

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: April 20, 2010  
Public Hearing: May 11, 2010

**CONTACT PERSON/PHONE:** Esther Guerrero, (915) 541-4720

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An ordinance granting Special Permit No. ZON09-00077, to allow for an eighty-eight percent (88%) parking reduction on the property described as Lot 27 and the west 10 ft. of Lot 28, Block 69, Franklin Heights, 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. Subject Property: 1319 Montana Avenue. Applicant: Christopher Swann. ZON09-00077 (**District 8**).

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – **Denial** Recommendation of a 91% parking reduction; **Approval** Recommendation of an 88% parking reduction.  
City Plan Commission (CPC) – **Denial** Recommendation of a 91% parking reduction; **Approval** Recommendation of an 88% parking reduction. (5-1 vote)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Deputy Director-Planning, Development Services Department

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00077, TO ALLOW FOR AN EIGHTY-EIGHT PERCENT (88%) PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOT 27 AND THE WEST 10 FT. OF LOT 28, BLOCK 69, FRANKLIN HEIGHTS, 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, Christopher Swann,** has applied for a Special Permit under Section 20.04.260 of the El Paso City Code to allow for an eighty-eight percent (88%) 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 a S-D (Special Development) District:

*Lot 27 and the West 10 ft. of Lot 28, Block 69, Franklin Heights, 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;

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the parking reduction:

*That the outdoor patio area as shown on the detailed site development plan be removed and instead shown as a landscape area.*

2. That the City Council hereby grants a Special Permit under Section 20.14.070 of the El Paso City Code so that an eighty-eight percent (88%) parking reduction, may be permitted on the property described in Paragraph 1 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, the City Manager 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; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON09-00077** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; 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 to the City Plan Commission before building permits are issued.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.**

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook, Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew McElroy, Deputy Director-Planning  
Development Services Department

**AGREEMENT**

**Christopher Swann**, 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 attached to same Ordinance, and in accordance with the standards identified in the **S-D (Special Development) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Name/Title)

**ACKNOWLEDGMENT**

**THE STATE OF** )  
 )  
**COUNTY OF** )

This instrument is acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2010, by \_\_\_\_\_ for **Christopher Swann**, as Applicant.

(Seal)

\_\_\_\_\_  
Notary Public, State of Texas  
Signature

\_\_\_\_\_  
Printed or Typed Name

My Commission Expires:

\_\_\_\_\_

PROPERTY DESCRIPTION

1319 Montana

Description of a parcel of land being Lot 27 and the west 10' of Lot 28, Block 69, Franklin Heights Addition, City of El Paso, El Paso County, TX., said Franklin Heights Addition recorded in book 9, page 62, Plat Records, El Paso County, TX. and also being that same parcel recorded in document #20060063384 , El Paso County Clerks Records, and described as follows;

Beginning at a "V" chiseled in concrete at the common front lot corner of Lots 26 and 27 of said Block 69, said "V" also lying on the northwesterly ROW line of Montana Avenue (72' wide), said "V" also lying North 52°45'00" East (bearing basis) a distance of 150.00' from a PK nail found at the common front lot corner of Lots 20 and 21 of said Block 69, and being the "Point Of Beginning";

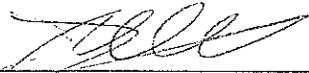
Thence, with the common lot line of said Lots 26 and 27, North 37°15'00" West a distance of 120.00' to the common rear lot corner of said Lots 26 and 27;

Thence, with the southeasterly ROW line of a 18' wide alley, North 52°45'00" East a distance of 35.00' to a fence post;

Thence, with the common boundary line of this parcel and that parcel recorded in book 3593, page 1481, South 37°15'00" East a distance of 120.00' to a nail set of said ROW line of Montana Avenue;

Thence, with said ROW line of Montana Avenue, South 52°45'00" West a distance of 35.00' to the "Point Of Beginning" and containing 4,200 sq. ft. or 0.0964 acres.

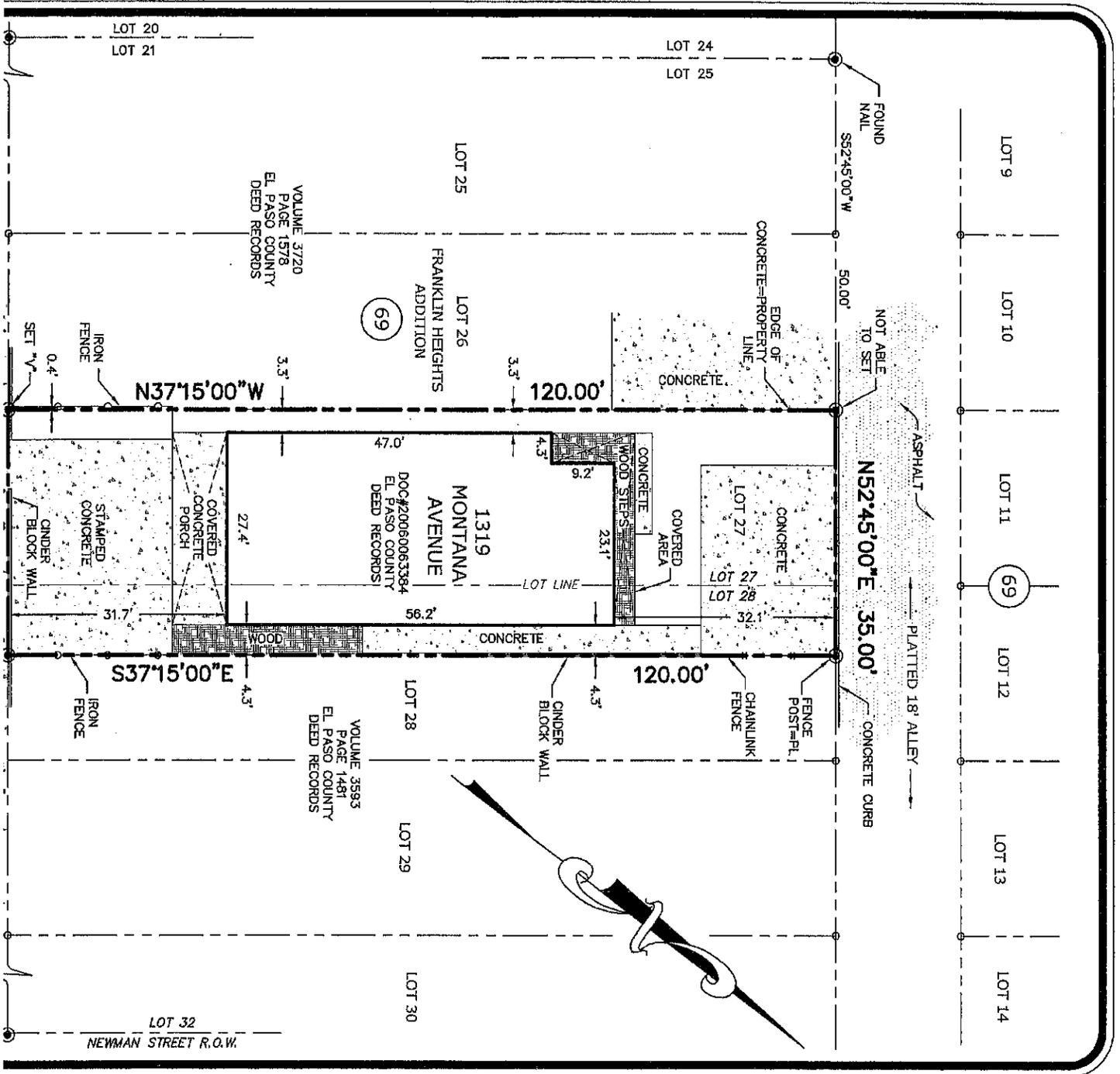
Based on a field survey performed under my supervision and dated September 24, 2009.

