

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

DEPARTMENT: Development Services / Planning Division
AGENDA DATE: Introduction 02/06/07; Public Hearing 02/27/07
CONTACT PERSON/PHONE: Esther Guerrero, Planner – 541-4720
DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON06-00151, to allow for a parking reduction on the property described as Lots 1 – 3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code.

Subject Property: 3301 Pera Avenue. Applicant: City of El Paso, ZON06-00151 (District 8)

BACKGROUND / DISCUSSION:

See attached report

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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Alan Shubert

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00151, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 1 - 3, BLOCK 12, EAST EL PASO SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

WHEREAS, The City of El Paso, has applied for a Special Permit under Section 20.64.175 of the El Paso City Code to allow for a 67 % parking reduction; and,

WHEREAS, the requirements of Section 20.64.175 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 20.64.175 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 an A-O (Apartment/Office) District:
Lots 1 - 3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas; and,
2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso City Code so that a parking reduction, may be permitted on the property described in Paragraph 1 of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the A-O (Apartment/Office) 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,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON06-00151** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 and any other legal or equitable remedy; 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 to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2007.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

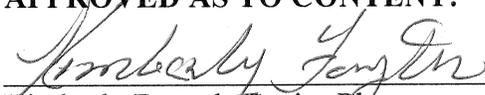
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Lupe Cuellar, Assistant City Attorney

APPROVED AS TO CONTENT:



Kimberly Forsyth, Senior Planner
Development Services Department



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

KELLY CARPENTER
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

January 29, 2007

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

FROM: Esther Guerrero, Planner

SUBJECT: ZON06-00151

The City Plan Commission (CPC), on December 7, 2006, voted **(6-0)** to recommend **approval** of the special permit request to allow a 67% parking reduction for a proposed dental clinic, concurring with staff's recommendation.

The property is currently the Rawlings Health Clinic which is vacant and the City of El Paso is proposing the new construction of a dental clinic which requires 18 parking spaces with 6 parking spaces proposed on site.

A related rezoning (ZON06-00150) for this property will be heard with this special permit request. The rezoning request if approved will change the zoning from A-3 (Apartment) to A-O (Apartment/Office).

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map, which designates the subject property for residential land uses. The CPC also determined that the special permit request protects the best interest, health, safety, and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the effects of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no one present at the meeting in opposition to this application.

STAFF REPORT

Special Use Permit: ZON06-00151

Property Owner(s): City of El Paso

Representative(s): Javier Reyes, City Engineering Department

Legal Description: Lots 1 to 3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas

Location: 3301 Pera Avenue

Representative District: # 8

Area: 0.24 Acres

Present Zoning: A-3 (Apartment)

Present Use: Health Clinic

Proposed Zoning: A-O (Apartment/Office)

Request: Parking Reduction
67% Parking Reduction
Spaces Required = 18 Spaces Provided = 6

Recognized Neighborhood Associations Contacted: A Presidential Neighborhood Association
Alameda Business Association
Estrella Neighborhood Association
Chamizal Neighborhood Association

Surrounding Land Uses:

North -	C-4 (Commercial) / Apartments
South -	A-3 (Apartment) / Single-family Residential
East -	A-3 (Apartment) / Apartments
West-	A-3 (Apartment) / Single-family Residential

Year 2025 Designation: Residential (Central Planning Area)

**CITY PLAN COMMISSION HEARING, DECEMBER 7, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

SPECIAL USE PERMIT: ZON06-00151

GENERAL INFORMATION:

The applicant is requesting a special permit to allow a 67% parking reduction for the proposed new construction of a dental clinic. The new development will require 18 off-street parking spaces with only 6 parking spaces being provided.

The Engineering Department – Traffic Division submitted a traffic impact study indicating an additional 78 on-street parking spaces within the 300 foot radius.

There are no zoning conditions currently imposed on this property. A related rezoning request will also be considered for this property. (See ZON06-00150)

INFORMATION TO THE COMMISSION:

The Development Services Department - Planning Division has received no letters or calls in support or opposition to this request.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) recommends **approval** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community”; “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the **Central** Planning Area designates this property for Residential land uses.

The available 78 on-street parking spaces will satisfy the additional 12 parking spaces required.

