



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

**Case No:** PZST14-00018  
**Application Type:** Special Permit & Detailed Site Development Plan Review  
**CPC Hearing Date:** June 5, 2014  
**Staff Planner:** Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov  
**Location:** 1423 E. Missouri  
**Legal Description:** Lots 28-32, Block 39, Franklin Heights Addition, City of El Paso, El Paso County, Texas  
**Acreage:** 0.344 acres  
**Rep District:** 8  
**Existing Zoning:** C-4 (Commercial)  
**Existing Use:** Office / Retail  
**C/SC/SP/ZBA/LNC:** No  
**Request:** Infill Special Permit / Rear Yard Setback Reduction / Parking Reduction  
**Proposed Use:** Office / Retail / Warehousing  
**Property Owner:** Elmshire, LLC  
**Applicant:** Tyler Lyon  
**Representative:** David Rawlings

### **SURROUNDING ZONING AND LAND USE**

**North:** C-4 (Commercial) / Warehouse / Retail / Single Family Dwellings  
**South:** M-1 (Manufacturing) / Interstate 10  
**East:** C-4 (Commercial) / Office  
**West:** C-4 (Commercial) / Single Family Dwelling

**PLAN EL PASO DESIGNATION:** G-2, Traditional Neighborhood

**NEAREST PARK:** Houston Park (2,942 feet)

**NEAREST SCHOOL:** Wiggs Middle School (3,128 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Golden Hills Neighborhood Association, El Paso Central Business Association, Central El Paso Community Organization

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 20, 2014. The Planning Division has not received any communication in support or opposition to the special permit request.

### **APPLICATION BACKGROUND**

The applicant has applied for infill development economic development incentives through the City's Economic & International Development Department.

### **APPLICATION DESCRIPTION**

The request is for a special permit for infill development and detailed site development plan review to allow a rear yard setback of 0' and a 50 percent parking reduction. The required rear yard setback is 10' in the C-4 (Commercial) zoning district. All other setback requirements are being met. The setback reduction request is to expand the existing structure constructed in 1949 from 4,800 sq. ft. to a total of 6,995 sq. ft. for a mixed-use development. The applicant further proposes to provide street-oriented landscaping, within tree wells along Langtry Street and within the property line along Missouri Avenue.

Fifteen parking spaces are required and fourteen are proposed. Access is proposed from both Missouri Avenue and Langtry Street.

### **City Development Department – Planning Division Recommendation**

The Planning Division recommends **approval** of the request as the proposed development is consistent with the existing commercial development in the area and in conformance with the G-2 Traditional Neighborhood (Walkable) growth sector. Furthermore, the property meets the requirements of Sections 20.04.320, Special Permit Approvals, 20.10.280, Infill Development, and 20.04.150 Detailed Site Development Plan.

### **Plan El Paso-Future Land Use Map Designation**

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

G-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 C-4 (Regional Commercial) district is to provide commercial uses intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provides a transition from general business areas to industrial and manufacturing uses, and accommodates major locations of commerce, service and employment activities.

### **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 applicant meets two of the required criteria, being located in a state enterprise zone and having been subdivided for thirty years or more (see attachment 4)*

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.

*Office, retail, and warehousing are permissible uses in the C-4 (Commercial) zone district.*

C. Setback Provisions. The side, front and rear setback requirements of the base-zoning district on which it is located may be reduced up to one hundred percent for an infill development as approved by city

council. Buildings should be designed to relate to and take advantage of any existing site attributes, and shall be a consideration for reduction of the setback requirements.

Dimension	Required	Proposed
Rear	10'	0'

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 development requires 15 parking spaces and proposes 14, a 7 percent reduction in the required parking. The applicant requests a 50 percent reduction to accommodate potential future development.*

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-2 Traditional Neighborhood (Walkable) growth sector.*

**COMMENTS:**

**City Development 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.

**City Development Department - Land Development**

No objection.

**City Development Department – Building Development & Permitting**

Recommend approval. Proposed construction will need to comply with all requirements of the international building codes and local ordinances.

**El Paso Fire Department**

Recommend “APPROVAL” of “Detailed Site Plan Application” as presented. PZST14-00018

\*\*\*\*\*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 following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems.

“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 PZST14-00018

June 5, 2014

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.

