

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

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: May 17, 2005
Public Hearing: June 07, 2005

CONTACT PERSON/PHONE: Fred Lopez, 541-4925

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00018, to allow for a parking reduction on the property described as the South 25 Feet of Lot 1, Block 118, Campbell Addition, El Paso, El Paso County, Texas pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Luis Hernandez. (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) – Denial Recommendation
City Plan Commission (CPC) – Approval Recommendation

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00018, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS THE SOUTH 25 FEET OF LOT 1, BLOCK 118, CAMPBELL ADDITION, EL PASO, EL PASO COUNTY, TEXAS PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, the **Luis Hernandez** has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

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;

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;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in the C-4 (Commercial) District requiring fifteen (15) off-street parking spaces to serve a proposed 3,000 square feet retail center;

The South 25 feet of Lot 1, Block 118, Campbell Addition, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A"; and

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 100%;

4. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the Mayor 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;

5. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00018**, shall be subject to automatic 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

6. 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 May, 2005.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

APPROVED AS TO FORM:



Matt Watson
Assistant City Attorney
Doc No. 12056

Richarda Duffy Momsen
City Clerk

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Fred Lopez, Zoning Coordinator
Planning, Research & Development
Department

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

AGREEMENT

Luis Hernandez, 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 and in accordance with the standards identified in the C-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 10th day of May, 2005.



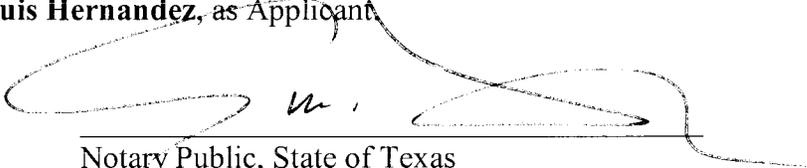
LUIS HERNANDEZ

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10th day of May, 2005, by **Luis Hernandez**, as Applicant

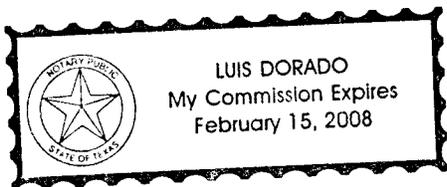
My Commission Expires: 02-15-08



Notary Public, State of Texas

Notary's Printed or Typed Name:

LUIS DORADO



JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DIRECTOR



**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

May 09, 2005

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

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

FROM: Fred Lopez, Planner II / Zoning Coordinator

SUBJECT: ZON05-00018

The City Plan Commission (CPC), on April 07, 2005, voted **5 - 0** to recommend **APPROVAL** of this special permit request for a 100% parking reduction, against Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso. The CPC also determined that this special permit request protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request at the CPC Hearing.

STAFF REPORT

Special Use Permit #: ZON05-00018

Property Owner(s): Luis Hernandez

Applicant(s): Luis Hernandez

Representative(s): Alfredo Bocanegra

Legal Description: South 25 feet of Lot 1, Block 118, Campbell Addition

Location: 519 S. Oregon Street

Representative District: # 8

Area: 0.07 Acres (3,000 Square Feet)

Zoning: C-4 (Commercial)

Existing Use: Vacant

Proposed Use: Retail Center

Recognized Neighborhood Associations Contacted: Mesa Street Neighborhood Association;
El Paso Central Business Association

Surrounding Land Uses:

North -	C-4 (Commercial) / Retail Commercial
South -	C-1 (Commercial) / Retail Commercial
East -	SRR (Special Residential Revitalization District) / Retail Commercial and apartments
West-	C-4 (Commercial) / Retail Commercial

Year 2025 Designation: **Mixed Use** (Central Planning Area)

**CITY PLAN COMMISSION HEARING, April 7, 2005,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON05-00018

General Information:

The applicant is requesting a special permit to allow for 100% parking reduction for a proposed 3,000 sq. ft. retail commercial building. The site is 0.0688 acres in size and is currently vacant. The proposed site plan shows four (4) retail spaces within the commercial building to be located on the site. Access is proposed via Fourth Street with no parking spaces provided. The property is currently zoned C-4 (Commercial) and there are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received no calls or letters in opposition or support of this request.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **DENIAL** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “preserve, protect and enhance the integrity, economic vitality and livability of the city’s neighborhoods.”

The parking reduction study as submitted by the applicant shows that the required 15 parking spaces are not available in a 300’ radius during the eight-hour analysis time.

