

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: May 20, 2008
Public Hearing: June 10, 2008

CONTACT PERSON/PHONE: Arturo Rubio, 541-4633

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance granting special permit No. ZON08-00032, to allow for a parking reduction on the property described as a portion of Lot 6 through 10 and all of Lots 1 through 5, Block 224, Alexander Addition, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2701 and 2725 N. Mesa Street. Applicants: City of El Paso on behalf of property owner Gilbert W. Malooly and Geraldine Malooly, Trustees, ZON08-00032 (District 1).

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (5-0)

CITY CLERK DEPT.
08 MAY 13 PM 2:58

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

LEGAL: N/A

FINANCE: N/A

DEPARTMENT HEAD: Patricia D. Adauto, Deputy City Manager
for Development & Infrastructure Services.



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON08-00032, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 6 THROUGH 10 AND ALL OF LOTS 1 THROUGH 5, BLOCK 224, 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, The City of El Paso on behalf of property owner, Gilbert W. Malooly and Geraldine Malooly, Trustees, have applied for a Special Permit under Section 20.14.070 of the El Paso City Code to allow for a 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 an S-D (Special Development) District:
A portion of Lot 6 through 10 and all of Lots 1 through 5, Block 224, Alexander Addition, City of El Paso, El Paso County, Texas; and as more particularly described by metes and bounds on the attached Exhibit "A," incorporated by reference;

2. That the City Council hereby grants a Special Permit under Section 20.14.070 of the El Paso City Code so that a parking reduction, may be permitted on the property described in Paragraph A of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the S-D (Special Development) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant(s), the City Manager and the Executive Secretary to the City Plan

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Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes; and,

4. That if at any time the Property Owner(s) fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON08-00032**, shall be subject to termination; construction or occupancy shall be discontinued; and the Property Owner(s) shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Property Owner(s) 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 _____, 2008.

THE CITY OF EL PASO

ATTEST:

John F. Cook, Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

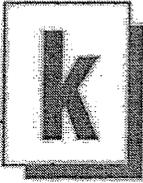
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Patricia D. Adauto

Patricia D. Adauto
Deputy City Manager
Development & Infrastructure Services

CITY CLERK DEPT.
05 MAY 13 PM 3:01



KISTENMACHER ENGINEERING COMPANY, INC.

• CONSULTING ENGINEERING

• LAND PLANNING

• SURVEYING

EXHIBIT "A"

DESCRIPTION

All of Lots 1 through 5 and a portion of Lots 6 through 10, in Block 224 of Alexander Addition to the city of El Paso, El Paso County, Texas, more fully described as follows:

COMMENCING at a point on the centerline of Mesa Street, said point being the intersection of the south right-of-way of Baltimore Street and the centerline of Mesa Street;

THENCE, South 52°25' West, a distance of 60.00 feet to a chiseled "X" found for the intersection of said south right-of-way and the west right-of-way line of Mesa Street, said "X" also being the POINT OF BEGINNING of the herein described tract;

THENCE, South 48°30'08" East (record South 48°28'08" East), along said west right-of-way, a distance of 132.38 feet to a chiseled "X" found for corner;

THENCE, South 37°37'00" East, with said west right-of-way a distance of 130.00 feet to a point for a corner, said point lying on the intersection of said west right-of-way and the north right-of-way of Cincinnati Street, from said point a chiseled "X" found bears S 68°05'W - 0.37';

THENCE, South 52°23'00" West, a distance of 122.07 feet (record 122 feet) to a 5/8 inch iron rod with a cap marked "KECO" set for a corner, said iron rod lying on the intersection of said north right-of-way and the east right-of-way of a 16.00 foot alley;

THENCE, North 37°37'00" West, along said east right-of-way a distance of 260.00 feet to a 60 penny nail with a shiner set for corner, said nail and shiner lying on the intersection of said east right-of-way and the south right-of-way of Baltimore Street;

THENCE, North 52°23'00" East, with said south right-of-way a distance of 97.07 feet (record 97.00 feet) to the POINT OF BEGINNING and containing within these calls a calculated area of 0.691 acre or 30,113 square feet, more or less.



