

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: July 16, 2013
Public Hearing: August 6, 2013

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

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance granting Special Permit No. PZST13-00015, to allow for infill development with reduced lot width and side yard setback on the property described as a portion of Lot 1, Block 2, Town and Country Village 2nd Revised Map, 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 in Chapter 20.24 of the El Paso City Code. Subject Property: 5135 Chromite Street. Property Owner: E. Peinado Development Co. PZST13-00015 (**District 1**)

BACKGROUND / DISCUSSION:

Staff report attached.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
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

APPROVED FOR AGENDA: _____

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST13-00015, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED LOT WIDTH AND SIDE YARD SETBACK ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 1, BLOCK 2, TOWN AND COUNTRY VILLAGE 2ND REVISED MAP, 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, E. Peinado Development Co., has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a business office with reduced lot width and side yard setback; 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 Section 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 A-2 (Apartment) Zone District:
A portion of Lot 1, Block 2, Town and Country Village 2nd Revised Map, an addition to the City of El Paso, El Paso County, Texas; and as more particularly described by metes and bounds on the attached Exhibit "A", which is attached hereto and made a part hereof for all purposes; and,
2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code, to allow an infill development for a business office with reduced lot width and side yard setback; and,
3. That this Special Permit is issued subject to the development standards in the A-2 (Apartment) 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,

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST13-00015 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Karla M. Niemen
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

AGREEMENT

E. Peinado Development Co. (Property Owner), referred to in the above Ordinance, hereby agree 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 A-2 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2013.

E. Peinado Development Co.:

By: _____
(name/title)

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of _____, 2013, for E. Peinado Development, as Owner.

My Commission Expires:

Notary Public, State of Texas

Notary's Printed or Typed Name:

EXHIBIT "A"

METES AND BOUNDS

A PORTION OF LOT 1, BLOCK 2, TOWN AND COUNTRY VILLAGE, 2ND REVISED MAP,
AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.

BEGINNING AT A POINT LOCATED SOUTH 18°16'00" EAST A DISTANCE OF 608.05 FEET. THEN NORTH 71°44'00" EAST A DISTANCE OF 189.51 FEET FROM THE POINT OF INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF U.S. HIGHWAY 80 WITH THE SOUTH RIGHT-OF-WAY LINE OF GRAPHITE DRIVE WHICH IS ALSO THE NORTHWEST CORNER OF LOT 1, BLOCK 2 OF THE TOWN AND COUNTRY VILLAGE SUBDIVISION IN EL PASO, EL PASO COUNTY, TEXAS TO THE TRUE POINT OF BEGINNING OF THIS PARCEL OF LAND.

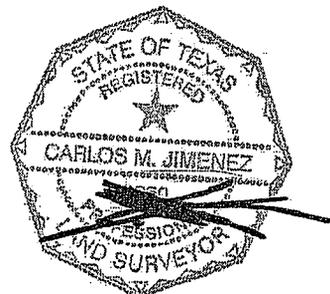
THENCE NORTH 71°44'00" EAST A DISTANCE OF 34.55 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF CHROMITE STREET.

THENCE SOUTH 18°16'00" EAST ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 213.84 FEET TO THE P.C. OF A CURVE TO THE RIGHT;