The Commission must determine the following:

1. Will the special permit for parking reduction protect the best interest, health, safety and welfare of the public in general?
2. Will the special permit be compatible with adjacent land uses?
3. What is the relation of the proposed special permit to the City’s Comprehensive Plan?
4. What effects will the proposed special permit have on the natural environment, social and economic conditions and property values in the vicinity and the city as a whole?

INFORMATION TO THE APPLICANT:

Development Services Department - Planning Division Notes:

Planning recommends approval based on the information provided on the traffic impact study indicating additional on-street parking to satisfy this request.

Development Services Department - Building Permits Division Notes:

Zoning Review:

No objection to parking reduction request. Project will require one ADA van accessible on-site parking space.

Landscape Review:

Landscape required for this project, not providing calculations.

Development Services Department - Subdivision Plan Review Notes:

No objections.

Engineering Department - Traffic Division Notes:

No major traffic issues with the proposed parking reduction request.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

Water

- A. There is an existing 8-inch diameter water main along Pera Avenue.
- B. Also, there is an existing 4-inch diameter water main along the alley located behind the subject property.
- C. EPWU records indicate that the subject property has an active 1½-inch water meter connection from the above described 4-inch water main.

General

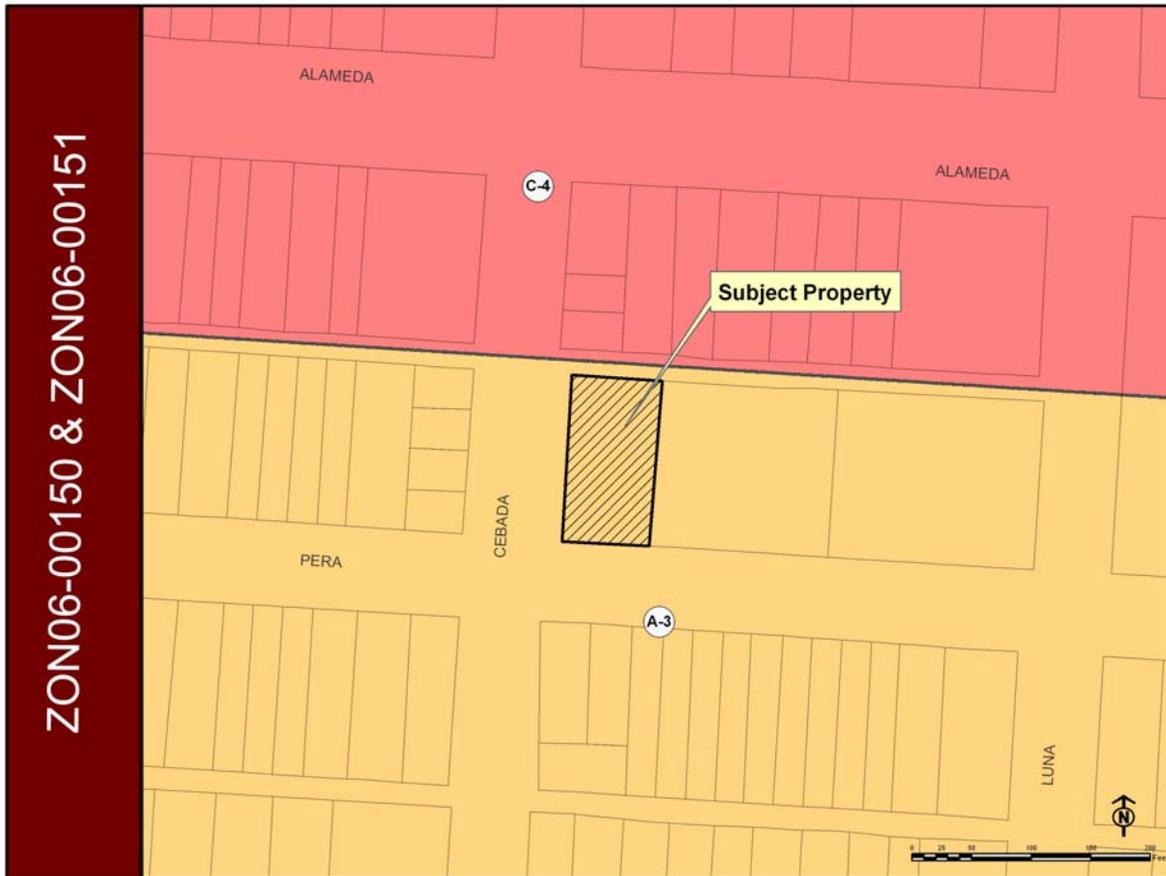
- A. A privately-owned water pressure regulating device and a backflow prevention device are required at the discharge side of each water meter. The property Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating and backflow prevention devices.
- B. A new service application for additional water/sewer service connections is required. New service installation applications are received at 1154 Hawkins, 3rd Floor. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the

legal description of the property, and a certificate-of-compliance are required at the time of application.

