

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: January 6, 2011
Public Hearing: January 25, 2011

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance granting Special Permit No. ZON10-00080, to allow for infill development on the property described as Lots 17 to 23, and the East 5 feet of Lot 24, Block 110, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3824 Lincoln Avenue. Applicant: TVP Non-Profit Corporation. ZON10-00080 (**District 2**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation (5-0)

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director, Planning and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00080, TO ALLOW FOR INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS LOTS 17 TO 23, AND THE EAST 5 FEET OF LOT 24, BLOCK 110, AMENDED MAP OF MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, TVP Non-Profit Corporation, Applicant, has applied for a Special Permit for Infill Development for a new 12-unit apartment complex; and,

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in a **A-2(Apartment)** District:
Lots 17 to 23, and the East 5 feet of Lot 24, Block 110, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas
2. That the City Council hereby grants a Special Permit under Sections 20.64.175 of the El Paso City Code, for Infill Development for a new 12-unit apartment complex; and,
3. That this Special Permit is issued subject to the development standards in the **A-2 (Apartment)** District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and,
4. That if at any time the Owner or the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. **ZON10-00080** shall

ORDINANCE NO. _____

Special Permit No. ZON10-00080

automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,

5. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
6. Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

That the alley be paved to city standards.

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

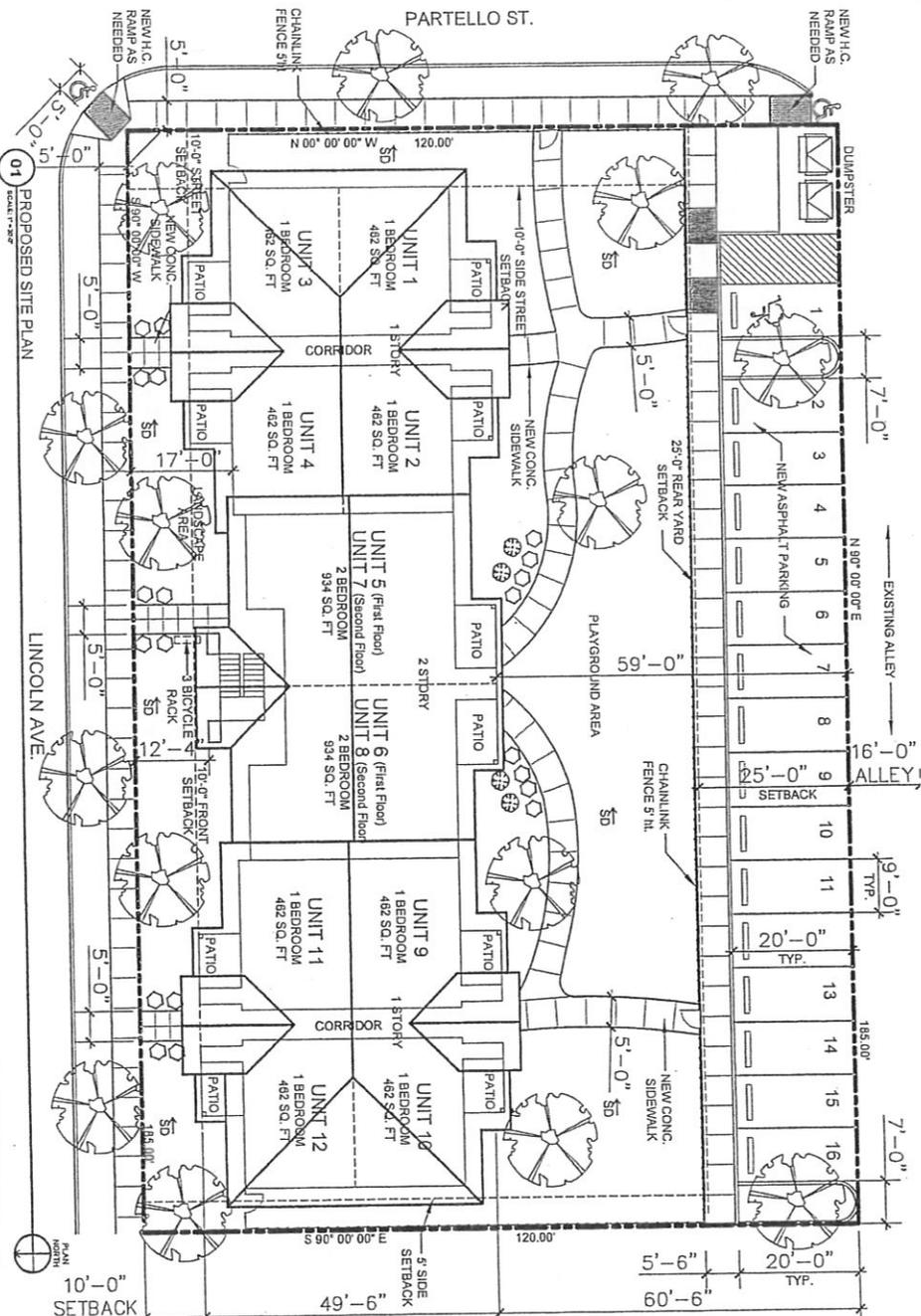
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Deputy Director – Planning and
Economic Development Department

