

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: March 13, 2012
Public Hearing: April 3, 2012

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

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance granting Special Permit No. PZST11-00017, to allow a ballroom on the property described as a portion of Tract 3, Block 10, Boothville Subdivision, 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. Subject Property: 8623 North Loop Drive. Property Owner: Aseo, Inc. PZST11-00017 (District 7)

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. PZST11-00017, TO ALLOW A BALLROOM ON THE PROPERTY DESCRIBED AS A PORTION OF TRACT 3, BLOCK 10, BOOTHVILLE SUBDIVISION, 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, Aseo, Inc., Owner, has applied for a Special Permit under Section 20.10.280 of the El Paso City Code to allow a ballroom; 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 **C-2 (Commercial)** District:
A portion of Tract 3, Block 10, Boothville Subdivision, 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 20.10.280 of the El Paso City Code, to allow a ballroom; and,
3. That this Special Permit is issued subject to the development standards in the **C-2 (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 "B" and incorporated herein by reference for all purposes; and,
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. PZST11-00017 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,

ORDINANCE NO. _____

Special Permit No. PZST11-00017

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. PZST11-00017

METES AN BOUNDS
A 3.790 ACRE PARCEL
BIENG A PORTION OF TRACT 3, BLOCK 10
BOOTHVILLE SUBDIVISION
CITY OF EL PASO, EL PASO COUNTY, TEXAS
DECEMBER 13, 2011

METES AND BOUNDS DESCRIPTION

Metes and Bounds description of a parcel of land being a portion of Tract 3, Block 10, Boothville Subdivision, City Of El Paso, El Paso County Texas, and being more particularly described by metes and bounds as follows:

The **POINT OF BEGINNING** being the most Northeasterly corner of Tract 3, Block 10, Boothville Subdivision of herein described parcel of land;

THENCE, along the common boundary line of Tract 3 and Tract 2, South $66^{\circ}35'00''$ West, a distance of 644.15' to the new right-of-way line of North Loop (F.M. Hwy.-76) feet to a point;

THENCE, along said right-of-way line of North Loop (F.M.. Hwy.-76), North $35^{\circ}17'27''$ West, a distance of 240.06 feet to a point;

THENCE, leaving said right-of-line along the common boundary line of Tract 3 and Tract 4 North $54^{\circ}36'00''$ East, a distance of 478.50 feet to a point on the southwesterly right-of-way line of Mesa Drain (120' R.O.W.);

THENCE, along said right-of-way line South $57^{\circ}25'00''$ East, a distance of 403.21 feet to the **POINT OF BEGINNING** of the herein described parcel of land and containing 165,095 square feet or 3.790 acres of land more or less.


ENRIQUE A. REY
R.P.L.S.
TX. 3505



MEMORANDUM

DATE: March 5, 2012

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

FROM: Andrew Salloum, Planner

SUBJECT: PZST11-00017

The City Plan Commission (CPC) on February 23, 2012 voted **6-0** to recommend **APPROVAL** of the special permit application to allow for a ballroom.

The Planning Division recommends **denial** of the special permit and detailed site development plan request based on the denial recommendation of related rezoning request (PZRZ11-00059).

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: PZST11-00017 (Related PZRZ11-00059)
Application Type: Special Permit
CPC Hearing Date: February 23, 2012
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 8623 North Loop Drive
Legal Description: A portion of Tract 3, Block 10, Boothville Subdivision, City of El Paso, El Paso County, Texas
Acreage: 3.790 acres
Rep District: 7
Existing Zoning: R-F (Ranch and Farm)
Existing Use: Vacant
Request: To allow for a ballroom (subject to C-2 zone approval)
Proposed Use: Ballroom

Property Owner: Aseo, Inc.
Representative: Jesus L. Jaime

SURROUNDING ZONING AND LAND USE

North: C-3/sp (Commercial/special permit) / Contractor yard
South: R-F (Ranch and Farm) / Vacant
East: R-2 (Residential) / Single-family dwellings
West: R-F (Ranch and Farm) / vacant and P-R II/c (Planned Residential/condition) / Under construction, new apartments