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TWO LOCATIONS IN TEXAS TO SERVE YOU

1420 GERONIMO DRIVE, STE. A-2
EL PASO, TEXAS 79925
915-778-4476 • FAX 915-778-4504

6336 GREENVILLE AVENUE, STE. C
DALLAS, TEXAS 75206
214-234-0011 • FAX 214-234-0012



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

PAT D. ADAUTO
DEPUTY CITY MANAGER
DEVELOPMENT & INFRASTRUCTURE SERVICES

VACANT
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
VACANT, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES
PLANNING DIVISION
MEMORANDUM

DATE: May 19, 2008

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

FROM: Arturo Rubio, Planner

SUBJECT: ZON08-00032

The City Plan Commission (CPC), on May 8, 2008, voted **5-0** to recommend **APPROVAL** of special permit to allow for a parking reduction.

The CPC found that the special permit requested is in conformance with The Plan for El Paso Citywide land use goals, that El Paso: “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.” The CPC found that the proposed special permit will not have an adverse impact on the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general.

There is an approved detailed site development plan for subject property, (ZON07-00152) approved by CPC on April 10, 2008 that satisfies the requirement of the special permit.

There was no opposition to this request.

Attachment: Staff Report

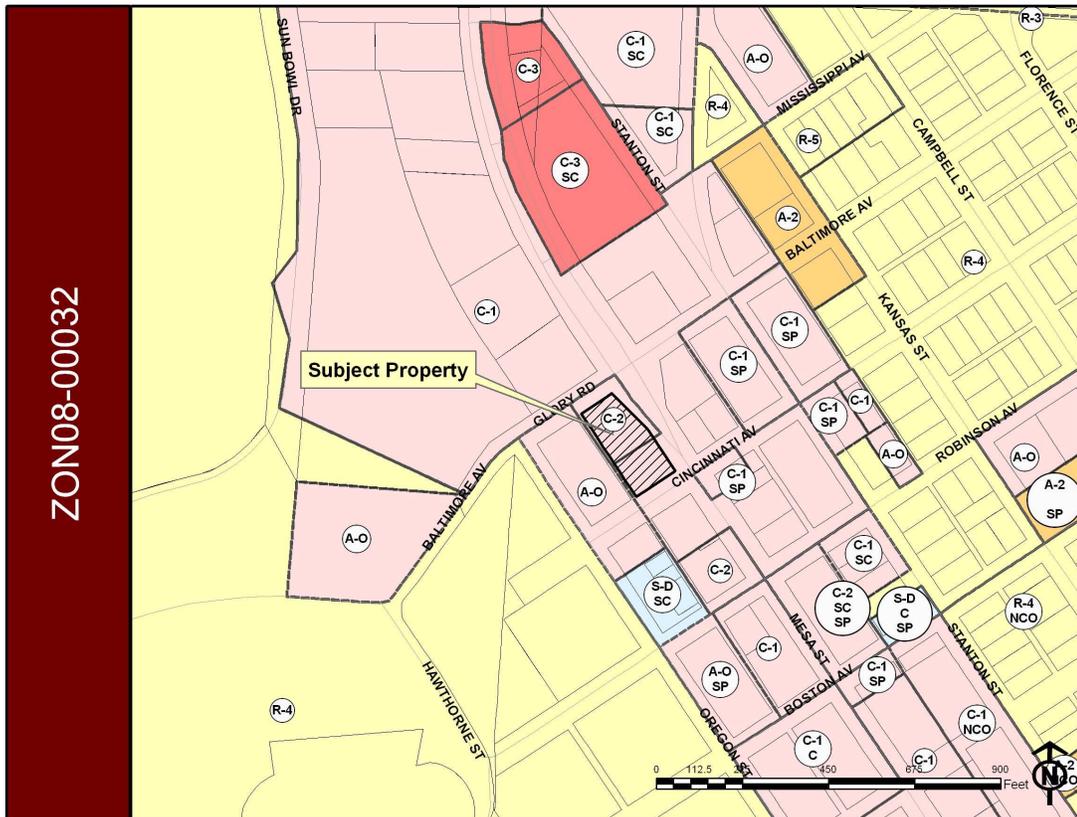


ZON07-00032

Application Type: Special Permit
Property Owners: Gilbert W. Malooly and Geraldine Malooly, Trustees
Representative: City of El Paso
Legal Description A portion of Lots 6 through 10 and all of Lots 1 through 5, Block 224, Alexander Addition, City of El Paso, El Paso County, Texas

Location: 2701 and 2725 N. Mesa Street
Representative District: 1 **Area:** 0.69 acres
Zoning: Parcel 1: C-1
Parcel 2: C-2

Present Use: Vacant
Request: A 100% parking reduction
Recognized Neighborhood Associations Contacted: None
Public Response: None
Surrounding Land Uses: **North:** C-1, UTEP, retail; **South:** C-1, restaurant, retail; **East:** C-1, restaurant; C-1/sp night clubs **West:** A-O, UTEP parking lot
Year 2025 Designation: **Mixed Use** (Central Planning Area)



General Information:

This is a City initiated request on behalf of property owner for a special permit to allow for a 100 % parking reduction. The applicant currently meets off-street parking requirements per code. The existing detailed site developmetn plan shows 37 parking spaces and 37 are required. Applicant requires parking reduction for future alterations and expnasion of proposed structures. Access is proposed via Glory Road and egress from Cincinnati Street. There are no existing zoning conditions currently on this property.

There is an approved detailed site development plan for subject property, (ZON07-00152) approved by CPC on April 10, 2008 that satisfies the requirement of the special permit.

Staff Recommendation:

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

The recommendation is based on the following:

- The special permit request **meets** the minimum requirements of special permit section 20.04.260, parking reduction section 20.14.070 and detailed site development plan section 20.04.150 of the City of El Paso Ordinance.
- **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.”
- **The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for **Mixed** land uses.
- **C-1 and C-2 Commercial zoning** permits a 100% parking reduction through a special permit/detailed site plan.

Findings:

The City Plan Commission must determine the following:

1. Will the special permit for a 100% parking reduction protect the best interest, health, safety and welfare of the public in general?
2. Will the special permit for a 100% parking reduction be compatible with adjacent land uses?
3. What is the relation of the proposed special permit to the City’s Comprehensive Plan?
4. What effects will the proposed special permit have on the natural environment, social and economic conditions and property values in the vicinity and the city as a whole?

Development Services - Building Permits and Inspections Division:

Zoning Review: No Comments received.

Landscaping: No comments received.

Development Services - Planning Division:

Current Planning: Recommends approval. The proposed parking reduction is in comformance with

requirements of the special permit section 20.04.260, parking reduction section 20.14.070 and detailed site development plan section 20.04.150 of the City of El Paso Ordinance.

Land Development: No comments received.