ORDINANCE NO. _____

Special Permit No. ZON10-00080



LANDSCAPE LEGEND

| SYMBOL | COMMON NAME | SIZE | SIZE | QTY. |
|---------------|------------------------------|----------------|----------------------|-------------------|
| | SCREWEAN MESQUITE (E)* | 2" CAL. | 8' MIN | 10 |
| | CREeping YELLOW GAZANIAS (E) | 1" GAL. | G.C. | 20 |
| | DEER GRASS (E) | 1" CAL. | G.C. | 2 |
| TOTALS | TREES | SYMBOLS | GROUND COVERS | PERENNIALS |
| | 10 | 0 | 20 | 2 |

LANDSCAPING 20% FRONT YARD

| | |
|--------------------------------|------------|
| FRONT TREES = 185' / 50' = 3.7 | 4 PROVIDED |
| SETBACK: 185' X 0.20' = | PROVIDED |
| FRONT: 20' | 10' |
| REAR: 25' | 25' |
| SIDE: 5' | 5' |
| SIDE STREET: 10' | 10' |

LOT'S 17, 23, A-2 ZONE 40% OPEN SPACE REQUIREMENT

A-2 ZONE LOT AREA = 22,204 SQ. FT. X 40% = 8,881 SQ. FT. REQ.

BUILDING FOOTPRINT + STORAGE = 5,735 SQ. FT. PROVIDED 13,339 SQ. FT.

PARKING AREAS = 3,050 SQ. FT. OR 60% OPEN SPACE

BUILDING FOOTPRINT AND PARKING = 8,805 SQ. FT.



SUBMITTAL FOR INFILL APPLICATION

SUMMARY

3824 LINCOLN APARTMENT BUILDING

LAND AREA: 22,200 SQ. FT.

LANDSCAPING

LANDSCAPE AREA PROVIDED: 9,005 SQ. FT.

LANDSCAPE AREA REQUIRED: 10,655 SQ. FT.

PLANT MATERIAL

PARKING TREES - 3000 PAVING: 2700 SQ. FT.

2 REG. 2" TREE / 50

FRONT TREES - 2" TREE / 50

CANOPY TREES - 1000

SHRUBS: 20 (5 GAL) LANDSCAPE / 1000

40 REG.

20 PROV. PLUS 2 TREE SUBSTITUTE

GROUND COVER: 10 (1 GAL) / 1000 SQ. FT.

20 REG. 22 PROV.

BUILDING AREA

TOTAL BUILDING AREA: 5,564 SQ. FT.

