

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: May 3, 2011
Public Hearing: May 24, 2011

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

DISTRICT(S) AFFECTED: 3

SUBJECT:

An Ordinance granting Special Permit No. ZON11-00006, to allow for infill development and a parking reduction on the property described as Lots 1, 2, 3, and the East ½ of Lot 4, Block 15, Woodlawn Addition, 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: 3722 and 3730 Pera Avenue. Applicant: Project Vida Community Development Corporation. ZON11-00006 (District 3)

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) – Denial 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. ZON11-00006, TO ALLOW FOR INFILL DEVELOPMENT AND A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 1, 2, 3, AND THE EAST ½ OF LOT 4, BLOCK 15, WOODLAWN ADDITION, 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, **Project Vida Community Development Corporation**, Applicant, has applied for a Special Permit for Infill Development and a Parking Reduction; 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)** District:

Lots 1, 2, 3, and the East ½ of Lot 4, Block 15, Woodlawn Addition, 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 Sections 20.64.175 of the El Paso City Code, for Infill Development and a Parking Reduction; 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 "B" and incorporated herein by reference for all purposes; and,

ORDINANCE NO. _____

Special Permit No. ZON11-00006

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. **ZON11-00006** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
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 _____, 2011.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

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. ZON11-00006

EXHIBIT "A"

PROPERTY DESCRIPTION

3722-3730 PERA AVENUE

Description of a parcel of land being Lots 1, 2, 3 and the east ½ of Lot 4, Block 15, Latta's (Woodlawn) Addition, City of El Paso, El Paso County, Texas, said map of Latta's (Woodlawn) Addition recorded in book 13, page 53, Plat Records, El Paso County, Texas and also being that same parcel recorded in book 1404, page 586, and in Clerks File #20100018688, El Paso County Clerks Deed Records, and described as follows;

Commencing for reference at "V" found chiseled in concrete at the northwest corner of Block 6 in said Latta's (Woodlawn) Addition, said "V" lying South 59°09'46" East a distance of 780.10' from a TXDOT marker found at the northeast corner of Lot 1, Block 10 of said Latta's (Woodlawn) Addition (bearing basis); Thence, with the easterly ROW line of Latta Street (70' wide ROW), South 00°00'00" West a distance of 770.00' to the northwest corner of Block 14 of said Latta's (Woodlawn) Addition; Thence, North 90°00'00" West a distance of 70.00' to the northeast corner of said Block 15, and being the "Point Of Beginning";

Thence, with the west ROW line of said Latta Street, South 00°00'00" West a distance of 140.00' to a point on the north ROW line of an existing 20' wide alley;

Thence, with said north ROW line of an existing 20' wide alley, North 90°00'00" West a distance of 87.50' to a point;

Thence, North 00°00'00" East a distance of 140.00' to a point on the south ROW line of Pera Avenue (70' wide);

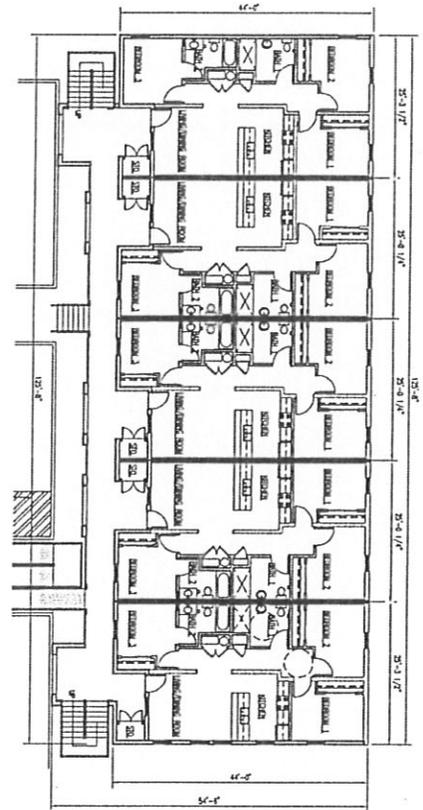
Thence, with said south ROW line of Pera Avenue, South 90°00'00" East a distance of 87.50' to the "Point Of Beginning" and containing 12,250 sq. ft. or 0.2812 acres.