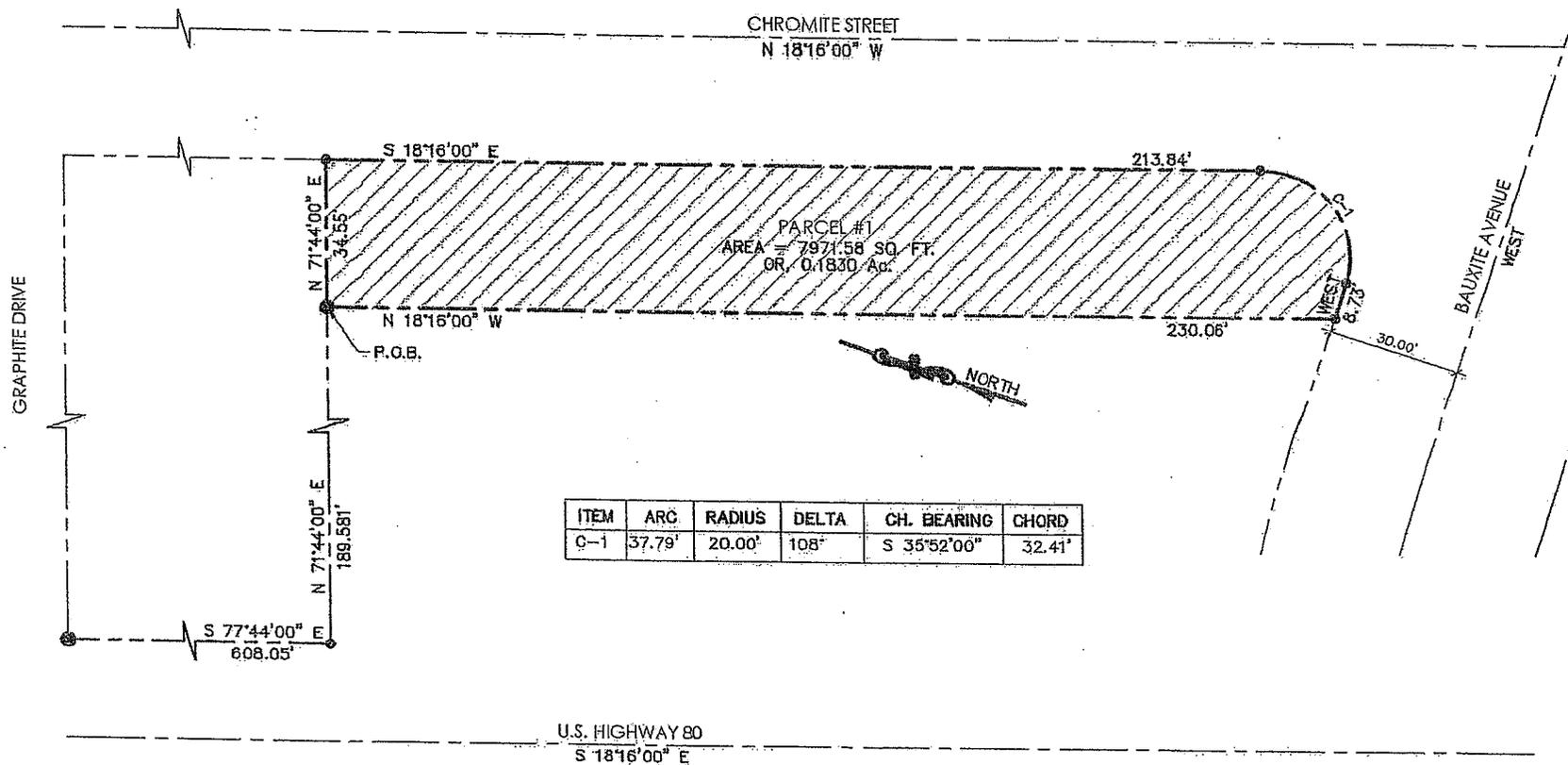
THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT AN ARC DISTANCE OF 37.79 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF BAUXITE AVENUE; CURVE HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 108°16'00", AND A LONG CHORD BEARING SOUTH 35°52'00" WEST A DISTANCE OF 32.41 FEET.

THENCE WEST ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 8.73 FEET.

THENCE NORTH 18°16'00" WEST A DISTANCE OF 230.06 FEET TO THE POINT OF BEGINNING, CONTAINING 0.1830 ACRES OF LAND, MORE OR LESS.



