

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: August 9, 2011
Public Hearing: August 30, 2011

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting special permit No. ZON11-00004, to allow for infill development and a parking reduction on the property described as Lot 15 and the East ½ of Lot 16, Block 223, Campbell's Addition, City of El Paso, El Paso County, Texas, Pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 910 Texas Street, Property Owner: Don Luciano, ZON11-00004 (District 8)

BACKGROUND / DISCUSSION:

Staff Report

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
Deputy Director, Planning and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON11-00004, TO ALLOW FOR INFILL DEVELOPMENT AND A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOT 15 AND THE EAST ½ OF LOT 16, BLOCK 223, CAMPBELL'S ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Don Luciano, Owner, has applied for a Special Permit under Section 20.10.280 of the El Paso City Code to allow for Infill Development and a Parking Reduction; and,

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and,

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of Sections 20.04.320 of the El Paso City Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an **C-4 (Commercial)** District:
Lot 15 and the east ½ of Lot 16, Block 223, Campbell's Addition, City of El Paso, El Paso County, Texas; and, as more particularly described by metes and bounds on the attached Exhibit "A" and made a part hereof for all purposes; and,
2. That the City Council hereby grants a Special Permit under Section 20.10.280 of the El Paso City Code, to allow for Infill Development for a new 1,684 square-foot retail building and a 5 unit apartment building and to allow for a Parking Reduction; 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. _____

Special Permit No. ZON11-00004

4. That if at any time the Owner or the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. ZON11-00004 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy
Deputy Director – Planning and
Economic Development Department

ORDINANCE NO. _____

Special Permit No. ZON11-00004

EXHIBIT "A"

Prepared For: Don Luciano
All of Lot 15, and the East 1/2 of Lot 16, Block 223,
Campbell's Addition City of El Paso, El Paso County, Texas
Date: 05-05-2011
W.O.# 050511-1

METES AND BOUNDS DESCRIPTION
(910 TEXAS AVENUE)

Description of a 0.1074 acre parcel of land being all of Lot 15, and the East 1/2 of Lot 16, Block 223, Campbell's Addition as recorded in Volume 2, Page 68, Plat records, City of El Paso, El Paso County, Texas, and Being more particularly described by metes and bounds as follows to wit;

Commencing for reference found at an existing city monument located 10 feet north the centerline intersection of Texas Avenue and Ange Street;

Thence leaving said city monument South 72°03'40" West a distance of 146.10 feet to the Northeast corner of Lot 15, Block 223, Campbell's Addition said point being also lying along the Southerly R.O.W. line of Texas Avenue said point being the "True Point of Beginning";

Thence South a distance of 120.00 feet to a point being the Southeast corner of said Lot 15, Block 223, Campbell's Addition, said point also lying along the Northerly right-of-way line of a 20 feet wide alley;

Thence West along said Northerly right-of-way line a distance of 39.00 feet to a point;

Thence North a distance of 120.00 feet to a point lying along the Southerly right-of-way line of Texas Avenue;

Thence along said Southerly right-of-way line east a distance of 39.00 feet back to the " True Point of Beginning" and containing in all 4,680.00 square feet or 0.1074 acres of land more or less.;

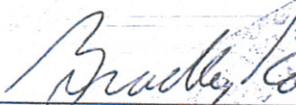
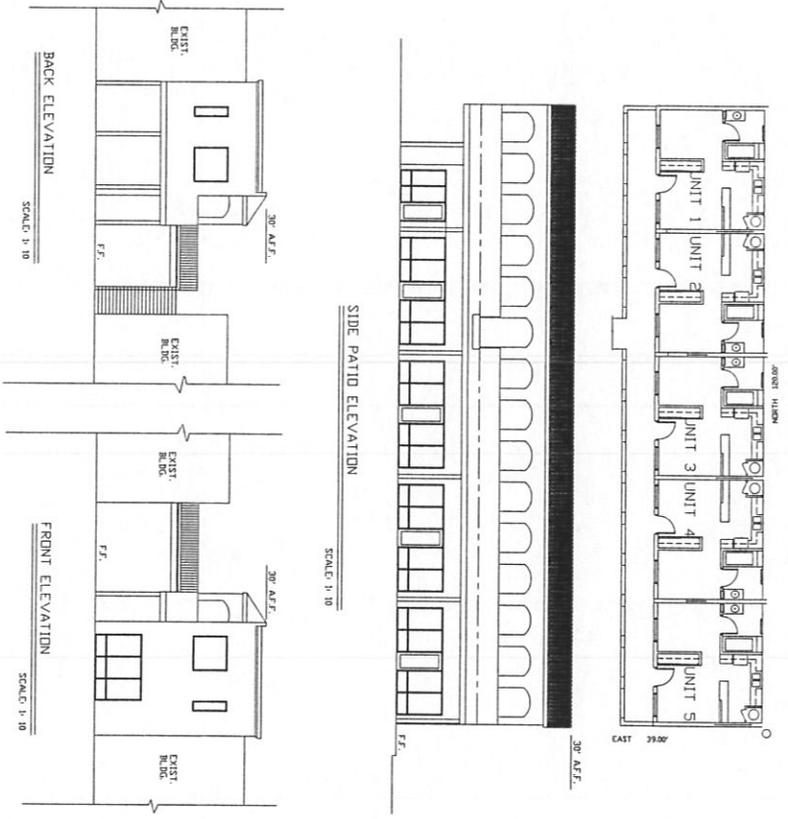

