

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

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

**AGENDA DATE:** Introduction: June 11, 2013  
Public Hearing: July 2, 2013

**CONTACT PERSON/PHONE:** Arturo Rubio, (915) 541-4633, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An Ordinance granting special permit no. PZST13-00004, to allow for infill development with reduced rear setbacks on the property described as a portion of Block B, Britton Davis Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Property owner: Daniel Enriquez, Location: 8424 Dyer Street PZST13-00004

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (7-0)

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

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

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

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, City Development Department

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**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00004, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED REAR SETBACKS ON THE PROPERTY DESCRIBED AS A PORTION OF BLOCK B, BRITTON DAVIS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 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**, Daniel Enriquez, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a motor vehicle repair structure with reduced rear 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 C-4 (Commercial) Zone District:  
  
*A Portion of Block B, Britton Davis 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; and,*
2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow for a motor vehicle repair structure; and,
3. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) District regulations and is subject to the approved Detailed Site Development Plan, signed by the Applicant, the 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. \_\_\_\_\_**

**PZST13-00004**

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST13-00004 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owner 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**

\_\_\_\_\_  
Oscar Leeser  
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. \_\_\_\_\_**

**PZST13-00004**



**METES & BONDS DESCRIPTION**

Description of a parcel of land being a portion of Block B, Britton Davis Addition, City of El Paso, El Paso County, Texas, as filed and recorded in Volume 6, Page 2, Deed Records of El Paso County, Texas and being more particularly described by metes and bonds as follows:

Beginning at a found iron pipe marking the Northeast corner of Block B, and lying on the Southerly right-of-way line of Sierra Vista Drive, and on the West right-of-way line of a 20.00 foot wide alley, in Britton Davis Addition.

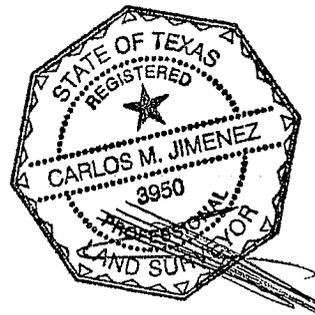
Thence South 29d28'00" West, along the East boundary of Block B and along West right-of-way of a 20.00 foot wide alley, a distance of 116.40 feet to a found iron pin;

Thence North 60d32'00" West, a distance of 120.00 feet to a found iron pin;

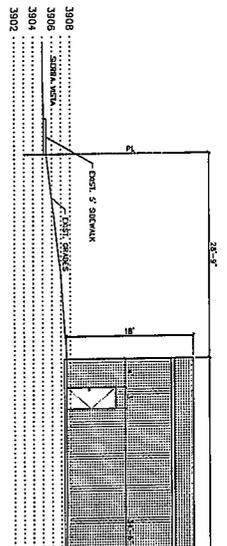
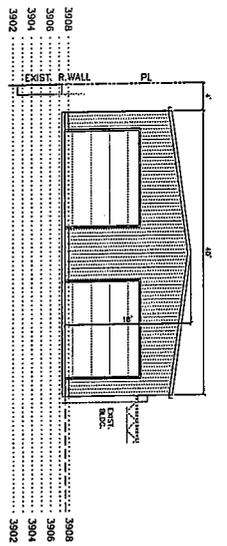
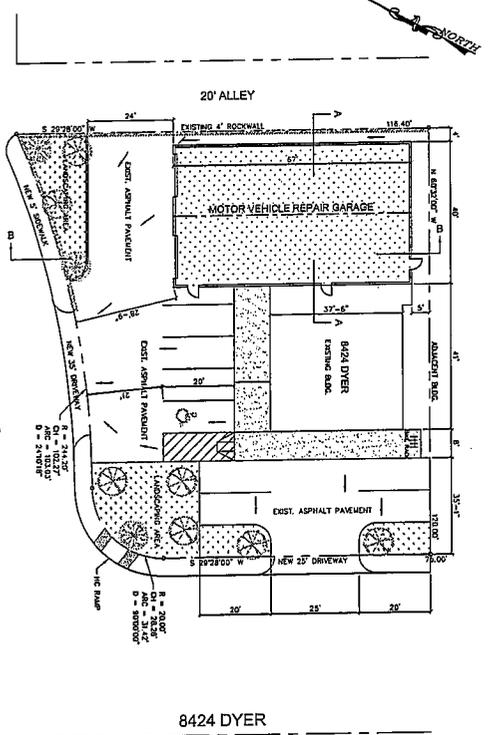
Thence North 29d28'—" East, along the West boundary of Block B, and along the East right-of-way of Dyer Street(U.S. Highway 54), a distance of 75.00 feet to a found iron pin;