THE PLAN FOR EL PASO DESIGNATION: Mixed Use and Residential (Mission Valley Planning Area)

NEAREST PARK: Marian Manor Park (7,564 feet)

NEAREST SCHOOL: Valley View Middle (1,367 feet)

NEIGHBORHOOD ASSOCIATIONS

Planning Division verified that there are no registered neighborhood associations in the area.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 8, 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 and a detailed site development plan approval to allow for a ballroom. The detailed site development plan shows a 20,552 sq. ft. structure which includes a ballroom, meeting room, community hall, and a 2,805 sq. ft. existing building as a new office use. The development requires 146 parking spaces and the applicant is providing 151 parking spaces and 5 bicycle parking spaces. Access to the subject property is proposed from North Loop Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **denial** of the special permit and detailed site development plan request based on the denial recommendation of related rezoning request (PZRZ11-00059).

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 C-2 (Commercial) district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

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 denial.

Engineering & Construction Management Services Department – Plan Review

No objections.

Engineering & Construction Management Service Department – Landscaping Plan

The condition is that the applicant show trees for parking overage on full landscape plan submitted for permit

Engineering & Construction Management Services Department – Land Development

General Comments:

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the Engineering and Construction Management Department, Land Development Section.*
- The property shall be subject to On-Site Ponding.*
- The applicant shall coordinate with TxDOT for drainage and access on North Loop Drive.*
- The Subdivision is within Flood Zone X-“Areas of minimal flooding” – Panel # 480212 0048C, dated February 16, 2006. *

*This requirement will be applied at the time of building permit.

Department of Transportation

Note: 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

Sun Metro does not oppose this request.

Fire Department

No comments received.

El Paso Water Utilities

We have reviewed the zoning change request described above and provide the following comments:

EPWU does not object to this request.

Water

Along the northernmost portion of North Loop Drive fronting the subject Property there is an existing eight (8) inch diameter water main.

Along the southernmost portion of North Loop Drive fronting the subject Property there is an existing twelve (12) inch diameter water main.

Previous water pressure readings conducted on fire hydrant number 8935 located along the northernmost portion of North Loop Drive, located at approximately 650 feet north of Link Drive have yielded a static pressure of 86 pounds per square inch (psi), residual pressure of 72 psi, discharge of 1,324 gallons per minute (gpm). Private water pressure regulating devices will be required at the discharge side of each water meter. The Property owner shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. The Property Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

Sanitary Sewer

Along the northernmost portion of North Loop Drive fronting the subject Property there is an existing eight (8) inch diameter sanitary sewer main.

Along the southernmost portion of North Loop Drive fronting the subject Property there is an existing fifteen (15) inch diameter sanitary sewer main.

General:

As per EPWU-PSB records, 8623 North Loop Drive has a single three-quarter (3/4) inch diameter water service. North Loop Drive is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Drive right-of-way requires written permission from TxDOT.

Easements will be required if the development of this Property requires water and sanitary sewer main extensions inside the Property.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easements 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB.

Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.

EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.

EPWU-PSB requests the Developer to refrain from constructing signs within the PSB easements.

All proposed buildings shall comply with EPWU-PSB Easement Policy. Buildings shall be located 5 feet away from the easement line.

If 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.

EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to

serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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.