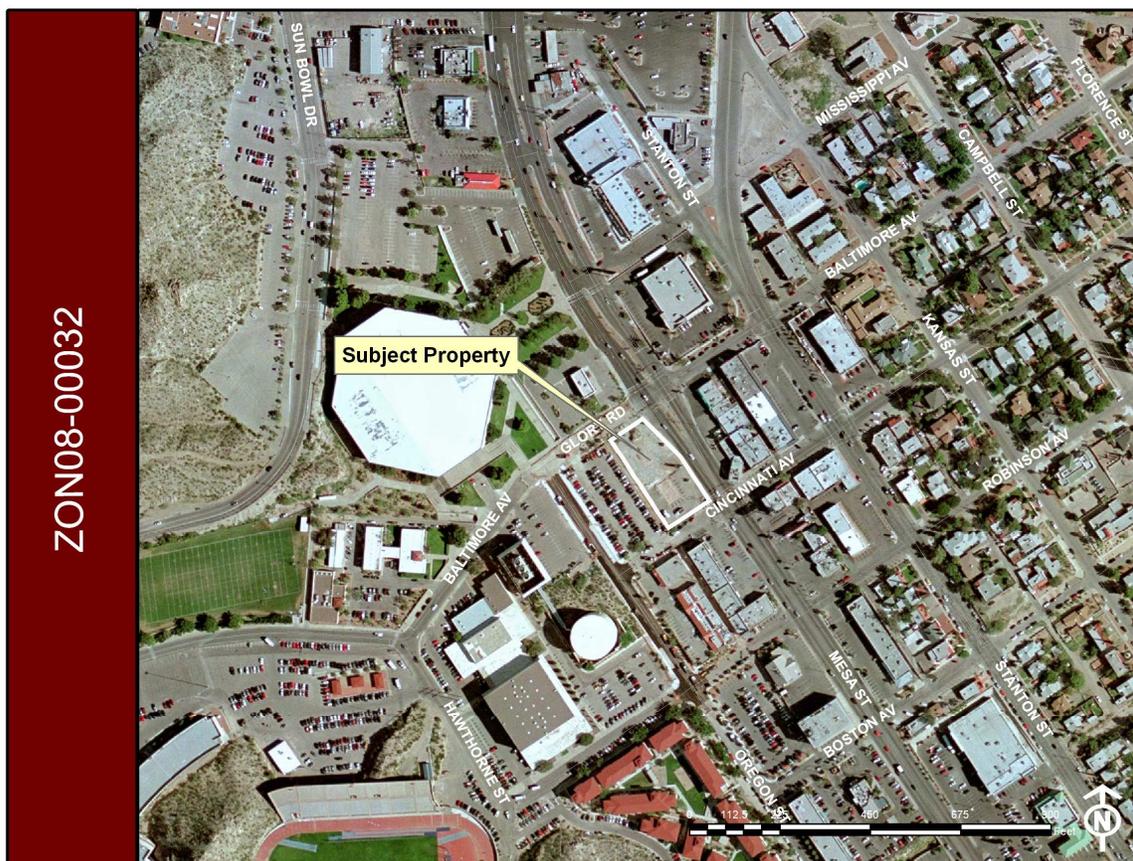
Engineering Department, Traffic Division:
No comments received.

Fire Department:
No comments received.

El Paso Water Utilities:
No comments received.

