



Planning & Inspections Department

Mayor

Oscar Leeser

City Council

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Tommy Gonzalez

COUNCIL CHAMBERS, CITY HALL BUILDING

OCTOBER 12, 2015

1:30 P.M.

Chairman Concha called the meeting to order at 1:34 p.m., quorum present.

The following Board Members answered roll call:

Mr. Robert Concha, Chairman

Mr. Robert Garland, Vice-Chairman

Mr. Roy Gilyard, Vice-Chairman

Ms. Margaret Livingston

Mr. Luis De La Cruz (1:38 p.m.)

Mr. Sam Barela

Mr. Rick Cordova

Mr. James Graham

Ms. Bertha Mieckowski

The following City staff members were present:

Mr. Michael McElroy, Senior Planner, Planning & Inspections Department

Mr. Art Rubio, Lead Planner, Planning & Inspections Department

Ms. Kristen Hamilton-Karam, Assistant City Attorney, City Attorney's Office (1:37 p.m.)

Ms. Brie Franco, Assistant City Attorney, City Attorney's Office (1:37 p.m.)

Mr. Tony De La Cruz, Interim Chief Plans Inspector, Planning & Inspections

INTRODUCTIONS

Mr. Art Rubio introduced Mr. Michael McElroy as the Zoning, Senior Planner. Additionally, Mr. Rubio introduced Mr. Jeff Howell as the new Zoning, Senior Planner. Mr. McElroy and Mr. Howell will be taking turns presenting the ZBA agenda.

PUBLIC HEARING

REGULAR AGENDA:

ITEM 1:

PZBA15-00028

2020 Mills Street

HESTRA, LLC

Applicant request a Special Exception under Section 2.16.050 B (Two or More Non-Conforming) in an M-1 (Manufacturing) zone.

This would allow an existing 5,442 sq. ft. office building which is proposed to encroach 1,485 sq. ft. into the required front and side street yard setbacks, and be located to within 2.95' and zero feet, respectively, of these setbacks. Additionally, a proposed 880 sq. ft. garage structure is proposed to encroach 322 sq. ft. into the rear and side street yard setbacks, and be located to within 5' and 4', respectively. The required front yard setback is 15', rear yard setback is 10', and side street yard setback is 10' in the M-1 zone district.

Larry F. Nichols – Department Head

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There are five properties in the same block and in the blocks across Mills and Willow streets with similar nonconforming situations: 2000, 2001, 2015, 2102, 2130 Mills. The existing structure dates to at least 1956 as evidenced by aerial imagery and the 1956 Sanborne Insurance Map. The Planning Division has not received any communications in support or opposition to the special exception request.

STAFF RECOMMENDS APPROVAL AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION B.

Mr. McElroy gave a presentation.

Chairman Concha asked if anyone present wished to comment in favor of or in opposition to this request. *There was none.*

Mr. Isaac Rodriguez, Roe Engineering, LC, concurs with all staff comments.

MOTION:

Motion made by Ms. Mieczkowski, seconded by Vice-Chairman Garland AND UNANIMOUSLY CARRIED TO APPROVE.

ITEM 2:

PZBA15-00029

10228 Ridgewood Drive

Jacob Cope

Applicant request a Special Exception under Section 2.16.050 C (Rear Yard Setback) in an R-3 (Residential) zone.

This would permit the construction of a 906 sq. ft. addition to the existing single-family residence, of which approximately 243 square feet (24'-6" x 9'-11") encroaches into the rear setback and is located to within 15'-1" of the rear property line. The required rear setback is 25 feet and the required front and rear yard setback cumulative total is 50 feet in the R-3 zone district.

The existing residence was constructed in 1968. The Planning Division has not received any communications in support or opposition to the special exception request.

STAFF RECOMMENDS APPROVAL OF THE SPECIAL EXCEPTION REQUEST AS THE REQUESTED SQUARE FOOTAGE IS LESS THAN THE MAXIMUM PERMITTED.

Mr. McElroy gave a presentation.

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Chairman Concha asked if anyone present wished to comment in favor of or in opposition to this request.

Mr. Bob Ramey, neighbor of Mr. Cope, asked Board Members to approve this request. The request will improve the neighborhood.