CITY PLAN COMMISSION OPTIONS

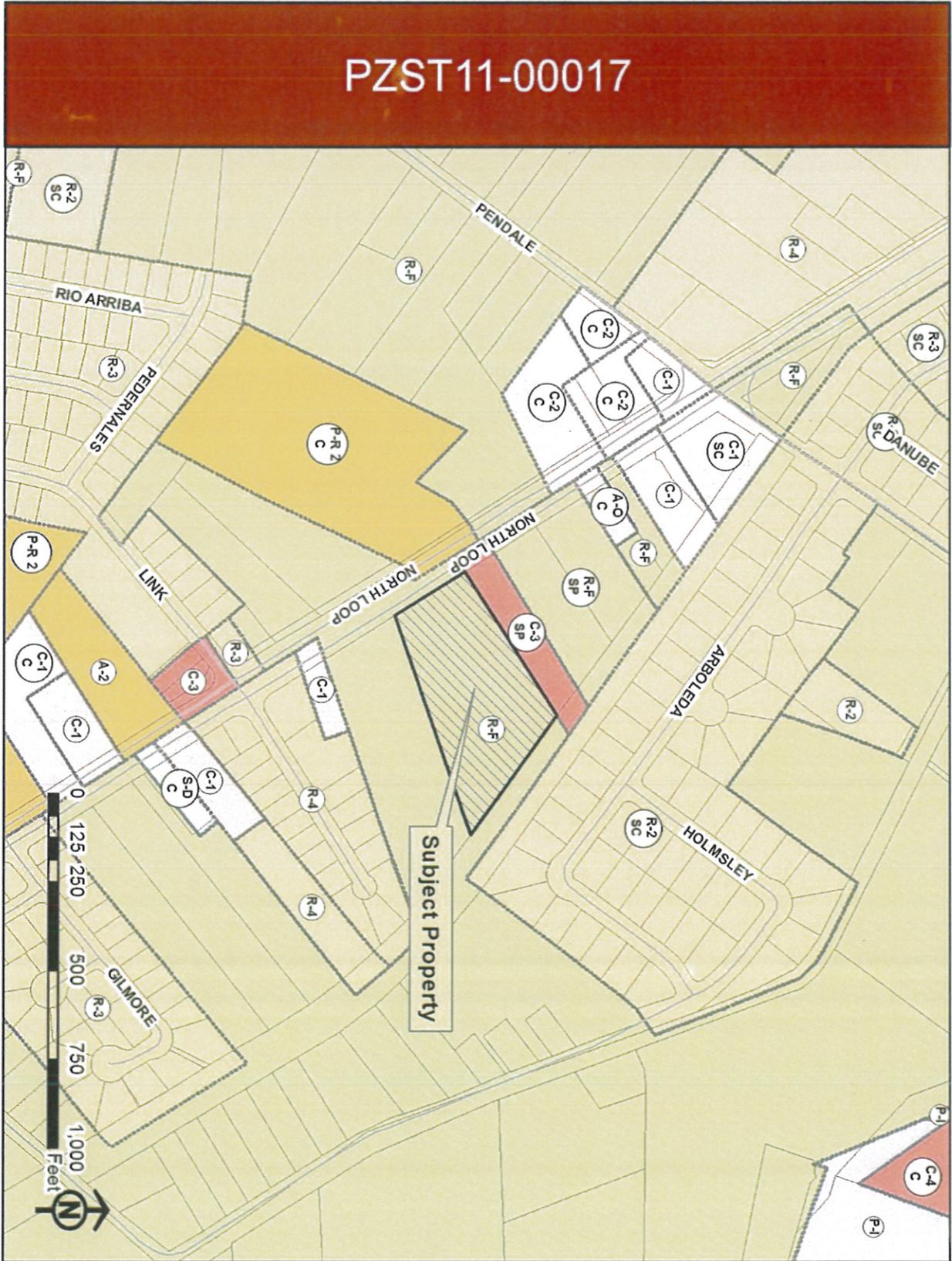
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

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.

