

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: January 26, 2010
Public Hearing: February 16, 2010

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance granting Special Permit No. ZON09-00074, to allow for an infill development and reduce the side street yard setback for a boarding house on the property described as Lots 15 and 16, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 1230 Myrtle Avenue. Applicant: David Gillooly, Opportunity Center. ZON09-00074 (**District 8**).

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning, Development Services Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00074, TO ALLOW FOR AN INFILL DEVELOPMENT AND REDUCE THE SIDE STREET YARD SETBACK FOR A BOARDING HOUSE ON THE PROPERTY DESCRIBED AS LOTS 15 AND 16, BLOCK 17, FRANKLIN HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, OPPORTUNITY CENTER, has applied for a Special Permit under Section 20.10.280 of the El Paso City Code to allow for an infill development and a reduction from the required side street setback of ten feet to nine feet, six inches for a proposed boarding house; and,

WHEREAS, if the Special Permit is granted the property is automatically allowed a fifty percent reduction of the parking requirements specified in the El Paso City Code; and,

WHEREAS, the requirements of Section 20.10.280 have been satisfied; and,

WHEREAS, a report was made by 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, except to the extent waived by City Council, the application conforms to all requirements of Section 20.10.280 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 C-4 (Commercial) District: Lots 15 and 16, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas; and
2. That the City Council hereby grants a Special Permit under Section 20.10.280 of the El Paso City Code to the Property described in Paragraph 1 above, to allow an infill development and a reduced setback from the required side street setback of ten-feet to a reduced setback of nine feet, six inches for a proposed boarding house; and
3. That by granting the Special Permit for infill development, the property is automatically allowed a fifty percent reduction of the parking requirements specified in the El Paso City Code; and

4. That this Special Permit is issued subject to the development standards in the **C-4 (Commercial)** 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 is incorporated herein by reference for all purposes; and

5. That if at any time the Applicant(s) fail(s) to comply with any of the requirements of this Ordinance, **Special Permit No. ZON09-00074** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and

6. 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 to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2010.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

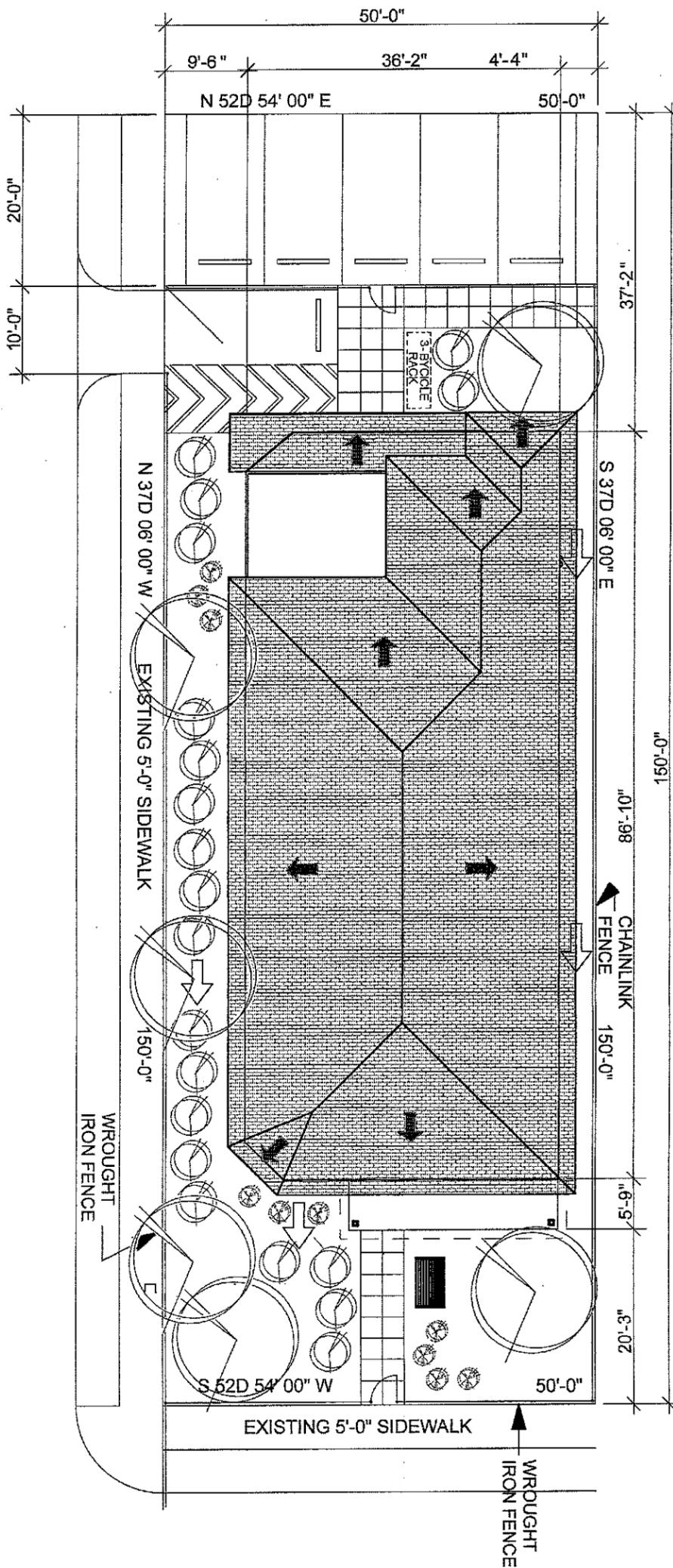
Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy,
Deputy Director – Planning
Development Services Department

