



City of El Paso – City Plan Commission Staff Report

Case No: PZST14-00016
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: July 17, 2014
Staff Planner: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Location: 708 South Hills Street
Legal Description: Lots 14 and 15, Block 48, Magoffin Addition, City of El Paso, El Paso County, Texas
Acreage: 0.1377 acres
Rep District: 8
Zoning: A-3 (Apartment)
Existing Use: Apartments
C/SC/SP/ZBA/LNC: Legal Non-Conforming Use (See Background History)
Request: Infill Development - side yard setback and parking reduction
Proposed Use: Apartments

Property Owner: Mr. Cow Enterprises
Applicant: Gerardo Lopez
Representative: Luis Flores

SURROUNDING ZONING AND LAND USE

North: A-3 (Apartment) / Multi-family dwellings
South: A-3 (Apartment) / Multi-family dwellings
East: A-3 (Apartment) / Multi-family dwellings
West: A-3 (Apartment) / Grocery Store

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable) (Central Planning Area)

NEAREST PARK: Tula Irrobali Park (523 feet)

NEAREST SCHOOL: Guillen Middle (1,272 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Southside Neighborhood Association

BACKGROUND HISTORY

The subject property is registered legal non-conforming for front and side yard setbacks having existed prior to 1955. The applicant is requesting the special permit for infill development to allow a 0 feet side yard setback and a 100 percent reduction in parking requirements. The A-3 zone district now allows a 0 foot front yard setback.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 18, 2014 and the CPC meeting was rescheduled for July 17, 2014. A re-notification was mailed out on July 2, 2014. The Planning Division received a phone call in support to the special permit request.

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 1,502 sq. ft. addition to an existing 1,702 sq. ft., one-story four-unit apartment. The use requires 6 parking spaces for 4 one-bedroom units; the applicant is providing 0

parking spaces 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 at an average of 27 parking spaces within a 300-foot radius covering south Hills Street, east 6th Avenue, Tays Street, and east Father Rahm Avenue (see Attachment #4). The applicant is requesting the following reduction in the side yard setback: from the required 4 ft. to 0 ft. The site plan shows 46 percent open space which exceeds the A-3 open space requirement of 40 percent open space for an interior lot. The Detailed Site Development Plan complies with all other density and dimensional standards. Access to the subject property is proposed from Hills Street.

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 20.14.070 Parking Reductions; 20.10.280, Infill Development; 20.04.320, Special Permit, and 20.04.150, Detailed Site Development Plan; and, Section 20.12.020, Appendix B, Line N. 2., A-3 zone district.

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. Multi-family dwellings are permitted in the A-3 (Apartment) 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	4'	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.

- G. Density. The maximum number of dwelling units per gross acre permitted in the base-zoning district may be increased up to fifty percent for an infill development as approved by city council.

Maximum density permitted is 8 units. The applicant is requesting 4 units.

- 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 a setback reduction; 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.

Note: 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 A-3 (Apartment) district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

COMMENTS:

City Development Department – Planning Division - Transportation

No objection to 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.

City Development Department – Plan Review

No objections.

City Development Department - Landscaping Division

Not required for the existing multi-family dwelling use.

City Development Department - Land Development

No objections.

Fire Department

The following case has been reviewed by the fire dept. And have no objections and recommend approval of this case.

Police Department

El Paso Police Department has no issues with this request.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

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

1. EPWU does not object to this request.

Water:

2. There is an existing 4-inch diameter water main extending along the alley between Father Rahm and Sixth Streets that is available for service, the water main is located approximately 5.5-ft east from the center line of the right-of-way.

3. EPWU records indicate two vacant water service connections (inactive meters) serving the subject property. The address for these services is 708 Hills Street.

4. Previous water pressure tests from fire hydrant # 957 located at the northeast corner of Father Rahm and Hills Streets have yielded a static pressure of 99 (psi) pounds per square inch, a residual pressure of 92 (psi) pounds per square inch, and a discharge of 919 (gpm) gallons per minute.

5. 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:

6. There is an existing 8-inch diameter sanitary sewer main extending along the alley between Father Rahm and Sixth Streets that is available for service, the sewer main is located approximately 10-ft east from the eastern property line.

