

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: January 16, 2007
Public Hearing: February 6, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON06-00141, to allow for a parking reduction on the property described as Lots 14 - 20, Block 82, Campbell Addition, 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: 706 South Florence Street. Applicant: Centro De Salud Familiar La Fe. ZON06-00141 (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) – Unanimous Denial Recommendation
City Plan Commission (CPC) – Approval Recommendation (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Schubert

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00141, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 14 - 20, BLOCK 82, CAMPBELL ADDITION, 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, Centro De Salud Familiar La Fe, has applied for a Special Permit under Section 20.64.175 of the El Paso City Code to allow for a 100 % 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 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 a C-1 (Commercial), A-3 (Apartment), and C-4 (Commerical) District:

Lots 14 - 20, Block 82, Campbell Addition, City of El Paso, El Paso County, Texas, and more particularly described in the metes and bounds in Exhibit "A" which is attached hereto and made a part hereof for all purposes; and,

CITY CLERK DEPT.
07 JAN - 8 AM 9:30

2. That the City Council hereby grants a Special Permit under Sections 20.36.040, 20.24.040 and 20.42.040 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 C-1 (Commerical), A-3 (Apartment) and C-4 (Commerical) 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 "B" 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. ZON06-00141** 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

Kimberly Forsyth, Senior Planner
Development Services Department

CITY CLERK DEPT.
07 JAN - 8 AM 9:30

AGREEMENT

Centro De Salud Familiar La Fe, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the **C-1 (Commerical), A-3 (Apartment) and C-4 (Commercial) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 8th day of January, 2007.

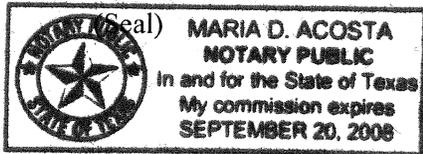
Robert Gonzalez
(Signature)

Chief Finance Officer
(Name/Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 8th day of January, 2007, by Robert Gonzalez for **Centro De Salud Familiar La Fe**, as Applicant.



Maria D. Acosta
Notary Public, State of Texas
Signature

MARIA D. ACOSTA
Printed or Typed Name

My Commission Expires:
9/20/08

CITY CLERK DEPT.
07 JAN - 8 AM 9:30³

PREPARED FOR: CENTRO DE SALUD FAMILIAR LA FE INC.
706 AND 718 S. FLORENCE STREET
ALL OF LOTS 14 THRU 20, BLOCK 82, CAMPBELL'S ADDITION
CITY OF EL PASO, EL PASO COUNTY TEXAS
REVISED: 12/15/08
W.O.# 061404-6

PROPERTY DESCRIPTION

Description of a 0.5014 acre parcel of land being All of Lots 14 Thru 20, Block 82, Campbells Addition, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing at a city monument located at the monument line intersection of Father Rahm Avenue and S. Florence Street 10' North and East of their centerline intersection; Thence South 14°38'00" East along the monument line of S. Florence Street a distance of 122.82 feet , Thence North 75°22'00" East a distance of 25.00 feet to a point lying on the easterly right-of-way line of S. Florence Street, said point also being the "True Point of Beginning";

Thence North 74°57'00" East a distance of 120.00 feet to a point;

Thence South 14°38'00" East a distance of 182.00 feet to a point;

Thence South 74°57'00" West a distance of 120.00 feet to a point lying on the easterly right-of-way line of S. Florence Street;

Thence North 14°38'00" East along said easterly right-of-way line, a distance of 182.00 feet back to the "True Point of Beginning" and containing in all 21,839.89 square feet or 0.5014 acres of land more or less.

Exhibit "A"



BRADLEY ROE, R.P.L.S. 2449
ROE ENGINEERING, L.C.
(NOT A GROUND SURVEY)

CITY CLERK DEPT.
07 JAN - 8 AM 9:30

ZON06-00141

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES



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
MEMORANDUM

DATE: January 8, 2007

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

FROM: Melissa Granado, Planner

SUBJECT: ZON06-00141

The City Plan Commission (CPC), on December 7, 2006, voted **5-0** to recommend **APPROVAL** of a special permit request for a one hundred percent (100%) parking reduction for the subject property, contrary to Staff's recommendation.

The CPC found that the special permit is in conformance with The Plan for El Paso Citywide land use goals that El Paso: "preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods." The CPC found that the proposed one hundred percent (100%) parking reduction will not have an adverse impact on the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole. The CPC also determined that the special permit for a one hundred percent (100%) parking reduction protects the best interest, health, safety, and welfare of the public in general.

