

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: February 14, 2012
Public Hearing: March 6, 2012

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. PZST11-00016, to allow for a 100% parking reduction on the property described as all of Lot 16, and the East ½ of Lot 15, Block 107, East El Paso Addition, City of El Paso, El Paso County, Texas pursuant to Section 20.10.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3329 Montana Avenue. Property Owner: Dr. Rafael Armendariz. PZST11-00016 (**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) – Reviewed
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 and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST11-00016, TO ALLOW FOR A 100% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS ALL OF LOT 16, AND THE EAST ½ OF LOT 15, BLOCK 107, EAST EL PASO 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, Rafael Armendariz, Owner, has applied for a Special Permit under Section 20.04.320 of the El Paso City Code to allow for a 100% Parking Reduction; 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 an **A-O (Apartment/Office)** District:
All of Lot 16, and the East ½ of Lot 15, Block 107, East El Paso Addition, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A",
2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code, to allow for a 100% Parking Reduction; 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 "B" and incorporated herein by reference for all purposes; and,

ORDINANCE NO. _____

Special Permit No. PZST11-00016

Planning/ORD/Special Permit/Parking Reduction

Doc#100122 v-2/LCUE

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. **PZST11-00016** shall 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.

PASSED AND APPROVED this _____ day of _____, 2012.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Lupe Cuellar
Assistant City Attorney

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

ORDINANCE NO. _____

Special Permit No. PZST11-00016

Planning/ORD/Special Permit/Parking Reduction

Doc#99158 v-2/LCUE

3329 Montana St.
El Paso, Texas
November 29, 2011
METES AND BOUNDS

Metes and bounds description of a parcel of land being all of lot 16 and the East one half of Lot 15, Block 107, East El Paso Addition, recorded in Volume 04, Page 38 Plat Records of the City of El Paso, El Paso County, Texas. The parcel has an area of 5,250 square feet or 0.1205 acres of land more or less, and it is more particularly described by metes and bounds as follows;

Commencing at the center line intersection of Montana and Luna Streets, Thence due West along the center line of Montana St. a distance of 35.00 feet to a point; Thence due North a distance of 35.00 feet to the Southeast corner of Lot 16, Block 92, East El Paso Addition (Found rebar) said point being the point of beginning of this description;

Thence due North along the Westerly Right-of-Way Line of Luna St. a distance of 140.00 feet to a point that lies on the South Right-of-Way Line of an Existing 20 feet alley;

