

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: February 2, 2010
Public Hearing: February 23, 2010

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4029, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 1

SUBJECT:

An ordinance granting Special Permit No. ZON09-00073, to allow for a fifty-six percent (56%) parking reduction on the property described as Lots 1-10, Block 223, Alexander Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 and 20.04.320 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 2401 N. Stanton Street. Property Owners: Clinton H. Dean, ZON09-00073 (**District 1**).

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00073, TO ALLOW FOR A FIFTY-SIX PERCENT (56%) PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 1-10, BLOCK 223, ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Clinton H. Dean, Owner and George Cisneros, Applicant have applied for a Special Permit under Section 20.04.260 of the El Paso City Code to allow for a fifty-six percent (56%) parking reduction; and,

WHEREAS, the requirements of Section 20.14.070 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 20.14.070 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/sp (Commercial/special permit) District:

Lots 1 – 10, Block 223, Alexander Addition, City of El Paso, El Paso County, Texas;

2. That the City Council hereby grants a Special Permit under Section 20.14.070 of the El Paso City Code so that a fifty-six percent (56%) 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/sp (Commercial/special permit) District regulations and is subject to the approved Detailed Site Development Plan signed by the Owner, 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 Owner and the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON09-00073** shall be subject to termination; construction or occupancy shall be discontinued; and the Owner and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Owner and 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:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew McElroy, Deputy Director-Planning
Development Services Department

AGREEMENT

George Cisneros, the Applicant, 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/sp (Commercial/special permit) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2010.

(Signature)

(Name/Title)

ACKNOWLEDGMENT

THE STATE OF)
)
COUNTY OF)

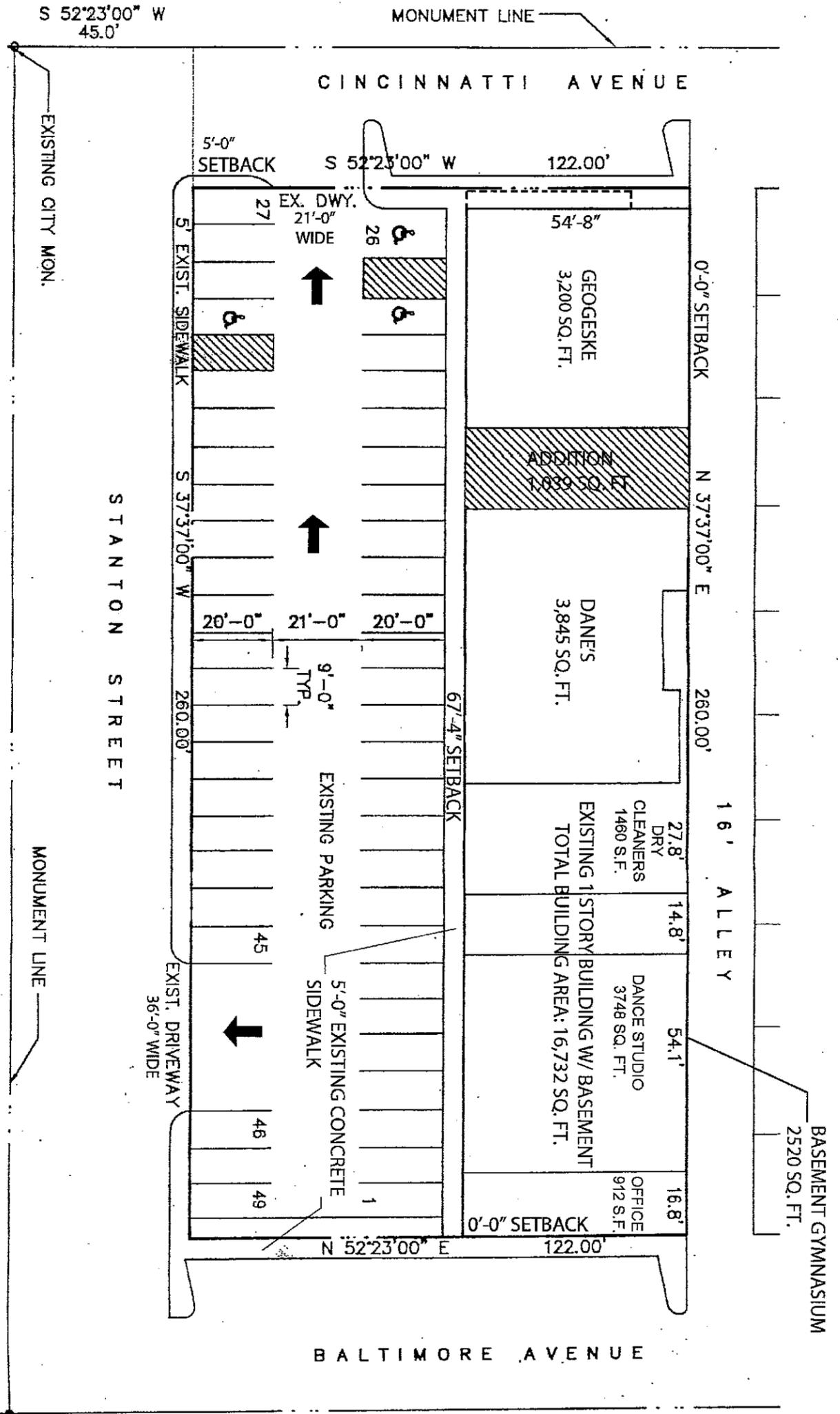
This instrument is acknowledged before me on this ____ day of _____, 2010, by _____ for **George Cisneros**, as Applicant.