There was one letter in opposition to this request.

Attachment: Staff Report, Location Map, Aerial Map, Site Plan, Traffic Study Waiver, Opposition Letter

STAFF REPORT

Special Use Permit #: ZON06-00141

Property Owner(s): Centro De Salud Familiar La Fe

Representative(s): Mijares Mora Architects, Inc.

Legal Description: Lots 14-20, Block 82, Campbell Addition, El Paso, El Paso County, Texas

Location: 706 South Florence Street

Representative District: 8

Area: 0.5014 acres

Zoning: C-1 (Commercial), A-3 (Apartment), C-4 (Commercial)

Existing Use: Apartment

Proposed Use: Parking Reduction
Spaces Required: 16
Spaces Provided: 0
Number and % Reduced: 16 (100%)

Recognized Neighborhood Associations Contacted: El Paso Central Business Association, A Presidential Neighborhood Association, Eagle Neighborhood Association

Surrounding Land Uses:

North -	A-3 (Apartment) / Apartments
South -	C-4 (Commercial) / La Fe Technology and Cultural Arts Center
East -	A-3 (Apartment) / Apartments
West-	A-3 (Apartment) / El Paso Independent School District

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: ZON06-00141

General Information:

The applicant is requesting a special permit to allow for a one hundred percent (100%) parking reduction which will serve a proposed addition to the La Fe Technology and Cultural Arts Center. The property is currently zoned C-4 (Commercial), A-3 (Apartment), and C-1 (Commercial). The site is currently an existing apartment complex and is 0.094 acres in size. The proposed site plan shows a 9,950 sq. ft., two story addition to the existing Technology and Cultural Arts Center to be located on the site. Access is proposed via Sixth Street. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Development Services Department – Planning Division has received one letter in opposition to this request.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **DENIAL** of this special permit request for a one hundred percent (100%) parking reduction.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “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.”

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

A-3 (Apartment) zoning permits a parking reduction by special permit.

C-1 (Commercial) zoning permits a parking reduction by special permit.

C-4 (Commercial) zoning permits a parking reduction by special permit.

The Commission must determine the following:

1. Will the special permit for a one hundred percent (100%) parking reduction protect the best interest, health, safety, and welfare of the public in general?
2. Will the special permit for a one hundred percent (100%) parking reduction 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 - Building Permits and Inspections Division Notes:

Zoning: Under architectural barriers Texas Civil Statutes, Article 102 (Section 2) a building or facility used by the public that is constructed, renovated, modified, or altered in whole or part on or after January 1, 1970, through the use of state, county, or municipal funds, or the funds of any political subdivision of the state shall comply with these statutes. Minimum of one van accessible handicapped parking space would be required if applicant falls under above criteria.

Landscaping: No comments received.

Development Services - Planning Division Notes:

Current Planning: Planning Division recommends denial of the parking reduction request. Previous parking reduction utilized all available on-street parking within a 300 ft. radius. Additional parking reduction cannot be adequately served and will create an undue burden of public improvements and street rights-of-way.

Land Development: No comments received.

Engineering Department, Traffic Division Notes:

After a thorough study of the area, Traffic Division regrets to deny the parking reduction request based on the fact that there are not enough parking spaces on the street for the proposed building use.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

Water:

Along Florence Street, between Father Rahm Street and Sixth Street, there is an existing twelve (12) inch diameter raw, un-chlorinated, water transmission main (flow line). No service connections are allowed from this main.

Along the alley located between Florence Street and Ochoa Street there is an existing six (6) inch diameter water main.

Sanitary Sewer:

Along Florence Street between Father Rahm Street and Sixth Street there are no existing sanitary sewer mains.

Along the alley located between Florence Street and Ochoa Street there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 120 feet south of Father Rahm Street.

General:

In the event that 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. 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.