The Commission must determine the following:

- A. Will the special permit for 100% parking reduction protect the best interest, health, safety and welfare of the public in general?
- B. Will the special permit for 100% parking reduction be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department, Development Division Notes:

No zoning comments.

Engineering Department, Development Division Notes:

See Enclosure 1.

Engineering Department, Traffic Division Notes:

Recommend denial of this special permit request based on analysis of the Parking Reduction Study as submitted by the applicant.

Fire Department Notes:

Special permit does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No comments.

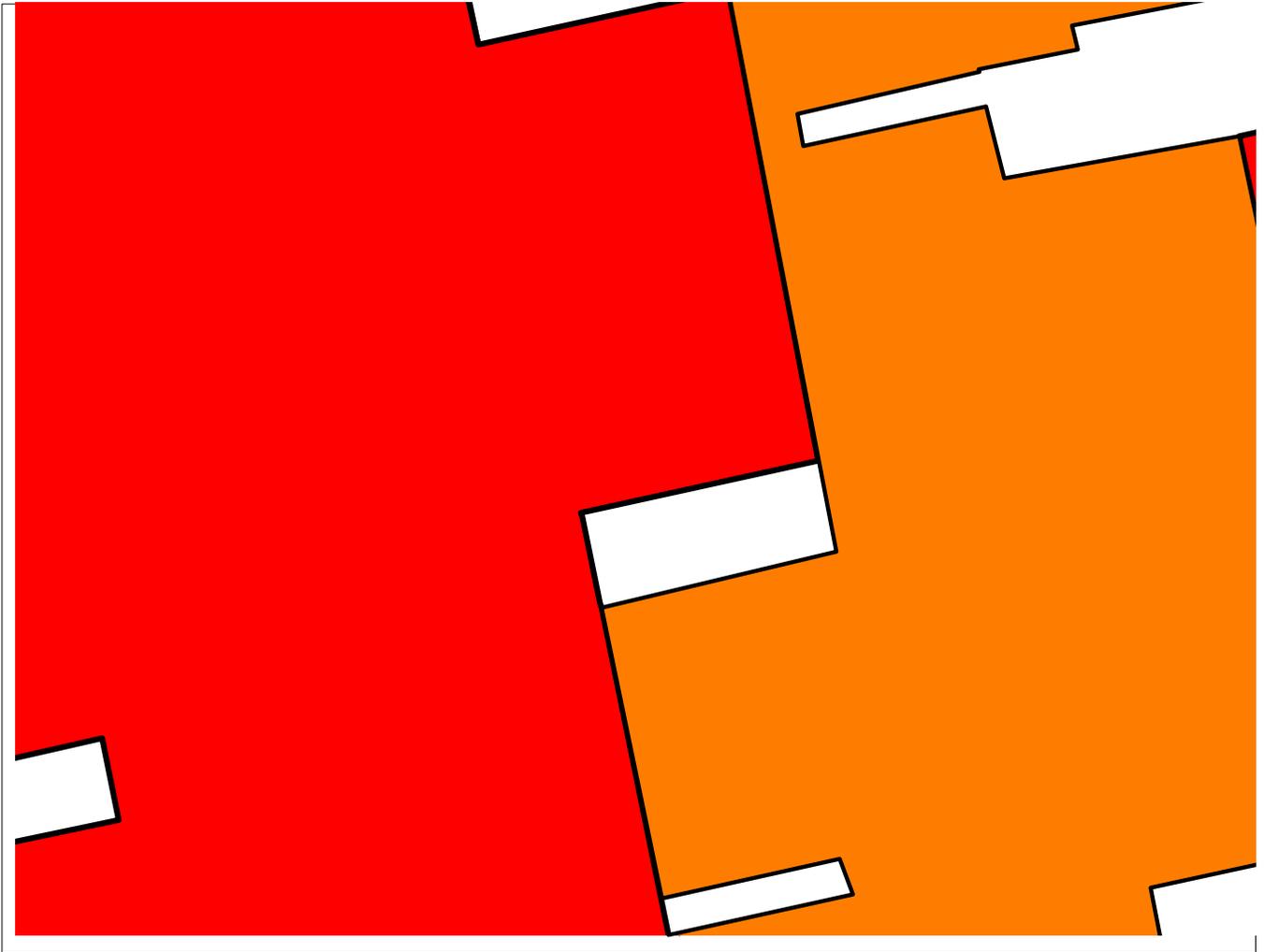
Planning, Research & Development Department Notes:

- A. Recommend denial of the Special Permit for a 100% Parking Reduction.
- B. Recommend the applicant apply for rezoning to SRR (Special Residential Revitalization District) as the SRR does not have parking requirements.