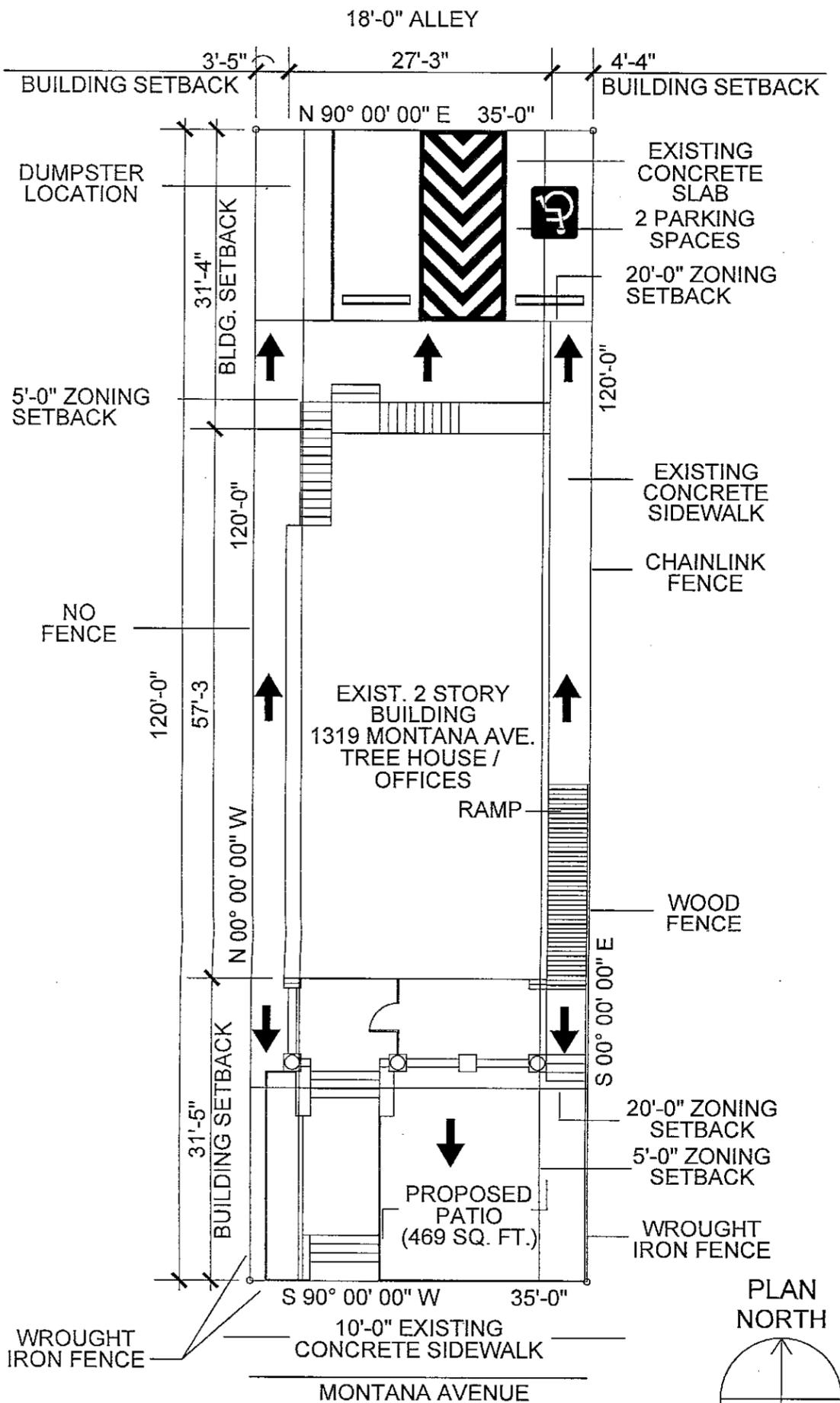


John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

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







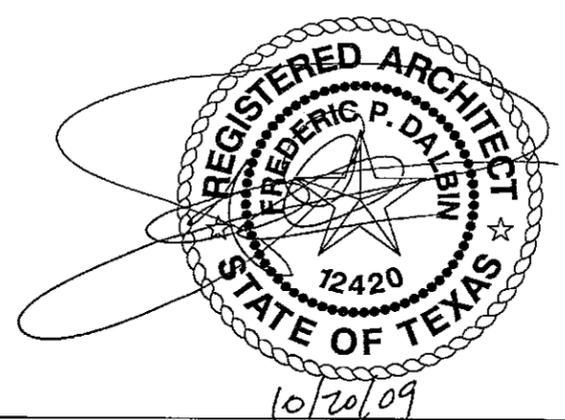
**LEGAL DESCRIPTION**  
 1319 MONTANA AVE.  
 LOTS 27 AND THE WEST 10 FT. OF  
 LOT 28, BLOCK 69  
 SECOND SUPPLEMENTAL MAP OF  
 FRANKLIN HEIGHTS ADDITION  
 CITY OF EL PASO, EL PASO COUNTY,  
 TEXAS

**PARKING REQUIREMENTS**

PARKING REQ:		
RESTAURANT:	1370/100	13.66
PATIO:	469/100	4.69
OFFICES:	1446/400	3.62
		22 REQ.
PARKING PROV:		2 SPACES
PARKING REDUCTION		20 SPACES

**LEGAL DESCRIPTION**  
 1319 MONTANA AVE.  
 LOTS 27 AND THE WEST 10 FT. OF  
 LOT 28, BLOCK 69

**LANDSCAPING REQUIREMENTS**  
 NO LANDSCAPING REQUIRED  
 HOUSE BUILT IN THE 1920'S



01

**SITE PLAN**

SCALE: 1" = 20' - 0"

**TREE HOUSE**

1319 MONTANA AVE. EL PASO TX. 79902

THE USE OF THIS SEAL IS AUTHORIZED BY THE ARCHITECT'S WHO'S NAME APPEARS. ANY UNAUTHORIZED USE, MISUSE OR MISREPRESENTATION OF THIS SEAL WILL VOID ANY LIABILITY, DIRECT OR INDIRECT WHICH MAY RESULT FROM ITS USE. NO PERSON MAY MAKE ANY MODIFICATION TO THIS ELECTRONIC DRAWING FILE WITHOUT THE ARCHITECT'S EXPRESS WRITTEN PERMISSION.

IF YOU SHOULD HAVE ANY COMPLAINTS REGARDING THIS ARCHITECTURAL FIRM, PLEASE BE INFORMED THAT THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS HAS JURISDICTION OVER COMPLAINTS REGARDING THIS FIRM'S PROFESSIONAL PRACTICE. THE MAILING ADDRESS IS TBAE, P.O. BOX 12337, AUSTIN, TEXAS 78711, TELE. (512) 305-9000.