(Seal)

Notary Public, State of Texas
Signature

Printed or Typed Name

My Commission Expires:



1 SITE PLAN

SC: 30'

EXIST. SITE PARKING COND.

STANDARD	46
HANDICAP	03
TOTAL	49

EXIST. PARKING REQUIREMENTS

RESTAURANT (7045/100)	70.45
GEOGESKE PATIO DANES	
DANCE STUDIO (3748/400)	9.37
RETAIL (2499/200)	12.495
DRY CLEANERS, SHOP	
GYMNASIUM (2520/200)	12.6
BASEMENT	
OFFICE (912/400)	2.28
TOTAL	107.0

NEW PARKING REQUIREMENTS

EXIST. REQUIREMENTS	107.0
RESTAURANT	5.0
(ADDITIONAL REQUIREMENTS)	
TOTAL	112.0

LANDSCAPING REQUIREMENTS:

NO LANDSCAPING REQUIRED (EXISTING DEVELOPMENT)

LEGAL DESCRIPTION:

LOTS 1-10
BLOCK 223
ALEXANDER ADDITION
CITY OF EL PASO
EL PASO COUNTY, TEXAS

DEVELOPMENT SERVICES DEPARTMENT

PLANNING DIVISION

DETAILED SITE DEVELOPMENT PLAN APPROVED BY THE CITY COUNCIL

DATE
APPLICANT

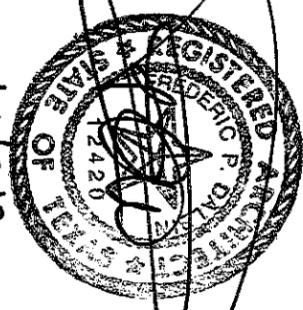
EXECUTIVE SECRETARY
CITY PLAN COMMISSION

CITY MANAGER

GEOGESKE & DANE'S
STANTON & CINCINNATI

09.07.39
SEPTEMBER 2009
AS SHOWN

A.O
SHEET 1 OF 1



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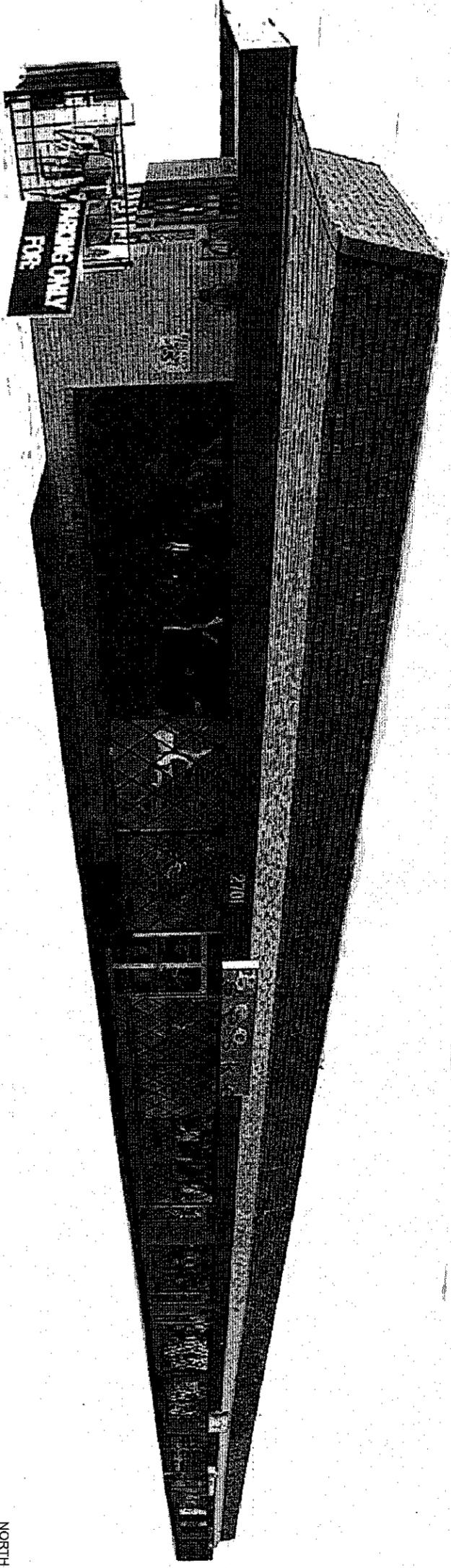
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02

FRONT FACADE (RENDER STANTON AVENUE)

SCALE: NOT TO SCALE

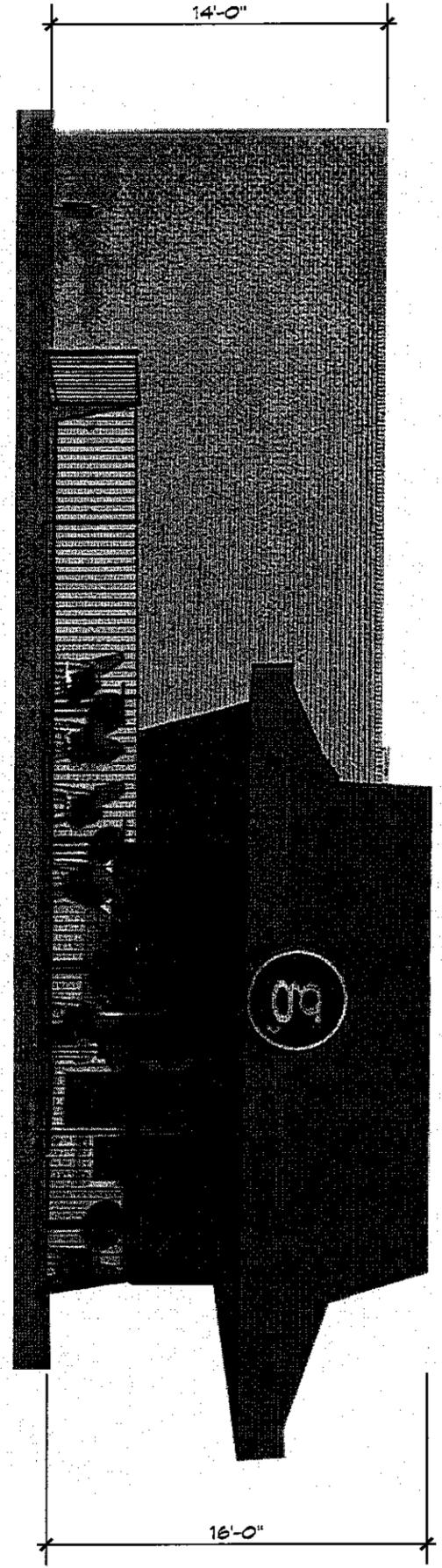


GEOGESKE
NORTH
PLAN

01

SIDE FACADE RENDER (CINCINNATI STREET)

