

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

**DEPARTMENT:** City Development Department

**AGENDA DATE:** Introduction: April 30, 2013  
Public Hearing: May 21, 2013

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

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance granting Special Permit No. PZST12-00024, to allow for a 100% Parking Reduction and Infill Development with reduced rear, side, and side street yard setbacks on the property described as Lots 15-16, Block 88, Bassett Addition, City of El Paso, El Paso County, Texas, Pursuant to Section 20.04.320 Special Permit and 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: 2500 Montana Avenue. Property Owner: AVSS Technologies, LLC. PZST12-00024 (District 8)

**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. PZST12-00024, TO ALLOW FOR A 100% PARKING REDUCTION AND INFILL DEVELOPMENT WITH REDUCED REAR, SIDE, AND SIDE STREET YARD SETBACKS ON THE PROPERTY DESCRIBED AS LOTS 15-16, BLOCK 88, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 SPECIAL PERMIT AND 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**, AVSS Technologies, LLC, have applied for a Special Permit to allow for a 100% parking reduction and a Special Permit for infill development for a reduced rear, side, and side street yard setbacks; 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 S-D (Special Development) Zone District:

Lots 15-16, Block 88, Bassett Addition, *City of El Paso, El Paso County, Texas; and,*

2. That the City Council hereby grants a Special Permit to allow for a 100% parking reduction and to allow an infill development for a reduced rear, side, and side street yard setbacks; 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, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and,

ORDINANCE NO. \_\_\_\_\_

**PZST12-00024**

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST12-00024 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

**ORDINANCE NO.** \_\_\_\_\_

**PZST12-00024**





## MEMORANDUM

**DATE:** April 22, 2013

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZST12-00024

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The City Plan Commission (CPC) on April 4, 2103, voted **9-0** to recommend **APPROVAL** of the special permit application to allow for infill development and 100% parking reduction.

The CPC found that the special permit is in conformance with the Plan El Paso and that the proposed use is in conformance with the Plan El Paso-Future Land Use Map Designation. 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:** PZST12-00024  
**Application Type:** Special Permit  
**CPC Hearing Date:** April 4, 2013  
**Staff Planner:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**Location:** 2500 Montana Avenue  
**Legal Description:** Lots 15 -16, Block 88, Bassett, City of El Paso, El Paso County, Texas  
**Acreage:** 0.1377-acre  
**Rep District:** 8  
**Zoning:** S-D (Special Development)  
**Existing Use:** Vacant  
**Request:** Infill Development/request reduced rear/side/side street yard and 100% Parking Reduction  
**Proposed Use:** Environmental Testing Laboratory

**Property Owner:** AVSS Technologies, LLC  
**Representative:** Joseph Limon

### **SURROUNDING ZONING AND LAND USE**

**North:** A-2 (Apartment) / Performing Arts Theater  
**South:** C-4 (Commercial) / Office  
**East:** S-D (Special Development) / Office  
**West:** A-2 (Apartment) / Single-family dwelling

**PLAN EL PASO DESIGNATION:** G-2, Traditional neighborhood (Walkable) (Central Planning Area)

**NEAREST PARK:** Memorial Park (4,023 feet)

**NEAREST SCHOOL:** Sunset High (3,185 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 March 19, 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 100% parking reduction for an environmental testing laboratory. The detailed site development plan shows an existing 3,590 sq. ft. one-story building. The applicant is requesting the following reductions in yard setback: from 10-foot required rear yard setback to 0, from 10-foot side yard setback between structures to 0 and from 10-foot required side street yard setback to 0. The proposed use requires 8 parking spaces and the applicant is providing 0 parking spaces and 3 bicycle spaces. The proposed environmental testing laboratory use requirements of the S-D zone district are satisfied through the detailed site development plan as part of the special permit review. No access to the subject property is provided.

**PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for infill development and 100% parking reduction as the development meets all guidelines, special permit 20.04.320 and detailed site development plan 20.04.150.

**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 S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

**COMMENTS:**

**City Development Department - Planning Division - Transportation**

No objections to Special Permit request.

Notes:

1. The property is located along the Montana Rapid Transit System (RTS) Corridor and ¼ mile from the Five Points Transit Terminal. Location of any existing/proposed bus stops and bus pull in bays shall be coordinated and approved by Sun Metro.

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**

No objections.

**City Development Department - Land Development**

No objections.

**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.

Fire plan review will need to take a closer look at full details of this project in case any permits need to be issued since this is going to be an environmental lab. And this needs to be before full approval of project

**Police Department**

If the parking is on the City right-of-way or part of a business the El Paso Police Department would recommend

that it be reduced to no less than a 50% reduction.

### **Sun Metro**

Sun Metro does not oppose this request. Approval letter was provided by Sun Metro, Dec. 4, 2012.