PARKING REQUIREMENTS

PROVIDED 18 SPACES

REQUIRED (8 X 1.5 = 12) + (4 X 2 = 8) = 20 X .50 IN/FILL APPLICATION = 10 SPACES

| LEGAL DESCRIPTION | 1 BEDROOM UNIT | 2 BEDROOM UNIT |
|--|------------------|------------------|
| 3824 LINCOLN AVENUE, EL PASO BLDG. 110 MORNINGSIDES HEIGHTS, OTS 17-23 EL PASO, COUNTY OF EL PASO, TX ZONING A-2 | 482 SQ. FT. EACH | 934 SQ. FT. EACH |
| | 8 UNITS | 4 UNITS |

THE COMMONS ON THE DYER
3824 LINCOLN AVE. EL PASO TEXAS

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| | 00.00.00 |
| | 10/01/2010 |
| | AS SHOWN |

SHEET 1 OF 3



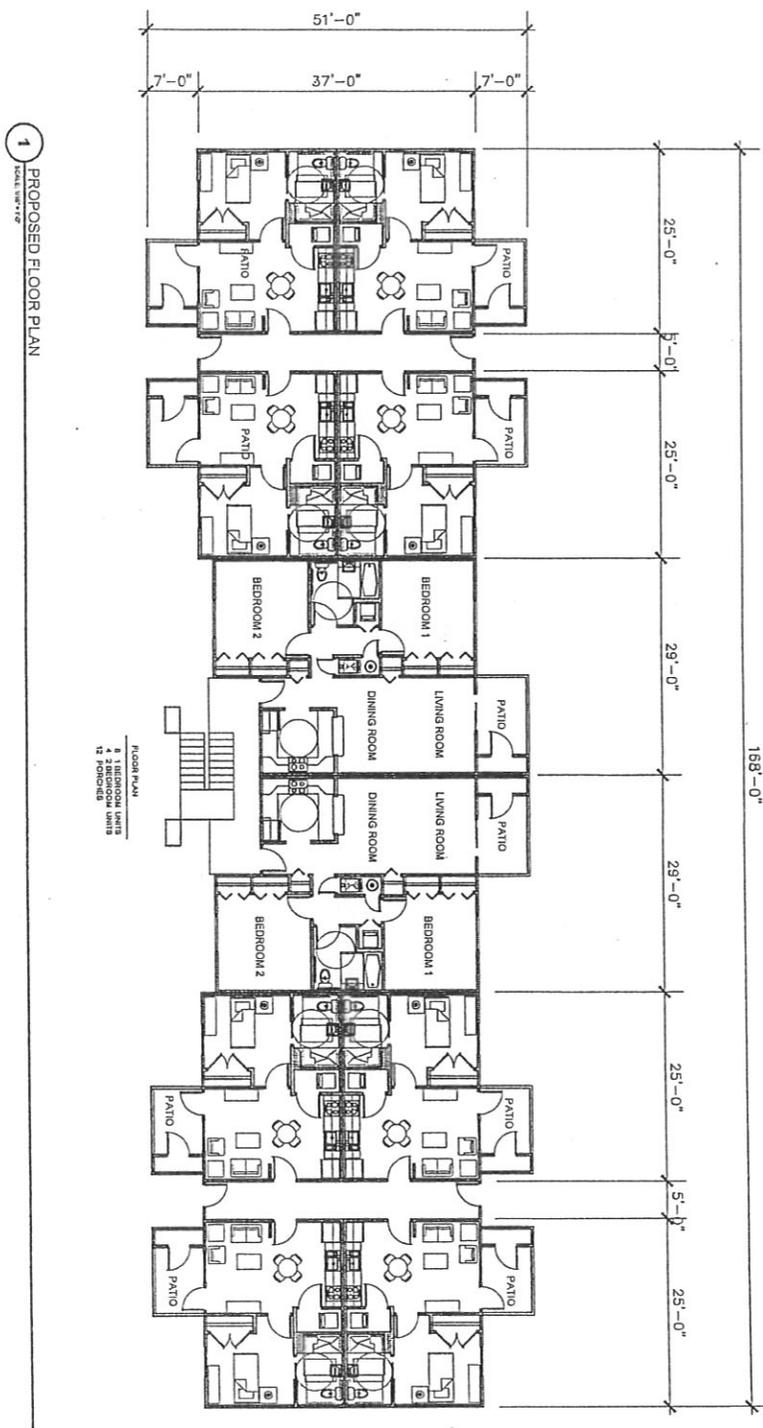
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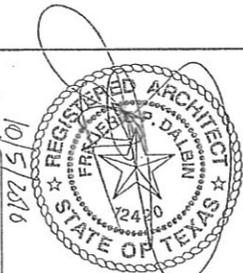