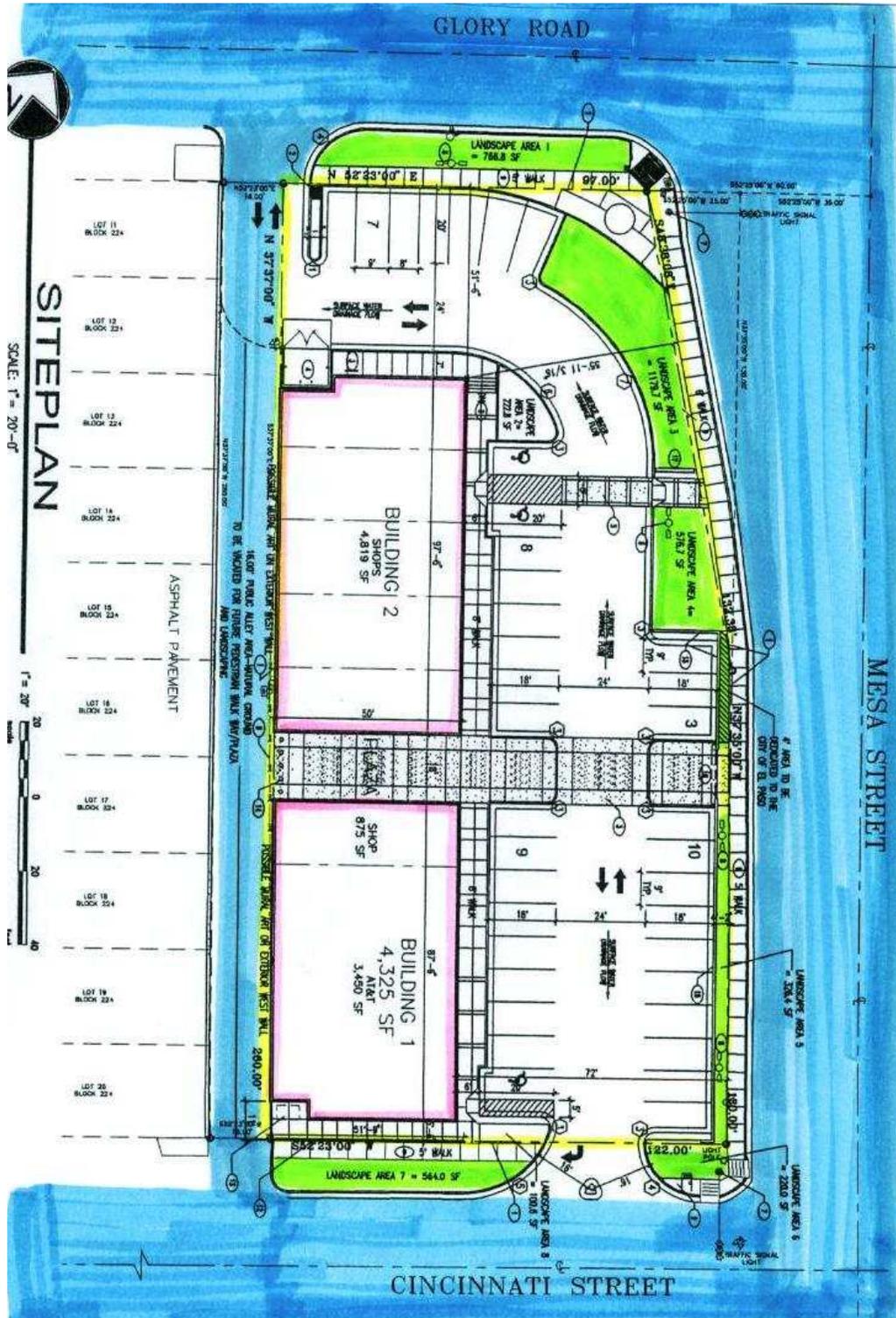
Parks:
No comments received.

Sun Metro:
No comments received.

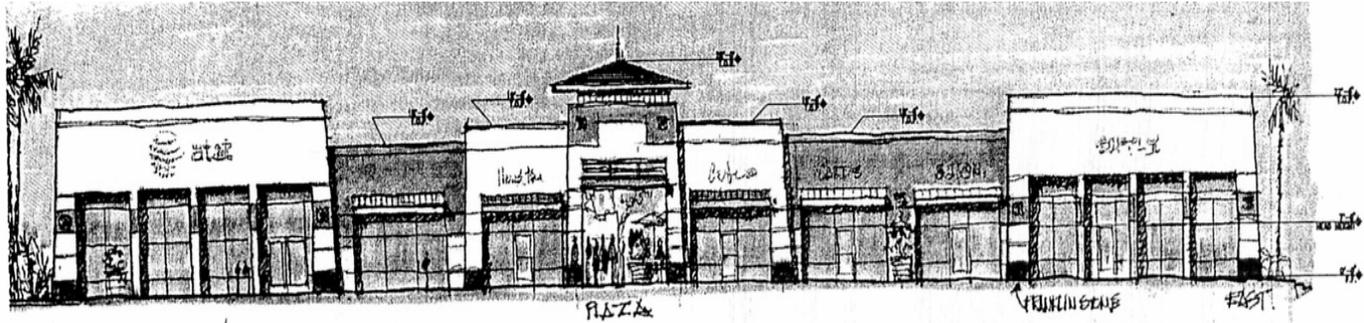


List of Attachments:
Attachment 1: Site Plan
Attachment 2: Side Elevations
Attachment 3: Application

