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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: April 9, 2013
Public Hearing: April 30, 2013

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

DISTRICT(S) AFFECTED: 2

SUBJECT:
An Ordinance granting Special Permit No. PZST12-00018, to allow for infill development with reduced rear setback on the property described as a portion of Lots 30 through 32, Block 117, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1216 Copia Street. Property Owner: Victor M. Olivas and Estela Herrera. PZST12-00018 **(District 2)**

BACKGROUND / DISCUSSION:
Staff report attached.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
City Plan Commission (CPC) – Approval Recommendation (9-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Director, City Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00018, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED REAR SETBACK ON THE PROPERTY DESCRIBED AS A PORTION OF LOTS 30 THROUGH 32, BLOCK 117, EAST EL PASO ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Victor M. Olivas and Estela Herrera, have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City Code with reduced rear setback; 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 a **C-2 (COMMERCIAL)** Zone District:

   A Portion of Lots 30 through 32, Block 117, East El Paso Addition, City of El Paso, El Paso County, Texas, and as more particularly described in the metes and bounds on the attached Exhibit "A"; and,

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow for infill development with reduced rear setback; 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 Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST12-00018 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,

5. That the Owners 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 _____, 2013.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

_____
Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Mathew S. McElroy, Director
City Development Department

AGREEMENT

Victor M. Olivas and Estela Herrera, referred to in the above Ordinance, hereby agree 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-2 (COMMERCIAL)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2013.

Estela Herrera:

By: _____
(name/title)

_____
(signature)

Victor M. Olivas:

By: _____
(name/title)

_____
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2013, by _____, for Victor M. Olivas and Estela Herrera, as Owners.

My Commission Expires:

_____
Notary Public, State of Texas

Notary's Printed or Typed Name:

_____

1216 N. Copia Avenue, El Paso, Texas
40 feet of lots 30 through 32
Beginning 50 feet South of
Northwest corner, Block 117,
East El Paso Addition, an addition
to the City of El Paso,
El Paso County, Texas

EXHIBIT "A"

1216 N. Copia Avenue,
El Paso, Texas
METES AND BOUNDS

Description of a parcel of land being a portion of Lots 30 through 32, Block 117, East El Paso Addition, City of El Paso, El Paso County, Texas, more particularly described by metes and bounds as follows;

Commencing at the centerline intersection of Pershing Dr. (70 feet Right-of-Way) and Copia Street (70 feet Right-of-Way), City of El Paso, El Paso County, Texas, Thence, North 45° 00' 00" East along the centerline of Copia Street, a distance of 85.00 feet to a point; Thence, leaving said centerline, North 45° 00' 00" West a distance of 35.00 feet to a point that lies on the Northwesterly Right-of-Way line of Copia Street, said point also being the point of beginning of this description;

Thence, North 45° 00' 00" West, a distance of 75.00 feet to a point that lies on the boundary line between lots 29 and 30, block 117, East El Paso Addition, City of El Paso, El Paso County, Texas;

Thence North 45° 00' 00" East, along said boundary line between lots 29 and 30, a distance of 40.00 feet to a point;

Thence South 45° 00' 00" East, a distance of 75.00 feet to a point that lies on the Northwesterly Right-of-Way line of Copia Street;

Thence South 45° 00' 00" West, a distance of 40.00 feet along said Right-of-Way line of Copia Street, to the point of beginning of this description. Said parcel of land contains 2,800 square feet or 0.0643 acres of land more or less.

Enrique A. Rey
R.P.L.S. TX 3505
20 September 2012

STATE OF TEXAS
REGISTERED
ENRIQUE A. REY
3505
PROFESSIONAL
LAND SURVEYOR

EXHIBIT "B"

SITE PLAN:
1216 COPIA STREET
1216 COPIA STREET
(TIRE REPAIR SHOP)
1,200 SQ. FT.
OFFICE
ELEVATION VIEW A - A'
COPIA STREET
ELEVATION VIEW B - B'
BIKE STAND DETAIL:
LOCATION PLAN
LANDSCAPING CALCULATIONS:
LANDSCAPING REQUIRED:
DRAINAGE CALCULATIONS:
AMERICAN PUBLIC WORKS ASSOCIATION
STANDARD COLOR CODE FOR MARKING
UNDERGROUND UTILITIES
BEFORE YOU DIG - CALL
LEGEND:
VICTOR OLIVAS

MEMORANDUM

DATE: March 28, 2013

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

FROM: Andrew Salloum, Planner

SUBJECT: **PZST12-00018**

The City Plan Commission (CPC) on February 7, 2013, voted **9-0** 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 Plan El Paso-Future Land Use Map Designation 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.

Attachments: Staff Report

City of El Paso – City Plan Commission Staff Report

Case No:	PZST12-00018
Application Type:	Special Permit
CPC Hearing Date:	February 7, 2013
Staff Planner:	Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov
Location:	1216 Copia Street
Legal Description:	A portion of Lots 30 through 32, Block 117, East El Paso Addition, City of El Paso, El Paso County, Texas
Acreage:	0.0689-acre
Rep District:	2
Zoning:	C-2 (Commercial)
Existing Use:	Vacant
Request:	Infill Development / reduced rear yard setback
Proposed Use:	Minor motor vehicle repair (Tire Repair)
Property Owner:	Victor M. Olivas and Estela Herrera
Representative:	Jose Uresti

SURROUNDING ZONING AND LAND USE
North: C-3/sc (Commercial/special contract) / Motor vehicle repair, minor
South: C-2 (Commercial) / Vacant
East: C-2 (Commercial) / Office
West: C-2 (Commercial) / Daycare and Restaurant

The Plan for El Paso Designation: G-2, Traditional neighborhood (Walkable) (Central Planning Area)
NEAREST PARK: Memorial Park (1,634 feet)
NEAREST SCHOOL: Alta Vista Elementary (1,043 feet)

NEIGHBORHOOD ASSOCIATIONS
El Paso Central Business Association
Five Points Development Association

NEIGHBORHOOD INPUT
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 22, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the special permit request.