General:

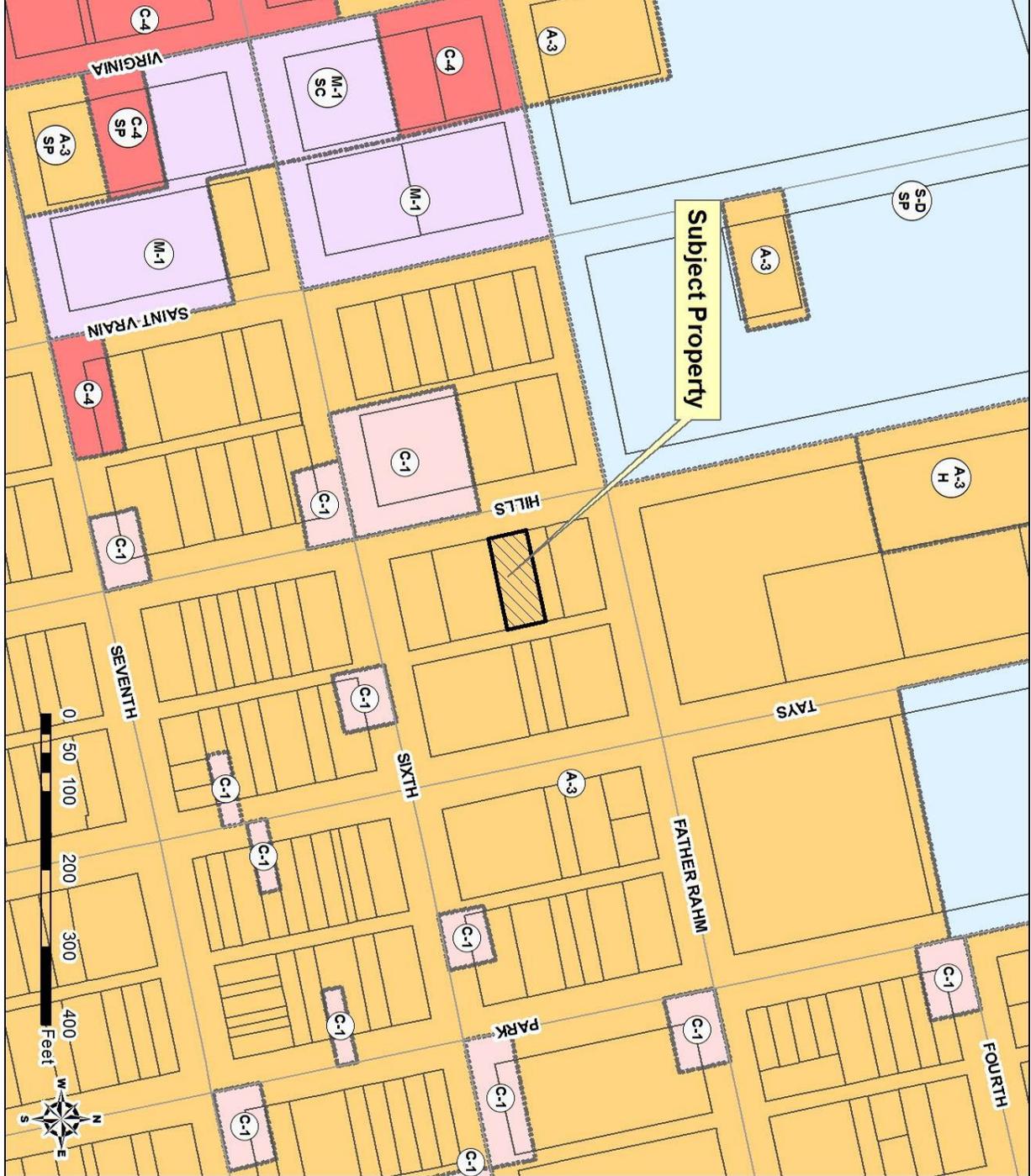
7. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping 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.