SCALE: NOT TO SCALE

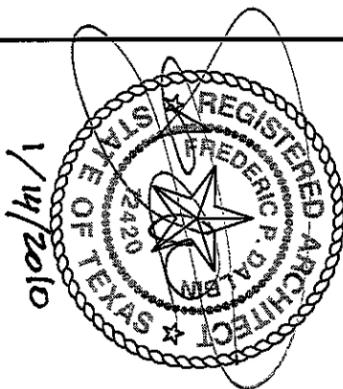


GEOGESKE
NORTH
PLAN

GEOGESKE & DANE'S
STANTON & CINCINNATI

	09.07.39
	SEPTEMBER 2009
	AS SHOWN

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SHEET 1	OF	1



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WRIGHT & DALBIN
F O U N D E R S

MEMORANDUM

DATE: January 25, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: **ZON09-00073**

The City Plan Commission (CPC) on December 17, 2009, voted **6-0** to recommend **APPROVAL** of the special permit application to allow for a 56% parking reduction for the shopping center.

The CPC found that the special permit 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 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.

Attachment: Staff report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00073
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: December 17, 2009
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: 2701 N. Stanton Street
Legal Description: Lots 1 - 10, Block 223, Alexander Addition, City of El Paso, El Paso County, Texas
Acreage: 0.6554 - acre
Rep District: 1
Existing Use: Commercial
Existing Zoning: C-1/sp (Commercial/special permit)
Request: Parking Reduction

Property Owner: Clinton H. Dean
Applicant: George Cisneros
Representative: Frederic Dalbin

SURROUNDING ZONING AND LAND USE

North: C-1 (Commercial) / Walgreen and Health Care Services
South: C-1 (Commercial) / Shopping Center, Restaurants, and Bars
East: C-1/sp (Commercial/special permit) / Dialysis Center and Restaurant
West: C-1 (Commercial) / Restaurants, Bars, and Alley

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

NEAREST PARK: Arroyo Park (890 Feet)

NEAREST SCHOOL: Mesita Elementary (2,060 Feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area.

NEIGHBORHOOD INPUT

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed special permit on November 18, 2009. Planning did not receive any calls or letters in support or opposition.

APPLICATION DESCRIPTION

The property owner is requesting a special permit and detailed site development plan approval to allow for a 56% parking reduction. The detailed site development plan shows an existing 16,732 square-foot retail shopping center with 49 off-street parking spaces. The shopping center requires 112 off-street parking spaces. The parking study shows 101 on-street parking spaces within 300 feet of the subject property; however, an analysis by the Traffic Division shows only 3-16 spaces available during an average day.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

DCC recommends **DENIAL** of the special permit and detailed site development plan based on insufficient on-street parking per the Traffic Division recommendation:

1. The parking analysis submitted for the parking reduction shows insufficient on-street parking within 300 feet of subject property to off-set reduction. Between 3-16 spaces were available during the study period.
2. Traffic recommends denial. Additional accommodations shall be required to provide adequate parking for the site.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **DENIAL** of the special permit and detailed site development plan based on insufficient on-street parking per the Traffic Division recommendations.

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 type 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.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

The existing shopping center is in conformance with The Plan for El Paso because the proposed retail building is in conformance with the 2025 Projected General Land Use Map which designates the property for mixed use land uses. However, the proposed parking reduction will adversely affect the surrounding development.

Development Services Department - Building Permits and Inspections Division

Zoning: no comments received.

Landscaping: no comments received.

Development Services Department – Planning Division

Current Planning: recommends **DENIAL** of the special permit and detailed site development plan based on insufficient on-street parking per the Traffic Division recommendation.

Land Development: no comments received.

Engineering Department - Traffic Division

1. The parking analysis submitted for the parking reduction shows insufficient on-street parking within 300 feet of subject property to off-set reduction. Between 3-16 spaces were available during the study period.
2. Traffic recommends denial. Additional accommodations shall be required to provide adequate parking for the site.

Fire Department

No comments received.

El Paso Water Utilities

EPWU does not object to this request.

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.

Sun Metro

No comments received.

