

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: June 29, 2010
Public Hearing: July 20, 2010

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON10-00033, to allow for infill development and a 100% parking reduction on the property described as Lots 7 and 8, Block 32, Franklin Heights, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 parking reduction 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: 1314 Myrtle Avenue. Property Owners: Myrtle Avenue Community Development Corporation. ZON10-00033 (**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) – Unanimous Approval Recommendation
City Plan Commission (CPC) - Approval Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON10-00033, TO ALLOW FOR INFILL DEVELOPMENT AND A 100% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 7 AND 8, BLOCK 32, FRANKLIN HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 PARKING REDUCTION 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, Myrtle Avenue Community Development Corporation, Applicant, has applied for a Special Permit for infill development and a 100% parking reduction under Section 20.14.070 and 20.10.280 of the El Paso City for a new 15-unit apartment complex; 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/sp (Commercial/special permit)** Zone District:

Lots 7 and 8, Block 32, Franklin Heights, City of El Paso, El Paso County, Texas

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development and a 100% parking reduction for a new 15-unit apartment complex; and,
3. That this Special Permit is issued subject to the development standards in the **C-4/sp (Commercial/special permit)** 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,

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. **ZON10-00033** 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 _____, 2010.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

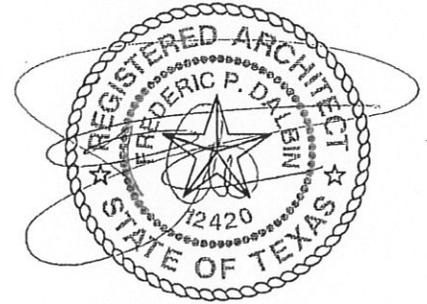
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

THE COMMONS ON MYRTLE - PARKING REDUCTION APPLICATION

SHEET 1 OF 2



SUMMARY

THE COMMONS ON MYRTLE
1314 MYRTLE AVE.

LAND AREA: 10,000 SQ. FT.

 LANDSCAPING

LANDSCAPE AREA PROVIDED: 785 SQ. FT.
LANDSCAPE AREA REQUIRED: 750 SQ. FT.

BUILDING AREA

1ST FLOOR: 4,148 SQ. FT.
2ND. FLOOR PLAN: 3,723 SQ. FT.
3DR. FLOOR PLAN: 3,723 SQ. FT.
TOTAL BUILDING AREA: 11,594 SQ. FT.