Attachments

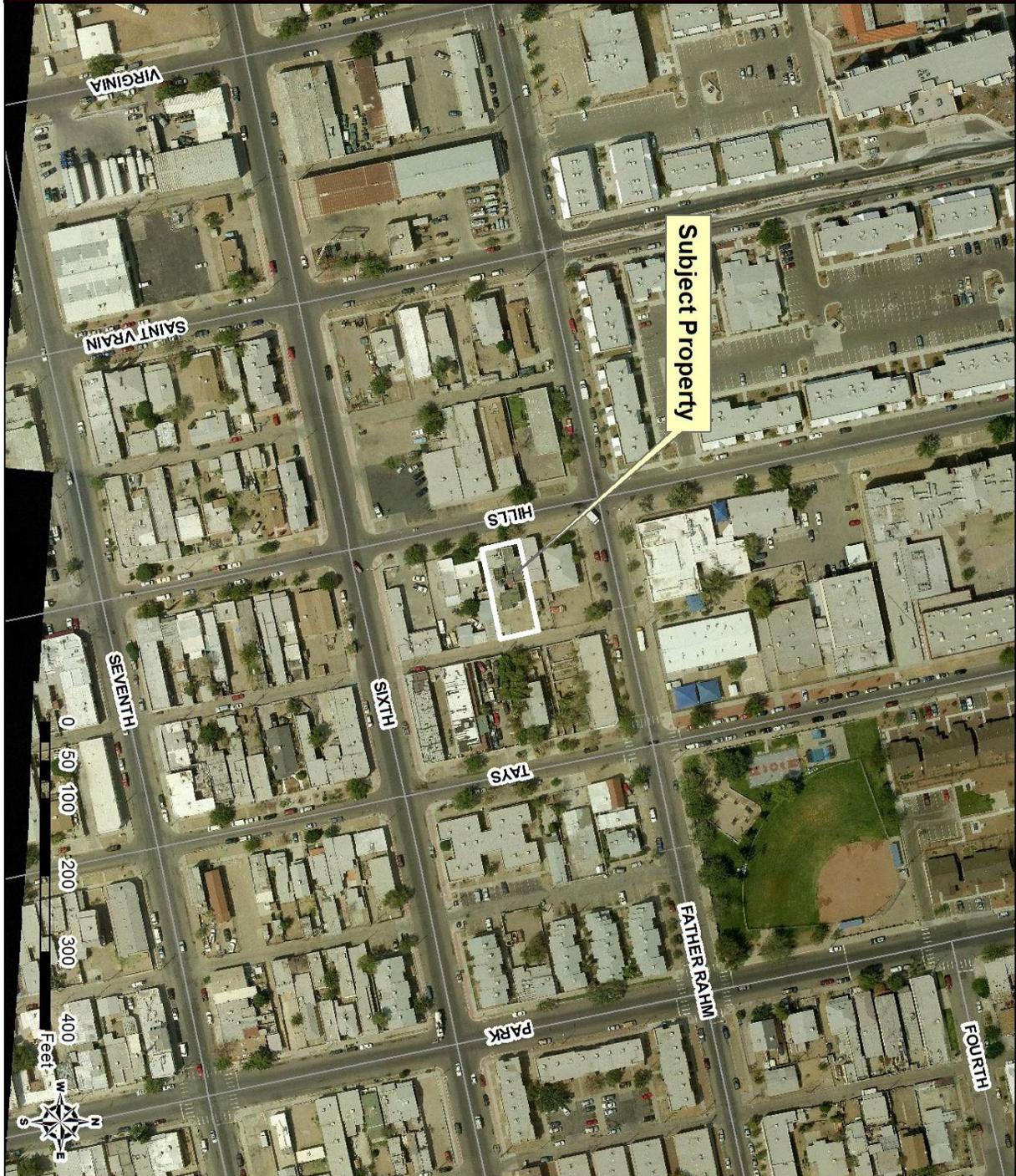
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Parking Study
5. Subdivision Plat