CITY PLAN COMMISSION OPTIONS

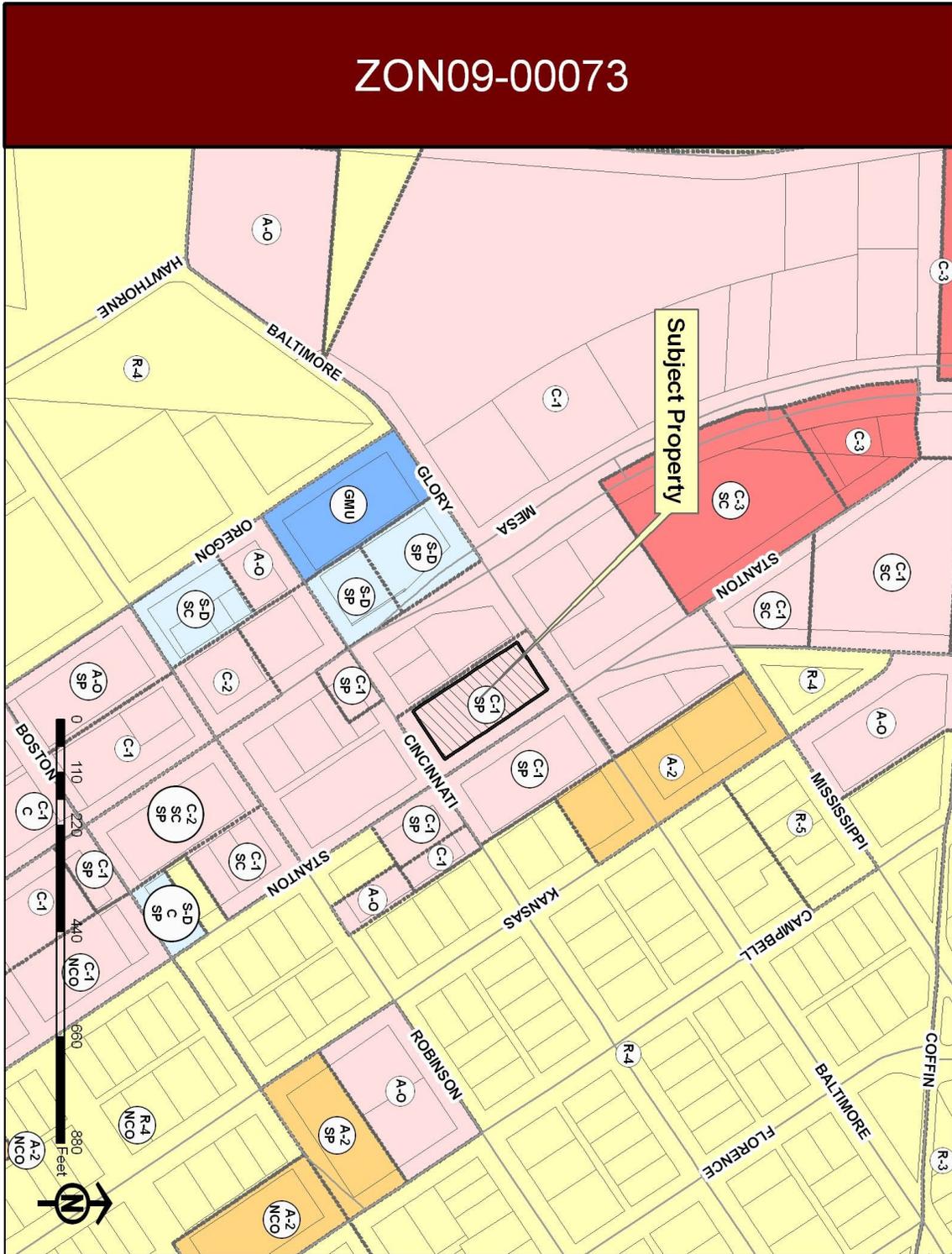
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