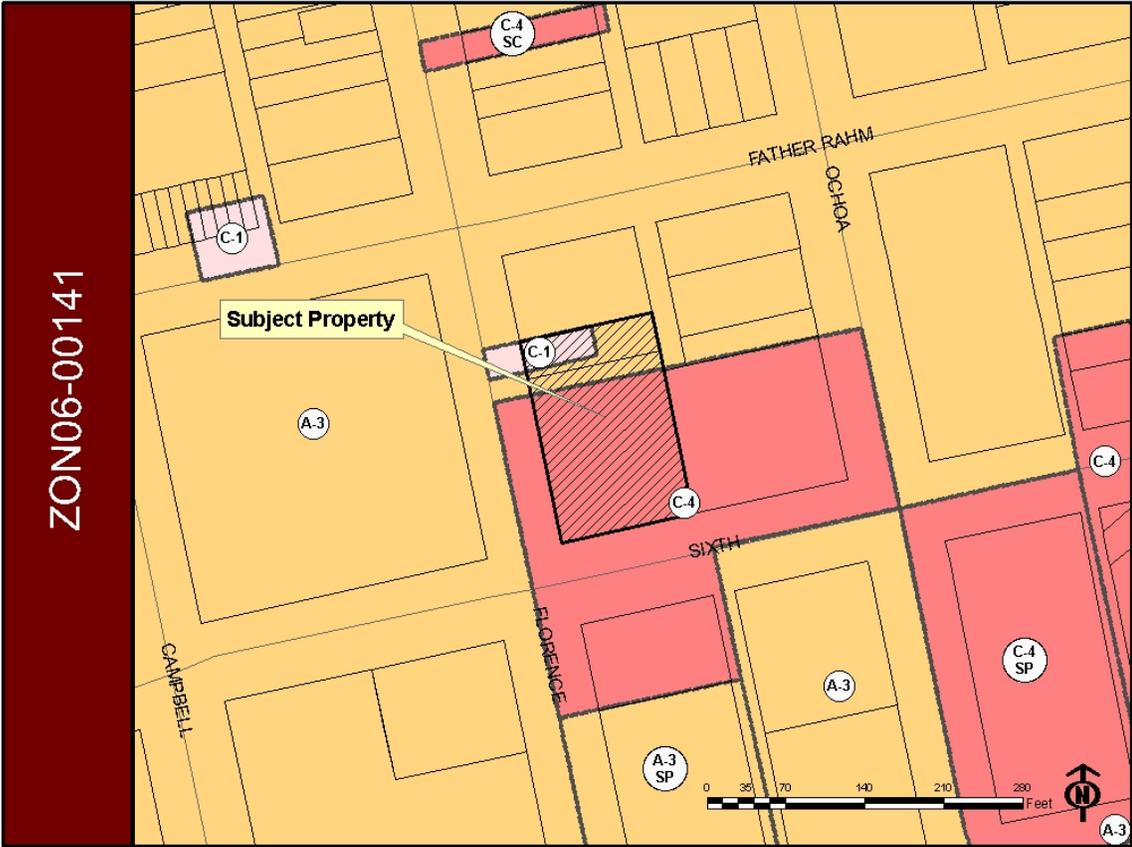
Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 5th floor at City Hall. 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.

EPWU does not object to this request.

ATTACHMENT: Location Map, Aerial Map, Site Plan, Traffic Study Waiver, Opposition Letter