### **El Paso Water Utilities**

1. El Paso Water Utilities (EPWU) does not object to this request.

Water:

2. There is an existing 6-inch diameter water main extending along Magnolia Street that is available for service, the water main is located approximately 22 feet west from the western property line.
3. There is an existing 6-inch diameter water main that is available for service along the alley between Magnolia and Rosewood Streets. The water main is located approximately 8 feet south of the southern property line.
4. EPWU records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 2500 Montana Avenue.
5. Previous water pressure tests from fire hydrant # 1646 located at the northeast corner of Magnolia Street and Montana Avenue have yielded a static pressure of 92 (psi) pounds per square inch, a residual pressure of 88 (psi) pounds per square inch, and a discharge of 1126 (gpm) gallons per minute.
6. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

7. There is an existing 8-inch diameter sanitary sewer main extending along Magnolia Street that is available for service, the sewer main is located approximately 2 feet west from the center line of the right-of-way.
8. There is an existing 8-inch diameter sanitary sewer main that is available for service along the alley between Magnolia and Rosewood Streets. The sewer main is located approximately 10 feet south of the southern property line.

General:

9. 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:

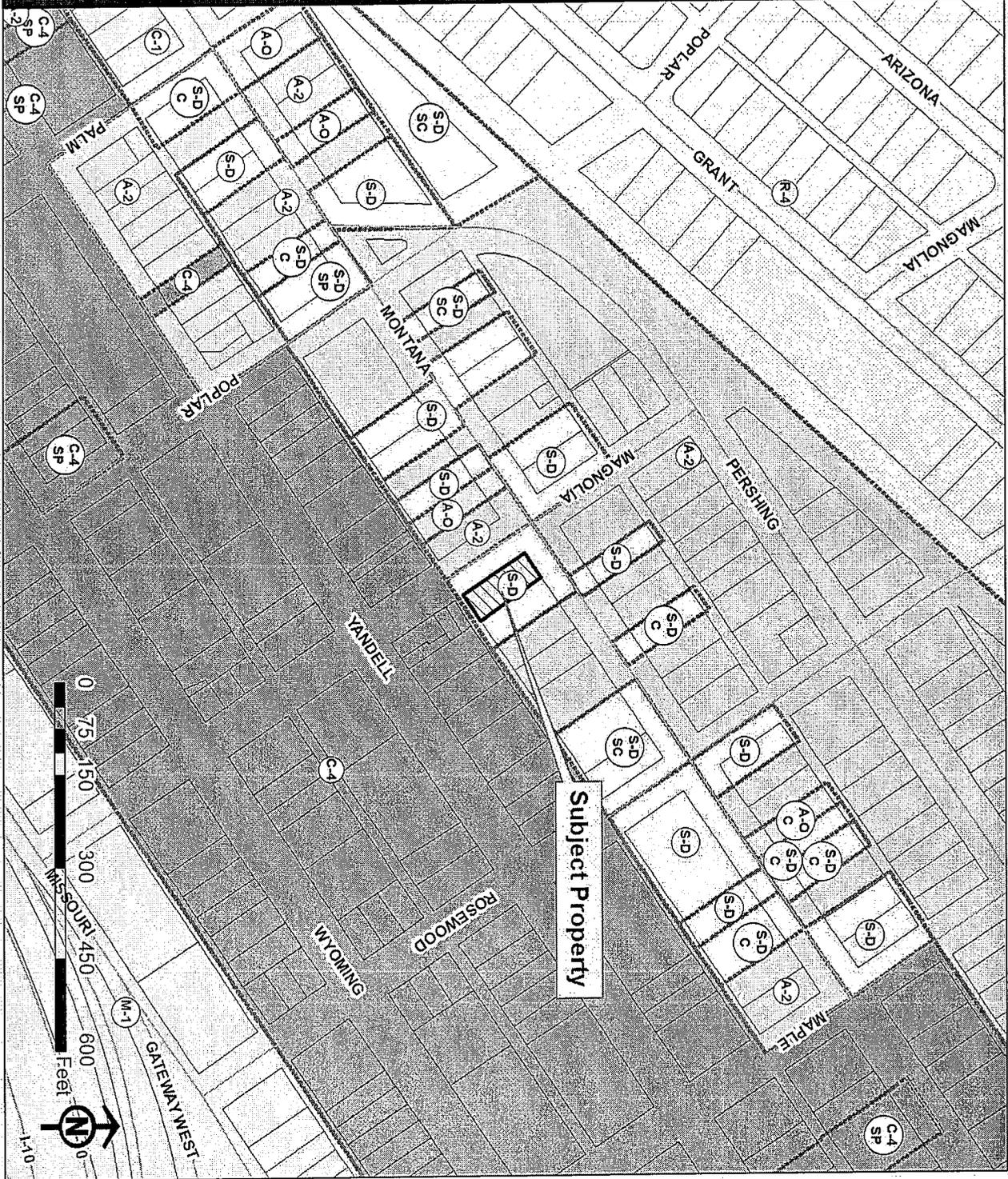
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications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