APPLICATION DESCRIPTION
The applicant is requesting a special permit for infill development and a detailed site development plan. The detailed site development plan shows a new 1,200 sq. ft. minor tire repair shop. The applicant is requesting the following reduction in yard setback: from 20-foot required rear yard setback to 5-foot. The development requires 4 parking spaces and the applicant is providing 4 parking spaces, 2 spaces inside the structure and 2 spaces outside the structure and 3 bicycle spaces. Access to the subject property is proposed from Copia Avenue.

PLANNING DIVISION RECOMMENDATION
The Planning Division recommends **approval** of the special permit and detailed site development plan review request, as it complies with 20.04.320 special permit and 20.04.150 detailed site development plan.

Plan El Paso-Future Land Use Map Designation
All applications for special permit shall demonstrate compliance with the following criteria:

G-2 – Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the Smart Code as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

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.

COMMENTS:

City Development Department - Planning Division - Transportation
No objections to Special Permit.
Notes:
1. The property is located adjacent to the Dyer Rapid Transit System (RTS) Corridor. Coordination of the location and arrangement of any bus stops and/or bus pull in bays shall be coordinated with Sun Metro.
2. Access and improvements to Copia Drive shall be coordinated and approved by TxDOT.
3. All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

City Development Department – Plan Review
No objections.

City Development Department - Landscaping Division
Landscape calculations are correct but if this isn't a zero lot line application the applicant shall install a buffer per 18.46.

City Development Department - Land Development
No Objection.
Grading plan and permit shall be required.*
Storm Water Pollution Prevention Plan and/or permit required.*
Drainage plans must be approved by the City Development Dept. Land Development Section.*

* This requirement will be applied at the time of development.

Fire Department
Recommend approval of "site plan" as presented. It does not adversely affect fire department at this time.
** Note, A more detailed reviewed will be done by fire plan review during the permitting process.

Police Department
The El Paso Police Department does not have an issue with this request with the information provided.

Sun Metro
Sun Metro does not oppose this request.

El Paso Water Utilities
1. EPWU does not object to this request.
Water:
2. There is an existing 4-inch diameter water main along the alley between Pershing Drive and Hueco Avenue. The water main is located approximately 5-ft south from the southern property line.

3. EPWU records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 1216 Copia Street.

Sanitary Sewer:

4. There is an existing 8-inch diameter sanitary sewer main along the alley between Pershing Drive and Hueco Avenue. The sewer main is located approximately 10-ft south from the southern property line.

General:

5. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. 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.

CITY PLAN COMMISSION OPTIONS

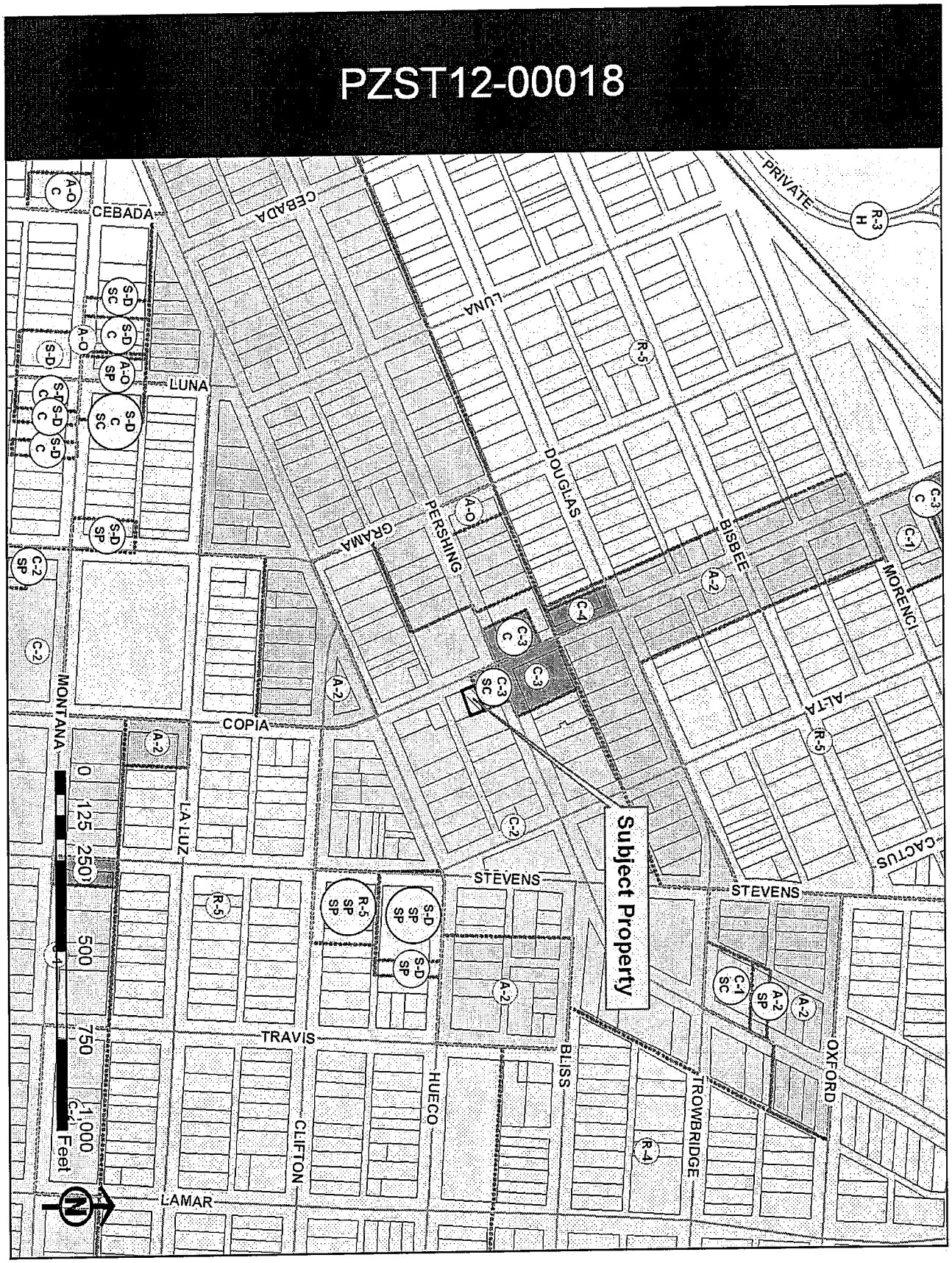
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of Plan 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 Plan 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 Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