ATTACHMENT 1: ZONING MAP

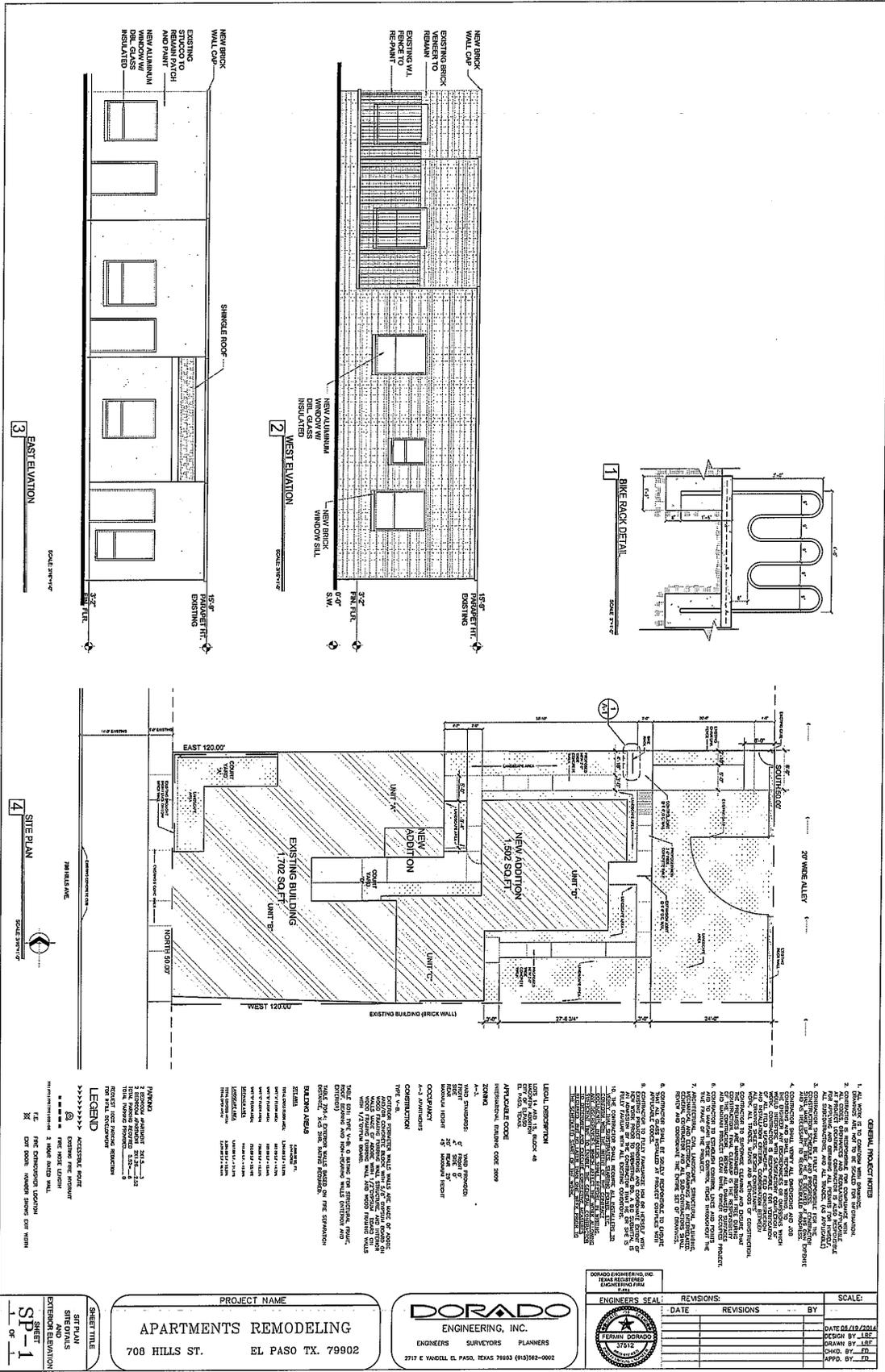
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ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



