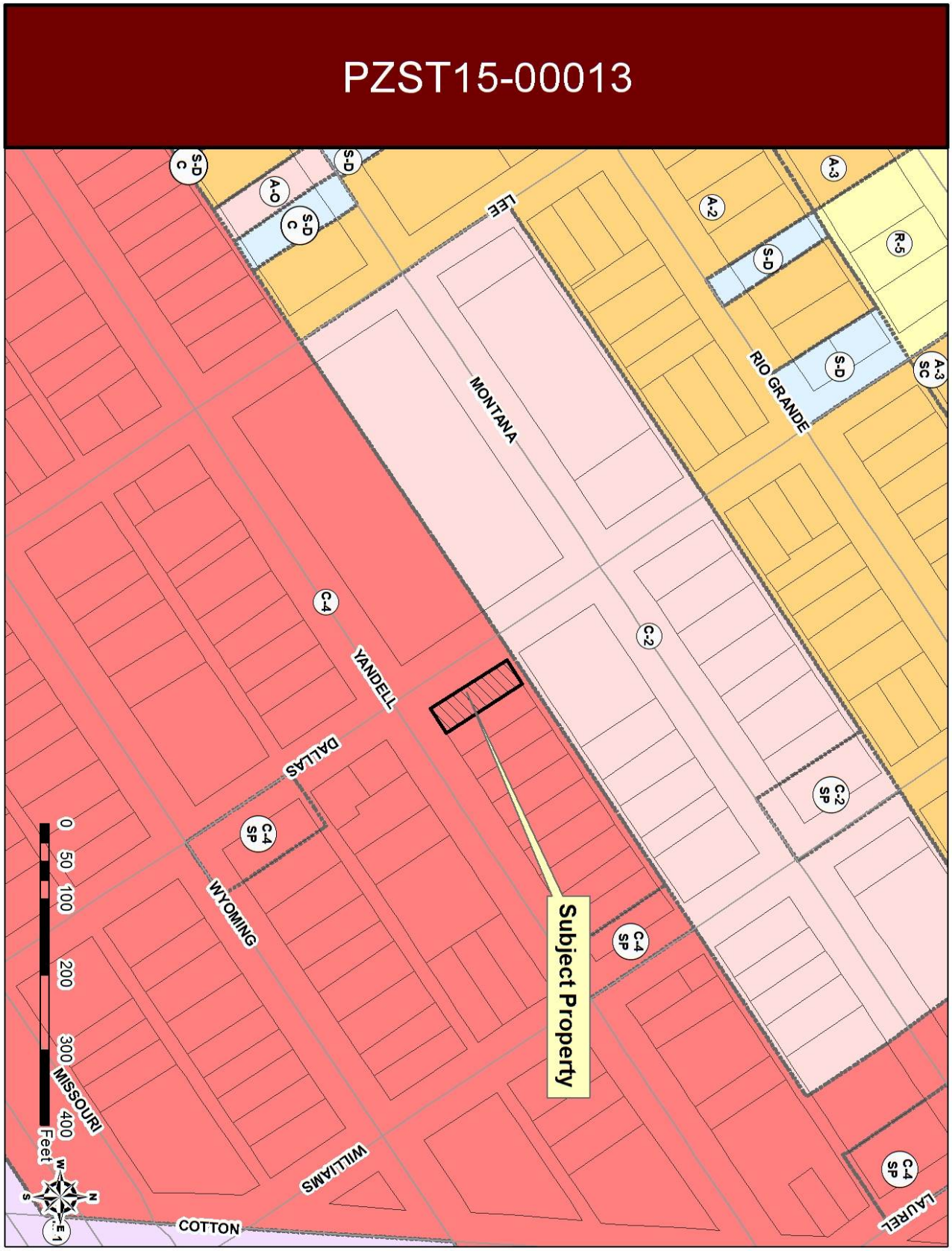
**El Paso Water Utilities**
1. EPWU does not object to this request.
Water:
2. There is an existing 6-inch diameter water main extending along Dallas Street, the water main is located approximately 15-ft west from the center line of the right-of-way.
3. There is an existing 16-inch diameter water main extending along Dallas Street. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations. The water main is located approximately 15-ft east from the center line of the right-of-way.