A

B

EXISTING PAVED ALLEY



PARKING REQUIREMENTS

PARKING REQUIRED:
 22 UNITS / 2.0 ROOMS: 11 SPACES REQUIRED
 TOTAL SPACES REQUIRED: 6 SPACES
 PARKING PROVIDED:
 6 PARKING SPACES PROVIDED

LANDSCAPING REQUIREMENTS

LANDSCAPING REQUIRED:
 8,600 SQ. FT. * 0.075 = 645 SQ. FT.
 PROJECT TREES: 645 / 1000 = 1
 SHRUBS: 20 * (645 / 1000) = 20
 GROUNDCOVER: 10 * (645 / 1000) = 10
 SHADE TREES: NOT REQUIRED
 FRONTAGE TREES: 50' / 50 = 1
 SIDE FRONTAGE TREES: 150/50' = 3

LANDSCAPING PROVIDED:
 1,434 SQ. FT. + 845 SQ. FT. = 2,279 SQ. FT.
 PROJECT TREES: 1
 SHRUBS: 20
 GROUNDCOVER: 10
 SHADE TREES: 1
 FRONTAGE TREES: 4

BUILDING DESCRIPTION

3 STORY BUILDING
 22 SINGLE ROOM UNITS
 1ST STORY 3,120 SQ. FT.
 2ND STORY 2,740 SQ. FT.
 3RD STORY 2,740 SQ. FT.
 TOTAL AREA 8,600 SQ. FT.

LEGAL DESCRIPTION

BLOCK 17
 FRANKLIN HEIGHTS
 LOTS 15 AND 16
 (7,500 SQ. FT.)

1

1st FLOOR PLAN

SCALE: 1/16" = 1'-0"

1230 MRYTLE
 El Paso, Texas

	090955
	09/15/2009
	AS SHOWN

A-101



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IF YOU SHOULD HAVE ANY COMPLAINTS REGARDING THIS ARCHITECTURAL FIRM, PLEASE BE INFORMED THAT THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS HAS JURISDICTION OVER COMPLAINTS REGARDING THIS FIRM'S PROFESSIONAL PRACTICE. THE MAILING ADDRESS IS TBAE, P.O. BOX 12337, AUSTIN, TEXAS 78711. TELE. (512) 305-9000.

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MEMORANDUM

DATE: January 15, 2010

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

SUBJECT: ZON09-00074

The City Plan Commission (CPC) on December 17, 2009 voted **6-0** to recommend **APPROVAL** for infill development to allow for the reduction of the side street yard setback and an automatic 50% parking reduction. This recommendation is in agreement with the recommendation from the DCC and staff.

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

There were no public comments in support or in opposition to this request.