Thence 31.42 feet along the arc of a curve to the right, whose interior angle is 90d00'00", whose radius is 20.00 feet, and whose chord bears North 74d28'00" East, a distance of 28.28 feet to a found iron pin;

Thence 103.03 feet along the arc of the curve to the left, and along the South right-of-way line of Sierra Vista Drive, whose interior angle is 24d10'18", whose radius is 244.20 feet, and whose chord bears South 72d37'12" East, a distance of 102.27 feet to the "Point of Beginning" and containing in all 12,014.95 square feet or 0.276 acres of land more or less. A plat of survey dated September 7, 2006 is a part of this description and is attached hereto.



# EXHIBIT "B"

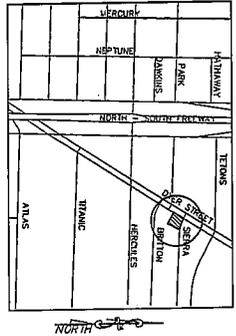


DETAILED SITE PLAN  
SCALE: 1/8" = 1'-0"

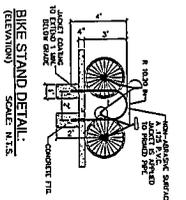
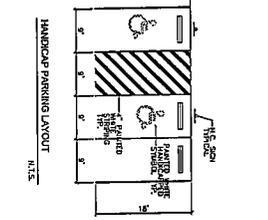
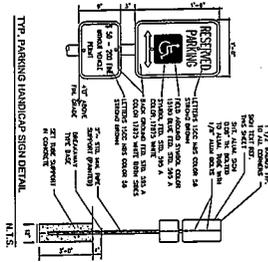
SECTION A-A  
SCALE: N.T.S.

SECTION B-B  
SCALE: N.T.S.

8424 DYER



LOCATION PLAN  
SCALE: 1/8" = 1'-0"



BIKE STAND DETAIL  
SCALE: N.T.S.

**DRAINAGE CALCULATIONS:**

C.L.A. = Gulp  
 C = 0.95  
 A = 0.2756 Acres  
 T<sub>c</sub> = 15 MIN.  
 I<sub>h</sub> = 4.1 I/017 CFS  
 Q<sub>exp.</sub> = 1.047 CFS

**REMARKS:**  
 1/2" ON TOP OF CURB NE CORNER  
 ELEVATION: 5283.871' @ 0.00' SW  
 DATED: OCTOBER 13, 1982

**NOTES:**  
 THIS PROPERTY LIES WITHIN FLOOD ZONE "C" AREAS  
 DETERMINED TO BE OVERSIDE THE 100-YEAR FLOOD  
 ELEVATION: 5283.871' @ 0.00' SW

**PARKING LOT REQUIRED:**  
 BUILDING W/ 2.5 PRKS. PER BAY = 2 BAYS = 5 EX.  
 BUILDING W/ 2.5 PRKS. PER BAY = 1 BAY = 3 EX.  
 PARKING SPACES PROVIDED: 7 EX. + 1 H.C.  
 BIKE RACKS REQUIRED: 1 RACKS OF 1 = 2 BIKES  
 BIKE RACKS PROVIDED: 1 RACKS OF 1 = 2 BIKES

**LANDSCAPING CALCULATIONS:**

LOT AREA: 0.2756 ACRES  
 12,000 SQ. FT. x 0.15 = 1800 SQ. FT.  
 TOTAL REQUIRED: 1800 SQ. FT.