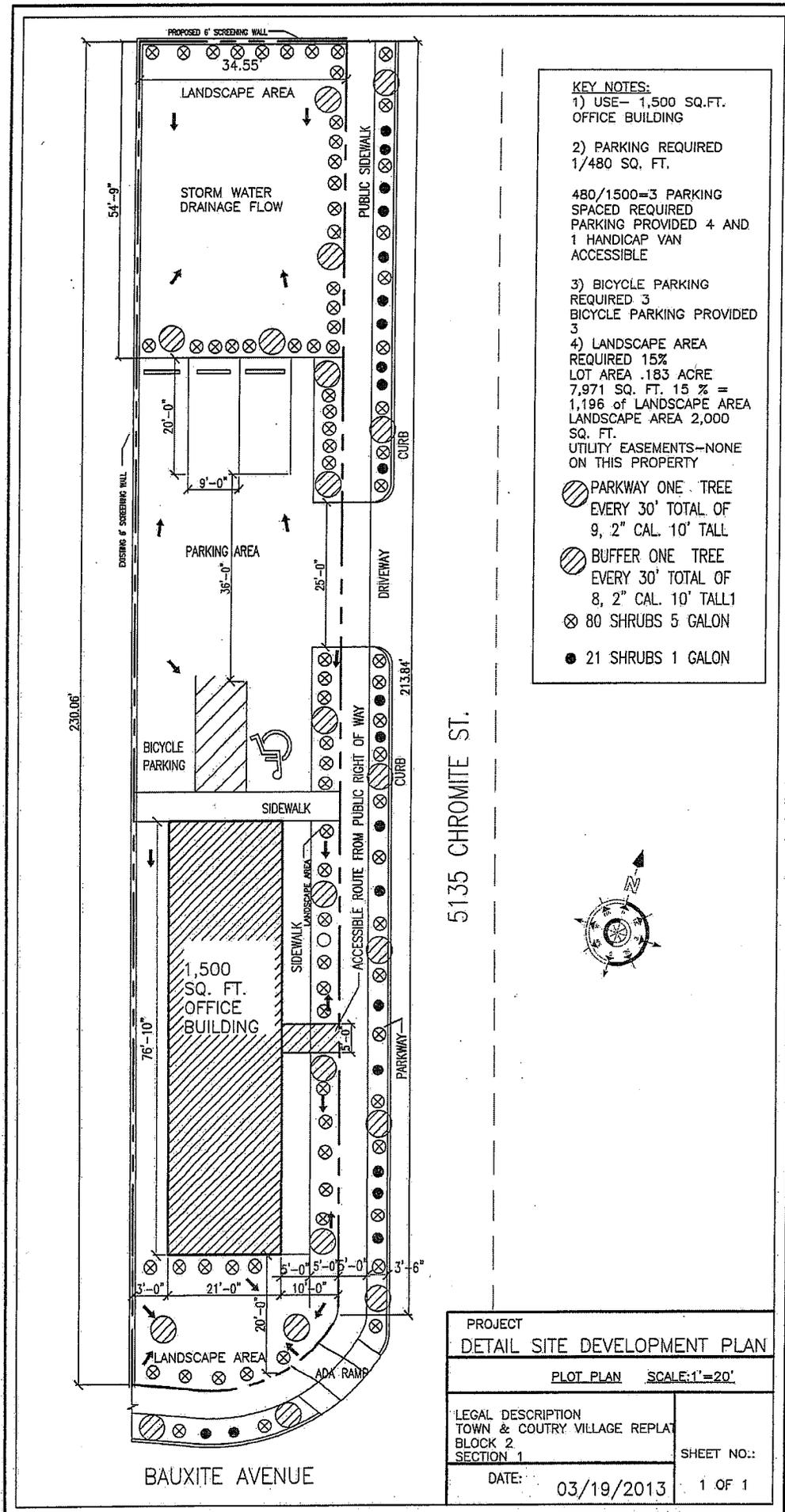
TOWN & COUNTRY REPLAT
 LOT: PORTION OF 1
 BLOCK: 2



SITE PLAN:

SCALE: 1" = 40'-0"

EXHIBIT "B"



MEMORANDUM

DATE: July 8, 2013

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

FROM: Andrew Salloum, Planner

SUBJECT: PZST13-00015

The City Plan Commission (CPC), on June 27, 2013, voted 7-0 to recommend **approval** of the special permit application for infill development to allow for the construction of a business office in an A-2 (Apartment) zone district.