1 PROPOSED FLOOR PLAN
SCALE 1/8" = 1'-0"

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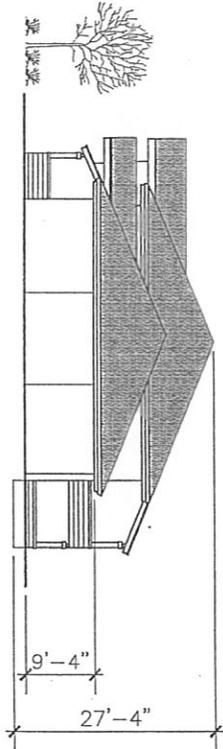
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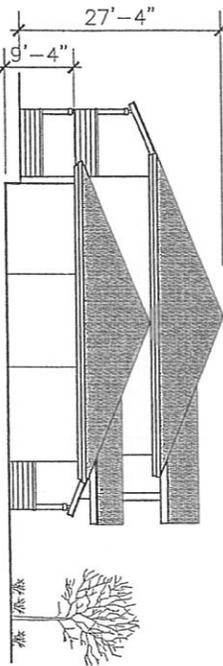


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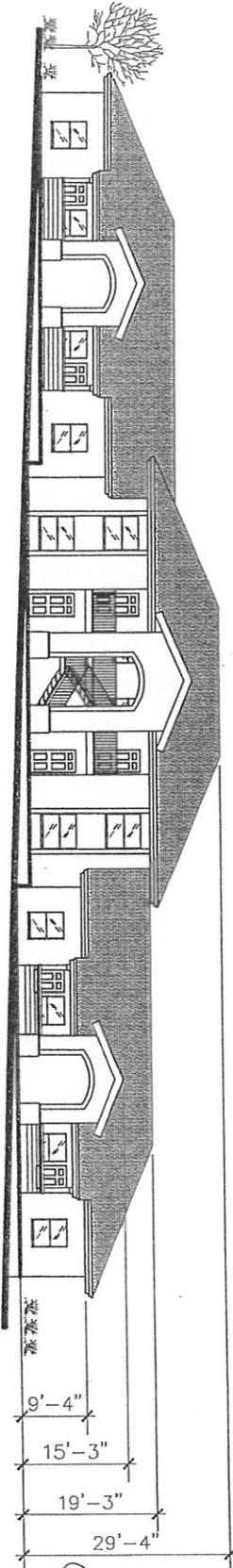
03 PROPOSED SIDE ELEVATION
SCALE 1/8" = 1'-0"



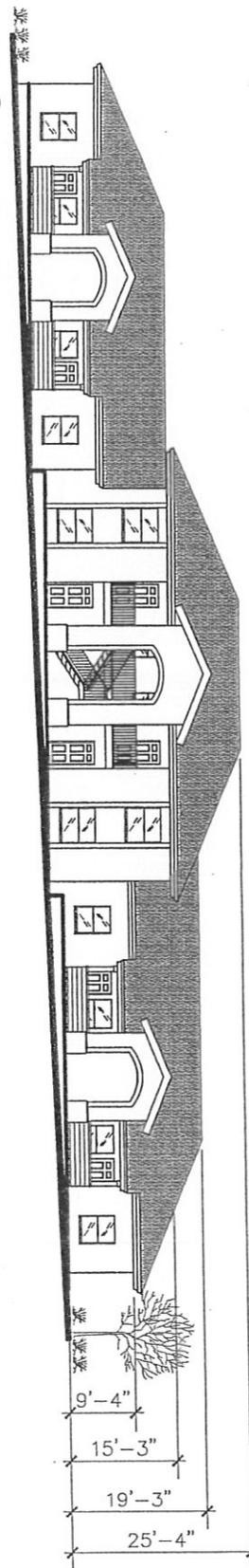
04 PROPOSED SIDE ELEVATION
SCALE 1/8" = 1'-0"