4. There is an existing 24-inch diameter transmission main extending along Yandell Drive. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations. The water line is located approximately 16-ft south from the center line of the right-of-way.
5. There is an existing 4-inch diameter water main extending along the alley between Dallas and Williams Streets. The water main is located approximately 3-ft north from the center line of the right-of-way.
6. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 1701 E. Yandell Drive.
7. Previous water pressure tests from fire hydrant # 1637 located at the southwest corner of Montana Avenue and Dallas Street have yielded a static pressure of 90 (psi) pounds per square inch, a residual pressure of 88 (psi) pounds per square inch, and a discharge of 1061 (gpm) gallons per minute.
8. 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.
Sewer:
9. There is an existing 8-inch diameter sanitary sewer main extending along the alley between Dallas and Williams that is available for service, the sewer main is located approximately 9-ft north from the northern property line.
General:
10. 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.

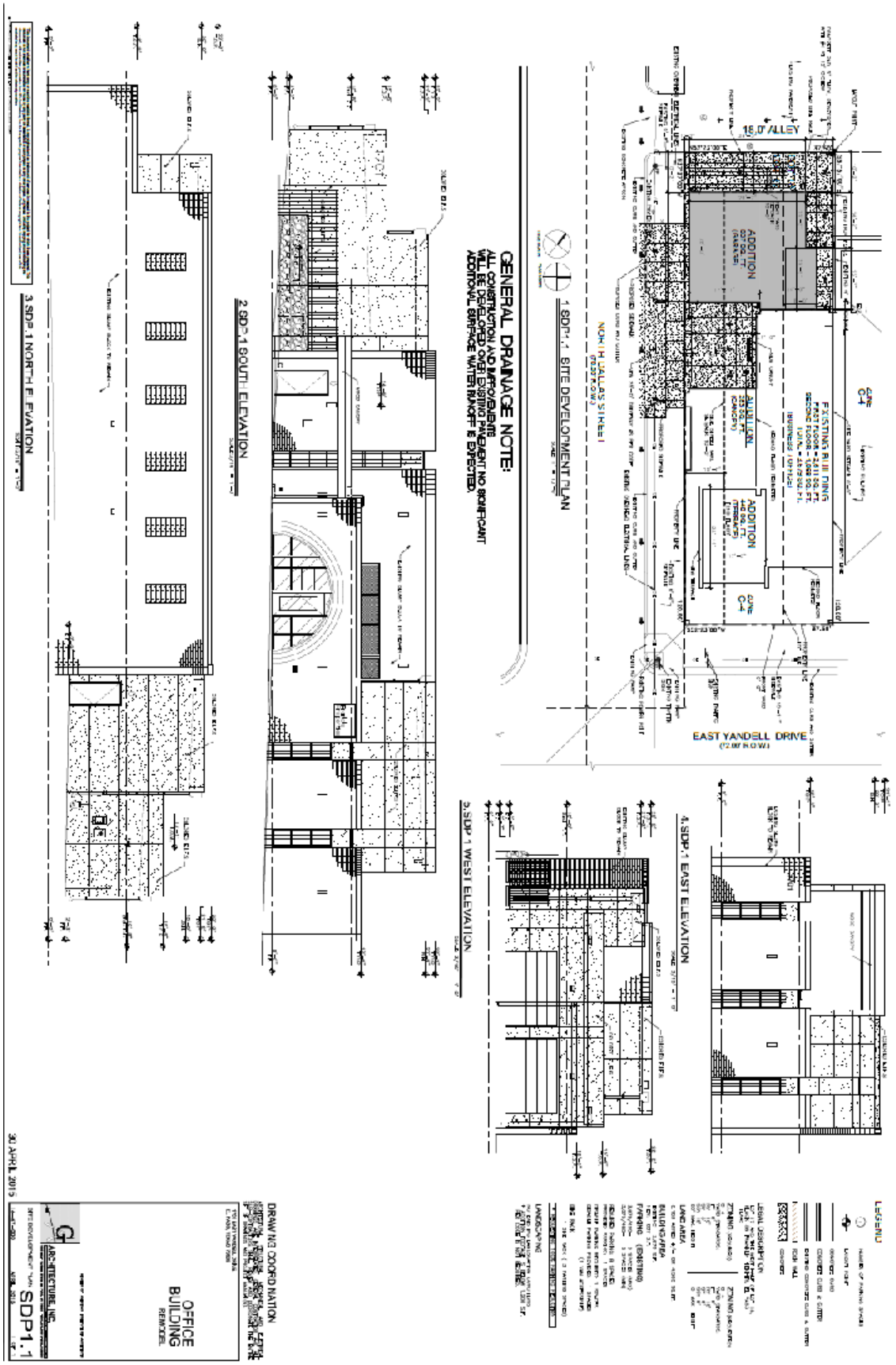
**El Paso Water Utilities - Stormwater Division**
We have no objections.