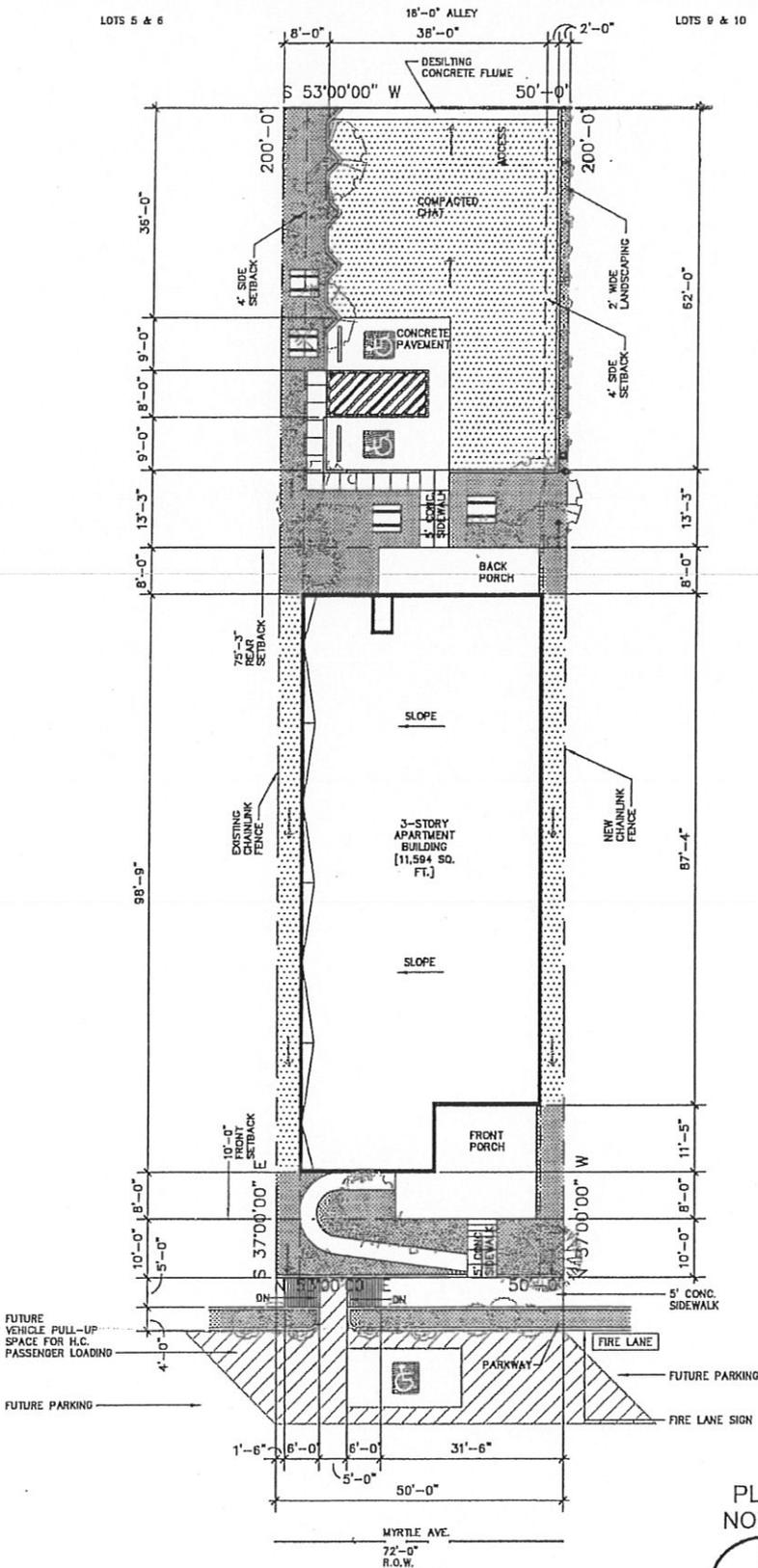
PARKING REQUIREMENTS

REQUIRED	6 SPACES
PROVIDED	0 SPACES

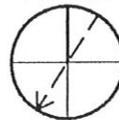
1 BEDROOM UNIT	490 SQ. FT EACH	15 UNITS
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LEGAL DESCRIPTION

32 FRANKLIN HEIGHTS
LOTS 7 & 8
EL PASO TEXAS



PLAN NORTH

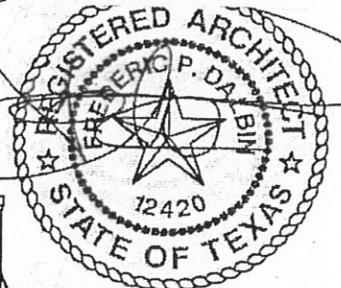


01 PROPOSED SITE PLAN
SCALE: 1" = 30'

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WRIGHT & DALBIN
ARCHITECTS, P.C.

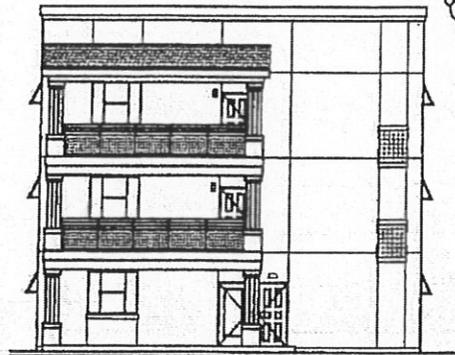
EXHIBIT "A"