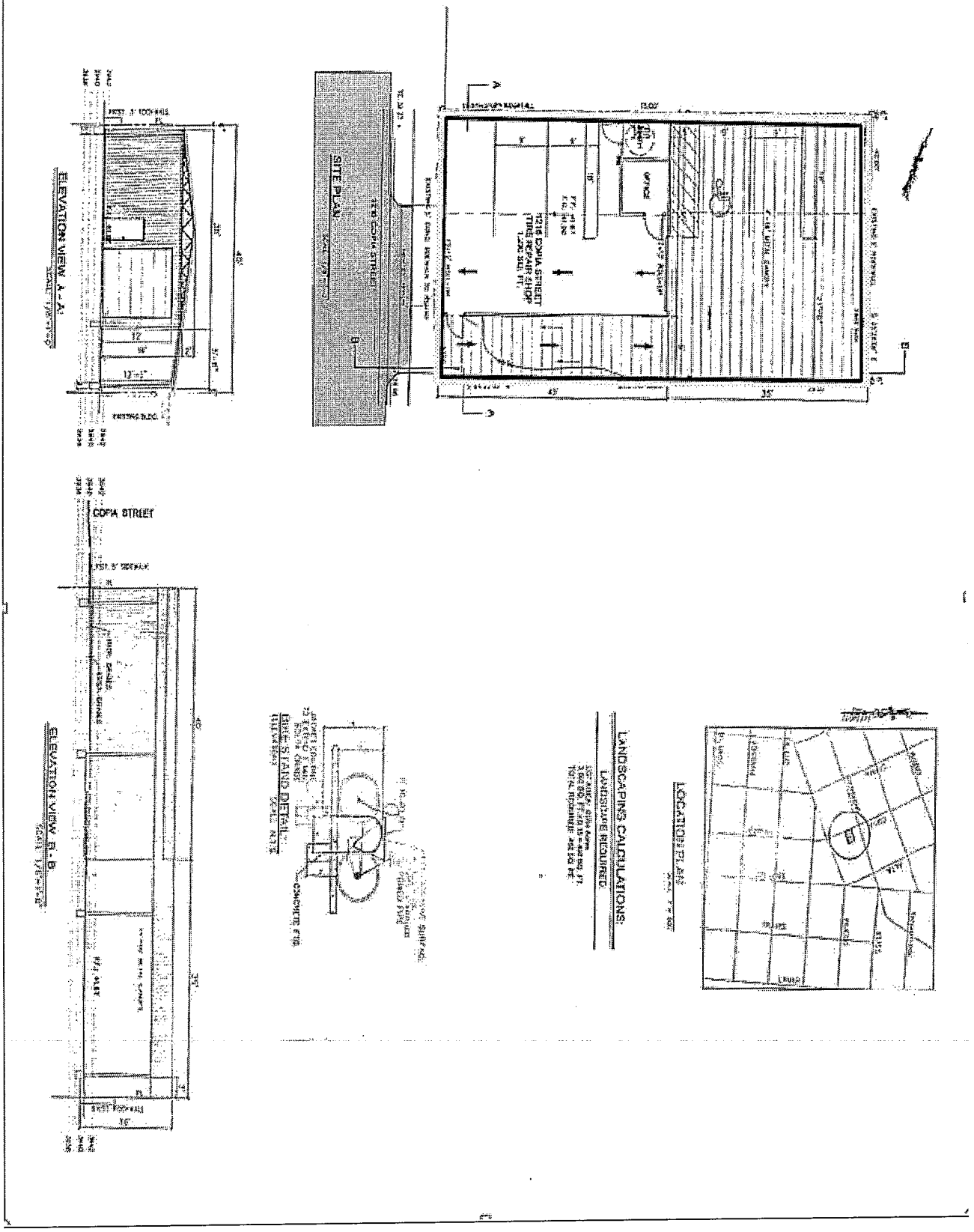
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