#### **EPWU-PSB Comments**

##### **Water:**

1. Along the alley located between Missouri Avenue and Wyoming Street, west of Langtry Street there is an existing six (6) inch diameter water main. This main is available for service.
2. Along Langtry Street between Missouri Avenue and Wyoming Street there is an existing twelve (12) inch diameter water main. This main is available for service.
3. Previous water pressure readings conducted on fire hydrant number 1603 located at the corner of Newman Street and Missouri Avenue have yielded a static pressure of 98 pounds per square inch (psi), residual pressure of 94 psi, discharge of 919 gallons per minute (gpm). 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 Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

##### **Sanitary Sewer:**

1. Along Missouri Avenue between Newman Street and Langtry Street there is an existing eighteen (18) inch diameter sanitary sewer main. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board (EPWU-PSB).
2. Along the alley located between Missouri Avenue and Wyoming Street, west of Langtry Street there is an existing six (6) inch diameter sanitary sewer main. This main is available for service.
3. Along Langtry Street between Missouri Avenue and Wyoming Street there is an existing eight (8) inch diameter sanitary sewer main. This main is available for service.

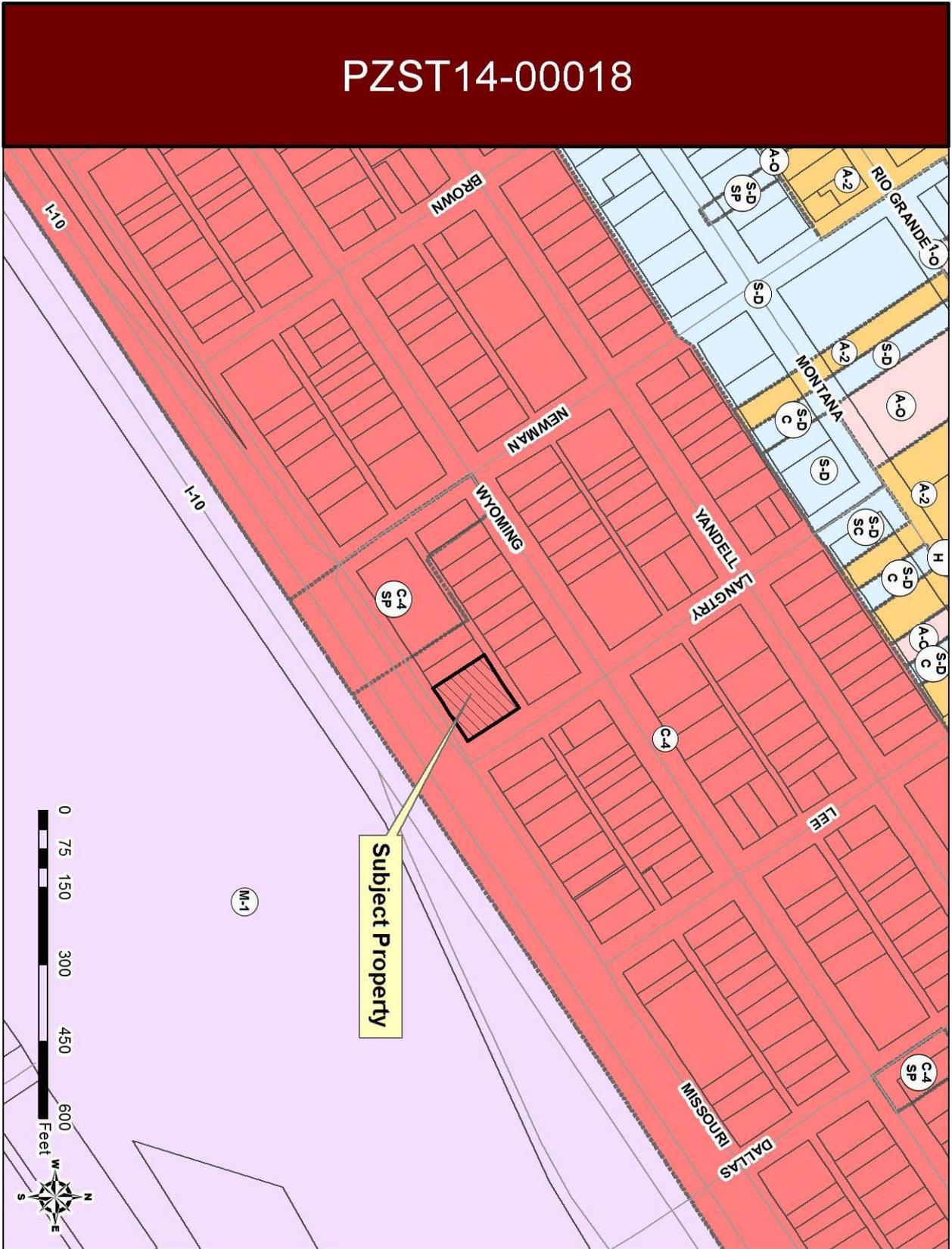
##### **General:**

1. As per EPWU-PSB Records, 1423 E. Missouri Street has a single three-quarter (3/4) inch diameter water service.
2. Missouri Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Missouri Avenue right-of-way requires written permission from TxDOT.
3. If the City of El Paso Fire Department requires additional fire hydrants on public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.
4. Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