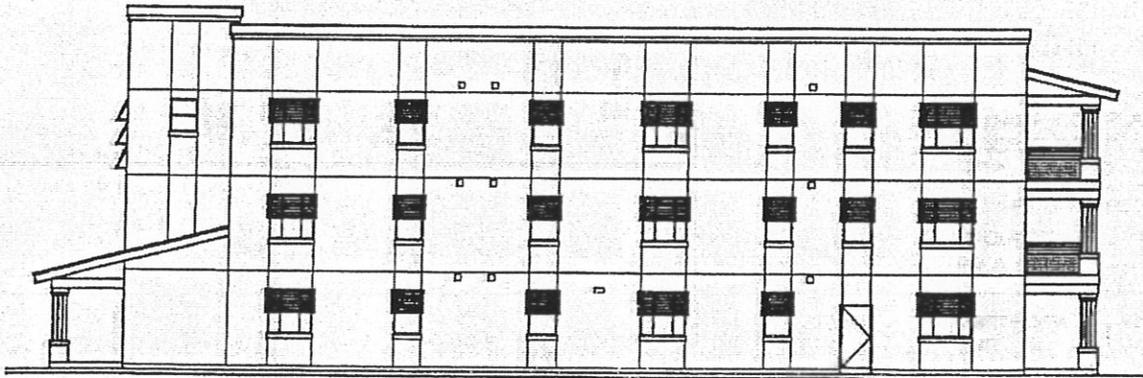
5/5/2010



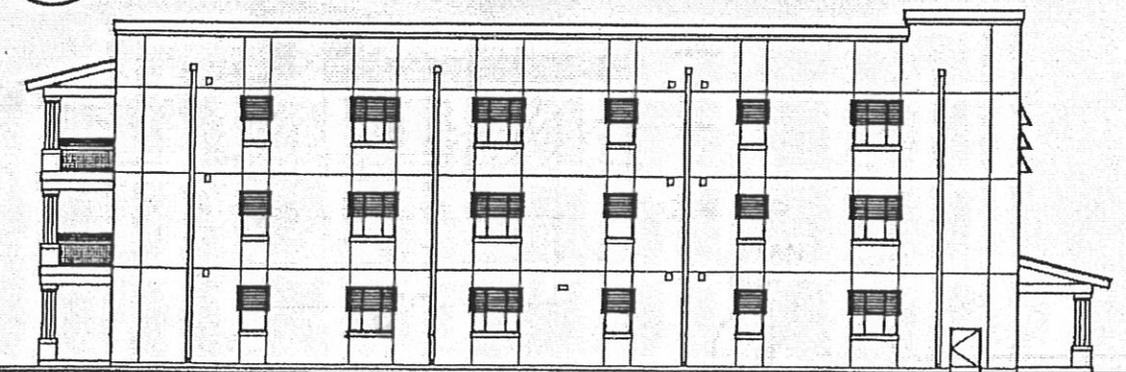
01 PROP. NORTH ELEV.
SCALE: 1" = 20'



02 PROP. SOUTH ELEV.
SCALE: 1" = 20'



03 PROPOSED WEST ELEVATION
SCALE: 1" = 20'



04 PROPOSED EAST ELEVATION
SCALE: 1" = 20'

MEMORANDUM

DATE: June 16, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON10-00033

The City Plan Commission (CPC) on June 3, 2010, voted **7-0** to recommend **APPROVAL** of the special permit application to allow for infill development and 100% parking reduction for apartment units.

The CPC found that the special permit is in conformance with the Plan for El Paso and that the proposed use is in conformance with the projected 2025 general land use map for the Central Planning Area. 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: ZON10-00033
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: June 3, 2010
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 1314 Myrtle Avenue
Legal Description: Lots 7 and 8, Block 32, Franklin Heights, City of El Paso, El Paso County, Texas
Acreage: 0.2296 acres
Rep District: 8
Existing Use: Residential
Existing Zoning: C-4/sp (Commercial/special permit)
Request: Infill Development
Proposed Use: Multi-family dwellings

Property Owner: Myrtle Avenue Community Development Corporation
Applicant: David Gillooly, Executive Director
Representative: Wright & Dalbin Architects, Inc.