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2112 Murchison Drive • El Paso, Texas 79930 • www.wrightdalbin.com • (T) 915.532.3777 • (F) 915.532.7733

**A.2**

SHEET 1 OF 2

DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION

DETAILED SITE DEVELOPMENT PLAN APPROVED  
 BY THE CITY COUNCIL

**WRIGHT & DALBIN**  
 architects, inc.

DATE \_\_\_\_\_

APPLICANT \_\_\_\_\_

EXECUTIVE SECRETARY  
 CITY PLAN COMMISSION \_\_\_\_\_

CITY MANAGER \_\_\_\_\_

Exhibit "B"

## MEMORANDUM

**DATE:** April 12, 2010

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

**SUBJECT: ZON09-00074**

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The City Plan Commission (CPC) on December 17, 2009 voted **5-1** to recommend **DENIAL** of a 91% parking reduction and instead recommend **APPROVAL** of an 88% parking reduction including a condition that the outdoor patio area as shown on the detailed site development plan be removed and instead shown as a landscaped area. This recommendation is in agreement with the recommendation from the DCC and staff.

The CPC found that the special permit for a parking reduction is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Central Planning Area. The CPC also determined that the special permit for a parking reduction protects the best interest, health, safety, and welfare of the public in general; and 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 public comment in opposition to this request including 4 letters and a petition with 44 signatures in opposition. The majority of signatures on the petition are from individuals who rent apartments in the area.

**Attachment:** City Plan Commission Staff Report  
Letters and petition in opposition

Downtown Church of Christ

1323 Montana

El Paso, Texas 79902

December 14, 2009

Dear City Plan Commission,

I, Hector Daniel Ambriz, the pastor of the Downtown Church of Christ, am writing to state its position on Case No. ZON09-00077. The Downtown Church of Christ is not in favor of any night club type of establishment to be located next to the church. The church does favor a restaurant, but not a night club where liquor is sold. We are not in favor of the owner's request of a 91% parking reduction for an existing restaurant/night club and offices.

The Downtown Church of Christ has been in operation at this location since May 19, 1999. The church came to 1323 Montana after El Paso Community College bought the property in order to obtain the deed to the former Downtown Church of Christ building at 1007 N. El Paso.

Any consideration on your part would be greatly appreciated.

In Your Service,

Pastor Hector Daniel Ambriz

Trustees: Willie Gutierrez

Paul McEchern

Leonie Wilson

Gail A. Ambriz

13 DEC. 2009

CITY PLAN COMMISSION  
 PLANNING DIVISION 5<sup>TH</sup> FLOOR  
 CITY HALL, 2 CIVIC CENTER PLAZA  
 EL PASO, TX 79901-1196

ATTN: ESTHER GUERRERO  
 CASE NO: ZON 09-00077

I AM AGAINST A SPECIAL PERMIT FOR  
 A RESTAURANT/NIGHT CLUB AT 1319 MONTANA  
 AVENUE FOR THE FOLLOWING REASONS.

1. I RENT A SMALL APARTMENT 1318 MONTANA AVENUE.
2. I HAVE BEEN WOKEN UP SEVERAL TIMES FROM 10:30-11:00 PM AND COULD NOT GET BACK TO SLEEP BEFORE 2:30 OR 3:00 AM BECAUSE OF YELLING, AND VEHICLES COMING AND GOING CONSTANTLY (FROM TREE HOUSE LOUNGE AND GRILL <sup>AT 1319 MONTANA AVE.</sup>). I AM 71 YEARS OLD AND USED TO GET ABOUT 8 HRS OF SLEEP NOW I'M LUCKY TO GET 5 HRS OF SLEEP MANY NIGHTS FROM ALL THE NOISE AND ACTIVITY AT 1319 MONTANA. THIS IS VERY STRESSFUL!
3. MY VEHICLE WAS DAMAGED OVER NIGHT, SHORTLY AFTER THE <sup>(TREE HOUSE)</sup> LOUNGE AND GRILL AT 1319 MONTANA WAS OPENED.
4. I AM RETIRED,  
 AND RENT AN APARTMENT  
 AT 1318 MONTANA AVE,

KENNETH D. MURCH  
 1318 MONTANA AVE. APT C  
 EL PASO, TEXAS 79902

*W. D. MURCH*

Item #15

12-9-09

MRS. ESTHER EVERVED  
# ZON 08-00077

I am not in favor  
of a night club in our  
neighborhood, please do not  
approve the special parking  
permit.

Thank you,  
SEOK-KIUN HOAY  
OWNER-809 NEWMAN

SKoay

12-8-09

Ms. Esther Guerrero, Planning Division

In reference to case # zon09-00077.

My name is Beatrice Gonzalez and I live at 1330 Montana. I respectfully request that the mayor and city council deny Mr. Christopher Swann's request of a 91% parking reduction.

Thank you,

Beatrice Gonzalez

A handwritten signature in cursive script that reads "Beatrice Gonzalez". The signature is written in black ink and is positioned below the typed name.

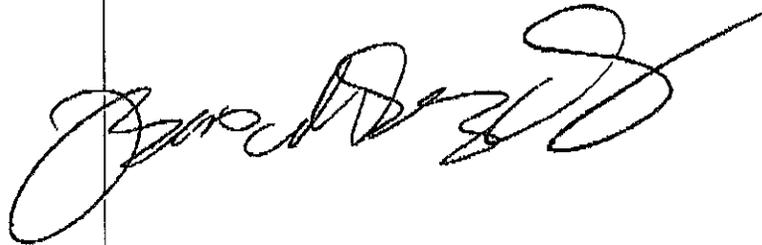
12-8-09

Ms. Esther Guerrero, Planning Division

In reference to case # zon09-00077.

My name is Basilio Gonzalez and I live at 1330 Montana. I respectfully request that the mayor and city council deny Mr. Christopher Swann's request of a 91% parking reduction.

Thank you,  
Basilio Gonzalez

A handwritten signature in black ink, appearing to read 'Basilio Gonzalez', written in a cursive style. The signature is positioned below the typed name and extends across the page.

Mr. Sergio Melendez:

10/26/09

There are also 2 police reports I didn't include. If you would like copies, call me or Mrs. Liz Pimental and we will provide copies. There is also an extensive complaint report given to our city Alderman, Mr. Beto O'Rourke. This was written by Mrs. Liz Pimental, our neighborhood watch leader. Our phone #s are:

Liz Pimental -

Basilio Gonzalez -

Dec. 12, 2009

The City of El Paso Texas  
 City Council Chambers  
 2<sup>nd</sup> Floor, City Hall  
 2 Civic Center Plaza  
 El Paso, Texas  
**Attention: Esther Guerrero**

**RE: ZON09-00077**

We are **AGAINST** the issuance of a Special Permit for the development of the Tree House Lounge & Grill 1319 Montana (Lot 27 and the west 10 ft. lot 28, Block 69, Franklin Heights, City of El Paso, El Paso County, Texas)

The reasons listed below:

1. Our quality of life in our neighborhood has been comprised due to the residual negative element the Tree House Bar & Grill has created.
2. The existence of said property has already made our neighborhood unsafe by:
  - a. the public display of fights,
  - b. strangers from outside our neighborhood which linger @ the bar closes well past 2 a.m.,
  - c. surveillance of our properties by a constant audience coming & going from the bar,
  - d. u-turns in front of our property just clearing parked cars,
  - e. property damage to vehicles after hours.
  - f. Trash & broken bottles in the streets & on property
3. We are tired of the following:
  - a. Vulgar language filtering through our open doors & windows
  - b. Lewd behavior, i.e., urinating in the street, making out & fondling on front steps & porch of bar during day & nighttime hours
  - c. Public nuisance of noise at all hours of the night
  - d. Group gathering in front of our homes at all hours
  - e. Cruising, honking & yelling all hours of day & night, Mon-Sun
4. Tree House Bar & Grill has evolved almost exclusively into a bar. The management has repeatedly failed to control or enforce of sitting outside on porch, smoking & drinking outside. They have not been neighborhood friendly. We feel the situation will not get better but WORSE & will attempt to expand outdoors with even more intrusiveness and negative impact on our quality of life in the neighborhood. We no longer want these elements.

