



City of El Paso – City Plan Commission Staff Report

Case No: PZST12-00014
Application Type: Special Permit
CPC Hearing Date: October 18, 2012
Staff Planner: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Location: 3204 Montana Avenue
Legal Description: Being the East 90 feet of Lots 7 to 12 and the West 45 feet of the South 10 feet of Lot 7, Block 93, East El Paso Addition, City of El Paso, El Paso County, Texas
Acreage: 0.32-acre
Rep District: 8
Zoning: A-O/sc (Apartment/Office/special contract)
Existing Use: Office
Request: Infill Development/request reduced rear setback
Proposed Use: Office and Apartment

Property Owner: Enrique and Norma Garcia
Representative: CAD Consulting Company

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Single-family dwellings
South: R-5 (Residential) / Single-family dwellings
East: R-5 (Residential) / Single-family dwellings
West: R-5 (Residential) / Single-family dwellings

The Plan for El Paso Designation: G-2, Traditional neighborhood (Walkable) (Central Planning Area)

NEAREST PARK: Mary Webb Park (2,141 feet)

NEAREST SCHOOL: Alta Vista Elementary (1,954 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Five Points Development Association
Leona Ford Washington Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 3, 2012. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit for infill development and a detailed site development plan. The detailed site development plan shows a new 5,120 sq. ft. two-story apartment complex with 4 units and an existing 4,059 sq. ft., 2-story office building. The applicant is requesting the following reductions in yard setback: from 25-foot required rear yard setback to 10-foot. The development requires 18 parking spaces and the applicant is providing 9 parking spaces and 3 bicycle spaces. The infill development includes an automatic 50% parking reduction. The development complies with the Special Contract Ordinance No. 7962, dated February 28, 1984, see attachment 4, page 9. Access to the subject property is proposed from Montana Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for infill development as the development meets all guidelines for infill development, special permit 20.04.320 and detailed site development plan 20.04.150.

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 faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the Smart Code 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-O (Apartment/Office) 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 objections to the special permit request. There is adequate, available on-street parking to accommodate the nine spaces.

Notes:

1. The property is located along the Montana Rapid Transit System (RTS) Corridor. Location and arrangement of bus stops and/or bus turn in bays shall be coordinated with Sun Metro.
2. 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

No comments received.

City Development Department - Land Development

General Comments:

Coordinate with TxDOT for grading, drainage and driveway access.

Grading plan and permit shall be required.*

Storm Water Pollution Prevention Plan and/or permit required.*

Drainage plans must be approved by the City Development Department, Land Development Section.*

* This requirement will be applied at the time of development.

Fire Department

Recommend approval of “site plan” as presented. It does not adversely affect fire department at this time.

** Note, A more detailed reviewed will be done by fire plan review during the permitting process.

/Police Department

Based on the information provided the El Paso Police Department has no issues on this request.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

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

EPWU does not object to this request.

EPWU-PSB Comments

Water:

Along Estrella Street between Montana Avenue and Tularosa Street there is an existing twenty-four (24) inch diameter water transmission main. No direct service connections are allowed to this main as per the El Paso Water Utilities - Public Service Board (EPWUPSB) Rules and Regulations.

Along Montana Avenue between Estrella Street and Cebada Street there are no existing water mains.

Along the alley located between Estrella Street and Cebada Street, south of Montana Street there is an existing four (4) inch diameter water main.

As per EPWU-PSB Records, 3204 Montana Avenue Spaces A, B, C, D and E each have a three-quarter (3/4) inch diameter water service. Records indicate a single three-quarter (3/4) inch diameter irrigation water service (yard meter) for 3204 Montana Avenue.

Sanitary Sewer:

Along Estrella Street between Montana Avenue and Tularosa Street there are no existing sanitary sewer mains.

Along Montana Avenue between Estrella Street and Cebada Street there is an existing twenty-four (24) inch diameter sanitary sewer main. No direct service connections are allowed to this main as per the El Paso Water Utilities - Public Service Board (EPWUPSB) Rules and Regulations.

Along the alley located between Estrella Street and Cebada Street, south of Montana Street there is an existing ten (10) inch diameter sanitary sewer main.

Records indicate a single four (4) inch diameter sanitary sewer service for 3204 Montana Avenue.

General:

Water and sanitary sewer service is available from the above described mains.

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.

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, 3rd 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.