The CPC found that the special permit is in conformance with the Plan for El Paso. The CPC also determined that the special permit 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: PZST13-00015
Application Type: Special Permit
CPC Hearing Date: June 27, 2013
Staff Planner: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

Location: 5135 Chromite Street
Legal Description: A portion of Lot 1, Block 2, Town and Country Village 2nd Revised Map, an addition to the City of El Paso, El Paso County, Texas
Acreage: 0.183 acres
Rep District: 1
Zoning: A-2 (Apartment)
Existing Use: Vacant
Request: Special Permit to allow for a business office in A-2 zone district and Infill Development - request for reduced lot width and side yard setback
Proposed Use: Business office
Property Owner: E. Peinado Development Co.
Representative: Raymond Bonilla

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Apartment complex
South: A-2 (Apartment) / Two-family dwelling
East: A-2 (Apartment) / Apartment complex
West: C-1 (Commercial) / Retail and restaurant

PLAN EL PASO DESIGNATION: G-3, Post-War
NEAREST PARK: Charl-Ann Duck Pond Park (2,169 feet)
NEAREST SCHOOL: Mitzi Bond Elementary (2,803 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association
Coronado Neighborhood Association
Upper Valley Neighborhood Association
Save the Valley

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 6, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the special permit request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan approval for infill development to allow for the construction of a business office in an A-2 (Apartment) zone district. The applicant is requesting the following reductions: lot width from required 45-foot to 34.55-foot and side yard setback from required 5 feet to 3 feet. The detailed site development plan shows 1,500 square-foot business office. The proposed use requires 3 parking spaces and the applicant is providing 5 parking spaces and 3 bicycle spaces. The proposed business office use requirements of the A-2 (Apartment) zone district are satisfied through the special permit and detailed site development plan. Access to the subject property is proposed from Chromite Street.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for Infill Development, as it complies with 20.04.320 special permit and 20.04.150 detailed site development plan.

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 A-2 (Apartment) district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

COMMENTS:

City Development Department – Planning Division - Transportation

No objections.

Note:

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

City Development Department – Plan Review

No objections.

City Development Department - Landscaping Division

No landscape calculations provided.

City Development Department - Land Development

We have reviewed special permit and detail site development and recommend the Developer/Engineer address the following comments.

Recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

Fire Department

Recommend approval of Detailed Site Plan Application 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 Application” 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.

Police Department

No objections.

Sun Metro

Sun Metro does not oppose this request. Recommends the construction of sidewalks to permit pedestrian access to mass transit opportunities.

El Paso Water Utilities

We have reviewed the zoning change request reference above and provide the following comments:

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

Water:

2. There is an existing 8-inch diameter water main extending along Bauxite Ave. that is available for service, the water main is located approximately 20-feet south of the subject southern property line.

3. There is an existing 6-inch diameter water main extending along Chromite St. that is available for service. The water main is located approximately 40 feet east of the subject eastern property line

Sanitary Sewer:

4. There is an existing 8-inch diameter sanitary sewer main extending along Bauxite Ave. that is available for service. The sewer main is located approximately 5-feet south from the center line of the right-of-way.

5. There is an existing 8-inch diameter sanitary sewer main that is available for service along Chromite St. The sewer main is located approximately 25-feet east from the eastern property line.