Elizabeth A Pimentel

Andrea Pimentel

Randall Gschwind

*Elizabeth A. Pimentel*

*Andrea B. Pimentel* *Randall Gschwind*

1318 Montana Ave.

*Property Owner*

August 25, 2009

Mayor Cook,

This letter is to bring to your attention a neighborhood complaint on a new established lounge & bar opened up in our neighborhood on the 1300 block of Montana. The complaint is against a bar called "Tree House Lounge & Grill", which opened its doors on Feb. 2009 at 1319 Montana Ave. the establishment has become a nuisance to those of us who live in the neighborhood and who are in closest proximity to this *CLUB 101* type "bar", including the *Church of Christ* next door to the lounge.

There are several concerns as to how the city allowed an alcohol serving lounge into the neighborhood; without, officially notifying the neighborhood residents, and next to a long time established church (5 years) in the neighborhood without advising the church of its need to register officially as a church. The effect such a "bar" has on property values, is also a very serious concern to neighborhood property owners. Our neighborhood watch association has been told that greater than 50% of revenue from this establishment must be from food sales in order to maintain their current permit. Is there no law requiring separation of children from a bar area serving alcohol? We would like to know, who, when & how is these requirements are monitored & enforced.

Our efforts to file citizen complaints have been rejected by the Office of the City Prosecutor, minimized by the officers called out at all hours of the night on our reported disturbances, and ignored by the owners of the bar. The neighborhood is tired of the public nuisance, loitering, vulgar language, lewd behavior, cruising, honking & yelling with residual elements such as is listed in our enclosed petition, that such an establishment brings to our once relatively peaceful neighborhood.

Inevitably when no one is looking, patrons filter back onto the outdoor patio, drink & smoke & congregate in groups at times on neighborhood properties at all hours of the night & at times even up to 4&5 in the early morn. Is there anything the association can do to prohibit the re-issue of the permit on this establishment in the future? Frankly, we are not happy w/ them in our neighborhood and want them out.

We would like to meet with you, to voice our complaints and discuss other recourse options. Thank you for your attention to this matter.

Sincerely,

Neighborhood Watch Association

1300 Block of Montana Ave.

Block Captain - Elizabeth Pimentel

Enclosed: Letter to Beto O'Rourke 4/3/09      Petition 4/20/09

April 3, 2009

Hello Beto O'Rourke,

Talked to you about a month ago @ the Village Inn meeting w/ Mayor Cook. I was encouraged to talk to you by my cousin Julio Norman, about the concerns w/ a new bar/grill "Tree House" 1319 Montana Ave. which has "popped up in our neighborhood. I will recap the concerns & inform you of the progress as I know it.

**Concerns:**

- 1) Loud after hours noise, i.e., music, talking, yelling, slamming doors, extra traffic.
- 2) Parking problems overtaking the neighborhood – no adequate parking nearby to accommodate my 92 y/o mother
- 3) Trash, cigarette butts, ambient smoke, beer bottles & cans left on all sides of the street (including side streets)
- 4) Traffic increased during school crossing times (including Budwiser 18 wheeler unloading beer around 2pm & parking illegally in yellow zone near school crossing on Newman & Montana, U-Turns in the middle of the street (all hours of day & night), increased noise w/ motorcycles & boom box level noise from cars driving up to the establishment
- 5) Audience smoking & drinking on porch at all hours while being loud & boisterous and staring across the street ("casing") at our property
- 6) Property damage to cars (object thrown) police report lodged
- 7) Parking illegally in Attorney's parking lot @ hours (our only parking at this point w/ permission from Juan Gonzales, Atty.)
- 8) Filling in concrete slab (without a permit) on front lawn to eventually accommodate outdoor food & beverage consumption
- 9) Front doors to establishment not containing loud amplified noise from bar, especially when people are trafficking in & out of bar, continuously at all hours.
- 10) "Residual element" - @ hours (2 a.m.), people staying in bar, taking loudly & drunken outside on street, slamming of car doors & screeching of wheels while taking off, loud motorcycles in early hours.

**Progress:**

- 1) Have spoken @ length to Commander Mark Austin, Leslie Canada, Officer Chavez, Tom McGuire, Tony De La Cruz / Mr. Segovia, about concerns & have been very impressed w/ their genuine concern & assistance in this matter. Everyone has addressed the issues both professionally and thoroughly and provided feed back & dialogue with my self and concerns neighbors.
- 2) This group of professionals addressed the issues at hand with notifications of the regional police department, fire department, TBAC, health & sanitation departments & others in addressing compliance issues.
- 3) The establishment has been found to be non-compliant in the following areas as far as I am aware:
  - a. Kitchen needs compliance upgrades, which apparently the owners are not willing to commit to financially, & which would then be in violation of their food & beverage permit w/ the TBAC, & they would then need to reapply

- for strictly a bar permit, which the neighbors would not be happy w/, & which would then need to be re-evaluated through a public hearing w/ city council
- b. Trash containment ( w/ trash build up in alley)
  - c. Illegal building of concrete patio in front of building
  - d. Parking availability (including handicap parking)
  - e. Noise containment
  - f. Drinking outdoors (on porch) beyond the permitted areas
- 4) I & neighbors have submitted documented complaints to the City Prosecution Dept. & Police Dept.
  - 5) Photos have been taken in support of some of these issues, i.e. trash, property damage
  - 6) High probability that their future expansion requests will have to come before and be presented to city council in a public forum involving concerned neighbors.

This is would be just the tip of the iceberg if they were to be allowed to expand outdoors to an outdoor patio. I just can't imagine.

We (my mother is 92 y/o) have lived in this neighborhood for over 5 decades and have slowly seen this beautiful neighborhood loose it's aging resident population and it's beautiful character and beauty of the past rich history of such buildings, only to be replaced w/ elements of esthetic interpretation and modern facades as seen in the buildings of Guy/Rex, on our side of the block, and the popping up of bars w/ residual elements. It's a shame El Paso did not save this area of El Paso on it's County Historic Registry to preserve it's beauty & integrity. I would entertain the idea that it may not be a bad idea for City Council to look into this idea in the near future, before many of these buildings are truly lost icons of the past.

I suppose I need not say more about my passion to work towards minimizing or even removing this "Tree House" Lounge & Bar, element from what is left of my childhood neighborhood. Thanks for your support, Beto and again it's great to see new young blood working in our city government! I look forward to hearing from you with your view of this situation at your earliest convenience. Thanks again.

Sincerely,  
Elizabeth A. Pimentel  
RN, MSN, FNPC  
TTUHSC Othopaedic Dept.

1318 Montana Ave.  
El Paso, Texas 79902

Work email: [elizabeth.pimentel@ttuhsc.edu](mailto:elizabeth.pimentel@ttuhsc.edu)  
Home email: [REDACTED]



**EL PASO POLICE DEPARTMENT**

911 N. Raynor

El Paso, Texas 79903

915.564.7000

October 21, 2009

ELIZABETH PIMENTEL  
1318 MONTANA AVE.  
EL PASO, TX 79902

Re: Request made to Records Department on OCTOBER 9, 2009. Case: 09-268288

Your request has been reviewed by the Police Legal Advisor and the record(s) you are requesting will NOT be released to you in whole or in part, pursuant to the exemptions (s) below:

Other: THE ATTACHED RECORDS ARE ALL OPEN RECORDS.