SURROUNDING ZONING AND LAND USE

North: C-4(Commercial), C-4/sp (Commercial/special permit) / Multi-family and single-family residential
South: A-3/H/sp (Apartment/Historic/special permit), A-3 (Apartment), C-4/H/sp (Commercial/Historic/special permit) / Multi-family and single-family residential
East: C-1/sp (Commercial/special permit), C-4 (Commercial) / Single-family residential
West: C-4/sp (Commercial/special permit), C-4 (Commercial) / Single-family residential

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

Nearest Park: Tula Irroballi Park (3,075 Feet)

Nearest School: Douglass Elementary (3,100 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Magoffin Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 18, 2010. The Planning Division did not receive any phone calls or letters in support or opposition to the request.

CASE HISTORY

On June 19, 2008, the City Plan Commission recommended approval of a special permit request ZON08-00045 for infill development to reduce the front yard setback from 20 feet to 17 feet and approval a 74% parking reduction from the required 23 off-street parking space, six parking spaces were provided. The site plan proposed an 11,188 sq. ft. apartment. On July 22, 2008, City Council approved the special permit and detailed site development plan request.

APPLICATION DESCRIPTION

The applicant is now requesting a special permit and detailed site development plan approval for an infill development to reduce the front yard setback from 20 feet to 18 feet, reduce the side yard setback from 5 feet to 4 feet, and a 100% parking reduction for the new 15-unit apartment complex. Twenty-three off-street parking spaces are required; 2 handicapped parking spaces are provided. Access to the subject property is proposed from Myrtle Avenue.

The parking study submitted shows that there are sufficient parking spaces on surrounding streets to satisfy the parking requirements.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC 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.

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 C-4 (Commercial) districts is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

Development Services Department - Building Permits and Inspections Division

Zoning: No objections or adverse comments.

Landscaping: This plan and the landscaping have been approved under the BLD permit. No additional landscape is required for a parking reduction.

Development Services Department – Land Development

General Comments:

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the Development Services Department, Engineering Section.*
- This Subdivision is within Flood Zone C – Areas of minimal flooding, Panel 480214 0039B, dated October 15, 1982.

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

Engineering Department - Traffic Division

No objection to the request for a parking reduction. There is adequate on-street parking within 300 feet of the property.

Street Department

Street Department is providing the following comments and concerns:

1. The proposed parking spaces shown are not accessible from a dust free all weather driving surface.
2. Trash dumpster location and access to service has not been illustrated, requires dust free all weather driving surface.
3. No driveway and concrete apron at the edge of the pavement have been illustrated.
4. The parking lot aisle (10 ft wide) may not be adequate for vehicular movements.
5. Storm water run-off drainage conveyance is illustrated across chat material with no de-silting areas provided both to the front and the rear of the building. Erosion is already occurring and is very noticeable; also, loose chat material has been deposited on sidewalk area as observed on a site visit.
6. Recommend that the proposed/existing ADA accessible curb ramp and location, fronting 1314 Myrtle Ave., be reviewed, and possibly be relocated as it may be construed as a mid-block crossing and be utilized as such with no receiving ramp across the street.
7. The site plan is in-complete; it does not reflect existing fencing along the boundaries.
8. 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.
(Applicant will need to comply at the time of building permit).

Fire Department

No adverse comments.

El Paso Water Utilities

EPWU does not object to this 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:

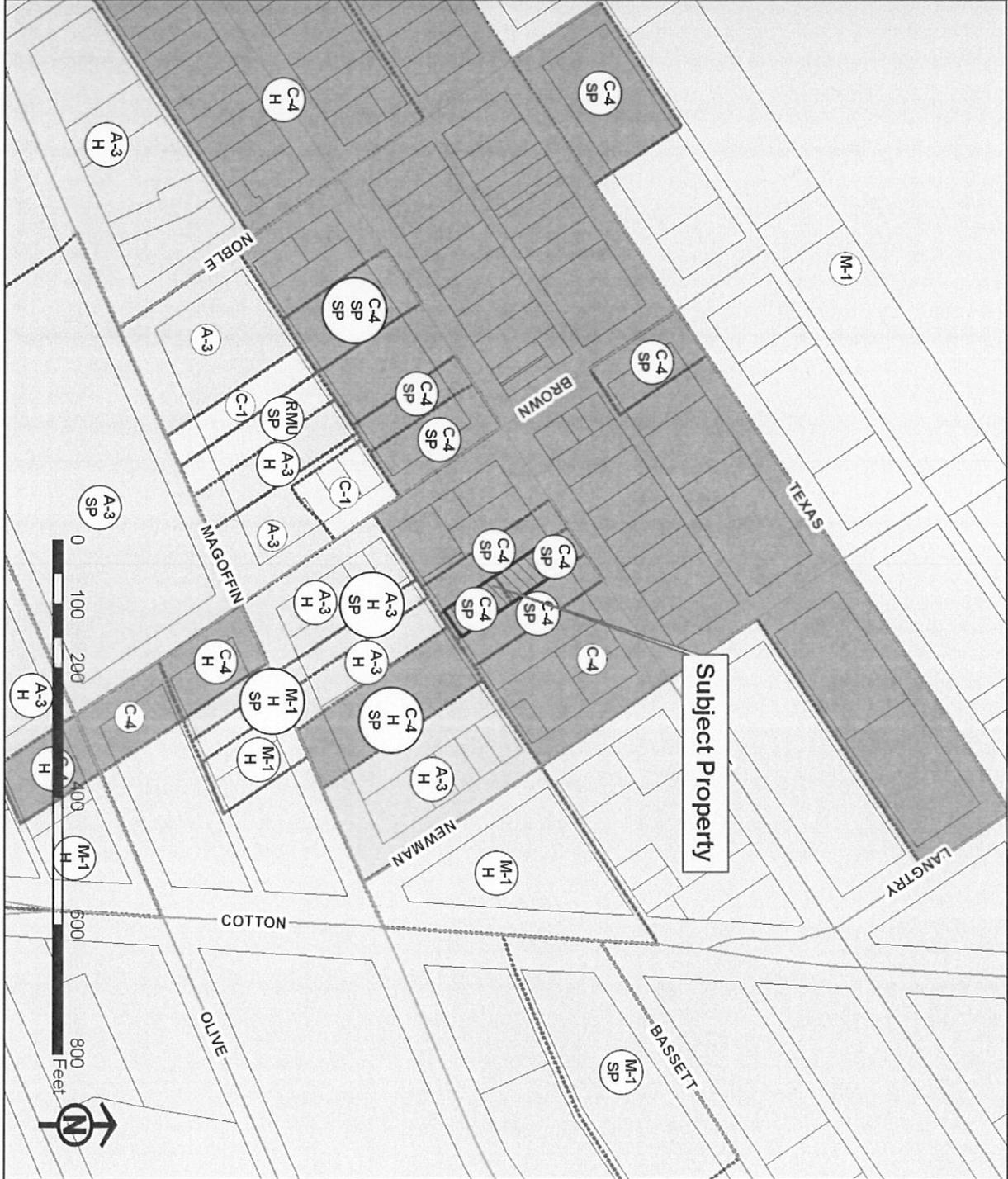
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with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