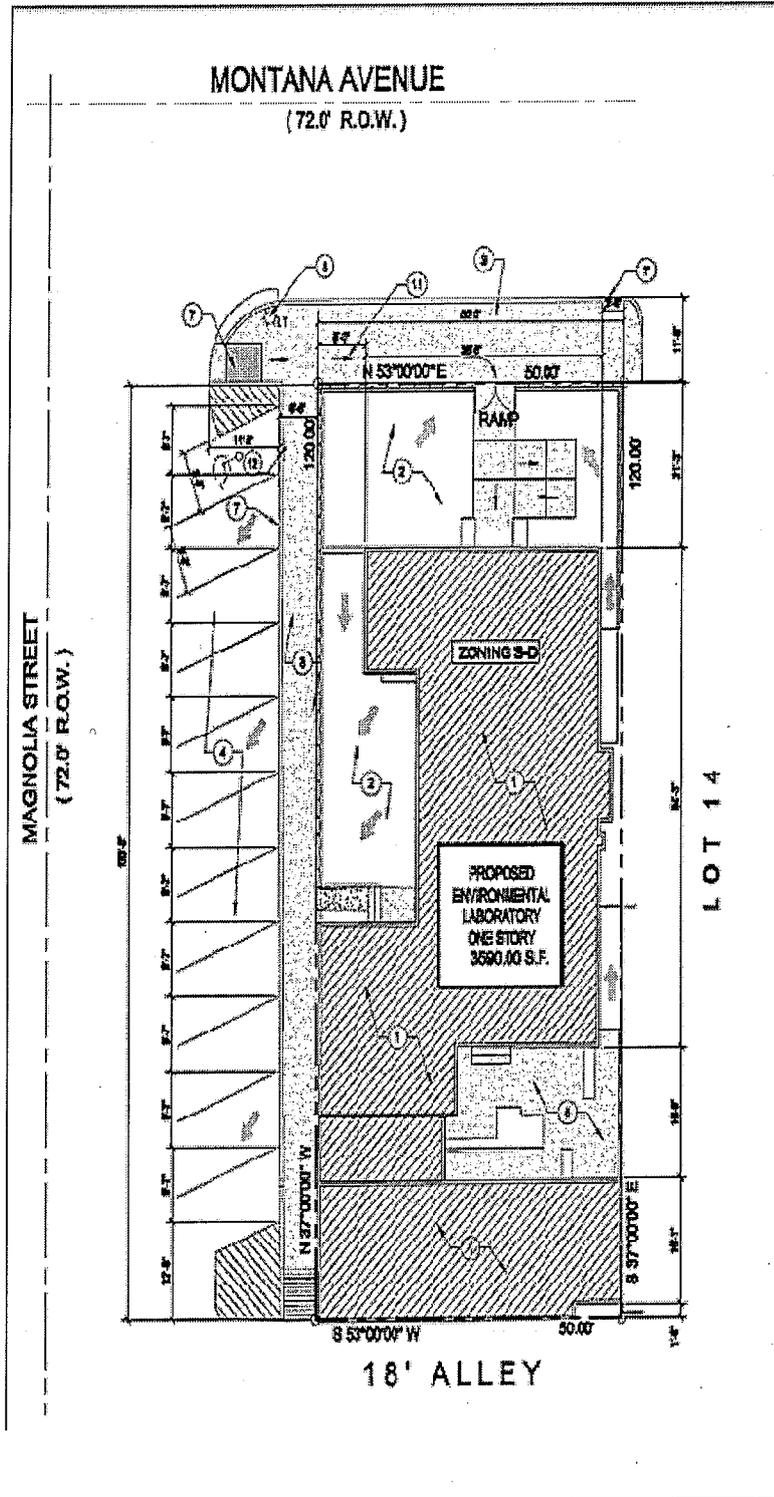
PZST12-00024



PZST12-00024



**ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN**



**KEYED NOTES:**

- ① EXISTING BUILDING TO REMAIN, NO WORK REQUIRED.
- ② EXISTING LANDSCAPE TO REMAIN, NO WORK REQUIRED.
- ③ EXISTING 11' SIDE WALK TO REMAIN, NO WORK REQUIRED.
- ④ EXISTING PUBLIC PARKING TO REMAIN, NO WORK REQUIRED.
- ⑤ EXISTING PATIO TO REMAIN, NO WORK REQUIRED.
- ⑥ EXISTING CONCRETE RAMP TO REMAIN, NO WORK REQUIRED.
- ⑦ EXISTING CONCRETE CURBS TO REMAIN, NO WORK REQUIRED.
- ⑧ EXISTING LIGHT POLE TO REMAIN.
- ⑨ NEW 3 BICYCLE RACKS.
- ⑩ EXISTING 6'-3" HIGH WROUGHT IRON FENCE TO REMAIN.
- ⑪ HANDICAP ACCESSIBLE ROUTE.
- ⑫ HANDICAP SIGN.