**AMERICAN PUBLIC WORKS ASSOCIATION  
 STANDARD COLOR CODE FOR MARKING  
 UNDERGROUND UTILITIES**

PIPE	COLOR
WATER	RED
SEWER	YELLOW
TELEPHONE	BLUE
ELECTRIC	ORANGE
OTHER	GREEN

**LEGEND:**

EXISTING UTILITIES	1" = 1" DIA.
PROPOSED UTILITIES	1" = 1" DIA.
EXISTING CONCRETE	1" = 1" DIA.
PROPOSED CONCRETE	1" = 1" DIA.
EXISTING ASPHALT	1" = 1" DIA.
PROPOSED ASPHALT	1" = 1" DIA.
EXISTING GRAVEL	1" = 1" DIA.
PROPOSED GRAVEL	1" = 1" DIA.
EXISTING SAND	1" = 1" DIA.
PROPOSED SAND	1" = 1" DIA.
EXISTING SOIL	1" = 1" DIA.
PROPOSED SOIL	1" = 1" DIA.

DETAILED SITE PLAN:  
**MOTOR VEHICLE REPAIR BLDG.**  
 8424 DYER STREET  
 EL PASO, TEXAS

LEGAL DESCRIPTION:  
 LOT: PORTION OF BLOCK 'B'  
 BRITTON DAVIS ADDITION  
 EL PASO COUNTY, EL PASO TEXAS

Engineer Seal:

Date: FEBRUARY, 2012  
 Scale: As Noted  
 Project No.: 120725-26  
 Sheet No.: D - 1

SITE PLAN:  
 PARKING LOT DETAILS:  
 ROCKWALL DETAILS:  
 X-SECTIONS:

**MEMORANDUM**

**DATE:** May 28, 2013

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

**FROM:** Arturo Rubio, Senior Planner

**SUBJECT: PZST13-00004**

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The City Plan Commission (CPC) on May 2, 2013, voted **7-0** to recommend **APPROVAL** of the special permit application to allow for an Automotive Repair Garage Addition with reduced rear setbacks.

The CPC found that the special permit is in conformance with 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:** PZST13-00004  
**Application Type:** Special Permit  
**CPC Hearing Date:** April 04, 2013  
**Staff Planner:** Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

**Location:** 8424 Dyer  
**Legal Description:** Portion of Block B, Britton Davis Addition, City of El Paso, El Paso County, Texas  
**Acreage:** 0.276  
**Rep District:** 2  
**Zoning:** C-3 (Commercial)  
**Existing Use:** Automotive Repair Garage  
**Request:** Infill Development to allow for reduced rear setback  
**Proposed Use:** Automotive Repair Garage Addition

**Property Owner:** Daniel Enriquez  
**Representative:** Jose Uresti

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

**North:** C-3 (Commercial) / Retail  
**South:** C-3 (Commercial) / Retail  
**East:** R-4 (Residential) / Two-family dwellings  
**West:** C-3 (Commercial) / Retail/Automotive Repair

**The Plan for El Paso Designation:** G-3, Post War (Northeast Planning Area)  
**NEAREST PARK:** Mountain View Park (4,705 feet)  
**NEAREST SCHOOL:** Wainwright School (1,355 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Mountain View Neighborhood Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 18, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

### **APPLICATION DESCRIPTION**

The applicant is requesting a special permit and detailed site development plan review for an infill development. The infill development special permit request is to allow for reduced rear setback from the required 10 feet to 0 feet for a new 2,680 square foot Automotive Repair Garage addition. The applicant meets all other requirements. Access to the subject property is proposed from Dyer.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for Infill Development. The recommendation is based on the compliance with the comprehensive plan, compatibility with surrounding land uses, 20.10.320 Special Permit and 20.10.150 Detailed Site Development Plan requirements.

### **Plan El Paso-Future Land Use Map Designation**

All applications for special permit shall demonstrate compliance with the following criteria:

G-3 – Post War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-3 Commercial district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

**COMMENTS:**

**Planning Division –Transportation**

The new driveway shall be ADA/TAS compliant. The wheelchair ramp proposed shall align with the existing ramp across Sierra Vista Drive.