Attachment: City Plan Commission Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00074
Application Type: Special Permit and Detailed Site Plan Review
CPC Hearing Date: December 17, 2009
Staff Planner: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

Location: 1230 Myrtle Avenue
Legal Description: Lots 15 and 16, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas
Acreage: 0.170 acres
Rep District: 8
Existing Use: Residential
Zoning: C-4 (Commercial)
Request: Infill Development for reduced parking and reduced side street setback
Proposed Use: Boarding House

Property Owner: Alejandro Moreno
Applicant: Opportunity Center
Representative: Wright and Dalbin Architects, Inc.

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Residential
South: C-1 (Commercial) / Residential
East: C-4 (Commercial) / Residential
West: C-4/sp (Commercial/special permit) / Opportunity Center for the Homeless

Plan for El Paso Designation: Residential (Central Planning Area)
Nearest Park: Houston (2,745 Feet)
Nearest School: Alamo Elementary (2,960 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association; Magoffin Neighborhood Association

NEIGHBORHOOD INPUT

Notices of the December 17, 2009, public meeting were mailed out to all property owners within 300 feet of the subject property on December 1, 2009. The Planning Division has received no public responses to the special permit request.

APPLICATION DESCRIPTION

The property owners are proposing an 8,600 sq. ft. boarding house with 22 units. They are requesting the automatic 50% parking reduction allowed through a special permit for infill development. The required parking spaces for a boarding house are ½ per rented bedroom. The project proposes 22 bedrooms which will require 11 parking spaces. The automatic 50% reduction will reduce the required parking spaces to six (6) parking spaces. This project proposes six (6) parking spaces including one (1) handicap parking space. Access is proposed via the alley and access from Brown Street for the handicap parking space.

The property owners are also requesting a reduction from the required side street setback of ten-feet (10') to nine-feet, six and one quarter inch (9'6¼").

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **approval** of the special permit and detailed site development plan for an infill development to allow for a 50 % parking reduction and for reduced side street yard setback for the proposed boarding house.

PLANNING DIVISION RECOMMENDATION

Planning recommends **approval** of the special permit and detailed site development plan for infill development to allow for a 50% parking reduction and for reduced side street yard setback for the proposed boarding house.

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: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The application is in conformance with The Plan for El Paso and in conformance with the 2025 Projected General Land Use Map which designates the property for residential land uses. The proposed parking reduction and reduced side street yard setback will not adversely affect the surrounding development.

Development Services Department - Building Permits and Inspections Division

Zoning: No objections.

Landscaping: This project will not meet the landscape ordinance as submitted. Demolition of existing buildings and using different foundation foot print determines that this is a new project and requires landscaping under 18.46.080 Project lacks plant material based on code requirements. Frontage trees required in addition to the required one unit minimum under 18.46.080.

Engineering Department - Traffic Division

- 1) Parking Reduction - Traffic does not object to parking reduction. Results of submitted parking study were verified by staff.
- 2) Infill - Applicant shall close the existing driveways on Brown and restore the sidewalks, curb and gutter.

Street Department

We offer no objections. 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

No comments received.

El Paso Water Utilities

No objections.

Sun Metro

No objections.