Attachment 1: Site Plan

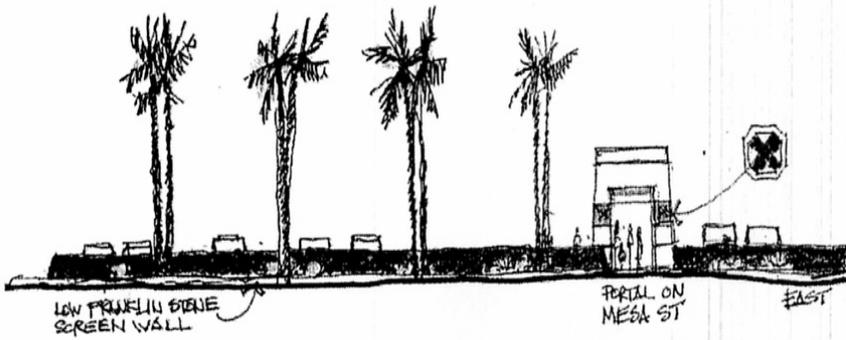


Attachment 2: Side Elevations



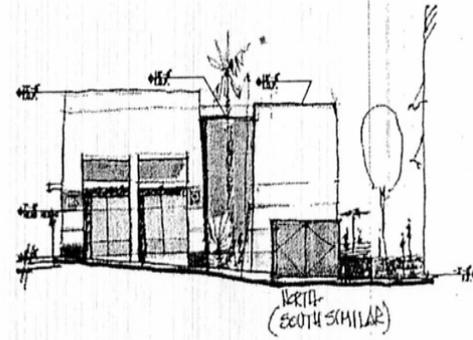
EAST ELEVATION

N.T.S.



ROCK WALL ELEVATION

N.T.S.



NORTH ELEVATION

N.T.S.

SOUTH ELEVATION IS SIMILAR BUT OPPOSITE HAND

Attachment 3: Application



SPECIAL PERMIT APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

City of El Paso, Texas
2 Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

1. CONTACT INFORMATION

PROPERTY OWNER(S): GILBERT W + GERALDINE MALOOLY, TRUSTEES
ADDRESS: _____ ZIP CODE: 79903 PHONE: _____
APPLICANT(S): CITY OF EL PASO
ADDRESS: #2 CIVIC CENTER PLAZA ZIP CODE: 79901 PHONE: _____
REPRESENTATIVE(S): _____
ADDRESS: _____ ZIP CODE: _____ PHONE: _____
E-MAIL ADDRESS: _____ FAX: _____

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: A462-999-2240-0100
LEGAL DESCRIPTION: LOTS 1-4, BLOCK 224, ALEXANDER
STREET ADDRESS OR LOCATION: 2701 N. MESA REP DISTRICT: 1
ACREAGE: 0.2913 PRESENT ZONING: O-1 PRESENT LAND USE: VACANT
SPECIAL PERMIT REQUEST: PARKING REDUCTION 100% (GM) (JTM)

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: A462-999-2240-2100
LEGAL DESCRIPTION: LOT 5 + PORTION OF LOTS 6-K, BLOCK 224
STREET ADDRESS OR LOCATION: 2725 N. MESA REP DISTRICT: 1
ACREAGE: 0.3981 PRESENT ZONING: O-2 PRESENT LAND USE: VACANT
SPECIAL PERMIT REQUEST: PARKING REDUCTION 100% (GM) (JTM)

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: N/A
LEGAL DESCRIPTION: _____
STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
SPECIAL PERMIT REQUEST: _____

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
Printed Name: GILBERT W. MALOOLY Signature: [Signature]
Printed Name: GERALDINE MALOOLY Signature: [Signature]
Printed Name: _____ Signature: _____

Note: Signatures are required for all owners of record for the property proposed for special permit. Attach additional signatures on a separate sheet of paper.

****OFFICE USE ONLY****
ZON 08-00032 RECEIVED DATE: 5/1/08 APPLICATION FEE: \$ 0
DCC REVIEW DATE: 5/13/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 5/14/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: _____

Revised 4/2007
MAY 13 PM 3:01

CITY CLERK DEPT.

MAY 13 PM 3:01