**City Development Department – Plan Review**

Recommend Approval

**City Development Department - Land Development**

No objections

**Fire Department**

Recommend "APPROVAL" of "Detailed Site Plan" as presented. \*\*\*\*\*NOTE \*\*\*\*\* In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted "Detailed Site Plan" for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi- family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. "When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments". The Fire Planning Division has reviewed the submitted "Detailed Site Plan" as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES comply within the zoning regulations.

**El Paso Water Utilities**

EPWU does not object to this request.

**Water:**

Along Dyer Street fronting 8424 Dyer Street there is an existing thirty-six (36) inch diameter water transmission main. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations.

Along Dyer Street fronting 8424 Dyer Street there is an existing eight (8) inch diameter water main.

Along Sierra Vista Drive fronting 8424 Dyer Street there is an existing six (6) inch diameter water main.

**Sanitary Sewer:**

Along Dyer Street between Tetons Drive and Edgar Park Drive there are two (2) existing sanitary sewer mains located along the westernmost portion of Dyer Street. The sizes of the mains are twelve (12) inches and eight (8) inches in diameter respectively.

Along Sierra Vista Drive east of Dyer Street there is an existing eight (8) inch diameter sanitary sewer main.

**General:**

As per EPWU-PSB Records, 8424 Dyer Street has a single three-quarter ( 3/4) inch diameter water service along Dyer Street and the sanitary sewer service line discharges unto the described main located along Sierra

Vista Drive.

Dyer Street is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Dyer Street right-of-way requires written permission from TxDOT.

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.

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, 3<sup>rd</sup> 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.

### **Sun Metro**

Sun Metro does not oppose this request. Recommends that sidewalks remain unobstructed to permit pedestrian access to mass transit options.

### **CITY PLAN COMMISSION OPTIONS**

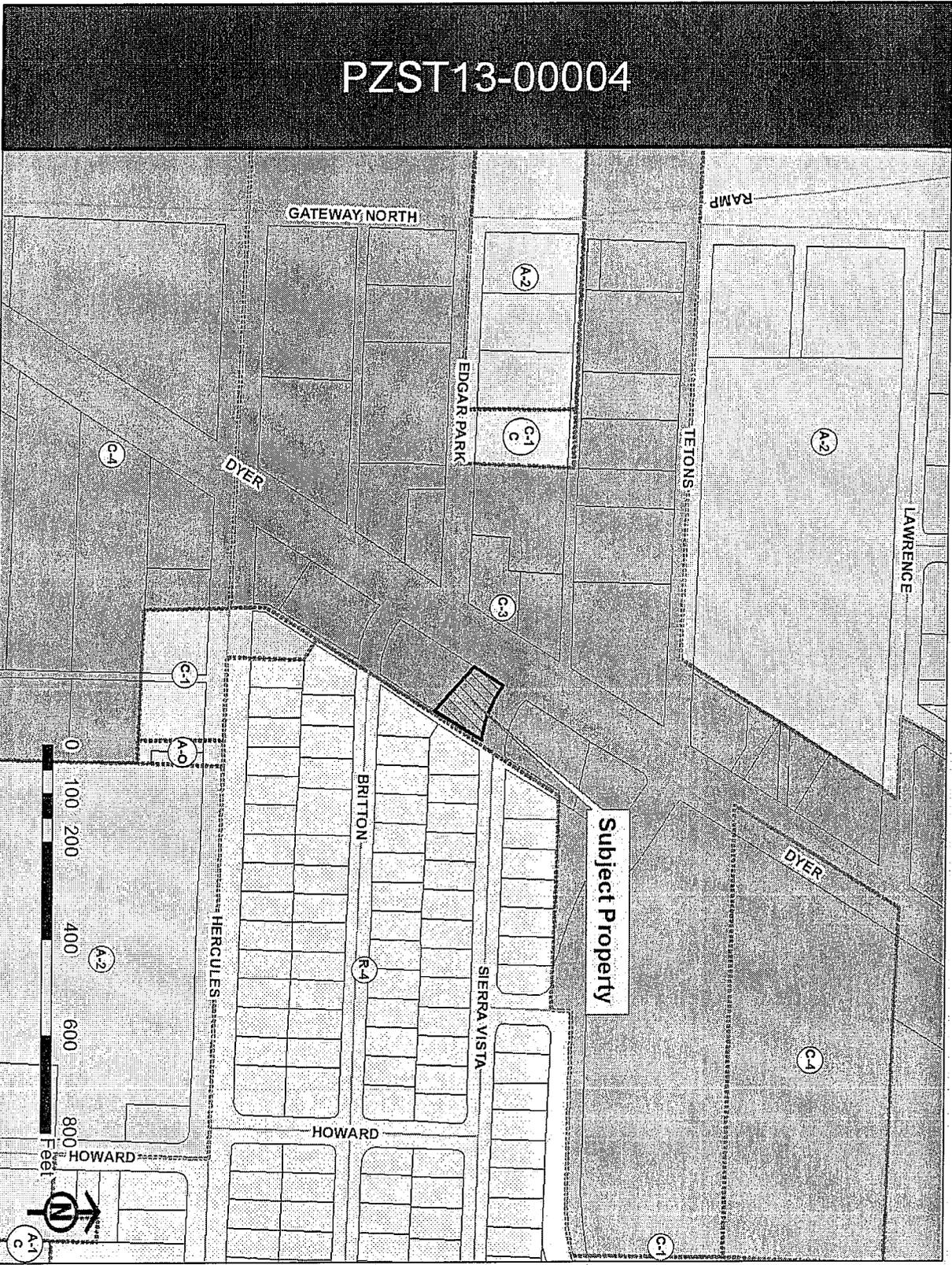
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