ZON10-00033

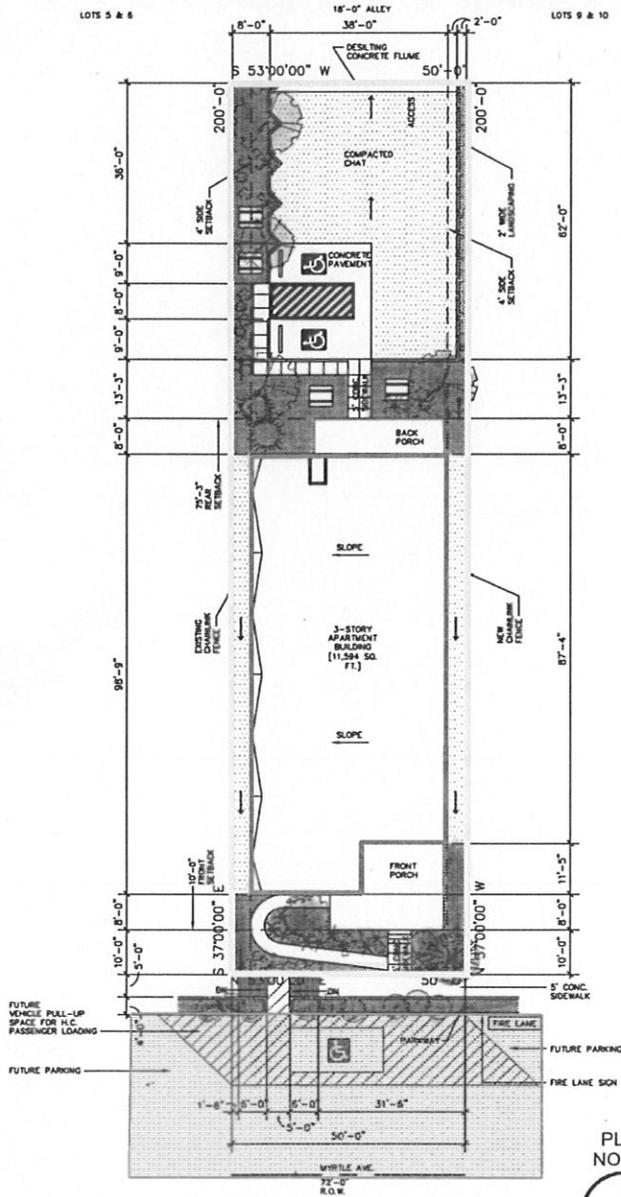


ATTACHMENT 2: AERIAL MAP

ZON10-00033



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



01

PROPOSED SITE PLAN

SCALE: 1" = 30'

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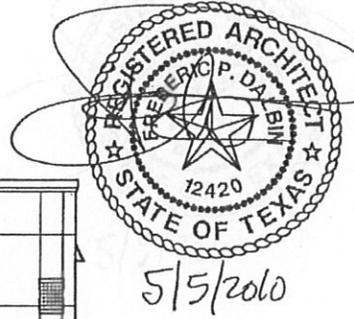
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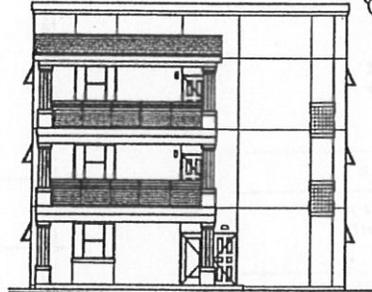
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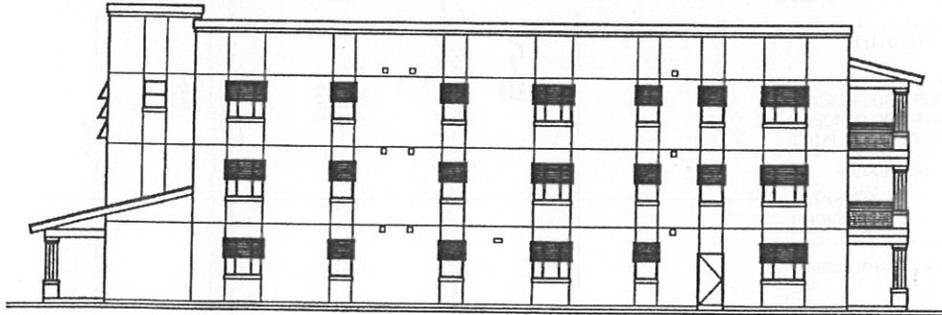
ATTACHMENT 4: ELEVATIONS



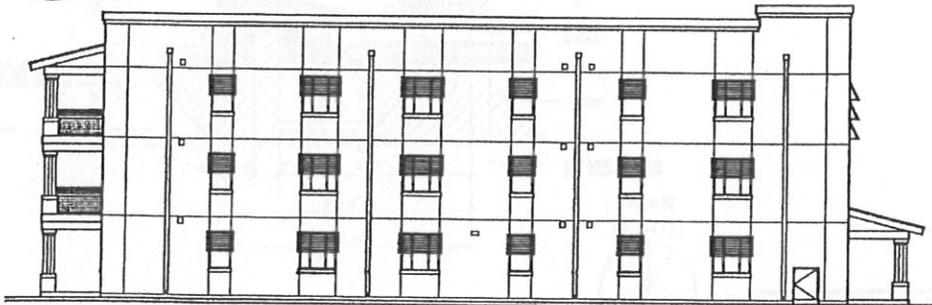
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