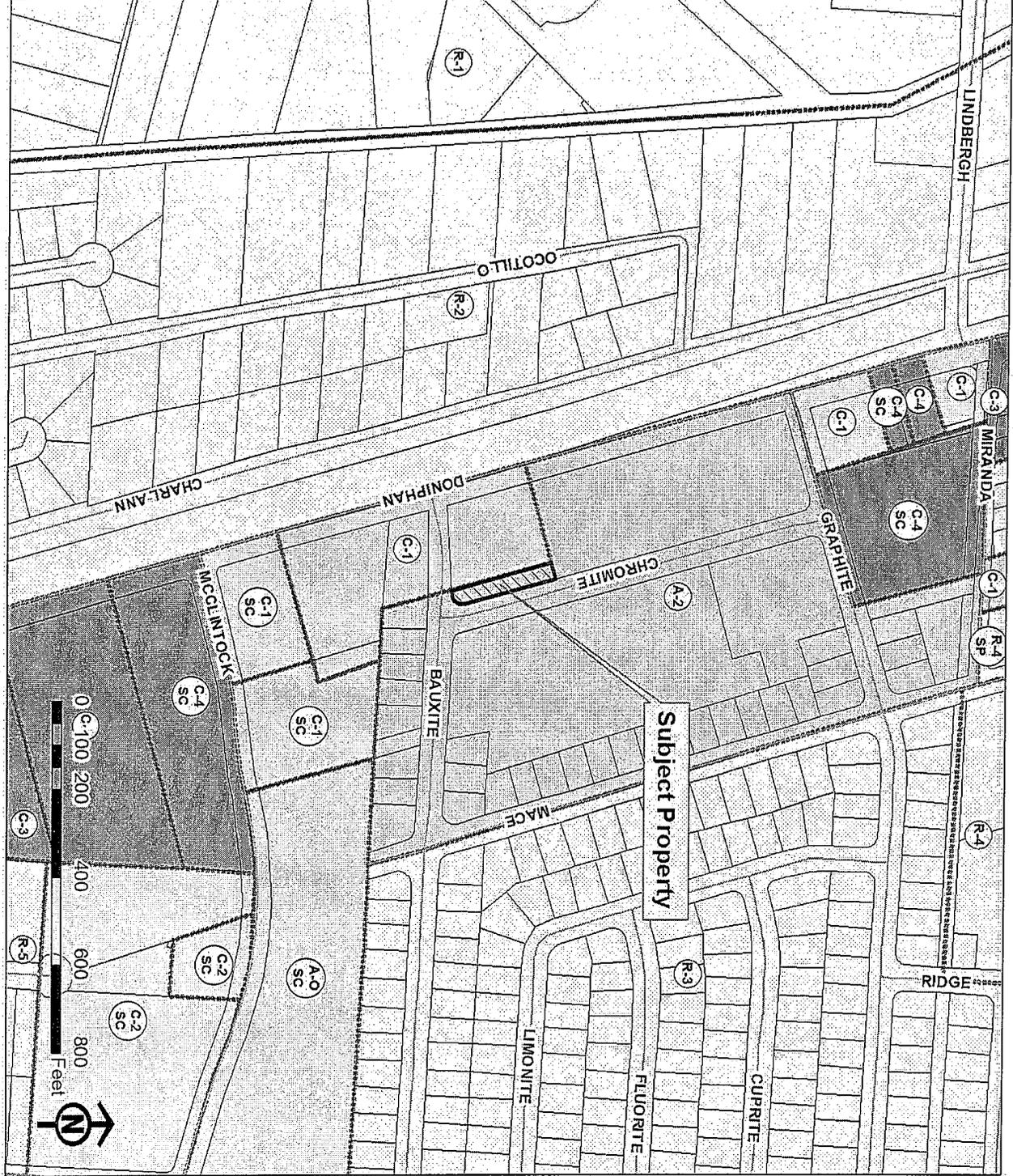
General:

6. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

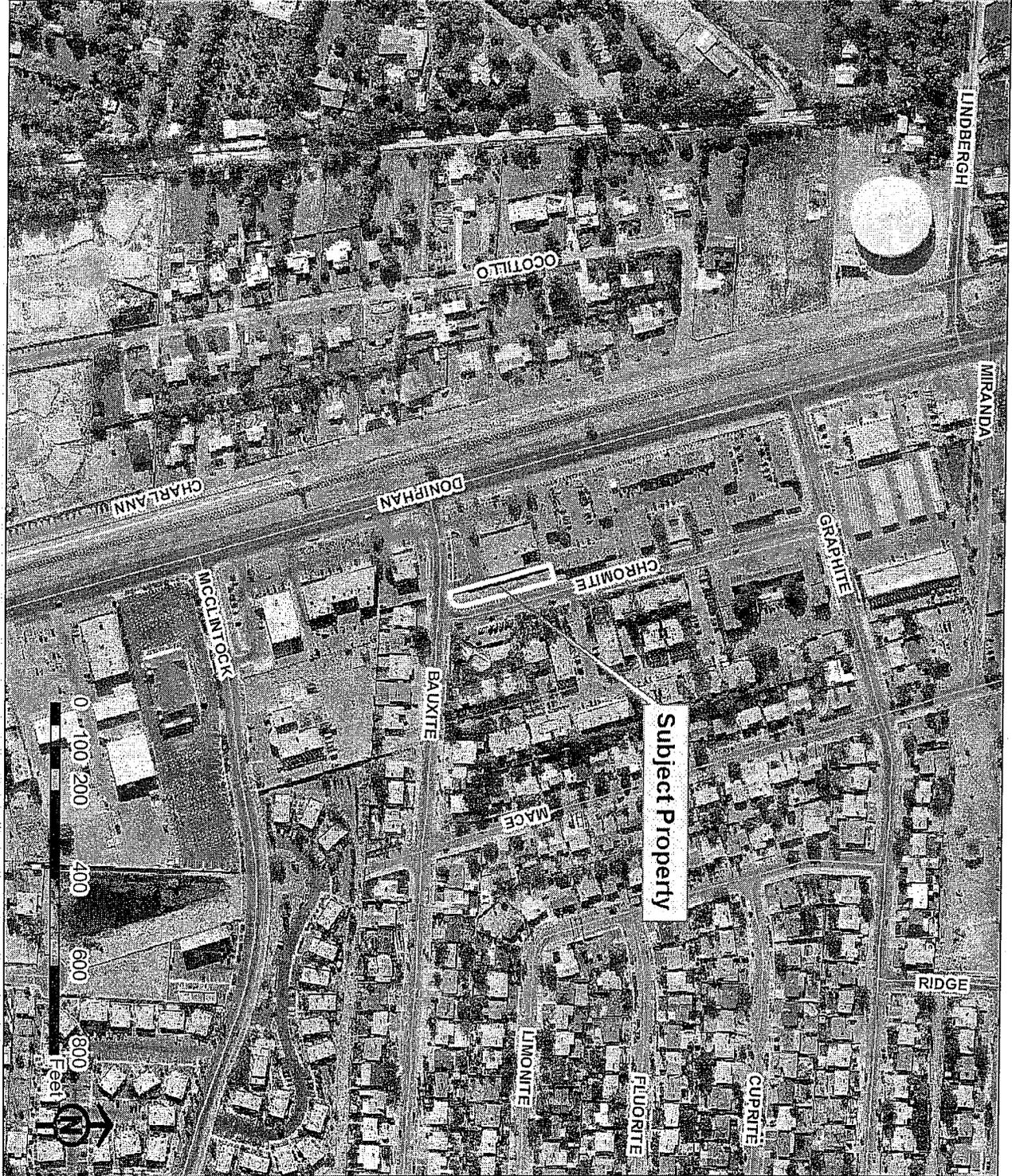
Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