Mr. Jacob Cope, property owner, responded to comments and/or questions from Board Members

Chairman Concha asked Board Members if they had any comments and/or questions for staff or the applicant. *There were none.*

MOTION:

Motion made by Vice-Chairman Garland, seconded by Ms. Livingston AND UNANIMOUSLY CARRIED TO APPROVE.

ITEM 3:

PZBA15-00030

2119 N. Mesa

Greg Malooly

Applicant requests a Special Exception under Section 2.16.050 I (Reduction in Off-Street Parking Requirements) in a C-3 (Commercial) zone.

This would permit a 15 percent reduction in the off-street parking requirements for a proposed restaurant. The applicant is requesting a 15 percent reduction (2.7) spaces in off-street parking requirements for a new 1,760 square foot restaurant with a 342 square foot patio area.

In addition to the ZBA parking reduction, the applicant has previously received a 10% administrative parking reduction, totaling 1.8 vehicle parking spaces (20.14.070.D). Additionally, the applicant has provided six additional bicycle parking spaces in lieu of one vehicle parking space, as provided for in 20.14.130. The total of requested and provided vehicle parking space reductions is 5.5 spaces, or 5. ~~The applicant is pending receipt of a letter from the El Paso Department of Transportation approving the reduction request, as required by Special Exception I.~~ The applicant has received written approval of the reduction request from the Traffic Engineer, as required by Special Exception I. ~~The Planning Division has not received any communications in support or opposition to the special exception request.~~ The Planning Division received one phone call in opposition to the special exception request.

STAFF RECOMMENDS APPROVAL OF THE REQUEST AS IT MEETS THE REQUIREMENTS OF THE SPECIAL EXCEPTION I.

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Mr. McElroy gave a presentation.

Chairman Concha asked staff to elaborate on the opposition phone call.

Mr. McElroy explained the property owner of the 7-11, caddy corner from the proposed restaurant, expressed her concerns regarding the lack of parking and possible overflow parking at the 7-11.

Ms. Livingston asked if the proposed restaurant was local or from a chain.

Mr. Michael Walker, project architect and property owner's representative, explained the restaurant is a chain out of California. He stated this site is unique due to the close proximity to the University of Texas at El Paso (UTEP), lots of student/pedestrian traffic and bicyclists. Most of the clients will be students, bicyclists, and drive-thru.

Ms. Mieczkowski asked staff where would the five parking spaces be located.

Mr. Walker explained they are not on the site plan because the request is not to have them.

Chairman Concha commented on the bicycle racks.

Due to the proposed restaurant location, Mr. Walker stated he would like to have additional bicycle racks.

Mr. Art Rubio informed Board Members that City Council Representatives has recommended staff encourage less parking and more bicycle and pedestrian traffic.

Ms. Livingston noted this site, a former gas station, would stand vacant for quite a while.

Mr. Walker stated the proposed restaurant would be a Johnny Rockets, high-end hamburgers; this is good location for everyone.

Ms. Mieczkowski asked staff if there were "No Parking" restrictions on University Drive in the event there was no available parking for the restaurant.

Mr. McElroy was unsure whether on-street parking is allowed for this portion of University Drive. Per the memorandum from Streets and Maintenance Department, staff has no apparent traffic concerns with the proposed request to reduce 15% of the required parking at 2119 N. Mesa St.

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MOTION:

Motion made by Vice-Chairman Gilyard, seconded by Vice-Chairman Garland AND UNANIMOUSLY CARRIED TO APPROVE.

Other Business – Discussion and Action:

4. Approval of Minutes: September 14, 2015

Mr. McElroy informed Board Members the September 14th meeting minutes were under review and will be ready for approval at the November meeting.

MOTION:

Motion made by Vice-Chairman Garland, seconded by Mr. Barela AND UNANIMOUSLY CARRIED TO POSTPONE THE SEPTEMBER 14TH MEETING MINUTES.

Prior to adjourning, Mr. McElroy informed Board Members that City Council Representatives had approved an ordinance granting one-hour parking meter time free. Staff will forward that information to Board Members when available.

MOTION:

Motion made by Mr. Barela, seconded by Ms. Livingston AND UNANIMOUSLY CARRIED TO ADJOURN.

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