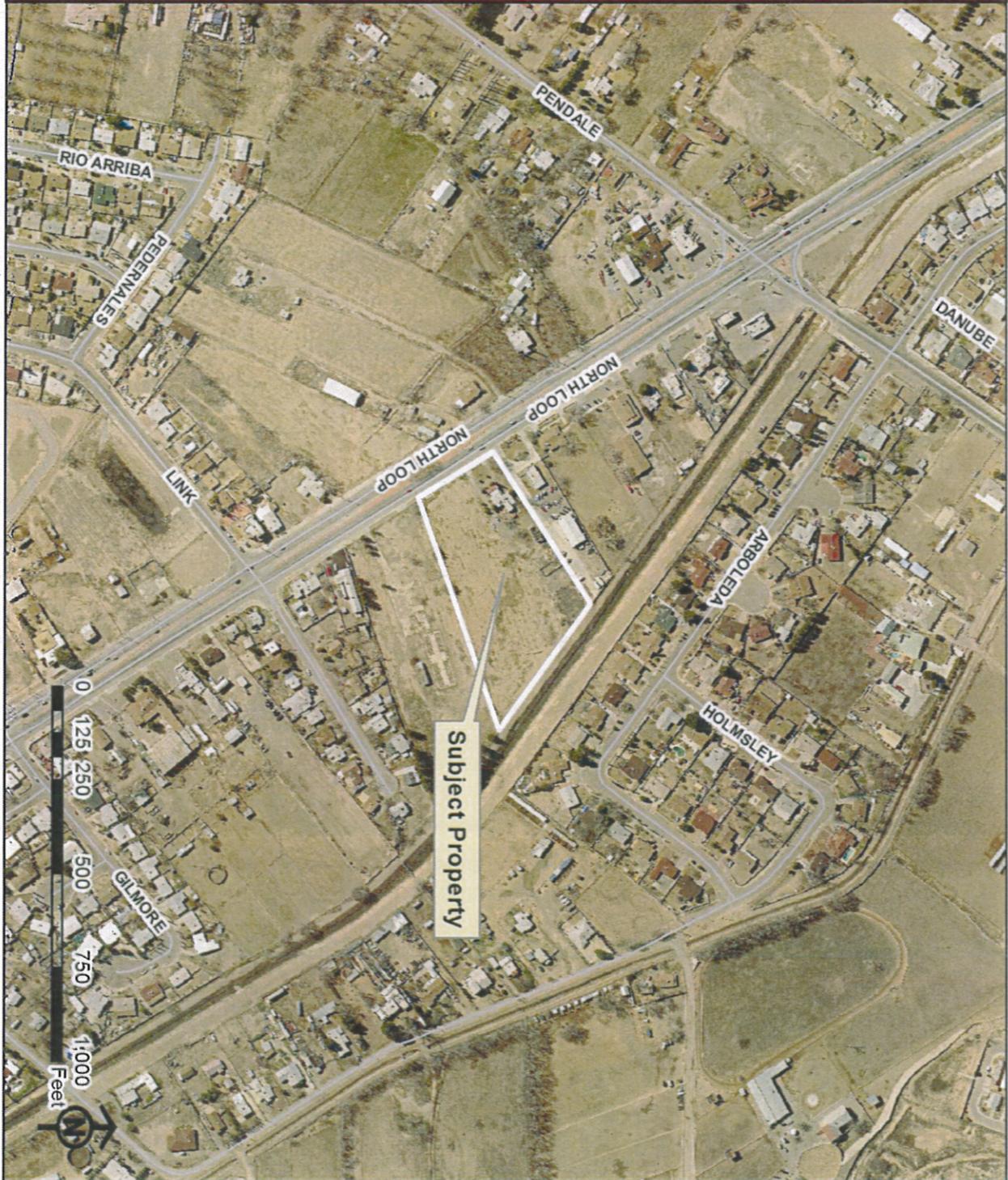
Attachments

1. Location Map
2. Aerial Map
3. Detailed Site Plan

ATTACHMENT 1: LOCATION MAP



PZST11-00017



Ike Monty Properties on North Loop

Across N Loop from 8623 N Loop Proposed Rezoning to C-2 and Special Permit for Dance Hall