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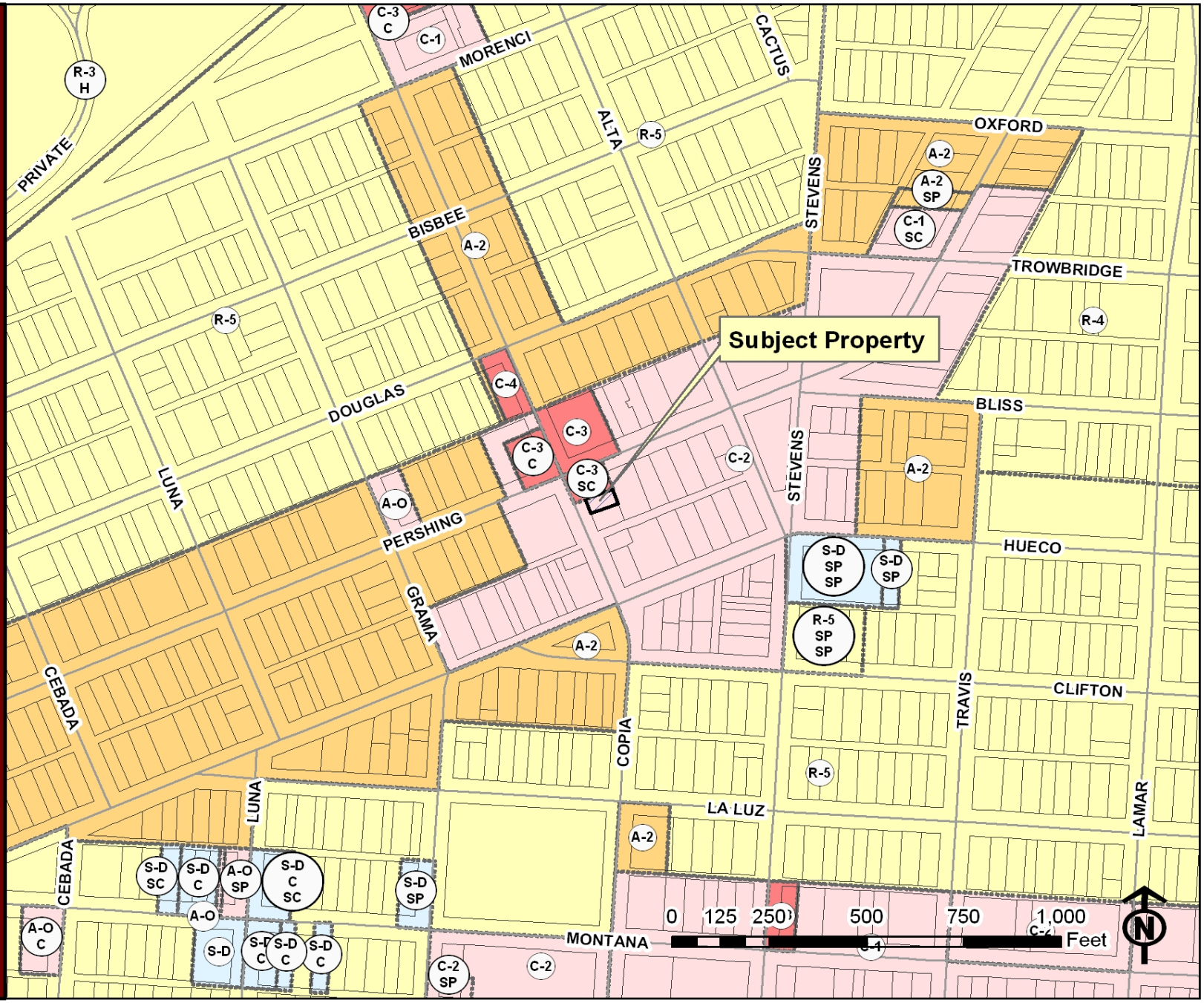

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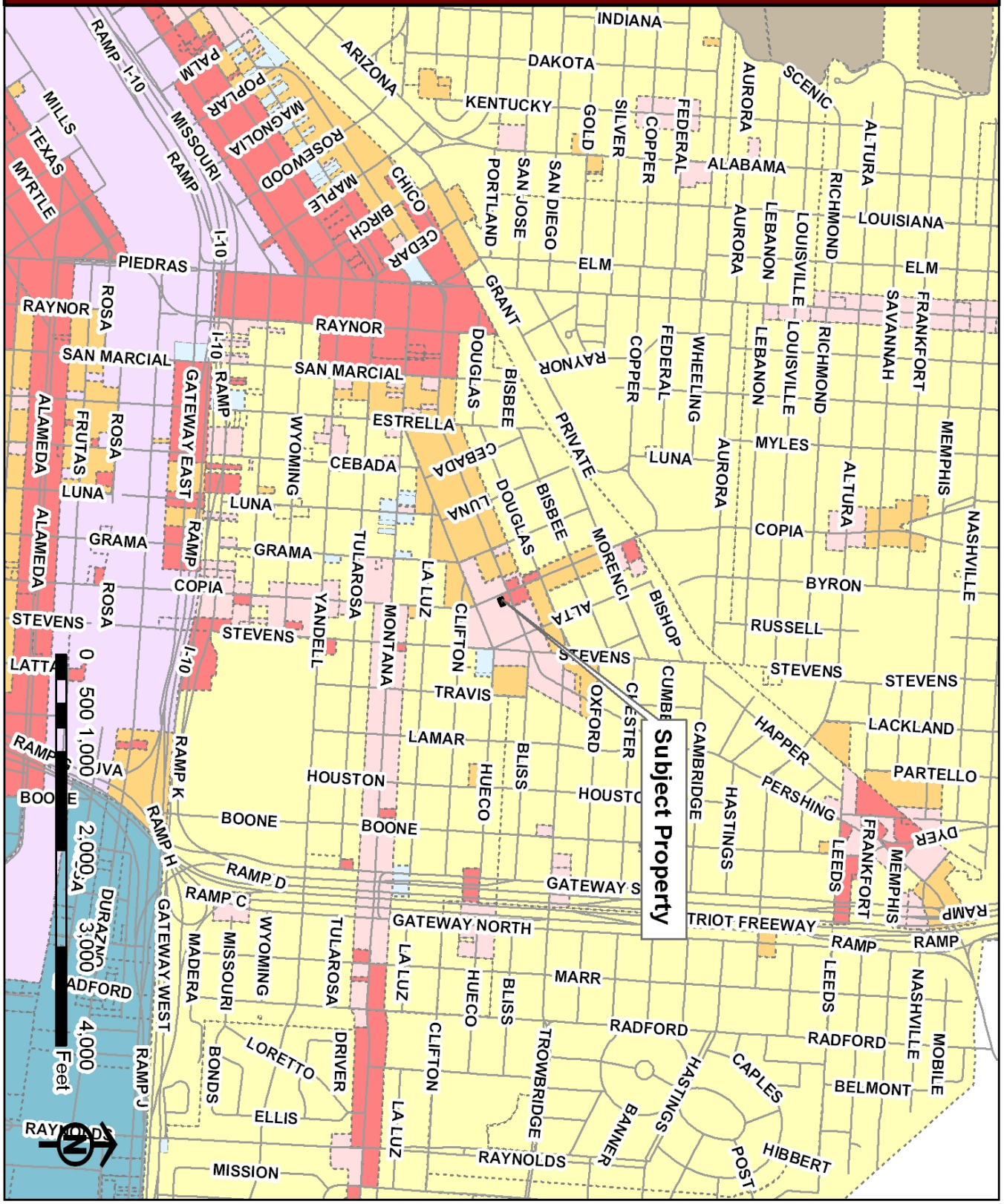