02 PROPOSED REAR ELEVATION
SCALE 1/8" = 1'-0"



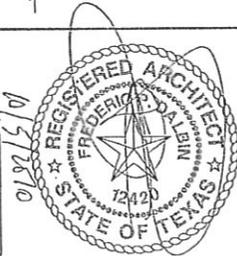
01 PROPOSED FRONT ELEVATION
SCALE 1/8" = 1'-0"



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MEMORANDUM

DATE: December 20, 2010

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Andrew Salloum, Planner

SUBJECT: ZON10-00080

The City Plan Commission (CPC) on December 2, 2010, voted **5-0** to recommend **APPROVAL** of the special permit application to allow for infill development with a condition that the alley be paved to city standards.

The CPC found that the special permit is in conformance with the Plan for El Paso and that the proposed use is in conformance with the projected 2025 general land use map for the Central Planning Area. The proposed development is compatible with adjacent land uses. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; and the special permit will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was **NO OPPOSITION** to this request.

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00080
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: December 2, 2010
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 3824 Lincoln Avenue
Legal Description: Lots 17 to 23, and the East 5 feet of Lot 24, Block 110, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas

Acreage: 0.509-acre
Rep District: 2
Existing Use: Vacant
Existing Zoning: A-2 (Apartment)
Request: Special Permit for Infill Development
Proposed Use: Multi-family dwellings (Apartments)

Property Owner: Argubus Realty, LTD
Applicant: TVP Non-Profit Corporation
Representative: Wright and Dalbin Architects, Inc.

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Multi-family residential
South: A-2 (Apartment) / Multi-family residential
East: A-2 (Apartment) / Vacant
West: A-2 (Apartment) / Multi-family residential

THE PLAN FOR EL PASO DESIGNATION: Residential (Central Planning Area)

Nearest Park: Logan Park (5,243 feet)
Nearest School: Travis Elementary (5,243 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Magoffin Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 18, 2010. The Planning Division did not receive any phone calls or letters in support or opposition to the request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan review for an infill development to allow a reduced front yard setback from 20 feet to 10 feet for a new 12-unit apartment complex. The proposed use requires 20 off-street parking spaces; the applicant is providing 16 parking spaces and 3 bicycle spaces. The infill development grants an automatic 50% parking reduction. Access to the site will be from the alley.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan request as it meets all the requirements of 20.04.150, Detailed Site Development Plan, and 20.04.320, Special Permit.

The Plan for El Paso –City-wide Land Use Goals

All applications for special permit and detailed site development plan shall demonstrate compliance with the following criteria:

- a. Goal: provide and enforce standards for providing decent, safe and sanitary housing for all El Pasoans in accordance with federal, state, and local regulations.
- b. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

The purpose of A-2 (Apartment) districts 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.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for special permit and detailed site development plan and offered no objections to Planning Staff's recommendation for **APPROVAL**.

Engineering & Construction Management Services Department – Plan Review

Zoning: Plan review has no objections.

Landscaping: This project will meet code as submitted.

Engineering & Construction Management Services Department – Land Development

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
2. Grading plan and permit shall be required.*
3. Storm Water Pollution Prevention Plan and/or permit required.*
4. Drainage plans must be approved by the Development Services Department, Engineering Section.*
5. The Subdivision is within Flood Zone C - "Areas of minimal flooding, (No shading)." - Panel # 480214 0029B, dated October 15, 1982.

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

Department of Transportation

- Alley shall be paved to city standards if used for access.
- All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Fire Department

El Paso Fire Department has no objections or adverse comments.

El Paso Water Utilities

EPWU does not object to this request.