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

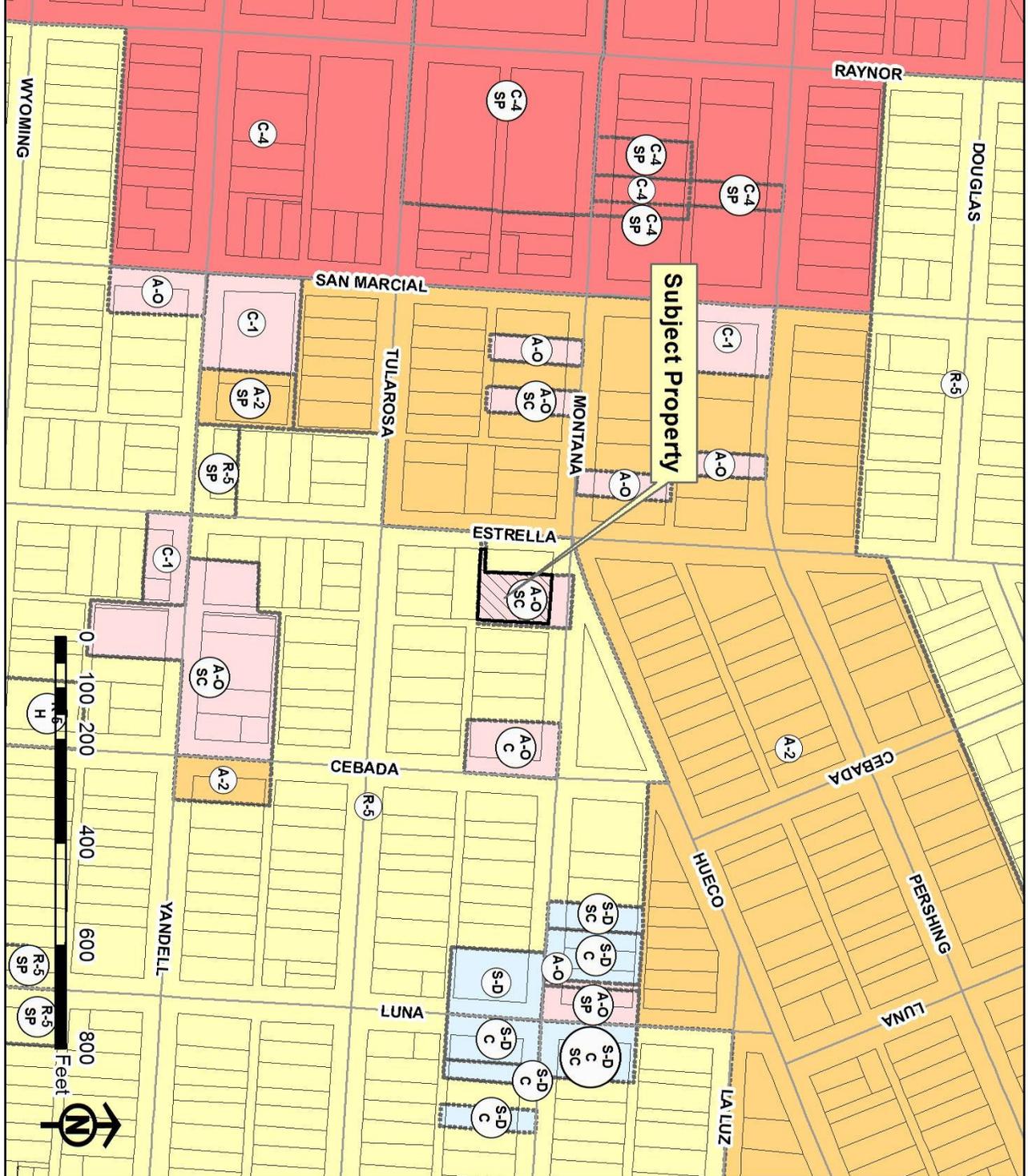
the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Ordinance No. 7962