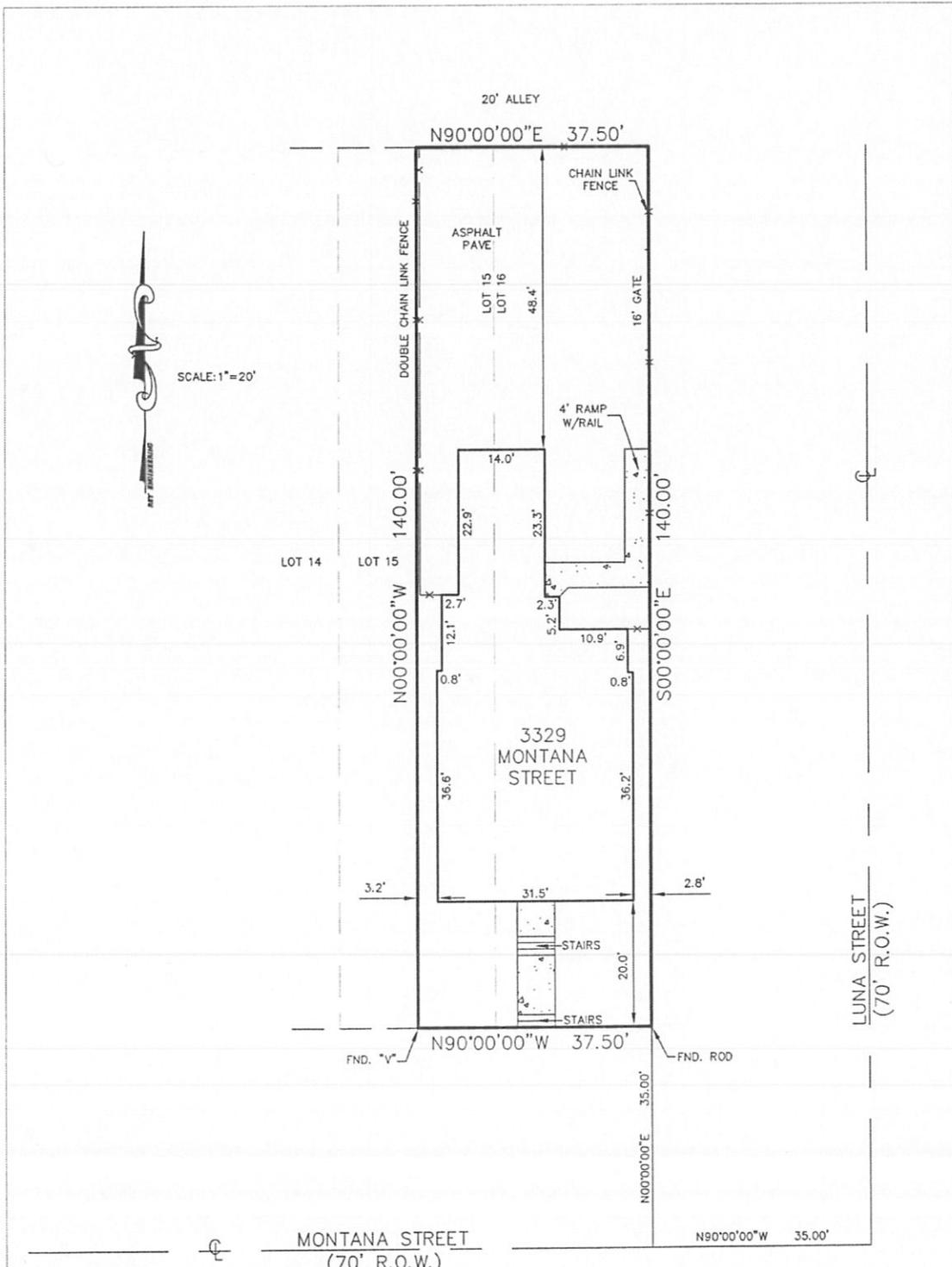
Thence due West along said alley South Right-of-Way Line a distance of 37.50 feet to a point;

Thence due South a distance of 140.00 feet to a point that lies on the North Right-of-Way Line of Montana St.;

Thence due East along said Montana St. Right-of-Way Line a distance of 37.50 feet to the point of beginning of this description. Said parcel of land covers 5,250 square feet or 0.1205 acres of land more or less.


Enrique Rey
R.P.L.S. TX 3505
2267 Trawood, Suite B-33505
El Paso, Texas 79905





SCALE: 1"=20'

PLAT OF SURVEY
 BEING ALL OF LOT 16 AND THE E 1/2 OF
 LOT 15, BLOCK 107,
 EAST EL PASO ADDITION
 RECORDED IN VOLUME 04, PAGE 38 PLAT RECORDS
 CITY OF EL PASO, EL PASO COUNTY, TEXAS
 PREPARED BY AND UNDER THE SUPERVISION OF

- NOTE:
1. THIS PROPERTY LIES IN ZONE C, AS DESIGNATED BY THE F.E.M.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO.480212 0034B, DATED, OCTOBER 15, 1982 EL PASO COUNTY, TEXAS
 2. THIS BOUNDARY AND IMPROVEMENT SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.


 ENRIQUE A. REY
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS NO. 3505



3329 MONTANA
 JOB NO. 2011-127
 DATE: NOVEMBER 21, 2011

REY ENGINEERING INC.
 CONSULTING ENGINEERING-SURVEYING-LAND PLANNING
 2267 TRAWOOD DR. SUITE B-3 EL PASO TEXAS, 79935
 PH. (915)309-1889 FAX (915) 633-8060
 TEXAS FIRM REGISTRATION F-3368

MEMORANDUM

DATE: February 6, 2012

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

FROM: Andrew Salloum, Planner

SUBJECT: PZST11-00016

The City Plan Commission (CPC) on January 26, 2012 voted **6-0** to recommend **APPROVAL** of the special permit application to allow for infill development.