**Attachments**
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Parking Study
5. Opposition Letter

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP


GENERAL DRAINAGE NOTE:
ALL CONSTRUCTION AND IMPROVEMENTS WILL BE DEVELOPED OVER EXISTING PAVEMENT NO SIGNIFICANT ADDITIONAL SURFACE WATER RUNOFF IS EXPECTED
1. SDP-1 SITE DEVELOPMENT PLAN
2. SDP-1 SOUTH ELEVATION
3. SDP-1 NORTH ELEVATION
4. SDP-1 EAST ELEVATION
5. SDP-1 WEST ELEVATION
EAST YANDELL DRIVE
NORTH DALLAS STREET
16.0' ALLEY
EXISTING BUILDING
ADDITION
LEGEND
OFFICE BUILDING
ARCHITECTURE INC
SDP1.1
30 APRIL 2015

ATTACHMENT 4: PARKING STUDY

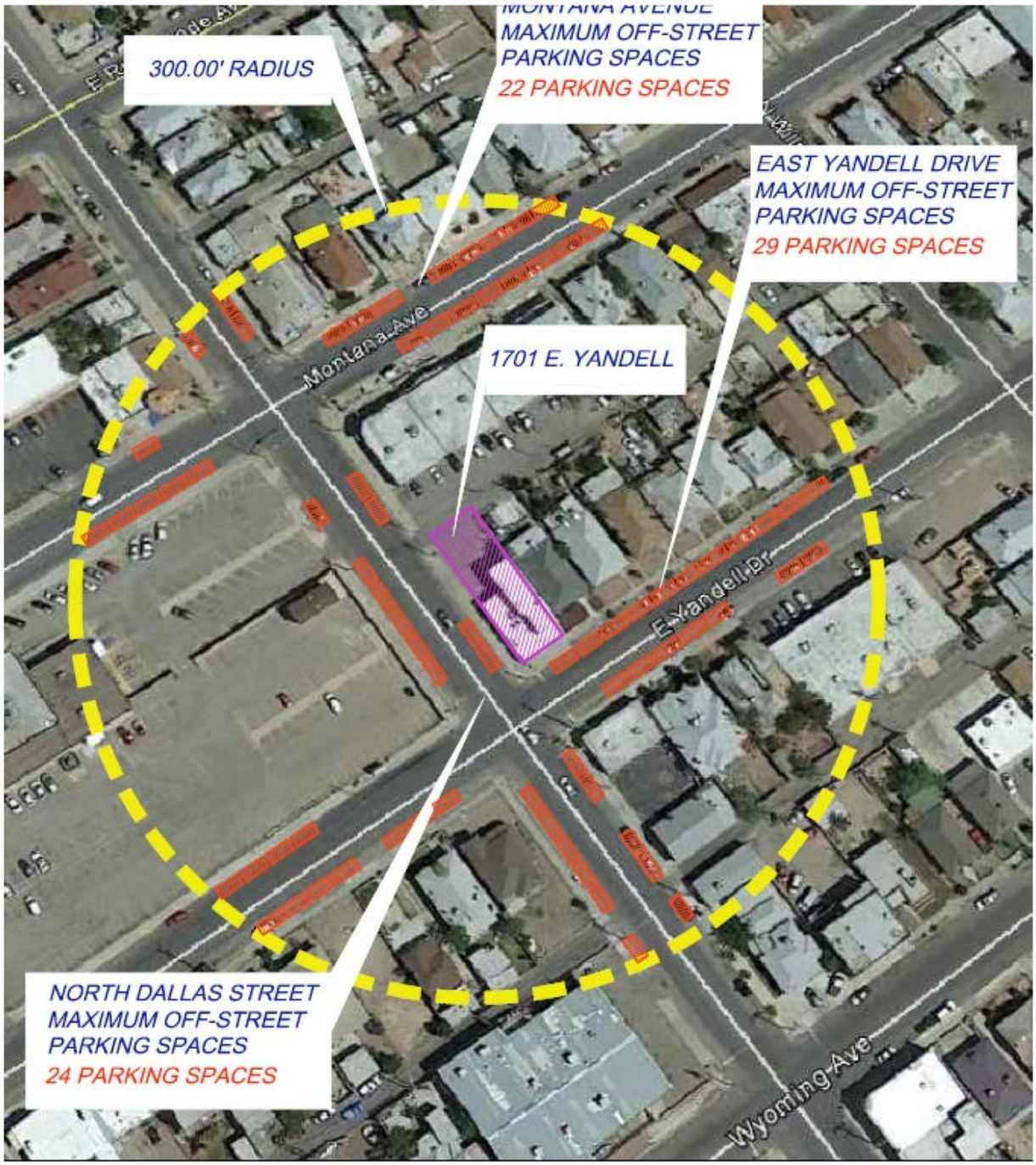
| 1701 E. YANDELL DR. SPECIAL PERMIT 05/12/15<br>TRAFFIC STUDY - OFF STREET PARKING CALCULATIONS | | | |
|---|---|---|---|
| TIME | EAST YANDELL DRIVE | NORTH DALLAS STREET | MONTANA AVENUE |
| | 30 AVAILABLE OFF STREET PARKING SPACES | 28 AVAILABLE OFF STREET PARKING SPACES | 30 AVAILABLE OFF STREET PARKING SPACES |
| | OCCUPIED | OCCUPIED | OCCUPIED |
| 8 AM | 10 | 13 | 10 |
| 9 AM | 13 | 10 | 11 |
| 10 AM | 11 | 10 | 10 |
| 11 AM | 12 | 10 | 10 |
| 12 PM | 9 | 8 | 19 |
| 1 PM | 11 | 10 | 15 |
| 2 PM | 11 | 11 | 16 |
| 3 PM | 10 | 10 | 13 |
| 4 PM | 10 | 9 | 14 |
| 5 PM | 9 | 9 | 13 |
| 6 PM | 5 | 3 | 4 |
| | | | |