Based on a field survey performed under my supervision and dated Oct. 29, 2010.

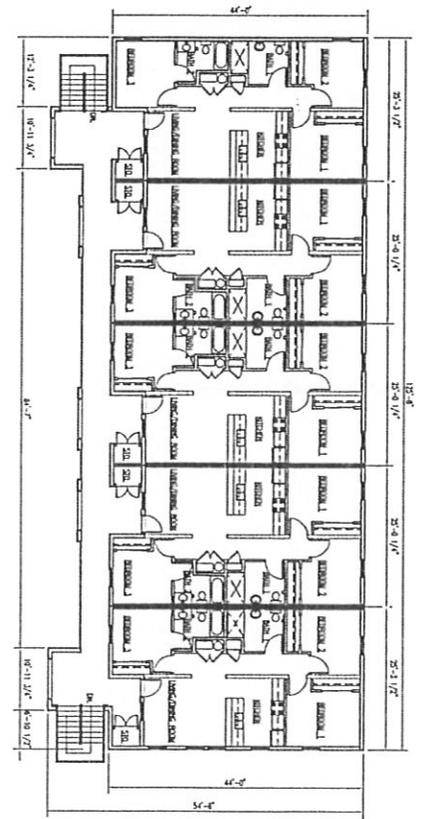

John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.
13998 Bradley Road
El Paso, TX. 79938
915-241-1841

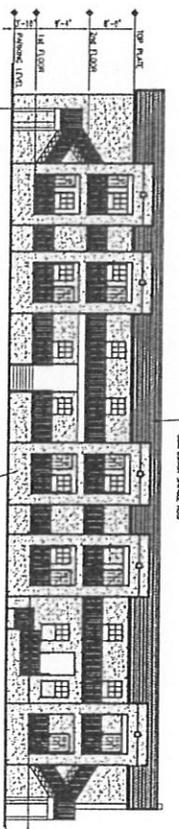




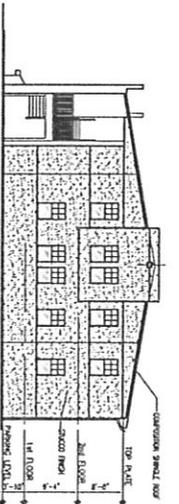
FLOOR PLAN - 1ST LEVEL
 SCALE 3/32" = 1'-0"
 1st FLOOR HAS 1 H.C. ACCESSIBLE UNIT
 ALL 1st FLOOR APARTMENTS TO BE RENTED FOR H.C. COMPOUND
 5,250 TOTAL SF.



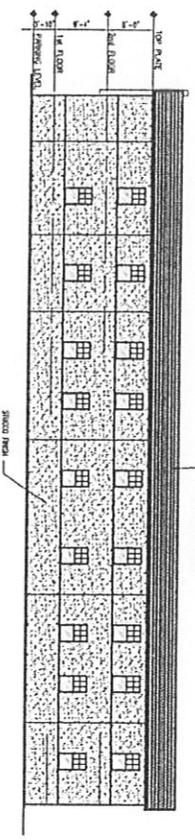
FLOOR PLAN - 2ND LEVEL
 SCALE 3/32" = 1'-0"
 5,250 TOTAL SF.



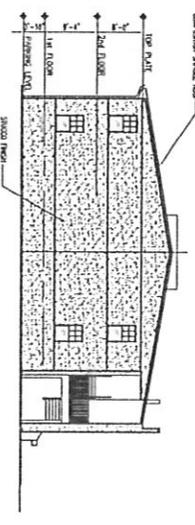
EAST ELEVATION
 SCALE 3/32" = 1'-0"



NORTH ELEVATION
 SCALE 3/32" = 1'-0"



WEST ELEVATION
 SCALE 3/32" = 1'-0"



SOUTH ELEVATION
 SCALE 3/32" = 1'-0"

1845 Northwestern Drive, Suite "A"
 El Paso, Texas 79912
 915.877.2020
 Fax: 915.877.2222
 www.psrbb.com

PSRBB
ARCHITECTS
 COMMERCIAL GROUP, INC.