  
Deputy Custodian of Records  
Identification and Records  
El Paso Police Department

Received by:

Date:

Cost: 30

*1.50  
mail*

# EL PASO POLICE DEPARTMENT CRIME/INCIDENT REQUEST FORM

NAME OF PERSON MAKING REQUEST: ELIZABETH PIMENTEL  
NOMBRE DEL SOLICITANTE: \_\_\_\_\_  
(Print / En prenta)

Elizabeth Pimentel 10-6-09  
SIGNATURE/FIRMA AGENCY/AGENCIA DATE/FECHA

ADDRESS TO MAIL REPORT: " 1318 Montana Ave.  
DOMICILIO POR CORREO: \_\_\_\_\_

CITY/CUIDAD: EL PASO STATE: TX ZIP/ZONA: 79902

\*IMPORTANT: DAY PHONE NUMBER:  
\*IMPORTANTE: NUMBER DE TELEFONO DIA: \_\_\_\_\_

CASE NUMBER:  
NUMERO DEL CASO: 09 26 8288  
(if known) (si lo sabe)

NAME OF COMPLAINANT:  
NOMBRE DEL DEMANDANTE: TREB House LOUNGE + BAR

ADDRESS OF COMPLAINANT:  
DOMICILIO DEL DEMANDANTE: 1319 Montana Ave.

NAME OF REPORTER:  
NOMBRE DEL REPORTERO: ELIZABETH PIMENTEL

TYPE OF INCIDENT WHEN REPORTED:  
TIPO DEL INCIDENTE: Class "C" DIA DEL REPORTE: 9/26/09

LOCATION OF INCIDENT:  
LUGAR DE (DOMICILIO) INCIDENTE: 1319 Montana Ave.

ARRESTEE NAME: None DOB: \_\_\_\_\_  
NOMBRE DE LA PERSONA ARESTADA: FECHA DE NACIMIENTO

#1 COMPLAINT REPORT |  911 TRANSCRIPT |  ALL INFORMATION AS ALLOWED BY LAW  
#1 REPORTE DEL DEMANDANTE | 911 EXPEDIENTE | TODA INFORMACION PERMITIDA SEGUN LA LEY

OTHER:  
OTRA: \_\_\_\_\_

IF REQUEST IS BEING MAILED: Complete the above portion of this form. Include all known information.  
Enclose a check or money order for \$1.50 and mail to:

EL PASO POLICE DEPARTMENT - RECORDS DIVISION  
911 N. RAYNOR  
EL PASO, TX 79903

'09 OCT 9 AM 8:37

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I N C I D E N T D A T A	Agency Name <b>El Paso Police Department</b>		<b>INCIDENT / INVESTIGATION REPORT</b>				OCA <b>09-268288</b>		
	ORI <b>TX0710200</b>		Date / Time Reported <b>SA Sep 26, 2009 00:50</b>		Last Known Secure <b>FR Sep 25, 2009 18:00</b>		At Found <b>FR Sep 25, 2009 18:40</b>		
	#1	Crime Incident Equiv Code: 00745 <b>URINATING/DEFIN PUBLIC</b>	UCR: 999	Local Statute: 9.16.010-Q MC	<input type="checkbox"/> Att				
#2	Crime Incident Equiv Code:	UCR:	Local Statute:	<input type="checkbox"/> All <input type="checkbox"/> Com					
#3	Crime Incident Equiv Code:	UCR:	Local Statute:	<input type="checkbox"/> Att <input type="checkbox"/> Com					
Location of Incident <b>1319 Montana Av, El Paso, TX 79902</b>		Premise Type <b>Bar/Night Club</b>		Offense Type <b>CRCC</b>					
How Attacked or Committed									
Weapon / Tools									
# Victims <b>0</b> Type Injury Residency Status									
V I C T I M	Victim/Business Name (Last, First, Middle)		Victim of Crime #		Age / DOB		Race Sex		
	Home Address		Relationship to Offenders						
	Employer Name/Address				Home Phone		Business Phone		
	VYR	Make	Model	Style	Color	Lic/Lis	VIN		
	CODES: V- Victim (Denote V2, V3) O = Owner (if other than victim) R = Reporting Person (if other than victim) I = Other Involved								
O T H E R S	Code	Name (Last, First, Middle)		Victim of Crime #		Age / DOB		Race Sex	
	<b>RP1</b>	<b>Pimental, Elizabeth</b>						<b>W F</b>	
	Home Address <b>1318 Montana Av, El Paso, TX 79902</b>				Home Phone		Business Phone		
I N V O L V E D	Code	Name (Last, First, Middle)		Victim of Crime #		Age / DOB		Race Sex	
	Home Address				Home Phone		Business Phone		
	Employer Name/Address				Home Phone		Business Phone		
Status Codes L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged P = Found U = Unknown (Check "OJ" column if recovered for other jurisdiction)									
P R O P E R T Y	Victim #	UCR	Status - Date	Value	OJ	QTY	Property Description	Make/Model	Serial Number
Number of Vehicles Stolen <b>0</b>		Number Vehicles Recovered <b>0</b>							
ID	Officer <b>(02436) ZAMUDIO, SANDRA</b>			Officer Signature			Supervisor Signature <b>(01888) JASSO, MARCO A</b>		
Complainant Signature			Case Status: <b>Further Investigation</b>			Case Disposition:			
			<b>September 26,</b>						

Printed at: 10/13/2009 09:34 by user: C1003

PUBLIC RECORD INFORMATION  
 ALL CASE ELEMENTS SUBJECT TO NONDISCLOSURE  
 HAVE BEEN REMOVED IN ACCORDANCE WITH THE  
 TEXAS OPEN RECORDS ACT (2002-17 & V.A.C.S.)  
 DATE: 10-21-09 BY: 11108 TO: [Signature]