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
5. Parking Study

ATTACHMENT 1: LOCATION MAP

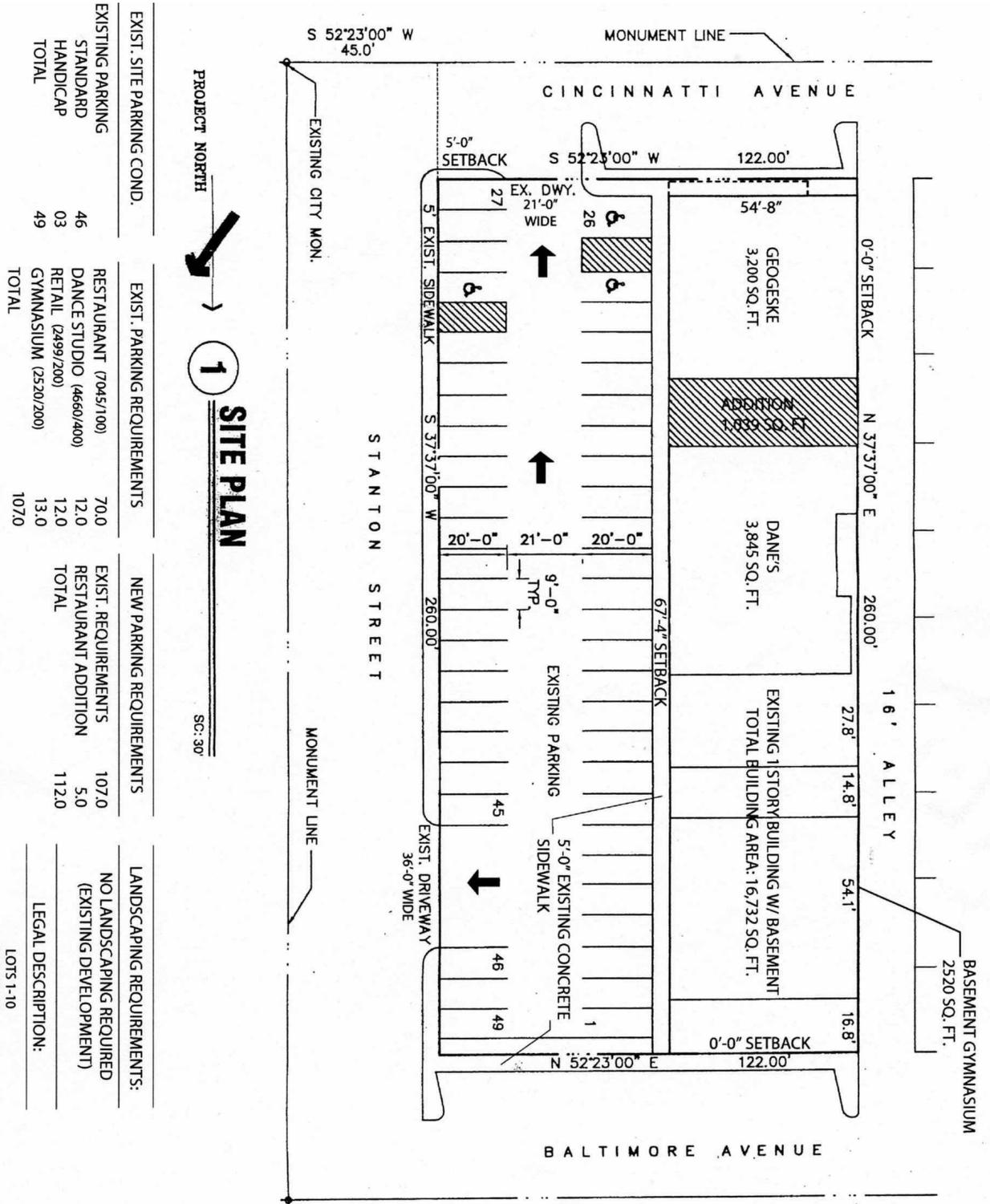


ATTACHMENT 2: AERIAL MAP

ZON09-00073



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



PROJECT NORTH

1

SITE PLAN

SC: 30'