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

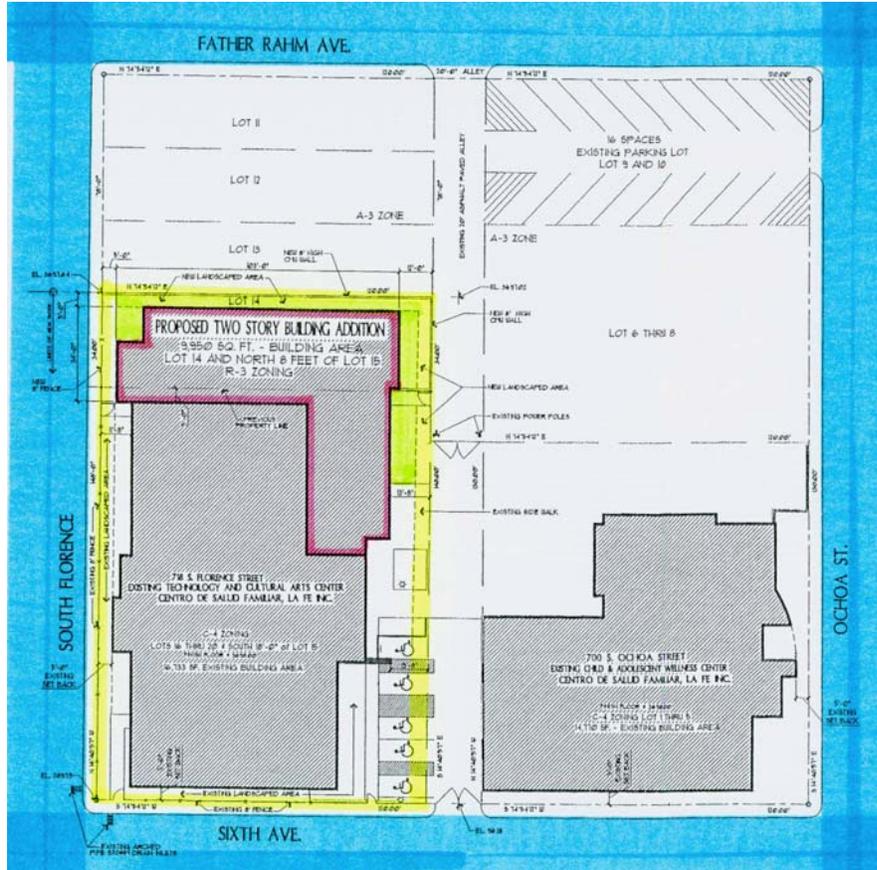


ZON06-00141

AERIAL MAP



SITE PLAN



TRAFFIC STUDY WAIVER

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER

RICK CONNER
CITY ENGINEER



October 27, 2006

ENGINEERING DEPARTMENT

La Fe Clinic and Technology Cultural Arts Center
706 S. Florence Street
El Paso, Texas 79902

Dear Mr. Balcorta,

Traffic Engineering Division has reviewed and evaluated your request as per Section 20.64.175 (Parking Waiver) of the City of El Paso Code for a waiver of parking reduction study at **706 S. Florence Street**.

The ordinance requires a submittal of a Traffic Impact Study (TIS) or a letter from the Department of Engineering Traffic Division waving the TIS.

A submittal of a TIS is not necessary and/or required with your parking waiver reduction application for the above location for the following reason:

The last parking reduction study submitted for this area already showed that the off-street parking within the 300-foot radius area was already at maximum capacity.

To require a new parking study will most likely show same or worst condition for off-street parking. Additional on-street parking cannot be accommodated.

If additional information is needed, please contact Mario Cruz, Traffic Division at 541- 4165.

Sincerely,

A handwritten signature in black ink that reads "Rick Conner".

Rick Conner, P.E.,
City Engineer
Engineering Department

Handwritten initials "C.M." in black ink.

CITY COUNCIL

ANN MORGAN LILLY
DISTRICT NO. 1

SUSIE BYRD
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

MELINA CASTRO
DISTRICT NO. 4

PRESI ORTGEA, JR.
DISTRICT NO. 5

EDDIE HOLGUIN JR.
DISTRICT NO. 6

STEVE ORTEGA
DISTRICT NO. 7

BETO O'ROURKE
DISTRICT NO. 8

OPPOSITION LETTER

11/21/06

TO WHOM IT MAY CONCERN:

IN THE MATTER OF CASE NO. 20N06-00141 ON DATE
DECEMBER 7, 2006 AT 1:30 PM, BEFORE THE CITY COUNCIL

I WOULD LIKE TO SAY THE FOLLOWING:

THE PARKING SITUATION IS A big problem...

MY AFFECTED ADDRESS IS

RIGHT ACROSS THE STREET FROM LA FE'S PARKING LOT.

CUSTOMERS OF LA FE TEND TO PARK IN MY PARKING

PERSONAL SPACES AND DON'T LEAVE ROOM FOR

OUR VEHICLES. BEFORE THE PARKING LOT WAS THEIR

THE LINES WERE PAINTED YELLOW AND EVERYTHING

WAS FINE. AFTER THE PARKING LOT WAS IN PLACE

WE STARTED GETTING TRAFFIC VIOLATIONS FOR

PARKING WITHIN THE YELLOW LINE.

WE TOOK IT UPON OURSELVES TO PAINT THE LINES

GREY, BUT THE PROBLEM WITH THAT IS THEN

LA FE'S CUSTOMERS PARK THEIR AS WELL.

I FEEL THAT WE ARE AT A DISADVANTAGE

NO MATTER WHAT WE DO. ALSO SOMETHING ELSE

THAT IS NOT CLEAR IS WHEATHER OR NOT IT'S

BETTER OR SAFER TO PARK PARALEL OR VERTICAL,

TO THE CURB.

PLEASE GIVE SERIOUS CONSIDERATION TO OUR

UNPLASANT SITUATION.

THANKYOU! Maria Rios

07 JAN -8 - AM 9:31

CITY CLERK DEPT.