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

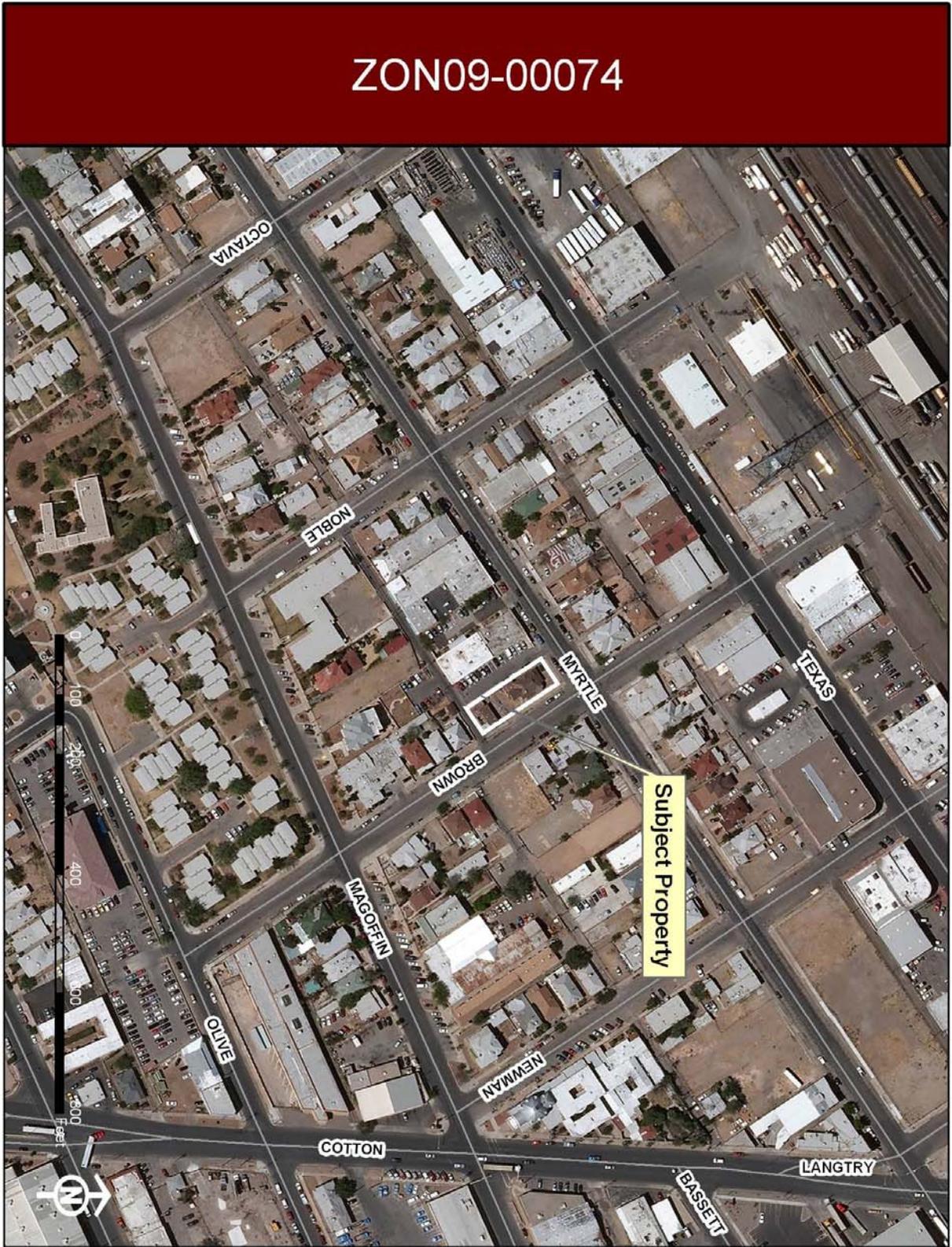
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