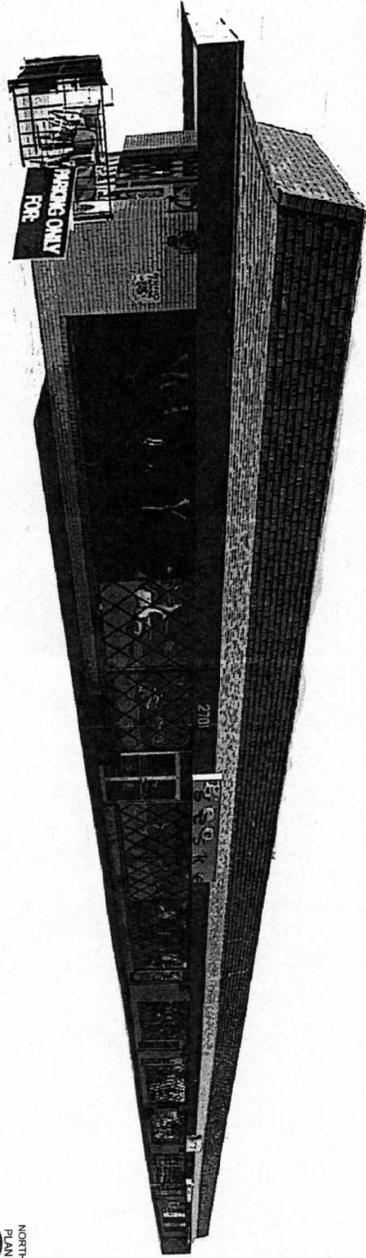
EXIST. SITE PARKING COND.	EXIST. PARKING REQUIREMENTS	NEW PARKING REQUIREMENTS	LANDSCAPING REQUIREMENTS:
EXISTING PARKING	RESTAURANT (7045/100)	70.0	NO LANDSCAPING REQUIRED
STANDARD	DANCE STUDIO (4660/400)	12.0	(EXISTING DEVELOPMENT)
HANDICAP	RETAIL (2499/200)	12.0	
TOTAL	GYMNASIUM (2520/200)	13.0	
	TOTAL	107.0	

LEGAL DESCRIPTION:
 LOTS 1-10
 BLOCK 223
 ALEXANDER ADDITION
 CITY OF EL PASO
 EL PASO COUNTY, TEXAS

ATTACHMENT 4: ELEVATIONS

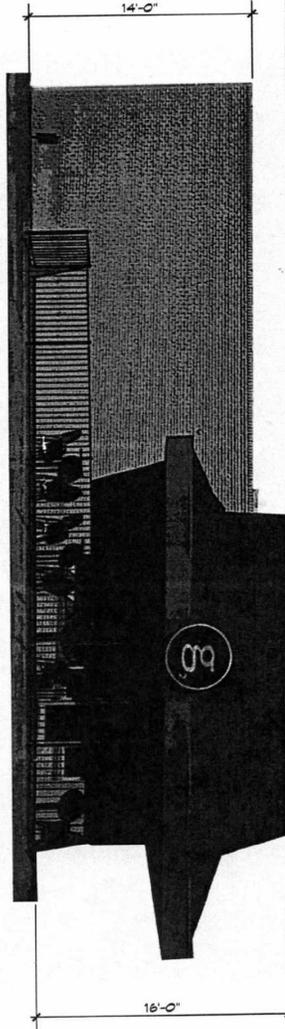
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FRONT FACADE (RENDER STANTON AVENUE)
SCALE: NOT TO SCALE