Bradley Roe R.P.L.S./TX. 2449
Roe Engineering, L.C.
(Not a Ground Survey)

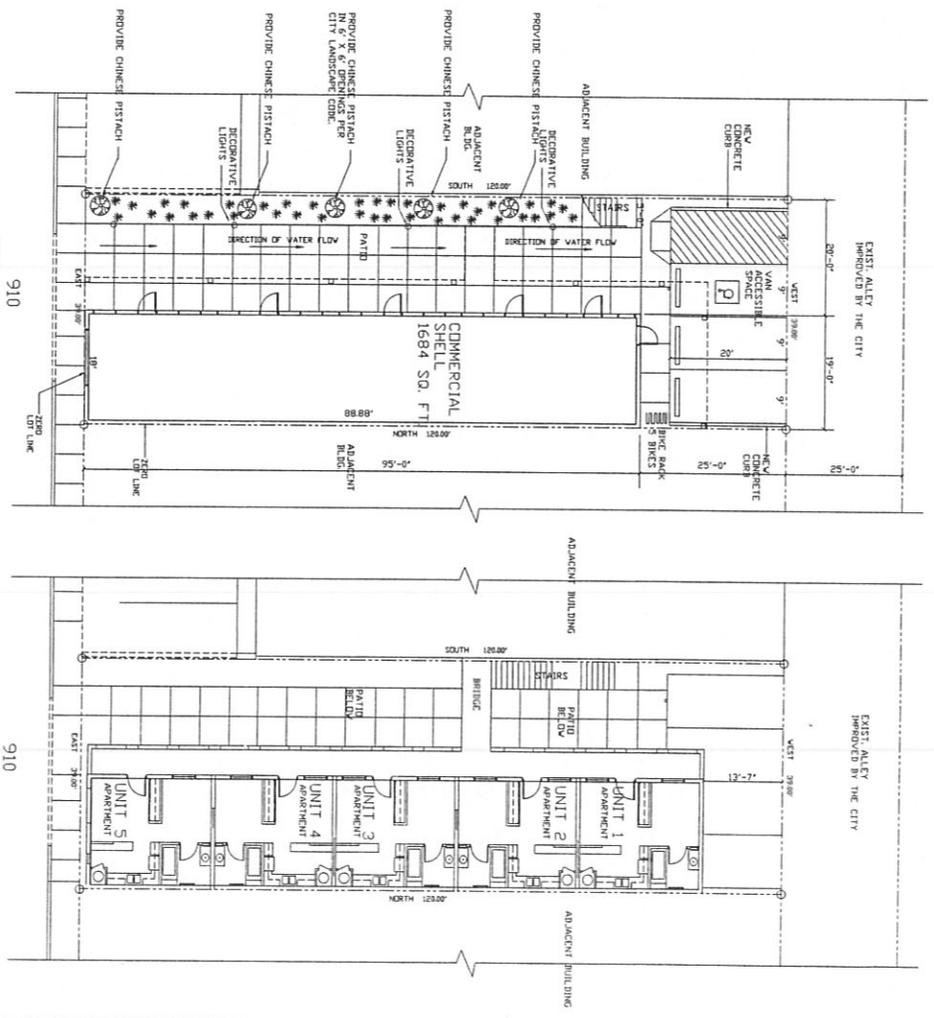


EXHIBIT "B"



PARKING CALCULATIONS:

| | |
|----------------------------|---------------------------------------|
| BUSINESS | 842 SQ. FT. / 400 = 3 SPACES |
| RETAIL | 842 SQ. FT. / 200 = 5 SPACES |
| APARTMENTS | 5 UNITS X 1.5 = 7.5 SPACES |
| TOTAL SPACES REQUIRED | = 16 SPACES |
| TOTAL PROVIDED | = 2 SPACES, 1 OF WHICH IS HANDICAPPED |
| REQUIRED PARKING REDUCTION | = 13 SPACES |
| BIKE RACK - 3 PER 60' | 5 BIKE RACK SPACE PROVIDED |