PROJECT NAME AND NUMBER:
 3-BEDROOM RENTAL UNITS FOR PROJECT VIDA
 10-236
 DATE: FEB-11
 REV: A
 SHEET: A2
 OF XX

3-BEDROOM RENTAL UNITS
 FOR
PROJECT VIDA
 EL PASO, TX 79905

3722-3730 PERA

MEMORANDUM

DATE: April 25, 2011

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON11-00006

The City Plan Commission (CPC), on March 24, 2011, voted 6-0 to recommend **APPROVAL** of the special permit application to allow for infill development and a parking reduction for a new apartment complex.

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

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON11-00006
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: March 24, 2011
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 3722 and 3730 Pera Avenue
Legal Description: Lots 1, 2, 3, and the East ½ of Lot 4, Block 15, Woodlawn Addition, City of El Paso, El Paso County, Texas
Acreage: 0.281 acres
Rep District: 3
Existing Use: Vacant
Existing Zoning: A-3 (Apartment)
Request: Special Permit for parking reduction/setback reduction
Proposed Use: Apartment

Property Owner: Project Vida Community Development Corporation
Applicant: Project Vida Community Development Corporation c/o Eric Huston
Representative: PSRBB Architects c/o Robert C. Filarski

SURROUNDING ZONING AND LAND USE

North: A-3 (Apartment) / Multi-Family Dwellings
South: A-3 (Apartment) / Multi-Family Dwellings
East: A-3 (Apartment) / Zavala Elementary School
West: A-3 (Apartment) / Multi-Family Dwellings

THE PLAN FOR EL PASO DESIGNATION: Residential (Central Planning Area)

NEAREST PARK: Pera Luna Park (1,768 Feet)

NEAREST SCHOOL: Zavala Elementary (345 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Chamizal Neighbor Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 8, 2011. 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 for a 60% parking reduction and review of the detailed site development plan for a new 11,500 sq. ft. two-story, 10 apartment units. The applicant is requesting the following reductions in yard setbacks: from 20-foot required front yard setback to 0 and from 10-foot required side street yard setback to 7 feet, 2 inches.

The proposed use requires 20 off-street parking spaces; the site plan shows 8 parking spaces and 3 bicycle spaces, with access from Pera Avenue and egress proposed from the alley via Latta Avenue. The Department of Transportation reviewed the parking study and found that the available on-street parking satisfies the parking requirements.

Approval of the detailed site development plan for the special permit will fulfill the requirement for site plan review for the S-D (Special Development) rezoning case, PZRZ11-00007.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan request as it meets all the requirements of 20.04.150, Detailed Site Development Plan, and 20.04.320, Special Permit.

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 and enforce standards for providing decent, safe and sanitary housing for all El Pasoans in accordance with federal, state, and local regulations.
- b. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

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.

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 **APPROVAL**.

Engineering & Construction Management Services Department – Plan Review

Plan Review has no objections.

Engineering & Construction Management Service Department – Landscaping Plan

The project is met code as submitted.

Engineering & Construction Management Services Department – Land Development

1. Comments:
 - a. Due to the property being within an area in a Special Flood Hazard Area (AH), applicant shall coordinate with Floodplain Coordinator for the requirements and compliance of Special Flood Hazard Area. (Applicant is aware and will comply at BP&I stage).
2. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
3. Grading plan and permit shall be required.*
4. Storm Water Pollution Prevention Plan and/or permit required.*
Drainage plans must be approved by the Development Services Department, Engineering Section.*
5. The property is within Flood Zone AH, "Areas of minimal flooding"- Panel # 480214 0040B, date October 15, 1982. (Elevation certificate is required).

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

Department of Transportation

Department of Transportation has no objection to special permit.

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.

El Paso Water Utilities

We have reviewed the special permit request described above and provide the following comments:

EPWU does not object to this request.