*Elizabeth*  
*[Signature]*

Incident / Investigation Report

El Paso Police Department

OCA: 09-268288

Status Codes L=Lost S=Stolen R=Recovered D=Damaged Z=Seized B=Burned C=Counterfeit/Forged F=Found U=Unknown												
D R U G S	Status	Quantity	Type Measure	Suspected Drug Type								
O F F E N D E R	Offender(s) Suspected of Using		Offender 1			Offender 2			Offender 3			Primary Offender Resident Status Resident Non-Resident Unknown
	<input type="checkbox"/> Drugs <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Alcohol <input type="checkbox"/> Computer		Age:	Race:	Sex:	Age:	Race:	Sex:	Age:	Race:	Sex:	
			Ssn:			Ssn:			Ssn:			
			Offender 4			Offender 5			Offender 6			
			Age:	Race:	Sex:	Age:	Race:	Sex:	Age:	Race:	Sex:	
			Ssn:			Ssn:			Ssn:			
S U S P E C T	Name (L, F M) AKA					Home Address					Home Phone	
	SSN:		Occupation			Business Address					Business Phone	
	DOB. / Age		Race	Sex	Hgt	Wgt	Build	Hair Color		Eye Color		
							Hair Style	Hair Length		Glasses		
	Scars, Marks, Tattoos, or other distinguishing features (i.e. limp, foreign accent, voice characteristics) ....											
	Hat		Shirt/Blouse			Coat/Suit				Socks		
	Jacket		Tie/Scarf			Pants/Dress/Skirt				Shoes		
	Was Suspect Armed?		Type of Weapon				Direction of Travel				Mode of Travel	
	VYR	Make	Model	Style/Doors	Color	Lic/Lis	Vin					
	Suspect Hate / Bias Motivated: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					Type:						
W I T N E S S	Name (Last, First, Middle)					SSN:		D.O.B.	Age	Race	Sex	
	Home Address					Home Phone		Employer	Phone			
N A R R T I V E	*****FORWARD COPY TO CENTRAL											
	PAR*****  Officer S. Zamudio #2436, working as 2S231, was dispatched to 1318 Montana reference indecent exposure. The officer made contact with Rp-01 who stated that during the date and times of occurrence, and unidentified subject walked out of the listed business (Tree House Bar & Grill - 1319 Montana) and urinated on the sidewalk. Rp-01's residence is located across from the listed business, and Rp-01 was standing on the porch when she observed the subject opening his pants, pull out his penis and urinating in front of the business. Rp-01 stated the business attracts patrons of very young age that do not understand some of the houses around are still private residences. Rp-01 also advised she fears for her safety since the business and patrons of the business already know she disagrees with the activities that take place outside of the business (drinking, smoking, loud conversation, vehicles racing/honking, loud music, urinating) and has been verbally attacked by some of them. As Officer Zamudio gathered the necessary information to document the incident, she was able to verify some of Rp-01's allegations: very loud conversation/laughs and vehicles driving											

PUBLIC RECORD INFORMATION  
 ALL CASE ELEMENTS SUBJECT TO NONDISCLOSURE  
 HAVE BEEN REMOVED IN ACCORDANCE WITH THE  
 TEXAS OPEN RECORDS ACT (2008-176 V.A.C.S.)  
 BY:

### Incident / Investigation Report

*El Paso Police Department*

OCA: 09-268288

**Officer's Narrative (continued)**

at a high rate of speed and honking as they drove by that could be heard from inside Rp-01's residence. Rp-01 desired documentation of the incident, and was provided with an incident information card along with a case number.

PUBLIC RECORDS CERTIFICATION  
ALL CASE ELEMENTS SUBJECT TO NONDISCLOSURE  
HAVE BEEN REMOVED IN ACCORDANCE WITH THE  
TEXAS OPEN RECORDS ACT (0252-17A V.A.C.S.)  
DATE: BY: TO:

Item 15

**GRIEVANCE PETITION**

OVER THE COURSE OF THE LAST THREE MONTHS, IT HAS COME TO THE ATTENTION OF SEVERAL RESIDENTS ON THE 1300 BLOCK OF MONTANA AVE., THAT A NEW BUSINESS KNOWN AS THE TREE HOUSE LOUNGE AND GRILL ON 1319 MONTANA AVE, HAS CREATED DISTURBANCES AND A NEGATIVE AND UNPLEASANT ATMOSPHERE AND RESIDUAL ELEMENTS IN OUR NEIGHBORHOOD WHICH WE ARE NOT HAPPY WITH. SOME OF THOSE DISTURBANCES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

1. LOUD MUSIC & TALKING & YELLING, LAUGHING OUTSIDE BAR, ALL AFTERNOON WORSENING THROUGH THE EVENING & EARLY MORNING HOURS.
2. LOUD, OFTEN PROFANE LANGUAGE SOMETIMES UNTIL PAST 3 a.m.
3. DRUNK PATRONS LEAVING THE BAR @ 2 a.m., CARRYING PEOPLE OUT AT TIMES & LINGERING IN THE NEIGHBORHOOD ON THE STREET OR AT THEIR CARS, SPEAKING LOUDLY, YELLING OR LAUGHING LOUDLY.
4. TRASH MAINLY BEER BOTTLES, SOME BROKEN & CANS LEFT ON NEIGHBORHOOD PROPERTY.
5. DAMAGE TO CARS INCREASED IN THE NEIGHBORHOOD.
6. INCREASED TRAFFIC, W/ HONKING, CAR ALARMS, REVING ENGINES, RUNNING ENGINES, BOOM BOX STEREO SYSTEMS, SLAMMING OF DOORS AT ALL HOURS OF THE NIGHT & EARLY MORNING.
7. JAY WALKING ACROSS STREET, BLOCKING DRIVEWAYS, FREQUENT "U" TURNS IN THE MIDDLE OF THE BLOCK AT ALL HOURS, JUST CLEARING CARS ON OPPOSITE SIDE OF STREET
8. NO PARKING FOR RESIDENTS OF AREA.
9. HAPPY HOUR BEGINNING @ 4 P.M., CARS PARKED CLOSE TO INTERSECTIONS, WHEN CHILDREN ARE LEAVING SCHOOL & USING SCHOOL CROSSING CREATING A HAZARDOUS INTERSECTION.
10. PATRONS PARKING ILLEGALLY IN SURROUNDING BUSINESSES PARKING LOTS AFTER HOURS.
11. PATRONS WALKING OVER SURROUNDING BUSINESS PROPERTY.
12. LOUD DUMPING OF BEER BOTTLES INTO DUMPSTER @ VARIOUS TIMES THROUGHOUT THE NIGHT & EARLY MORNING HOURS.
13. THE ELEMENT OF INVASION OF SECURITY AND PRIVACY OF OUR HOME & PROPERTY WITH A DAILY AUDIENCE OF PATRONS PEERING ACROSS THE STREET AT OUR PROPERTY AND HOMES .
14. DISRESPECTFUL WHISTLEING & YELLING TO PASSERS BY AND VISITORS AND RESIDENTS OF THE NEIGHBORHOOD.

WE BELIEVE THAT THE ONLY SOLUTION TO THIS DISTRUPTIVE SITUATION TO OUR NEIGHBORHOOD IS TO CLOSE DOWN THE BAR & GRILL, WHICH AT THIS WRITING APPEARS TO BE PRIMARILY OPERATING AS A BAR. WE BELIEVE THAT THIS SITUATION WILL ONLY WORSEN IF LEFT TO DEVELOP FURTHER, CONSIDERING THEIR HIGH PROFILE ADVERTISING EFFORTS ON RADIO AND BILLBOARDS AND WITH EVENTS PLANNED MOST DAYS OF THE WEEK. IF YOU AGREE PLEASE SIGN BELOW AND INCLUDE ADDRESS & PHONE NUMBER.