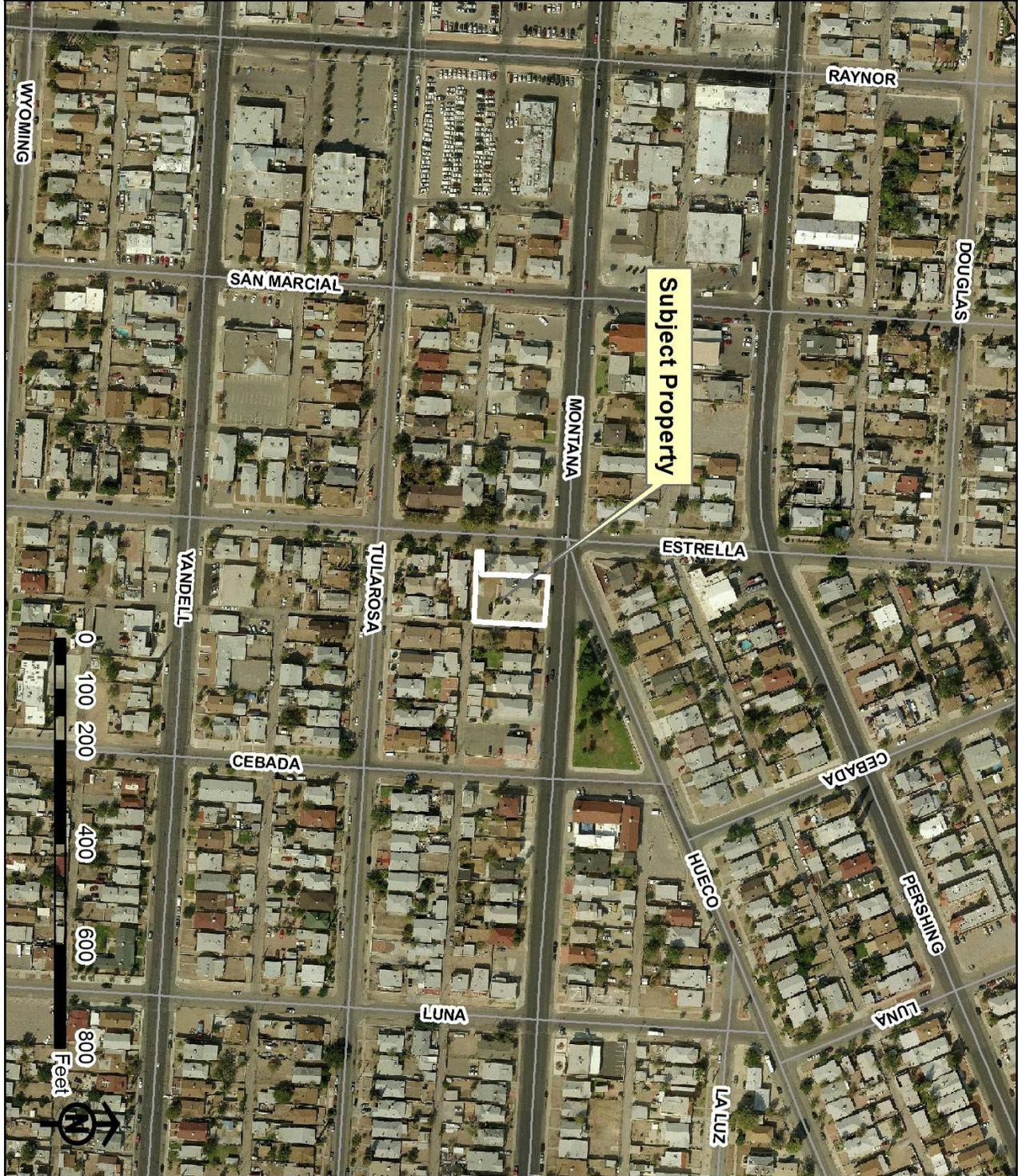
ATTACHMENT 1: ZONING MAP

PZST12-00014



ATTACHMENT 2: AERIAL MAP

PZST12-00014



ATTACHMENT 4: ORDINANCE NO. 7962

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AN ORDINANCE CHANGING THE ZONING OF THE EASTERLY 90' OF LOTS 7 - 12 (INCLUSIVE), AND SOUTHERLY 10' OF THE WESTERLY 45' OF LOT 7, BLOCK 93, EAST EL PASO ADDITION, THE PENALTY BEING AS PROVIDED IN SECTION 25-96 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of the easterly 90' of Lots 7 - 12 (inclusive) and southerly 10' of the westerly 45' of Lot 7, Block 93, East El Paso Addition, as more particularly described in the attached Exhibit "A" made a part hereof by reference, be changed from R-5 (Residential) to A-O (Apartment/Office) District within the meaning of the zoning ordinance and the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 28th day of FEBRUARY, 1984.

Mayor Isabel W. Rios

ATTEST:

W. McCarty
City Clerk

APPROVED AS TO FORM:

Shirley L. Gentry
Assistant City Attorney

APPROVED AS TO CONTENT:

Loren W. DeBruin
Planning, Research and Development

I certify that the zoning map has been revised to reflect the amendment of ordinance #7962

Loren W. DeBruin Dtd. 3-9-84

I CERTIFY THAT THE FOLLOWING ZONING MAPS

HAVE BEEN REVISED: 4 D.
3-9-84 COUNTER
3-9-84 ORIGINAL Billy Insurrection
3-9-84 CONTROL Loren W. DeBruin

83-4905
MAR 2 - 1984
DEPARTMENT OF PLANNING

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7962

Contract dated 2/28/84

CONTRACT

THIS CONTRACT, made this 28th day of February, 1984, by and between ROSEMARY E. MCCLELLAN and AMERICAN BANK OF COMMERCE, administrator for the Estate of Charlie Watkins, First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning the easterly 90' of Lots 7 -12 (inclusive), and southerly 10' of the westerly 45' of Lot 7, Block 93, East El Paso Addition, City and County of El Paso, Texas, which are more particularly described by metes and bounds in the attached Exhibit "A" which is made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenants that if the property is rezoned to A-O (Apartment/Office) District within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. A detailed site development plan must be approved by the Plan Commission and the City Council prior to the issuance of any building permits.
2. Off-street parking will not be permitted in the required front yard.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

WITNESS THE FOLLOWING SIGNATURES AND SEALS.



ATTEST:

Secretary
Ord. #7962 (2/28/84)

FIRST PARTIES

Rosemary E. McClellan
Rosemary E. McClellan

American Bank of Commerce

By Scott F. Brown
Title Vice-President, Trust Officer and Manager