EPWU-PSB Comments

Water:

Along Pera Street between Latta Street and Stevens Street there is an existing twelve (12) inch diameter water main.

Along Latta Street between Pera Street and Rivera Street there is an existing eight (8) inch diameter water main.

Long the alley located between Pera Street and Rivera Street, west of Latta Street there is an existing six (6) inch diameter water main.

Previous water pressure readings conducted on fire hydrant number 1937 located at the corner of Pera Street and Latta Street have yielded a static pressure of 96 pounds per square inch (psi), residual pressure of 92 psi, discharge of 1,300 gallons per minute (gpm).

Private water pressure regulating devices will be required at the discharge side of each water meter. The Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. Additionally, the lot buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

Sanitary Sewer:

Along Pera Street between Latta Street and Stevens Street there are no existing sanitary sewer mains.

Along Latta Street between Pera Street and Rivera Street are no existing sanitary sewer mains.

Long the alley located between Pera Street and Rivera Street, west of Latta Street there is an existing eight (8) inch diameter sanitary sewer main.

General:

Water and sanitary sewer service is available from the above described mains.

Frontage fees may be due from the Owner/Developer for the existing water and sanitary sewer mains described above. The El Paso Water Utilities (EPWU) will determine the amount due after the Owner/Developer completes a new service application with EPWU for service. The Owner/Developer is responsible for all frontage fees, as well as all water and sanitary sewer service installation costs.

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.

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. 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.

Fire Department

El Paso Fire department has no objections to the reduced setback and parking reduction request.

CITY PLAN COMMISSION OPTIONS

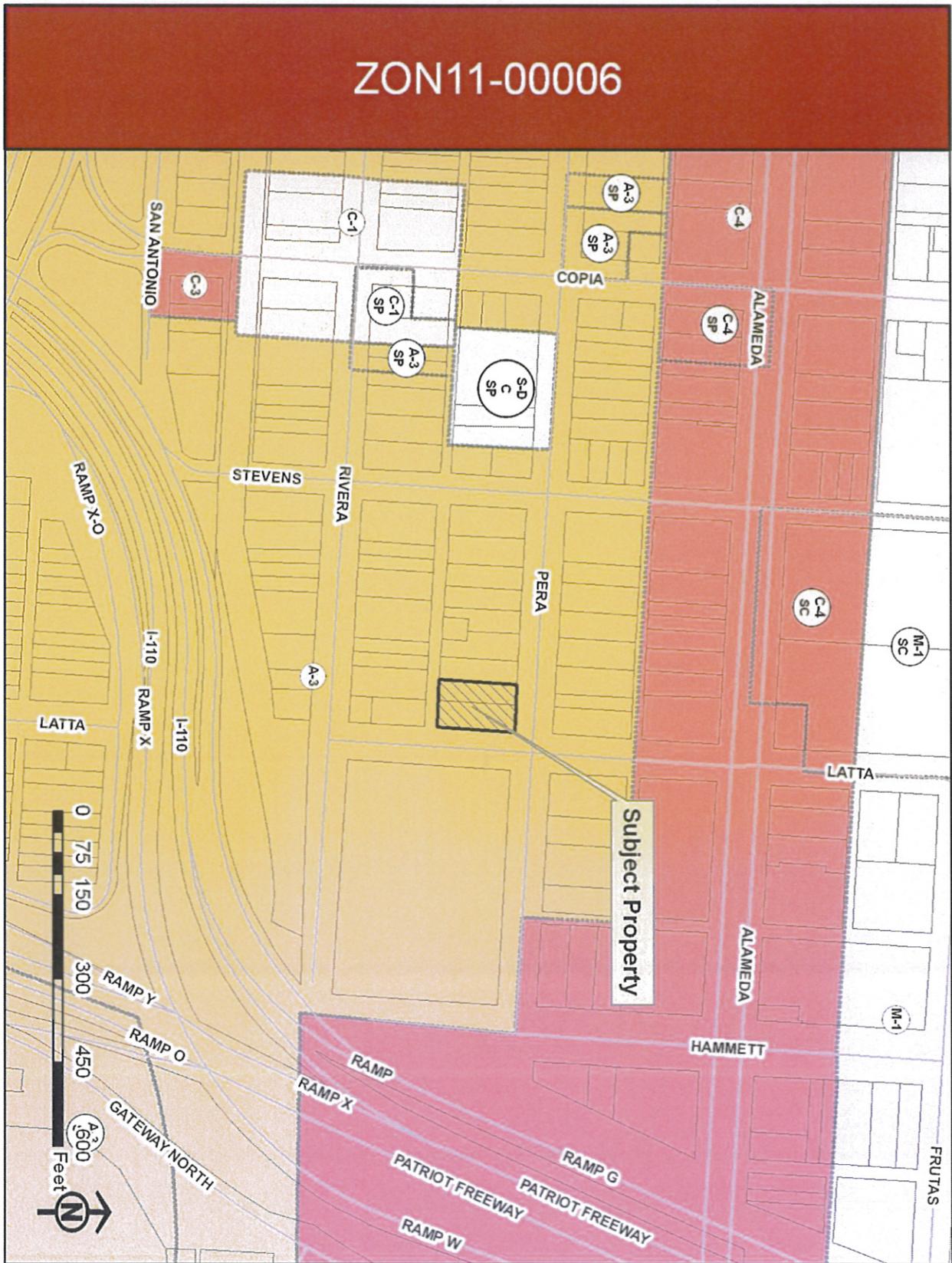
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