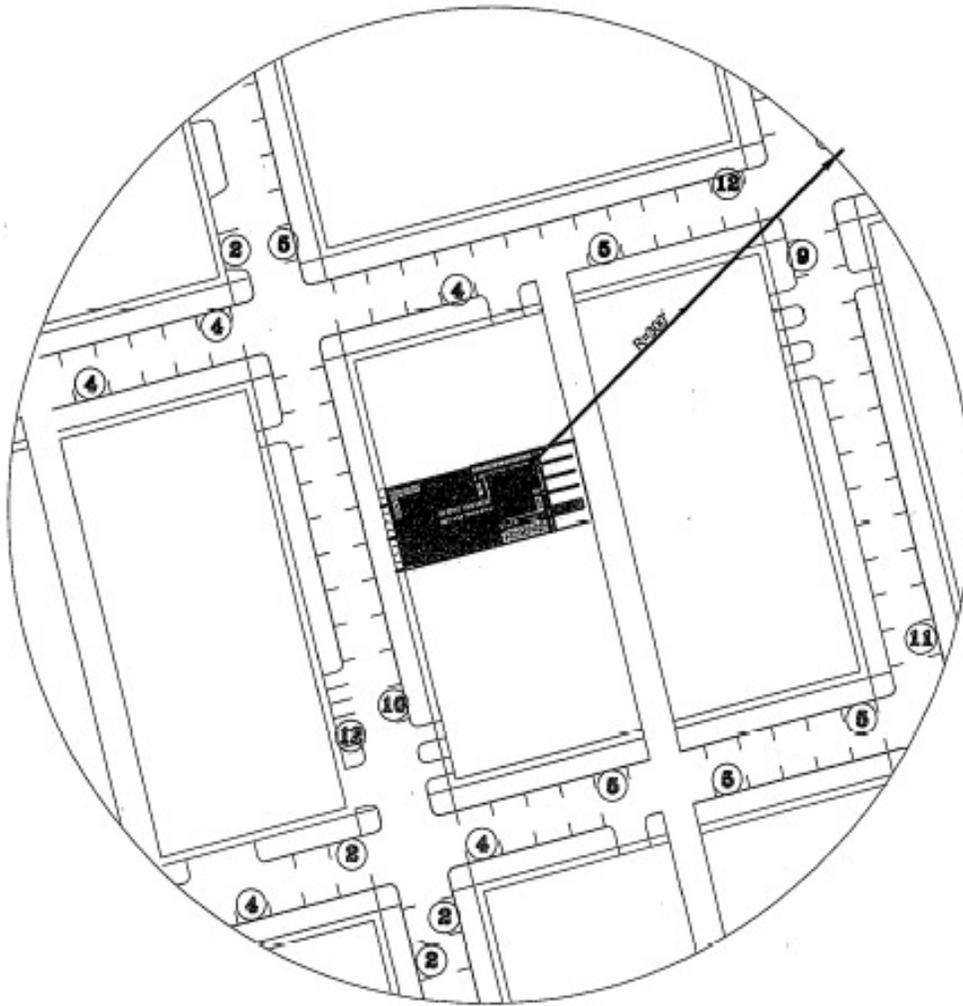
PROJECT NAME
APARTMENTS REMODELING
708 HILLS ST. EL PASO TX. 79902

DORADO
ENGINEERING, INC.
ENGINEERS SURVEYORS PLANNERS
2717 E WAGGILL C. PASE, TEXAS 79903 (915)242-0002

LEGAL DESCRIPTION LOTS 24, 25, 26, BLOCK 48 OF THE APARTMENT COURT SUBDIVISION, DALLAS COUNTY TEXAS 2009	ENGINEER'S SEAL 	REVISIONS: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>REVISIONS</th> <th>BY</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	DATE	REVISIONS	BY													SCALE: DATE 06/18/2014 DESIGN BY LRF DRAWN BY LRF CHKD. BY LRF APPD. BY LRF
DATE	REVISIONS	BY																

SHEET TITLE
STRAKE
SHRINE
AND
EXTENSION ELEVATION
SP-1
1 OF 1

ATTACHMENT 4: PARKING STUDY



708 S. Hills Street - Parking Count on June 12, 2014

Time	S. Hills Street (20 Available)	E 6 th Avenue (37 Available)	Tays Street (24 Available)	E. Father Rahm Ave. (36 Available)	Total Occupied (117 Available)
8:00 a.m.	4 occupied	9 occupied	5 occupied	7 occupied	25
9:00 a.m.	4 occupied	10 occupied	8 occupied	9 occupied	31
10:00 a.m.	9 occupied	11 occupied	8 occupied	12 occupied	40
11:00 a.m.	11 occupied	13 occupied	7 occupied	15 occupied	46
12:00 p.m.	12 occupied	11 occupied	7 occupied	12 occupied	42
1:00 p.m.	11 occupied	10 occupied	7 occupied	11 occupied	39
2:00 p.m.	5 occupied	8 occupied	9 occupied	7 occupied	29
3:00 p.m.	4 occupied	8 occupied	10 occupied	7 occupied	29
4:00 p.m.	5 occupied	8 occupied	10 occupied	7 occupied	30
5:00 p.m.	7 occupied	18 occupied	5 occupied	9 occupied	39
6:00 p.m.	9 occupied	17 occupied	5 occupied	12 occupied	43

ATTACHMENT 5: SUBDIVISION PLAT