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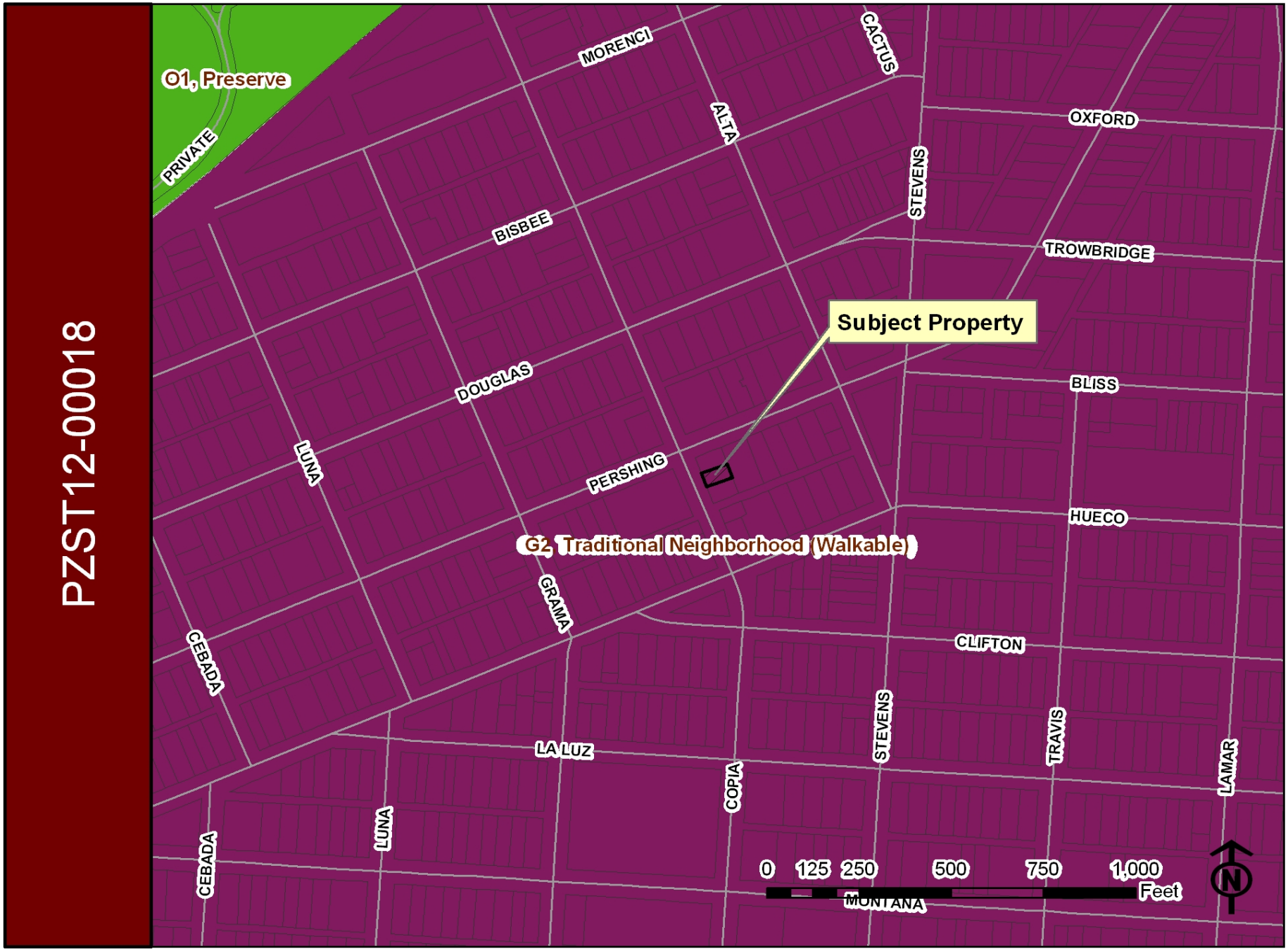
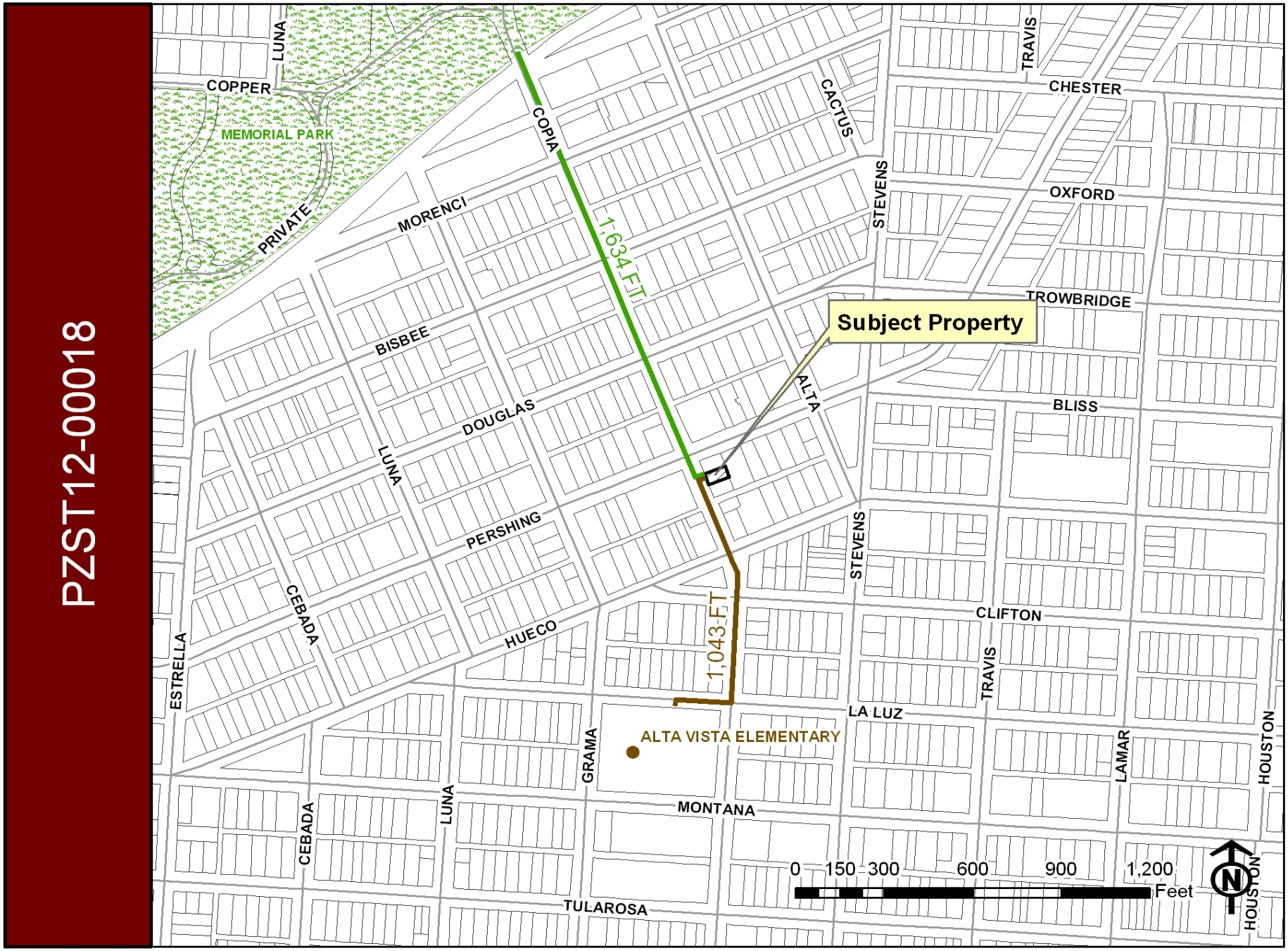
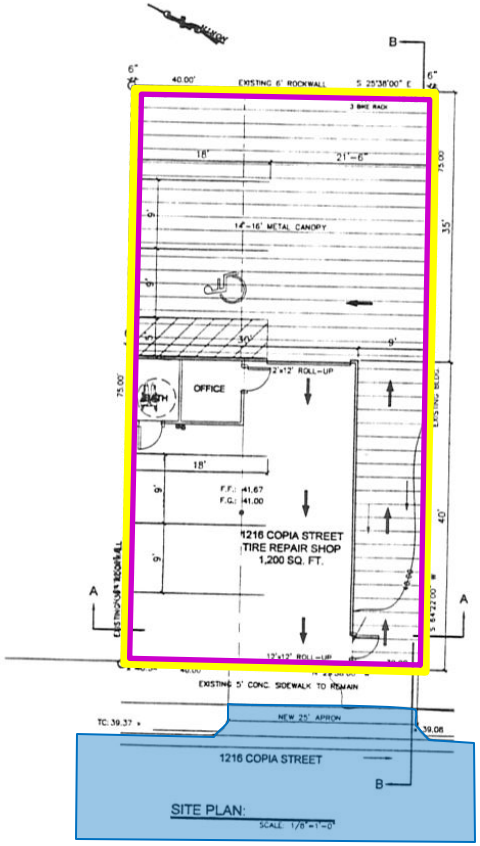