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: PZST11-00016
Application Type: Special Permit
CPC Hearing Date: January 26, 2012
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 3329 Montana Avenue
Legal Description: All of Lot 16, and the East ½ of Lot 15, Block 107, East El Paso Addition, City of El Paso, El Paso County, Texas
Acreage: 0.12-acre
Rep District: 8
Existing Use: Medical Clinic
Existing Zoning: A-O (Apartment/Office)
Request: Parking Reduction
Proposed Use: Medical Clinic

Property Owner: Rafael Armendariz
Applicant: Rafael Armendariz
Representative: Jose Uresti

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Single-family dwelling
South: S-D (Special Development) / Vacant
East: S-D/c/sc (Special Development/condition/special contract) / Retail
West: S-D/c (Special Development/condition) / Medical Office

THE PLAN FOR EL PASO DESIGNATION: Residential and Commercial (Central Planning Area)
Nearest Park: Mary Webb Park (1,415 feet)
Nearest School: Alta Vista Elementary (692 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 10, 2012. 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 for a 100% parking reduction and review of the detailed site development plan for an existing 3,308 sq. ft. two-story medical clinic building. The proposed use requires 9 off-street parking spaces; the site plan shows 5 parking spaces and 3 bicycle spaces, with access from Luna Street. The Department of Transportation reviewed the parking study and has determined that there is sufficient on-street parking to satisfy the parking requirements of the development.

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 a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The purpose of the A-O (Apartment-Office) district 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 offered no objections to the Planning Staff's recommendation for **APPROVAL**.

Engineering & Construction Management Services Department – Plan Review

Plan Review has no objections.

Engineering & Construction Management Service Department – Landscaping

No comments received.

Engineering & Construction Management Services Department – Land Development

No objections.

Department of Transportation

Department of Transportation has the following comments regarding the request:

1. The alley between Montana and La Luz is not improved to City standards. The alley shall be improved to city standards as per Section 19.15.160 (Alleys) of the El Paso City Code and in accordance with the DSC as it is proposed for vehicular access.
2. Transportation is processing the request for angled parking on Luna Street concurrently with the special privilege request.
 - a. Angled parking shall not be labeled as reserved parking without the request for a special privilege license in accordance with Section 15.08.120 (Special Privileges).

Notes:

1. The property is located along the Montana Rapid Transit System (RTS) Corridor. Coordinate with Sun Metro regarding the location and arrangement of any bus stops or bus pull in bays.
2. Access to Montana Avenue shall be coordinated with TXDOT.
3. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with the current City of El Paso Design Standards for Construction and shall be ADA/TAS compliant.

El Paso Water Utilities

We have reviewed the special permit request above and provide the following comments:

1. EPWU-PSB does not object to this request.
2. EPWU-PSB requests that the existing meter serving the subject property be relocated from the existing parking area located along Luna Street to the adjacent sidewalk so that the meter will be accessible at all times.

Water:

3. There is an existing 4-inch diameter water main extending along the alley between Montana Avenue and La Luz Avenue fronting the northern boundary of the subject property (3329 Montana Avenue).
4. There is an existing 6-inch diameter water main extending along Luna Street fronting the eastern boundary of the subject property (3329 Montana Avenue).
5. EPWU records indicate an active ¾-inch water meter serving the subject property. The service address for this active meter is 3329 Montana Avenue.

Sewer:

6. There is an existing 24-inch diameter sanitary sewer main extending along Montana Avenue fronting the southern boundary of the subject property (3329 Montana Avenue). No direct service connections are allowed to this sanitary sewer main as per the El Paso Water Utilities – Public Service Board Rules & Regulations.
7. There is an existing 8-inch diameter sanitary sewer main extending along the alley between Montana Avenue and La Luz Avenue fronting the northern boundary of the subject property (3329 Montana Avenue).