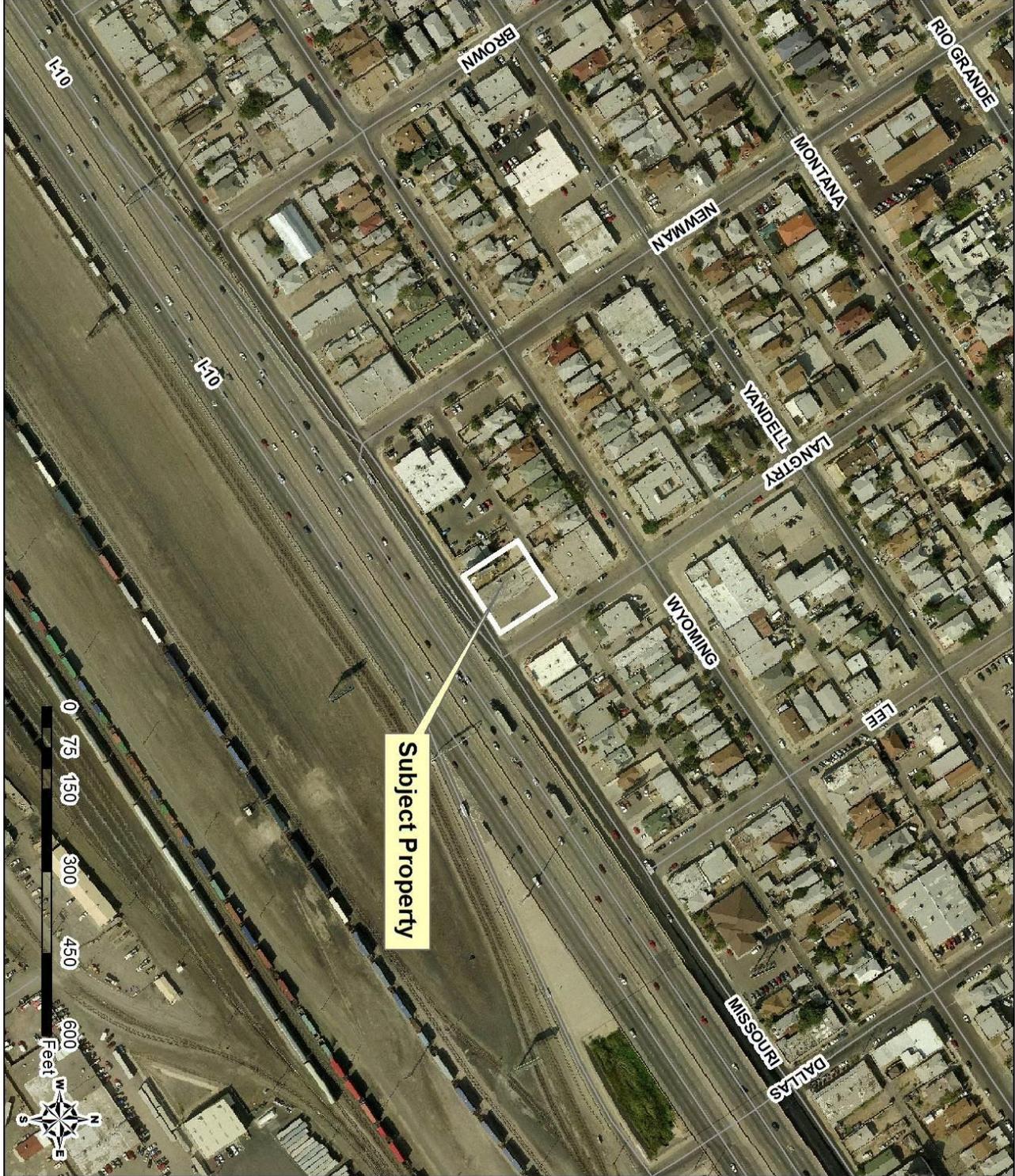
##### **Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Plat of Franklin Heights

ATTACHMENT 1: LOCATION MAP



PZST14-00018





ATTACHMENT 4: PLAT OF FRANKLIN HEIGHTS