PZST12-00018
O1, Preserve
PRIVATE
MORENCI
CACTUS
ALTA
OXFORD
STEVENS
BISBEE
TROWBRIDGE
Subject Property
DOUGLAS
BLISS
LUNA
PERSHING
HUECO
G2, Traditional Neighborhood (Walkable)
GRAMA
CEBADA
CLIFTON
STEVENS
TRAVIS
LA LUZ
COPIA
LAMAR
LUNA
CEBADA
MONTANA
0 125 250 500 750 1,000
Feet
N


PZST12-00018
LUNA
COPPER
MEMORIAL PARK
PRIVATE
MORENCI
COPIA
1,634 FT
CACTUS
TRAVIS
CHESTER
STEVENS
OXFORD
TROWBRIDGE
Subject Property
BISBEE
ALTA
BLISS
DOUGLAS
LUNA
PERSHING
STEVENS
CEBADA
HUECO
1,043 FT
CLIFTON
ESTRELLA
TRAVIS
LA LUZ
ALTA VISTA ELEMENTARY
GRAMA
LAMAR
HOUSTON
MONTANA
CEBADA
LUNA
TULAROSA
0 150 300 600 900 1,200
Feet
N
HOUSTON

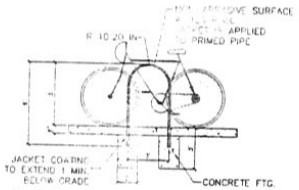


LOCATION PLAN
SCALE: 1" = 600'

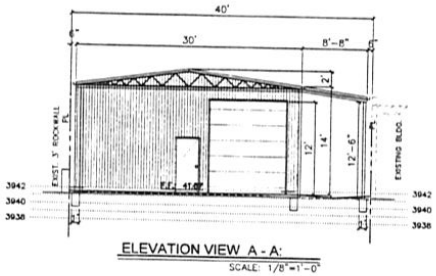
LANDSCAPING CALCULATIONS:

LANDSCAPE REQUIRED:

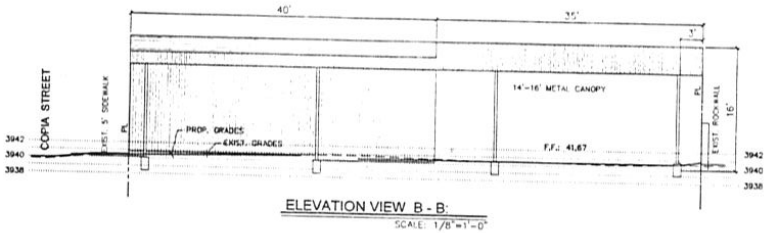
LOT AREA: 0.064 Acres
3,000 SQ. FT. x 0.15 = 450 SQ. FT.
TOTAL REQUIRED: 450 SQ. FT.