General:

8. Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Fire Department

No comments received.

CITY PLAN COMMISSION OPTIONS

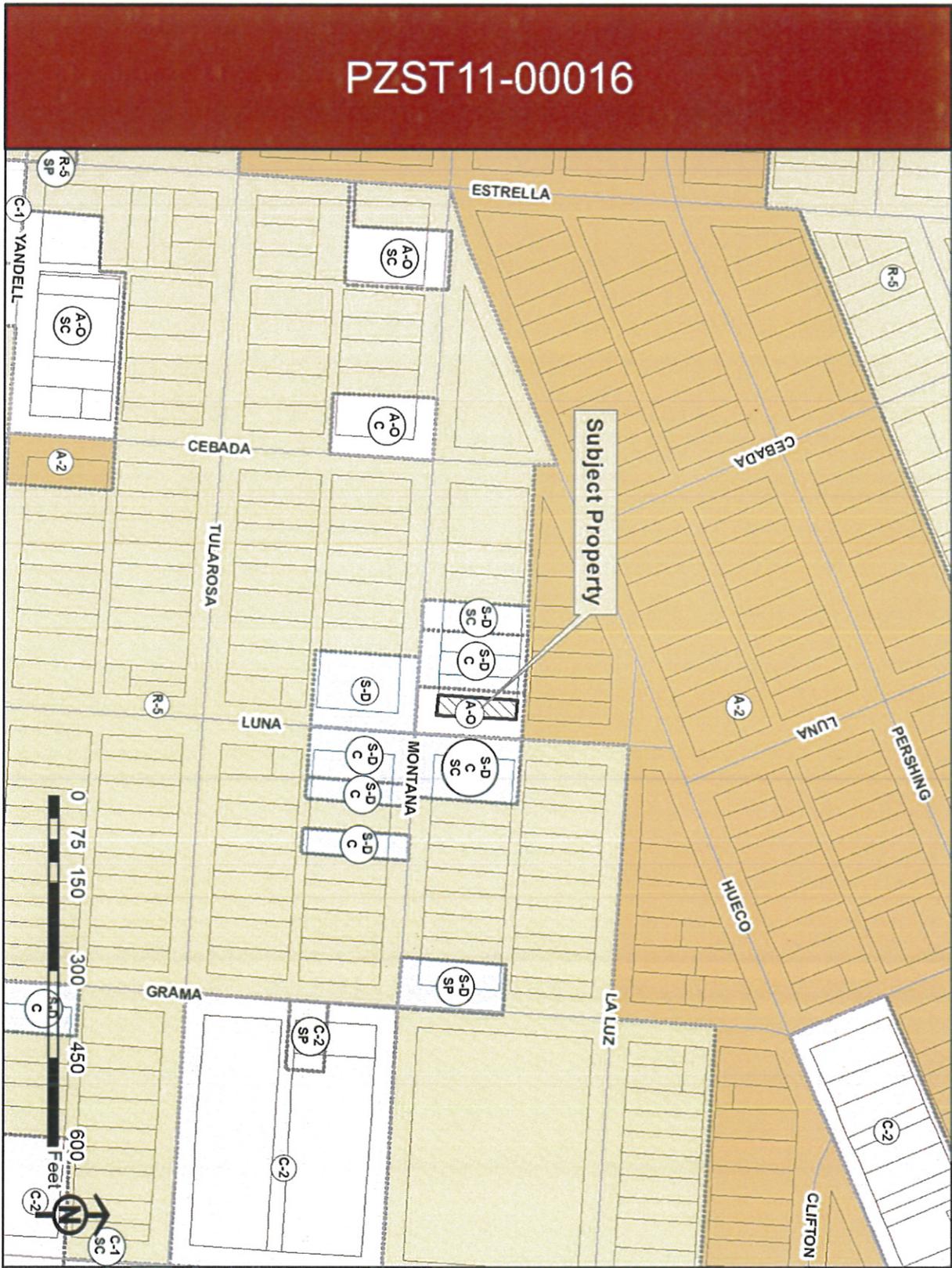
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

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



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 4: ELEVATIONS