DATE: 4-20-09

NAME	ADDRESS	TELEPHONE
E Permenter	1318 Montana Ave.	
R Oschwald	1318 Montana / 3714 / 11557	
Aracelis Permenter	1318 Montana	
Wendy Hunt	1318 PM est Ave	
Boomer	1318 MODIAVA AVE	
<del>Edward J. ...</del>	<del>1318 Montana</del>	
Anthony DeStefano	1318 Montana	
Adam Samuel	1318 Montana	
Bernice P. Gonzalez	811 Newman St.	
Basilio G. Gonzalez	811 Newman St.	
<del>Frank D. Goff</del>	<del>811 Newman St.</del>	
JAVIER O GONCHEZ	1328 E RIO GRANDE	
Dulma Sals	1328 E RIO GRANDE	
Dora Sanchez	1328 E RIO GRANDE	
Manuel Luna	815 Newman	
Mark Meyer	815 Newman	
Scott-Kiewitz	809 Wood Ave	
Brian Agudo	819 Newman St.	
Keith Culam	1026 Red Line	
William ...	1323 Montana	
Lucas ...	1330 Rio Grande	
Miguel Rojas	1150 Rio Grande	
Norma Siley	811 Newman	

Page 2  
 Kelly ... Newman

**GRIEVANCE PETITION**

OVER THE COURSE OF THE LAST THREE MONTHS, IT HAS COME TO THE ATTENTION OF SEVERAL RESIDENTS ON THE 1300 BLOCK OF MONTANA AVE., THAT A NEW BUSINESS KNOWN AS THE TREE HOUSE LOUNGE AND GRILL ON 1319 MONTANA AVE, HAS CREATED DISTURBANCES AND A NEGATIVE AND UNPLEASANT ATMOSPHERE AND RESIDUAL ELEMENTS IN OUR NEIGHBORHOOD WHICH WE ARE NOT HAPPY WITH. SOME OF THOSE DISTURBANCES INCLUDE BUT ARE NOT LIMITED TO THE FOLLOWING:

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DATE: 12/16/09

NAME	ADDRESS	TELEPHONE
Norma L. Chavez		
<del>Norma L. Chavez</del>	1321 E. Rio Grande	
Wayn E. Chavez		
<del>Wayn E. Chavez</del>	1321 E. Rio Grande	
Jacob E. Chavez		
<del>Jacob E. Chavez</del>	1321 E. Rio Grande	
Chae [unclear]	1008 NEWMAN	
Ma. J. Jimenez	1008 NEWMAN	
[unclear]	1008 NEWMAN	
Cecilia Hernandez	1006 NEWMAN	
Maria Mercado	1006 Newman #A	
Martha Montes	1403 Arizona	
David Cruz	1403 Arizona	
Vito [unclear]	1405 ARIZONA	
[unclear]	1411 ARIZONA	
Maria de Guadalupe	1411 ARIZONA	
Maria E. Espinoza	1011 Newman	
Martha A. Herrera	1011 Newman	
Maria P. Espinoza	1011 NE 1005th	
Linda R. Ramos	1316 Arizona Ave.	
Luiz Ramos	1316 ARIZONA	
Miguel Marquez	1314 ARIZONA	
Gloria Marquez	1314 ARIZONA	



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** ZON09-00077  
**Application Type:** Special Permit and Detailed Site Plan Review  
**CPC Hearing Date:** December 17, 2009  
**Staff Planner:** Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

**Location:** 1329 Montana Avenue  
**Legal Description:** Lots 27 and the West 10 ft. of Lot 28, Block 69, Franklin Heights, City of El Paso, El Paso County, Texas  
**Acreage:** 0.096 acres  
**Rep District:** 8  
**Existing Use:** Restaurant/Lounge and Office  
**Zoning:** S-D (Special Development)  
**Request:** Special Permit for a Parking Reduction  
**Proposed Use:** Restaurant/Lounge and Office

**Property Owner:** Christopher Swann  
**Applicant:** Opportunity Center  
**Representative:** Wright and Dalbin Architects, Inc.

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

**North:** A-2 (Apartment) / Residential  
**South:** S-D (Special Development) / Residential, Offices  
**East:** S-D (Special Development) / Church  
**West:** S-D (Special Development) / Offices

**Plan for El Paso Designation:** Mixed-Use (Central Planning Area)  
**Nearest Park:** Houston (1,730 Feet)  
**Nearest School:** Wiggs Middle (1,475 Feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Central El Paso Community Organization; Golden Hills Neighborhood Association

### **NEIGHBORHOOD INPUT**

Notices of the December 1, 2009, public meeting were mailed out to all property owners within 300 feet of the subject property on December 1, 2009. The Planning Division has received two letters in opposition and one phone call in opposition.

### **APPLICATION DESCRIPTION**

The property owners are requesting a 91% parking reduction. The total parking spaces required for the proposed uses are 22 spaces. The number of parking spaces provided on site is two spaces.

The detailed site development plan shows an existing two-story building with a restaurant on the first floor and offices on the second floor including a proposed outdoor patio area and two parking spaces provided on-site. Access to the site is via the alley to the north of the property

The traffic study provided for the site shows there are sufficient on-street parking spaces available for the property within 300 feet of the site during peak hours to provide the additional 20 parking spaces required.

**DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

Recommend **denial** of a 91% parking reduction as requested by the applicant and instead recommend **approval** of an 88% parking reduction with a condition that the outdoor patio area as shown on the site plan be removed and instead shown as a landscape area.

**PLANNING DIVISION RECOMMENDATION**

Recommend **denial** of a 91% parking reduction as requested by the applicant and instead recommend **approval** of an 88% parking reduction with the condition that the outdoor patio area as shown on the site plan be removed and instead shown as a landscape area.

The recommendation is based on the purpose of the S-D (Special Development) District. The purpose of this 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.

**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: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The application is in conformance with The Plan for El Paso because the restaurant/lounge and office is in conformance with the 2025 Projected General Land Use Map which designates the property for mixed use land uses. The proposed parking reduction will not adversely affect the surrounding development.

**Development Services Department - Building Permits and Inspections Division**

Zoning: TASS Accessible route from sidewalk to building entrance is required or a letter from TDLR granting a waiver.

Landscaping: Landscape not required for this project.

**Engineering Department - Traffic Division**

Traffic does not object to parking reduction. Results of submitted parking study were verified by staff.

**Fire Department**

No comments received.

**El Paso Water Utilities**

No objections.

**Sun Metro**

No objections.

**Street Department**

We offer no objections

Revise drawing to identify existing alley as paved.

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.