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
4. Elevations

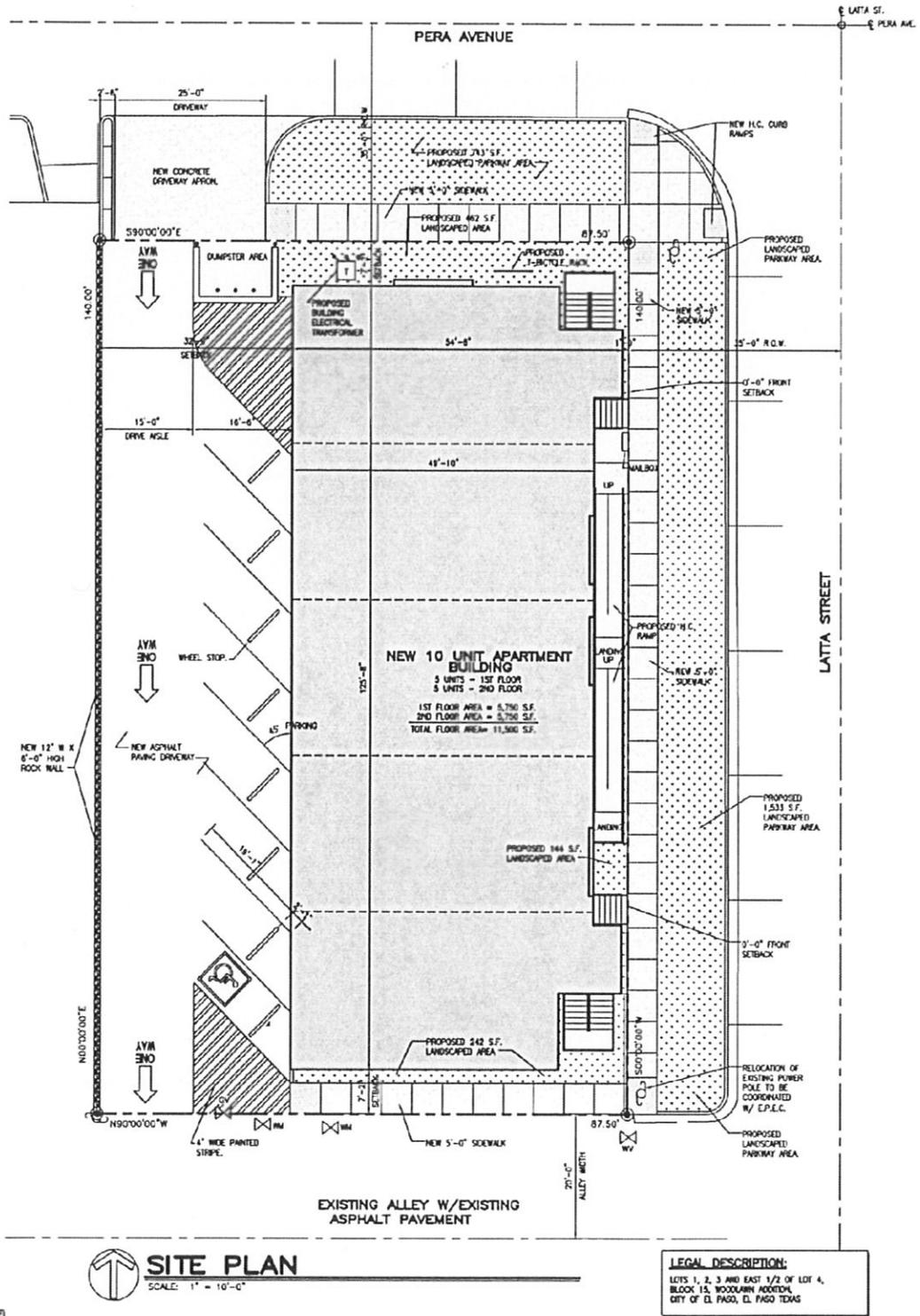
ATTACHMENT 1: LOCATION MAP



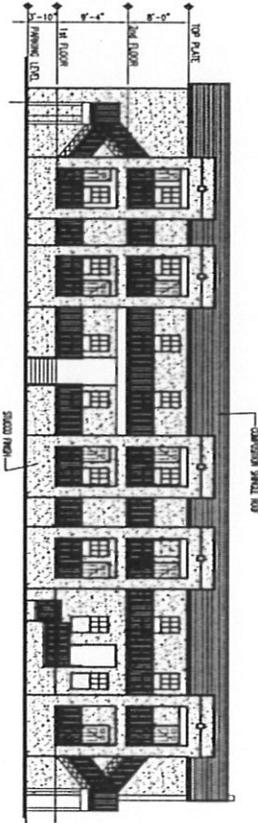
ZON11-00006



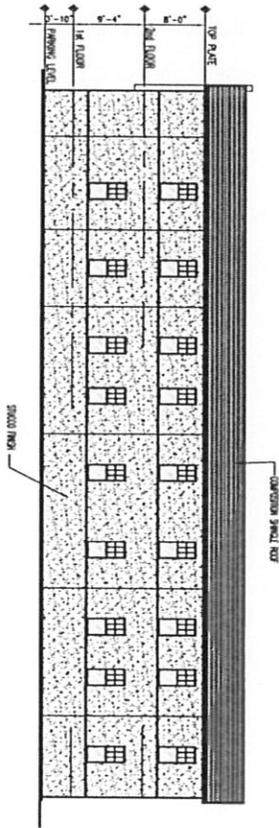
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



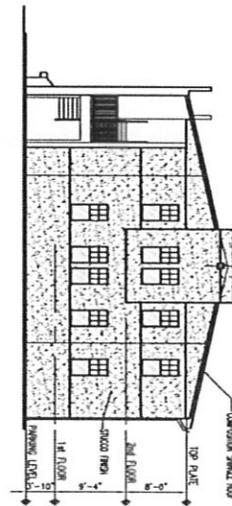
ATTACHMENT 4: ELEVATIONS



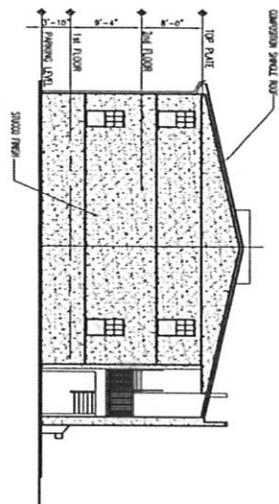
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