EPWU does not object to this request.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION (915) 541-4056.

LOCATION MAP

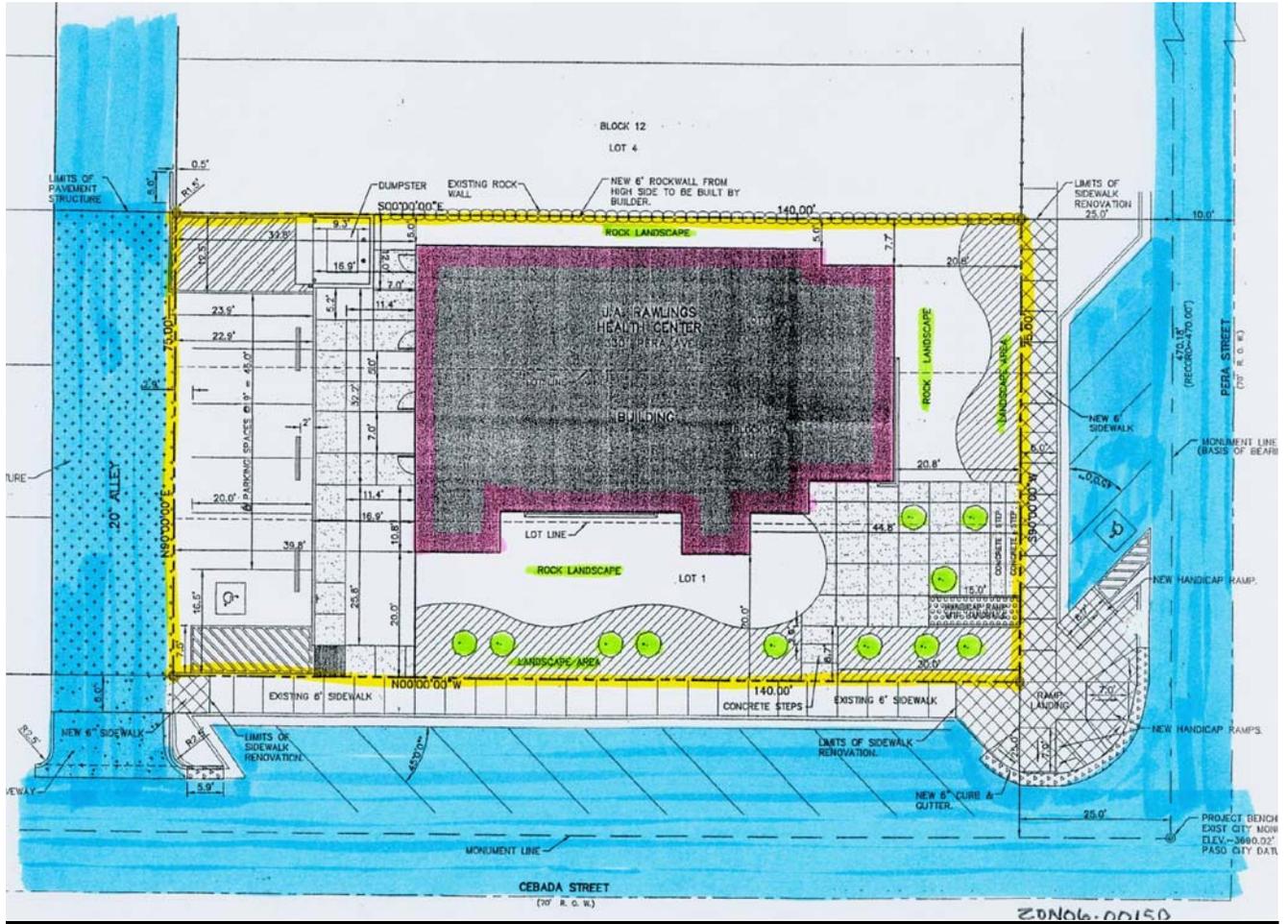


AERIAL

ZON06-00150 & ZON06-00151



SITE PLAN



TRAFFIC STUDY