### **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.

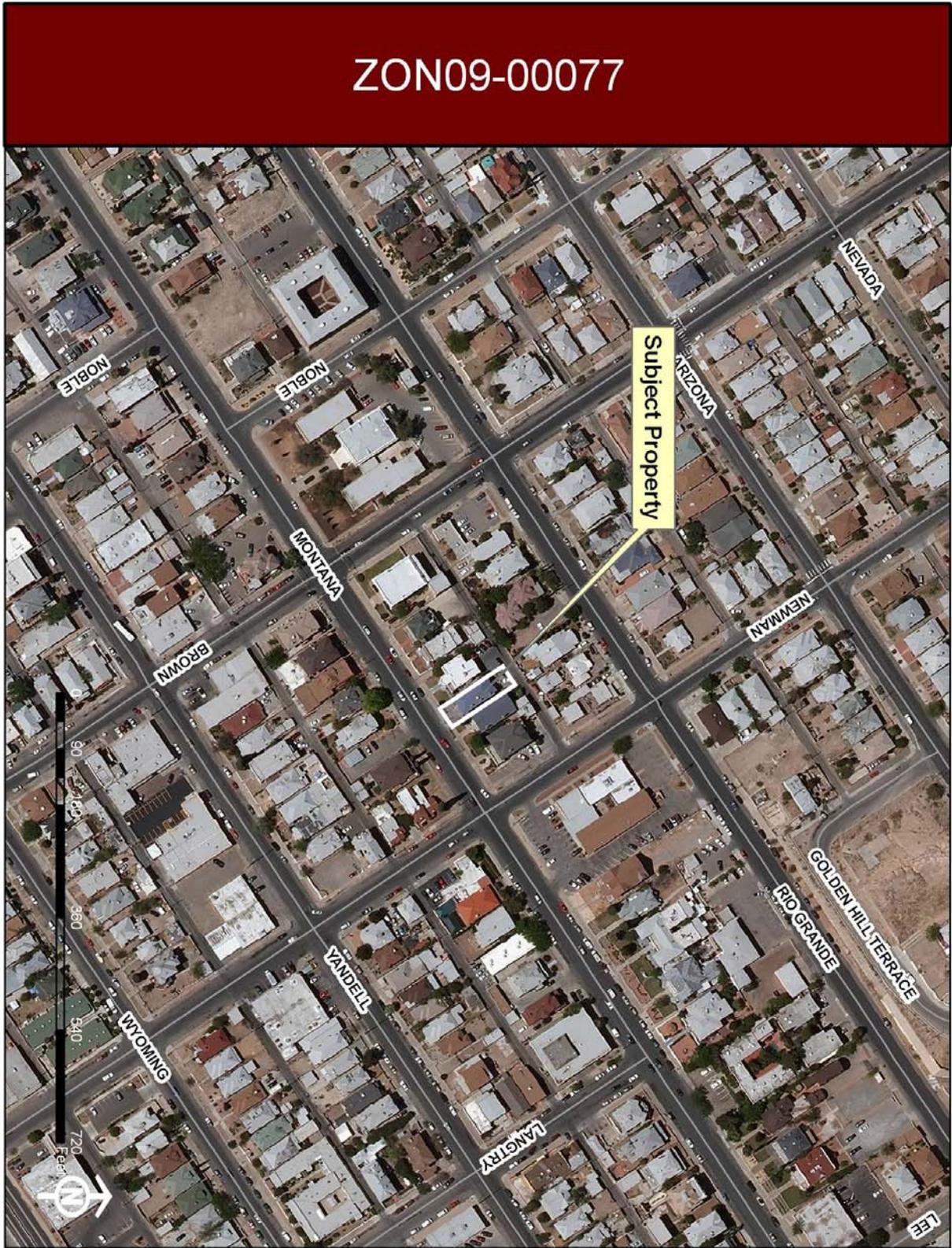
### **Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Letters of Opposition

ATTACHMENT 1: ZONING MAP

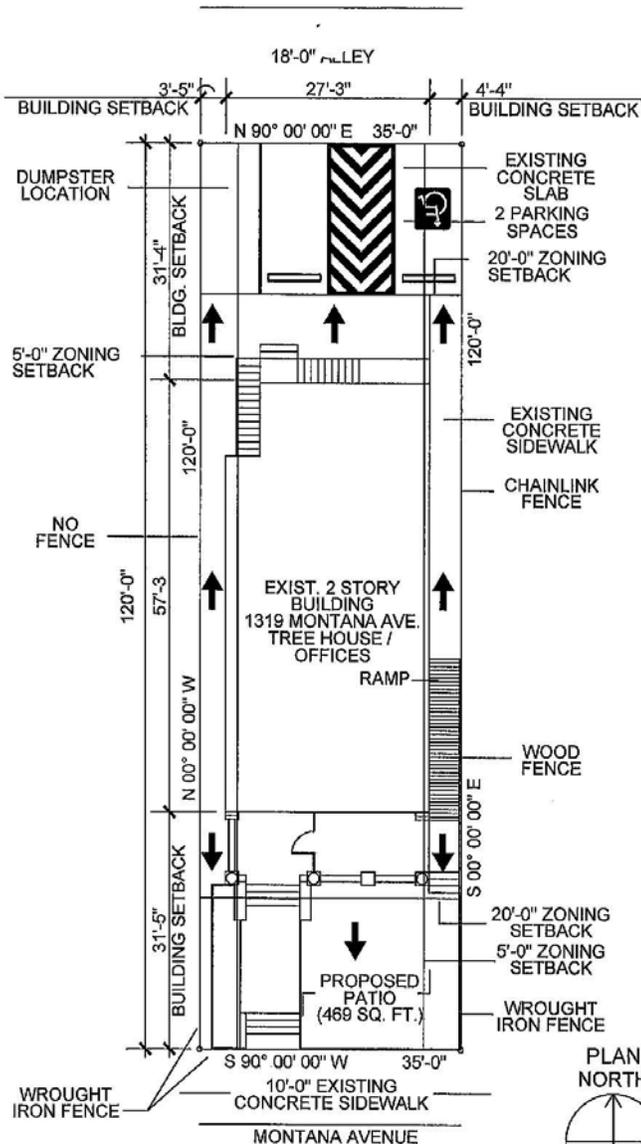


ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

OCTOBER 19, 2009



**LEGAL DESCRIPTION**  
 1319 MONTANA AVE.  
 LOTS 27 AND THE WEST 10 FT. OF  
 LOT 28, BLOCK 69  
 SECOND SUPPLEMENTAL MAP OF  
 FRANKLIN HEIGHTS ADDITION  
 CITY OF EL PASO, EL PASO COUNTY,  
 TEXAS

**PARKING REQUIREMENTS**

PARKING REQ:		
RESTAURANT:	1370/100	13.68
PATIO:	469/100	4.69
OFFICES:	1446/400	3.62
		22 REQ.
PARKING PROV:		2 SPACES
PARKING REDUCTION		20 SPACES

**LEGAL DESCRIPTION**  
 1319 MONTANA AVE.  
 LOTS 27 AND THE WEST 10 FT. OF  
 LOT 28, BLOCK 69

**LANDSCAPING REQUIREMENTS**  
 NO LANDSCAPING REQUIRED  
 HOUSE BUILT IN THE 1920'S

**01 SITE PLAN**  
 SCALE: 1" = 20' - 0"

**TREE HOUSE**  
 1319 MONTANA AVE. EL PASO TX. 79902



THE USE OF THIS SEAL IS AUTHORIZED BY THE ARCHITECT'S WHO'S NAME APPEARS. ANY UNAUTHORIZED USE, MISUSE OR MISREPRESENTATION OF THIS SEAL WILL VOID ANY LIABILITY, DIRECT OR INDIRECT WHICH MAY RESULT FROM ITS USE. NO PERSON MAY MAKE ANY MODIFICATION TO THIS ELECTRONIC DRAWING FILE WITHOUT THE ARCHITECT'S EXPRESS WRITTEN PERMISSION.

IF YOU SHOULD HAVE ANY COMPLAINTS REGARDING THIS ARCHITECTURAL FIRM, PLEASE BE INFORMED THAT THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS HAS JURISDICTION OVER COMPLAINTS REGARDING THIS FIRM'S PROFESSIONAL PRACTICE. THE MAILING ADDRESS IS TBAE, P.O. BOX 12337, AUSTIN, TEXAS 78711, TELE. (512) 305-9000.

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A.2  
 SHEET 1 OF 2

**WRIGHT & DALBIN**  
 architects

ATTACHMENT 4: LETTERS OF OPPOSITION

12/09/2009 10:25 915

PAGE 01/02

12-8-09

Ms. Esther Guerrero, Planning Division

In reference to case # zon09-00077.

My name is Beatrice Gonzalez and I live at 1330 Montana. I respectfully request that the mayor and city council deny Mr. Christopher Swann's request of a 91% parking reduction.

Thank you,  
Beatrice Gonzalez



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12/09/2009 10:25 915

PAGE 02/02

12-8-09

Ms. Esther Guerrero, Planning Division

In reference to case # zon09-00077.

My name is Basilio Gonzalez and I live at 1330 Montana. I respectfully request that the mayor and city council deny Mr. Christopher Swann's request of a 91% parking reduction.

Thank you,  
Basilio Gonzalez