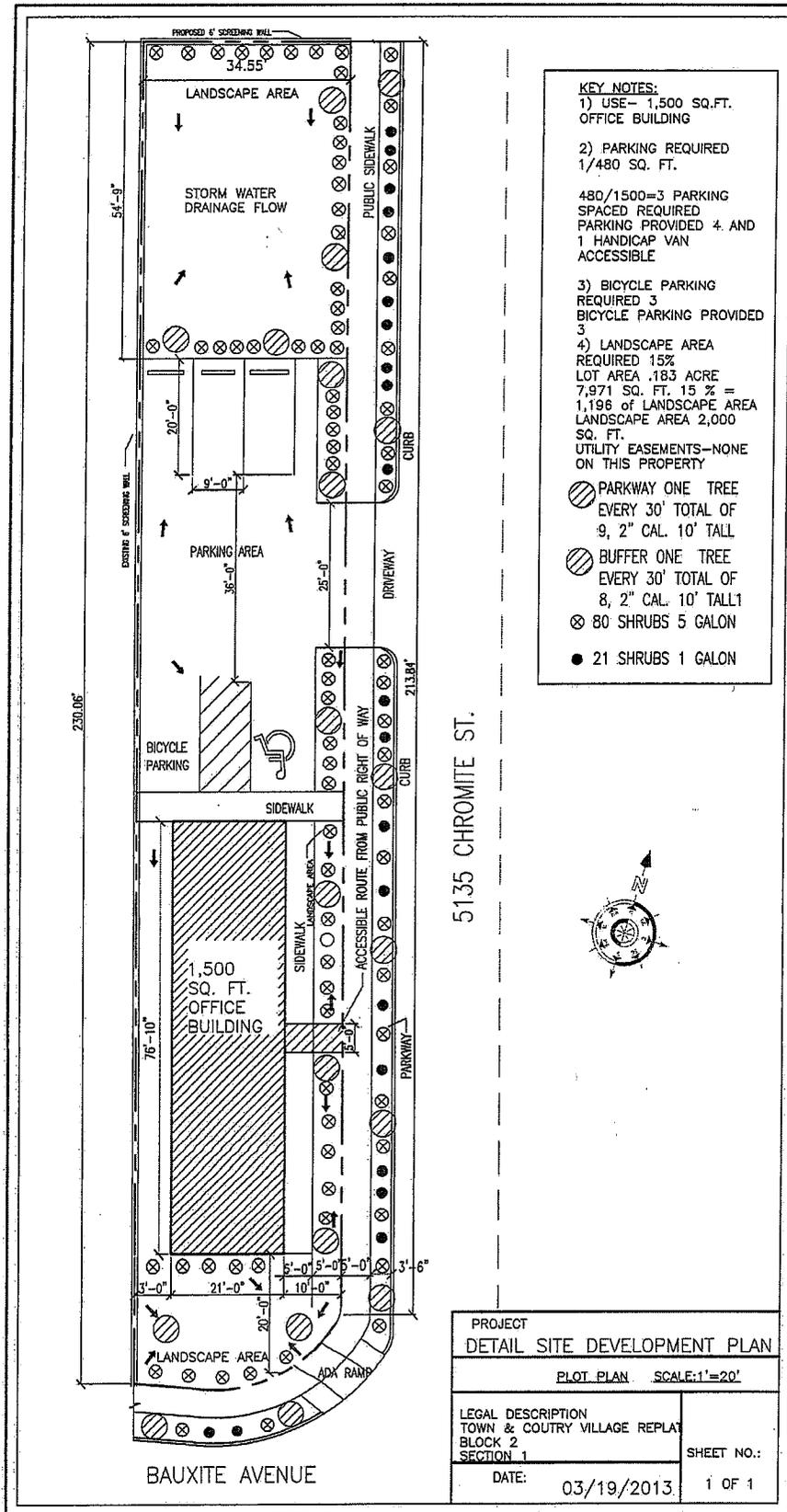
PZST13-00015

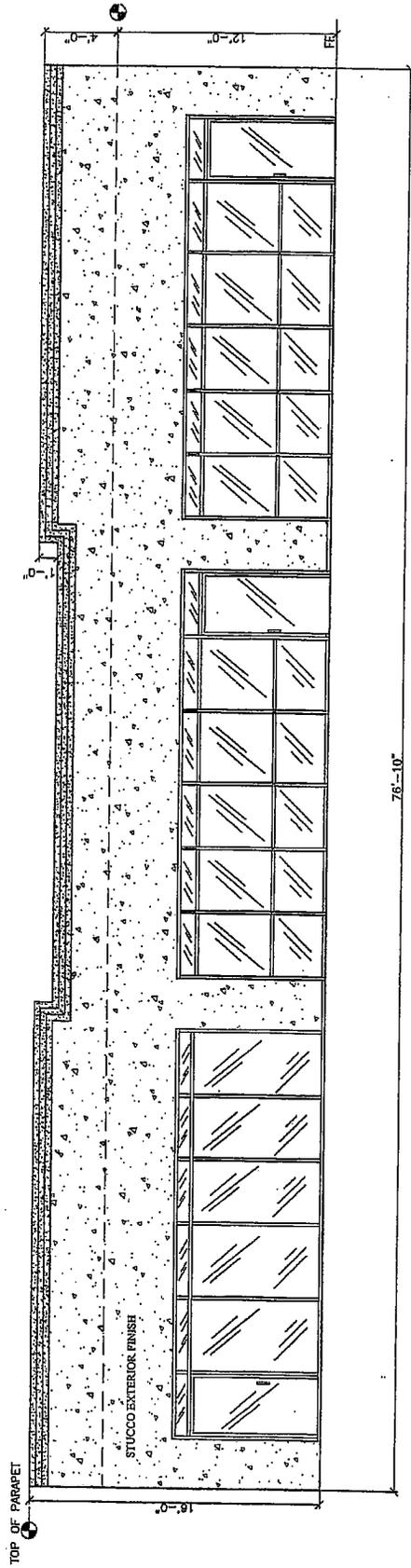


PZST13-00015



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN





FRONT ELEVATION
SCALE: 3/32" = 1'