01

SIDE FACADE RENDER (CINCINNATI STREET)
SCALE: NOT TO SCALE



GEOGESKE & DANE'S
STANTON & CINCINNATI

09.07.39

SEPTEMBER 2009

AS SHOWN

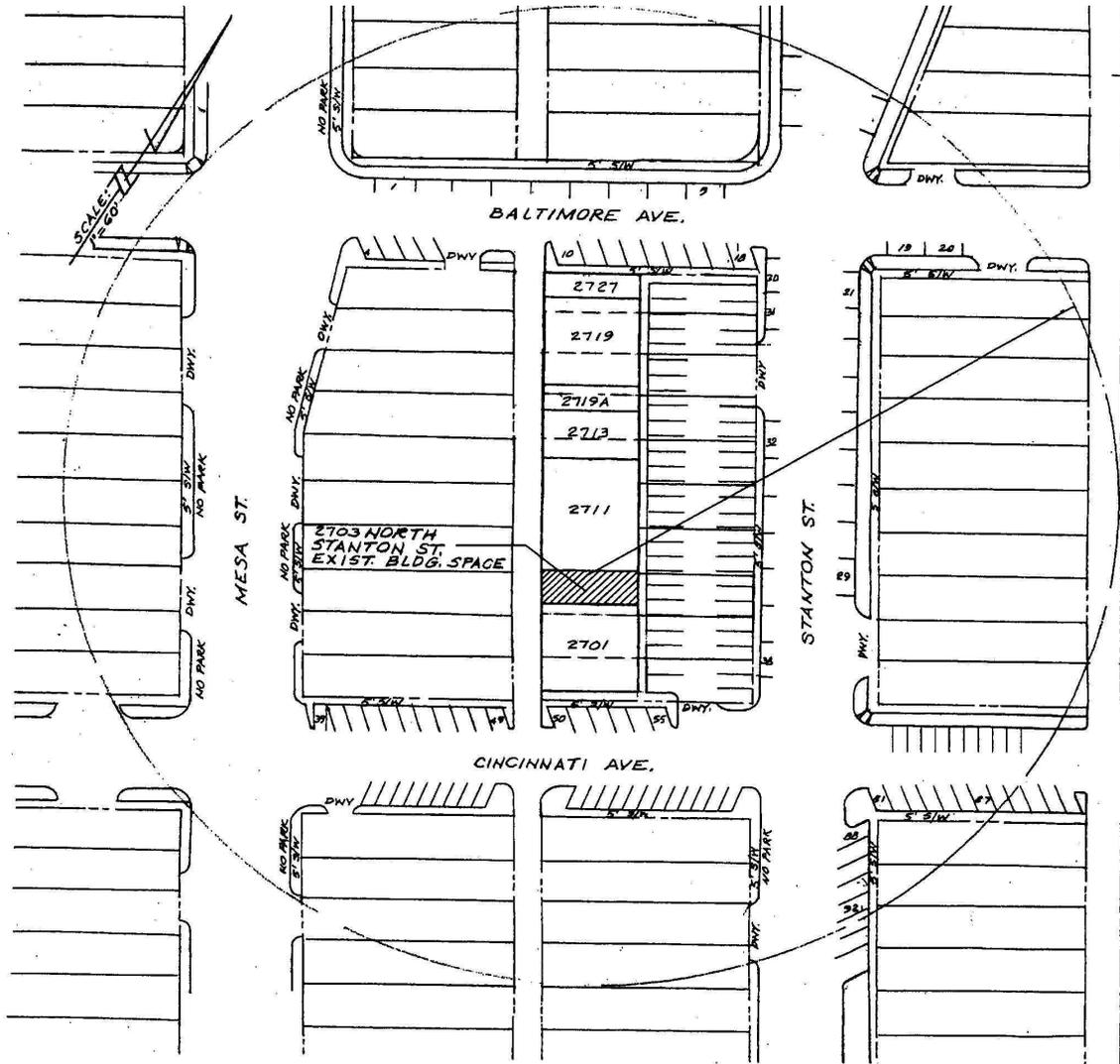
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WRIGHT & DALBIN
architects, inc.

ATTACHMENT 5: PARKING STUDY



LEGAL DESCRIPTION

LOTS 1 THRU 10, BLOCK 223
ALEXANDER ADDITION
CITY OF EL PASO

LEGEND:

- DWY. EXISTING DRIVEWAY
- 5 PARKING SPACE
- NO PARK NO PARKING
- S/W SIDEWALK

PARKING COUNT

TIME	SPACES AVAILABLE	NOV. 06, 2009 OCCUPIED
8:00 AM	101	89
9:00 AM	101	89
10:00 AM	101	91
11:00 AM	101	94
12:00 PM	101	96
1:00 PM	101	98
2:00 PM	101	95
3:00 PM	101	91
4:00 PM	101	89
5:00 PM	101	85
6:00 PM	101	92
7:00 PM	101	94

TRAFFIC IMPACT STUDY
2711 NORTH STANTON STREET
EL PASO, TEXAS 79902