PARKING WITHIN A 300FT RADIUS

TRAFFIC STUDY - OFF STREET PARKING CALCULATIONS

TF-2

GA ARCHITECTURE INC.




TRAFFIC STUDY - OFF STREET PARKING SCHEME

SCALE: 1"=100'-0"

TF-1

GA ARCHITECTURE INC.

ATTACHMENT 5: OPPOSITION LETTER

5-20-2015

TO Andrew Salloum
#DECASO PZST15-00013

Yo soy Residente Dueño
de la Propiedad 1719 E Yandell
Yo deseo Expresar mis
inconvenencias Acerca
de ~~de~~este caso O.K Primero
Nosotros tenemos problemas
de Parking Por una propiedad
de un Negocio enfrente de
mi Propiedad de un Negocio
de Games and Card an More
ellos No tiene Suficente
Parking cuando una Propiedad
tiene Negocio con sus propios
Parking Ademas esta una
Iglesia Cristiana en
dicho centro Comercial
No tienen Suficientes
Parkiadores

Yo fui en persona y ustedes
ni saben de esos negocios
Ademas ustedes prodrian
agarrar estacionamientos
entre Vandell y Dallas
enfrente de el Nesicio 1701
Yo veo eso mejor que desin
comodarnos a Nosotros
Ademas si nos pueden
dar otra fecha mas
para Nosotros hablar
con la representante No se
el Nombre de ella por lo
pronto porque yo le platique
a una persona amigo mio
que trabajo para la ciudad
y me dijo eso que hablarmos
con esa persona
gracias por No poder
estar en la junta del 5-21-15
mi cell phone 915346 6409 1:30
Tone un poquito de sotisfacion haber que sucedio