ATTACHMENTS: Site Plan; Enclosure 1; Enclosure 2.

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 PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

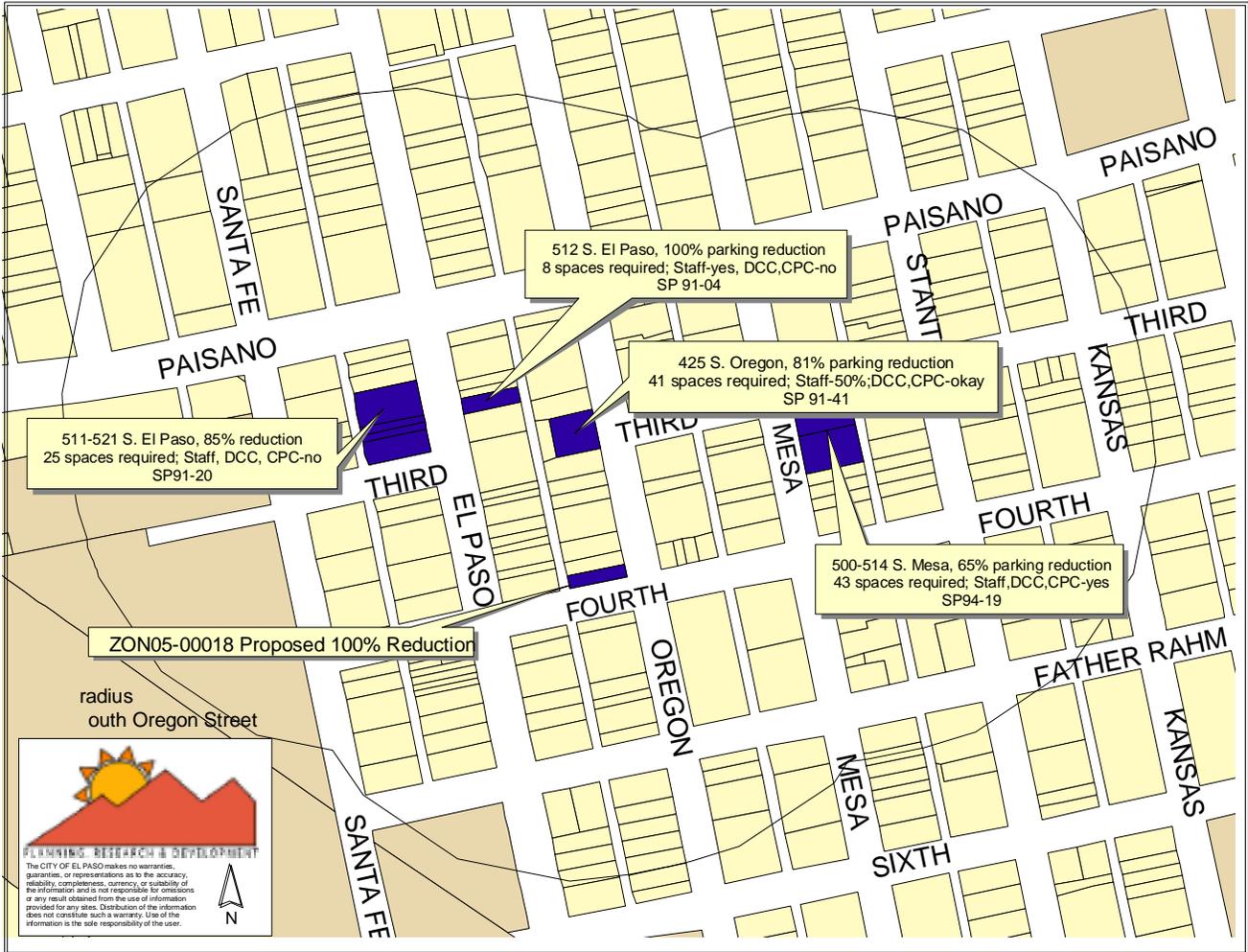
LOCATION MAP



AERIAL MAP



ANALYSIS MAP



radius
outh Oregon Street

PLANNING RESEARCH & DEVELOPMENT

The CITY OF EL PASO makes no warranties, guarantees, or representations as to the accuracy, reliability, completeness, currency, or usability of the information and is not responsible for omissions or any result obtained from the use of information provided for any sites. Distribution of the information does not constitute such a warranty. Use of the information is the sole responsibility of the user.