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. Location Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

ATTACHMENT 1: LOCATION MAP

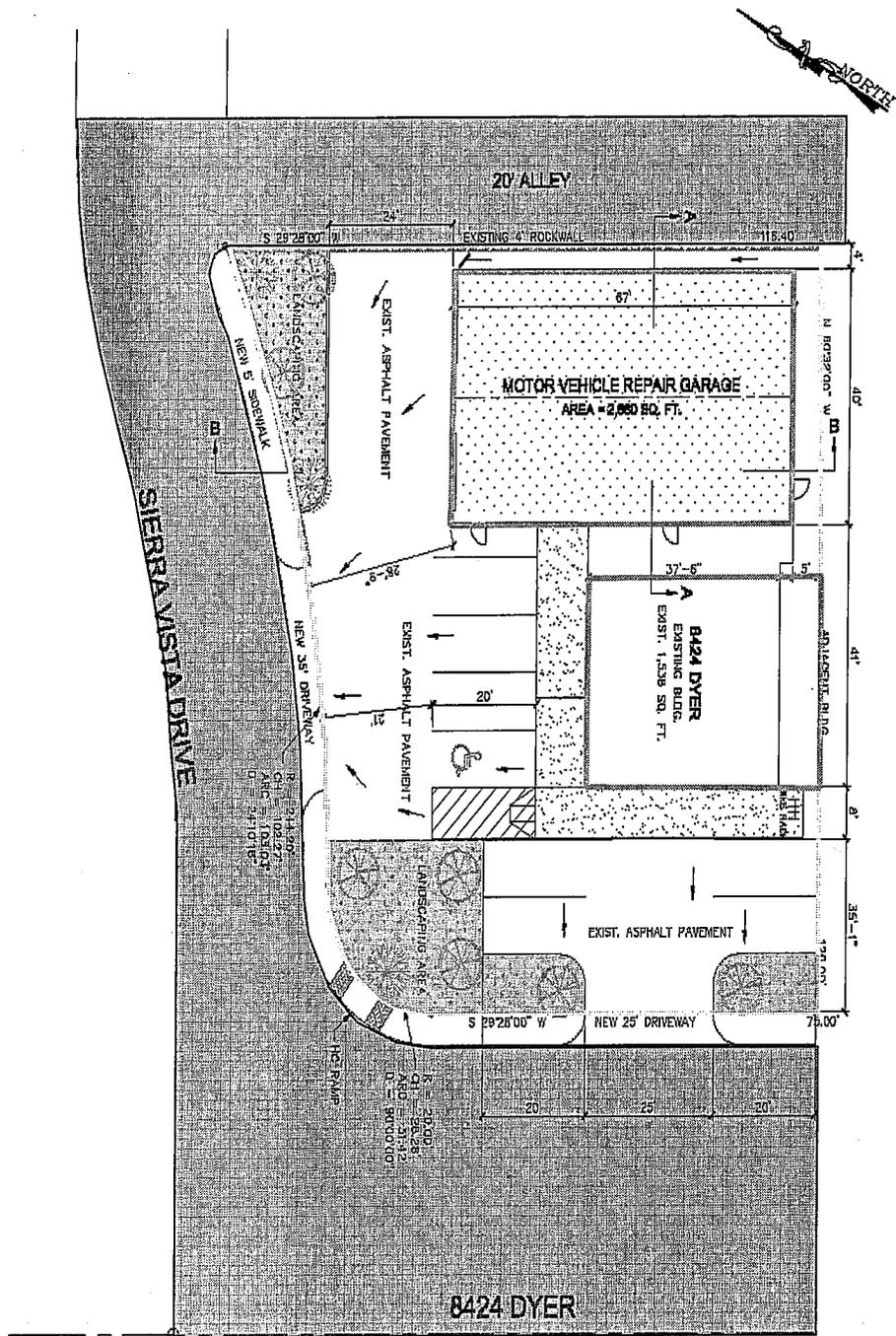


ATTACHMENT 2: AERIAL MAP

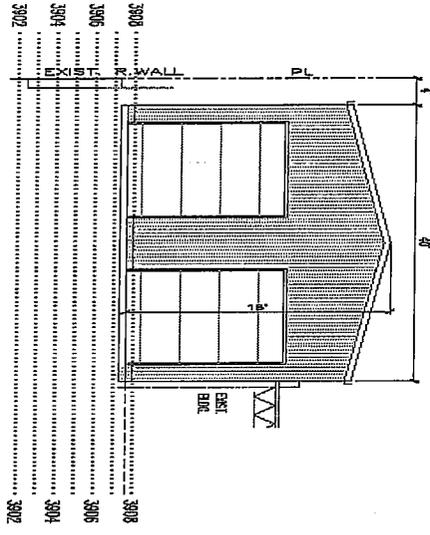


ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

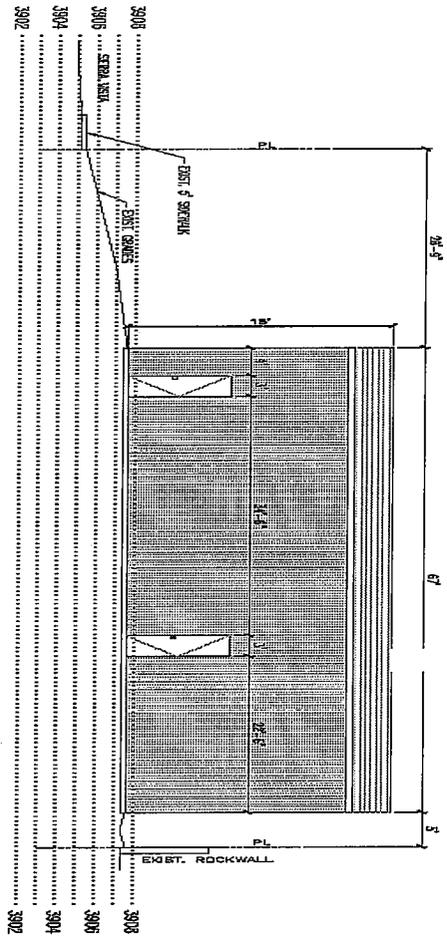
DETAILED SITE PLAN:  
SCALE: 1/8" = 1'-0"



ATTACHMENT 4: ELEVATIONS



SECTION A-A  
SCALE: 1/8" = 1'-0"



SECTION B-B  
SCALE: 1/8" = 1'-0"