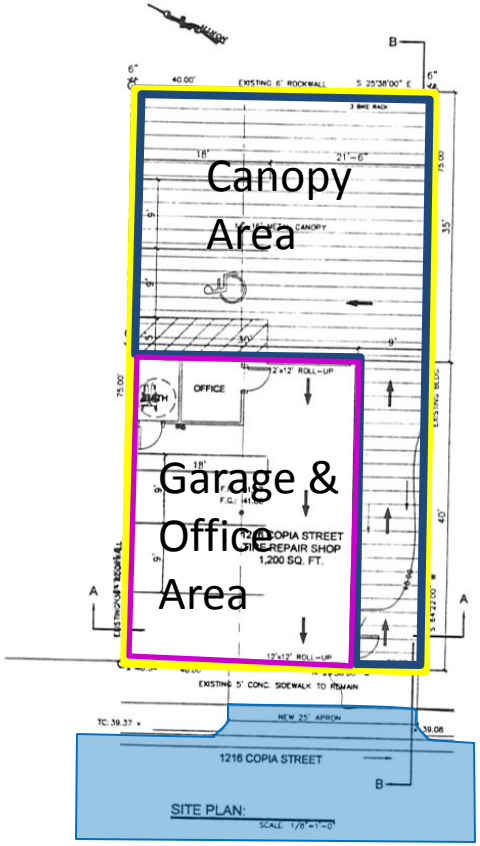
BIKE STAND DETAIL:
(ELEVATION) SCALE: N.T.S.



ELEVATION VIEW A - A:
SCALE: 1/8"=1'-0"



ELEVATION VIEW B - B:
SCALE: 1/8"=1'-0"



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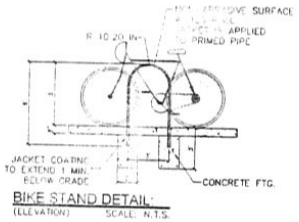
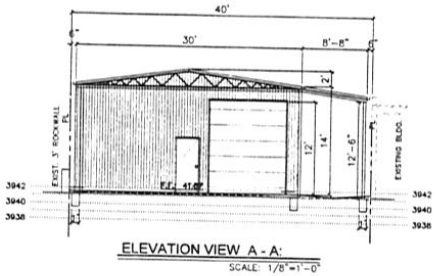
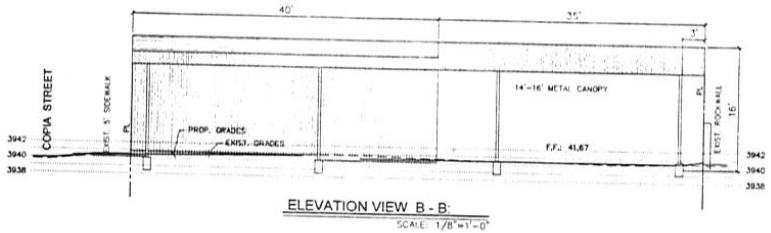






Subject Property

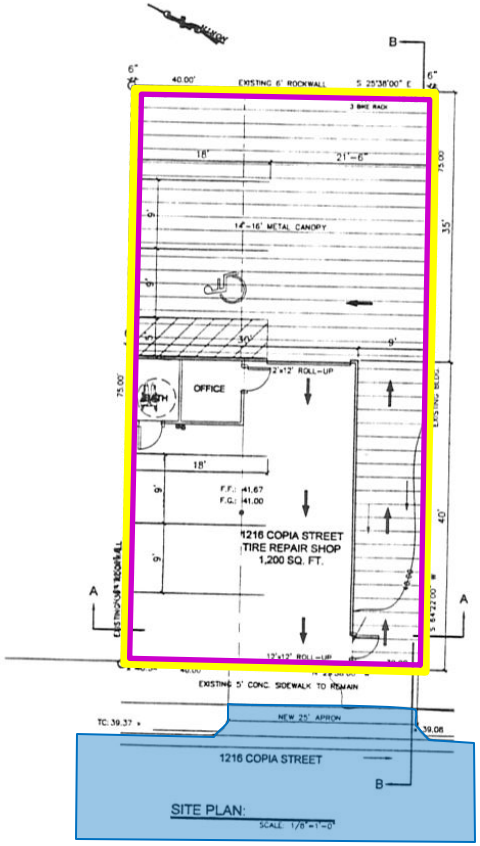
TRANSMISSION PROBLEMS ?
TEXAS
North

East

East

South

West



LOCATION PLAN
SCALE: 1" = 600'

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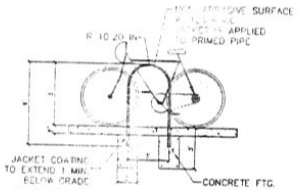

BIKE STAND DETAIL:
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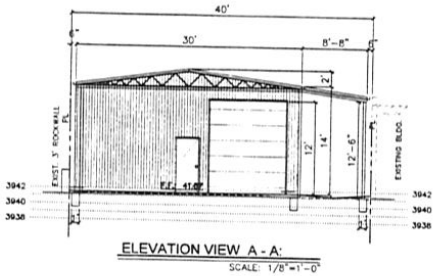

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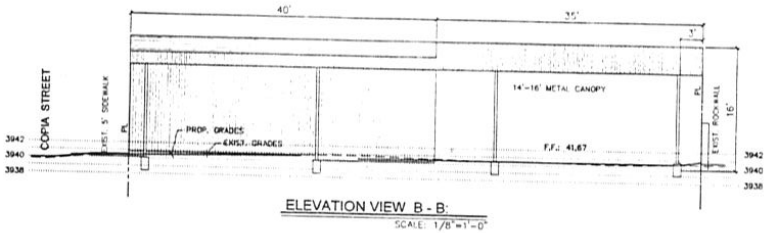