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 The Plan for 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 The Plan for 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 The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Location Map
2. Aerial Map
3. Detailed Site Plan
4. Elevations

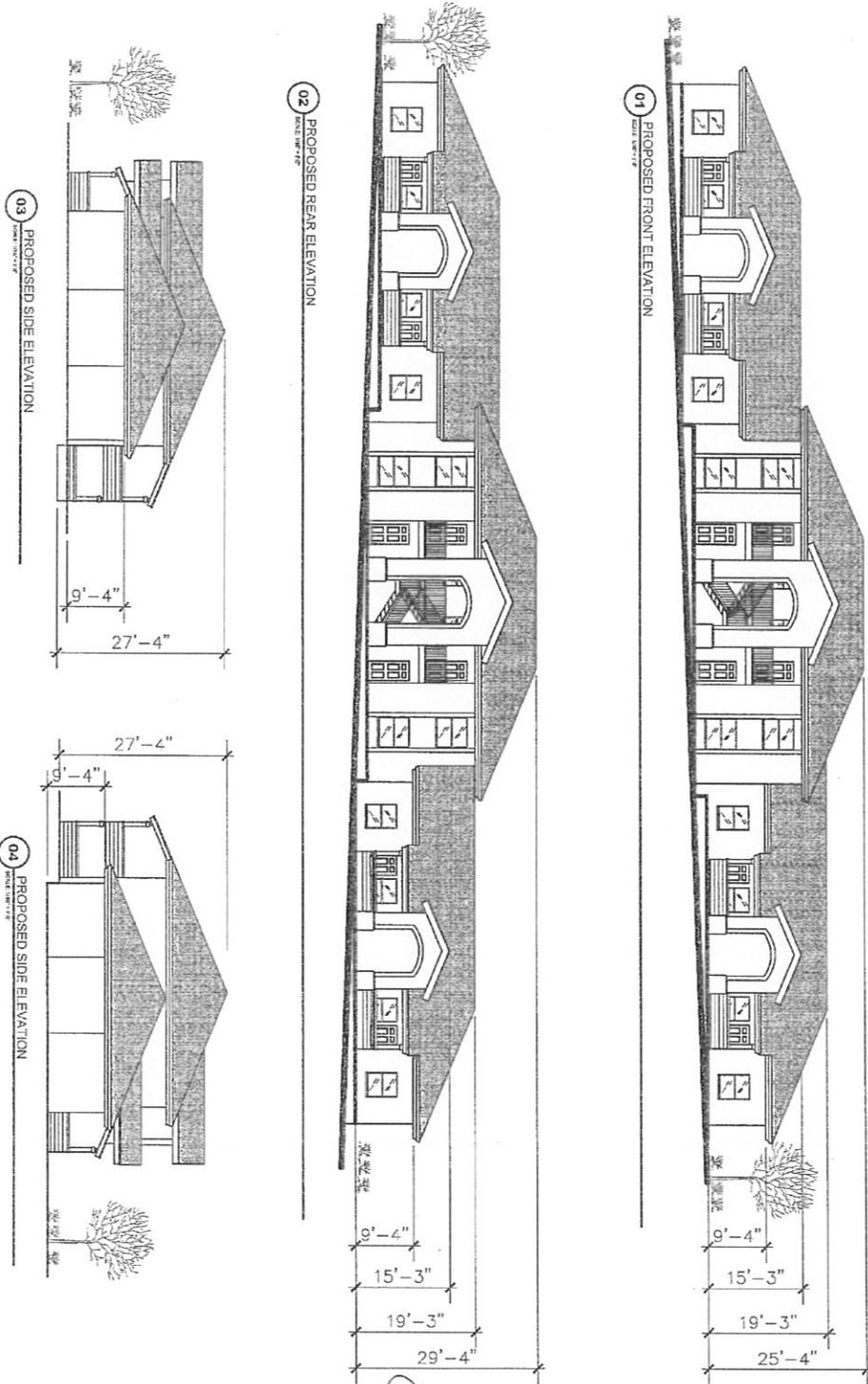
ATTACHMENT 1: LOCATION MAP



ZON10-00080

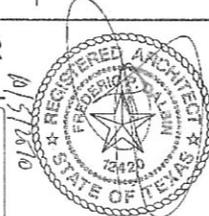


ATTACHMENT 4: ELEVATIONS



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