ATTACHMENT 1: ZONING MAP

ZON09-00074



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

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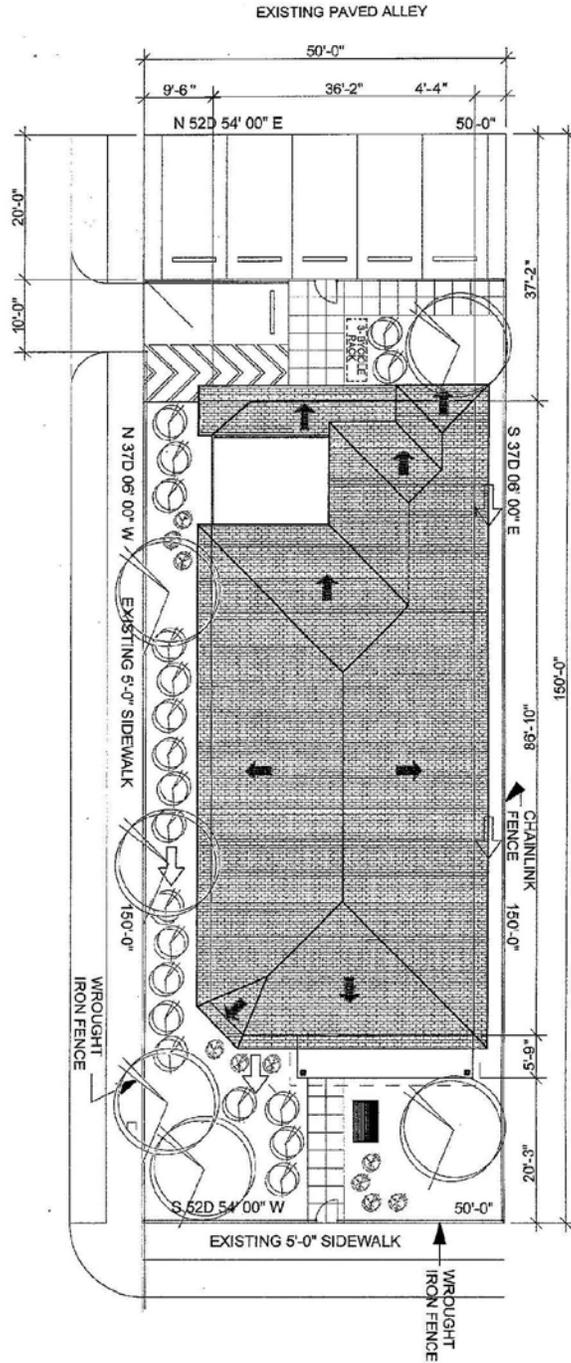
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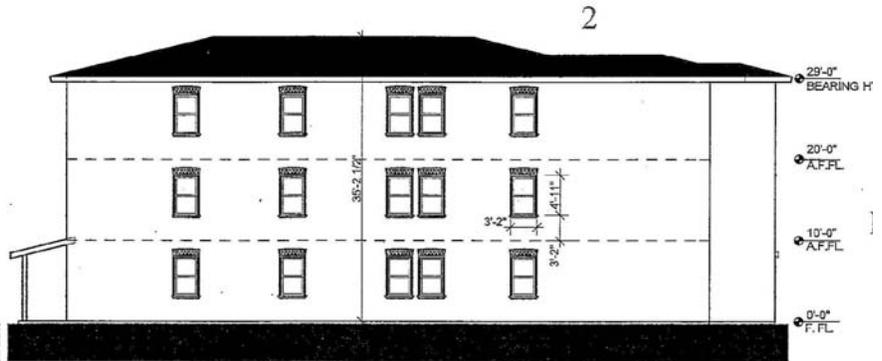
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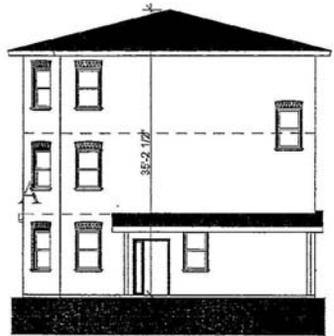
ATTACHMENT 4: ELEVATIONS



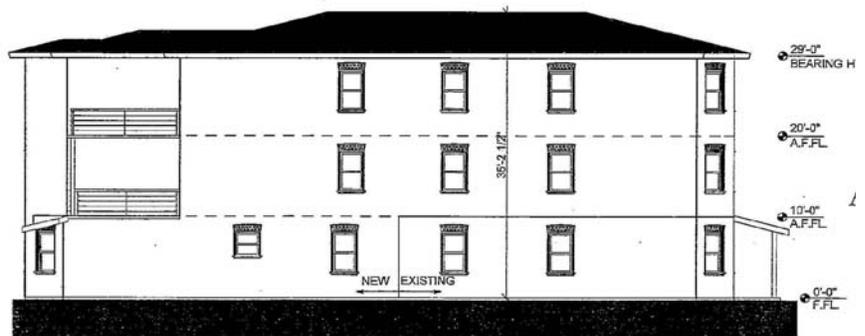
1 NORTH ELEVATION
SCALE: 3/32" = 1'-0"



3 EAST ELEVATION
SCALE: 3/32" = 1'-0"



2 SOUTH ELEVATION
SCALE: 3/32" = 1'-0"



4 WEST ELEVATION
SCALE: 3/32" = 1'-0"