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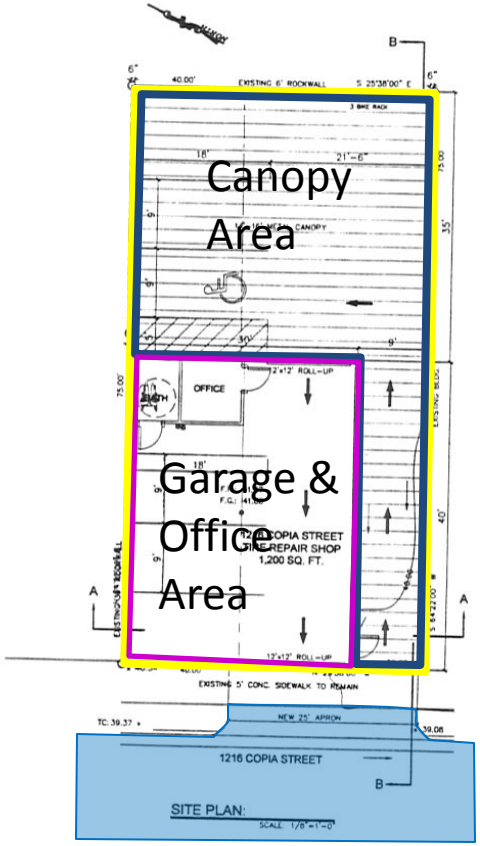
SCALE: 1/8"=1'-0"



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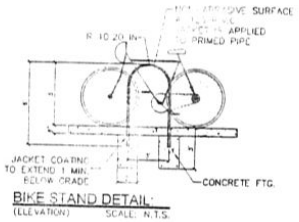
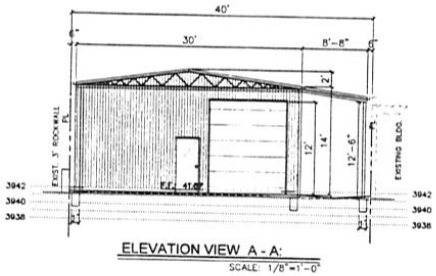
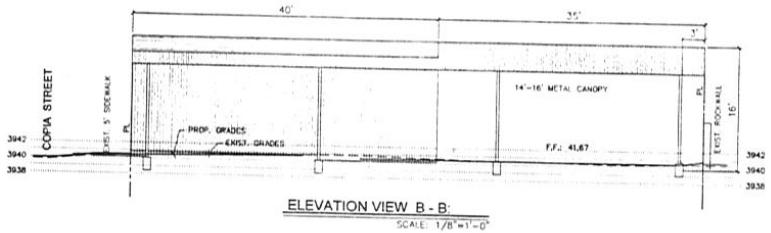
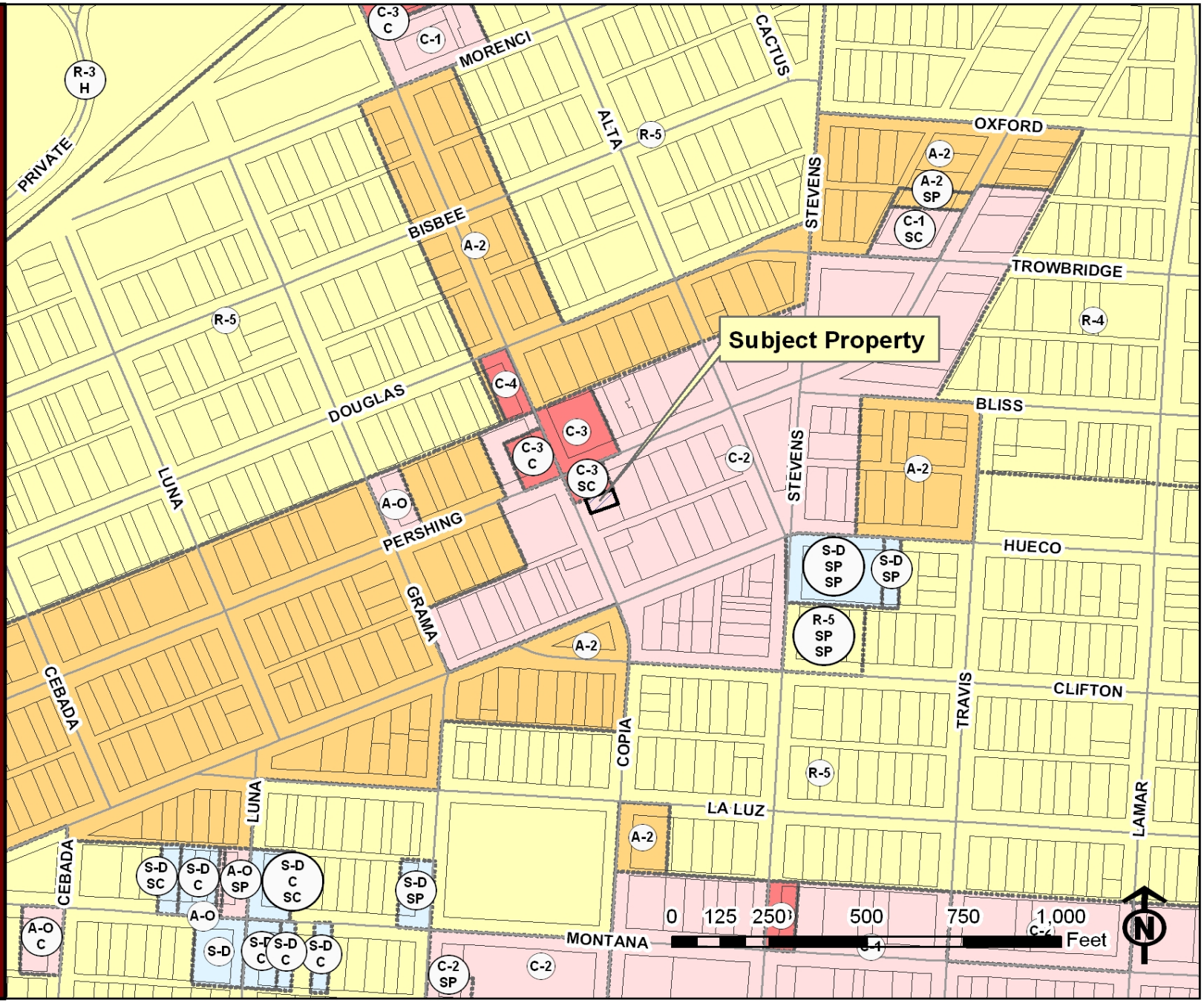






PZST12-00018



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