FIRST LEVEL FLOOR PLAN (COMMERCIAL)
1684 SQ. FT. SCALE: 1/10

SECOND LEVEL FLOOR PLAN (STUDIO APTS)
1870 SQ. FT. SCALE: 1/10

DETAILED SITE DEVELOPMENT PLAN

LEGAL DESCRIPTION
LOT 16 AND THE EAST 1/2 OF
LOT 16, BLOCK 222, OF "GAMBELL'S
ADDITION TO EL PASO TEXAS
EL PASO, EL PASO COUNTY TEXAS
ACCA 029 ACRES

LANDSCAPE
PROVIDED CHINESE PISTACH TREES AND LOW WATER PLANTS - TO BE PLANTED IN
PROVIDED EVERYTHING PER CITY LANDSCAPE CODE
LANDSCAPE AREA CALCULATION:
LOT AREA 130' X 79' = 5078 SQ. FT.
5078 SQ. FT. 0.75' = 381 SQ. FT.
LANDSCAPE AREA PROVIDED - 95' X 5' PLANTER = 475'

COMMERCIAL AND STUDIO APTS. DETAILED SITE DEVELOPMENT PLAN 910 TEXAS AVE.

DATE: MAY 31, 2011

SHEET
A1



MEMORANDUM

DATE: August 2, 2011

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

FROM: Arturo Rubio, Senior Planner

SUBJECT: ZON11-00004

The City Plan Commission (CPC), on June 16, 2011 voted 7-0 to recommend **Approval** of the special permit for infill development and a parking reduction.

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 negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There were no letters or phone calls in support or opposition to the request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON11-00004
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: June 16, 2011
Staff Planner: Arturo Rubio, 915-541-4633, rubioax@elpasotexas.gov
Location: 910 Texas Street
Legal Description: Lot 15 and the east ½ of Lot 16, Block 223, Campbell's Addition, City of El Paso, El Paso County, Texas
Acreage: 0.10-acre
Rep District: 8
Zoning: C-4 (Commercial)
Existing Use: Vacant
Request: Infill development and Parking Reduction
Proposed Use: Mixed use/Retail and Apartments
Property Owner: Don Luciano
Representative: Lupe Federico

SURROUNDING ZONING AND LAND USE

North: M-1 (Light Manufacturing) Warehouses
South: C-4 (Commercial)/Retail
East: C-4 (Commercial)/Retail
West: C-4/sp (Commercial/special permit) Multi-family dwellings

Plan for El Paso Designation: Mixed Use (Downtown Plan)
Nearest Park: Calendar Park (2,210 Feet)
Nearest School: Raymond Telles Academy Special Campus (2,938 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 25, 2011. The Planning Division did not receive any phone calls or letters in support or opposition to the request.

APPLICATION DESCRIPTION

The property owner is requesting a special permit and detailed site development plan review to permit infill development for a new 1,684 square-foot retail building on the first floor and a 5 unit apartment building on the second floor. The proposed use requires a lot width of 50 feet; the applicant proposes to reduce the lot width to 39 feet, the front setback to 0' feet and the side set-back to 0' feet. The applicant is also requesting an 81% parking reduction to satisfy the 16 parking spaces required and is providing 3 parking spaces and 3 bicycle parking spaces. Access is proposed through Texas Street.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan request.

The special permit request meets all the requirements of section 20.04.260 Special Permit and Section 20.04.150 Detailed Site Development Plan.

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 a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- b. 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.
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- d. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

This development meets the Plan for El Paso City Wide Land Use Goals as it incorporates residential and office use and a similar style of construction as the existing developments to the east and west of the subject property.

The purpose of C-4 district 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 Coordinating Committee

The DCC reviewed and discussed the application for special permit and detailed site development plan and offered no objections to Planning Staff's recommendation for **approval**.

Engineering & Construction Management - Plan Review

Landscape meets code as submitted

Engineering & Construction Management - Land Development

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
2. Grading plan and permit shall be required.*
3. Storm Water Pollution Prevention Plan and/or permit required.*
4. Drainage plans must be approved by Engineering and Construction Management Department, Land Development Section.*
5. Coordination with TXDOT.
6. The Subdivision is within Flood Zone C -"Areas determined to be outside the 0.2% annual flood" – Panel # 480214 0039B, dated October 15, 1982.

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

Department of Transportation

Notes: 1. Alley must be paved to city standards if used for access. 2. Available parking in area has been verified, no objection to parking reduction. 3. 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. - Handicap parking shall be ADA compliant.

Fire Department

No objections.

El Paso Water Utilities

No comments received.

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:

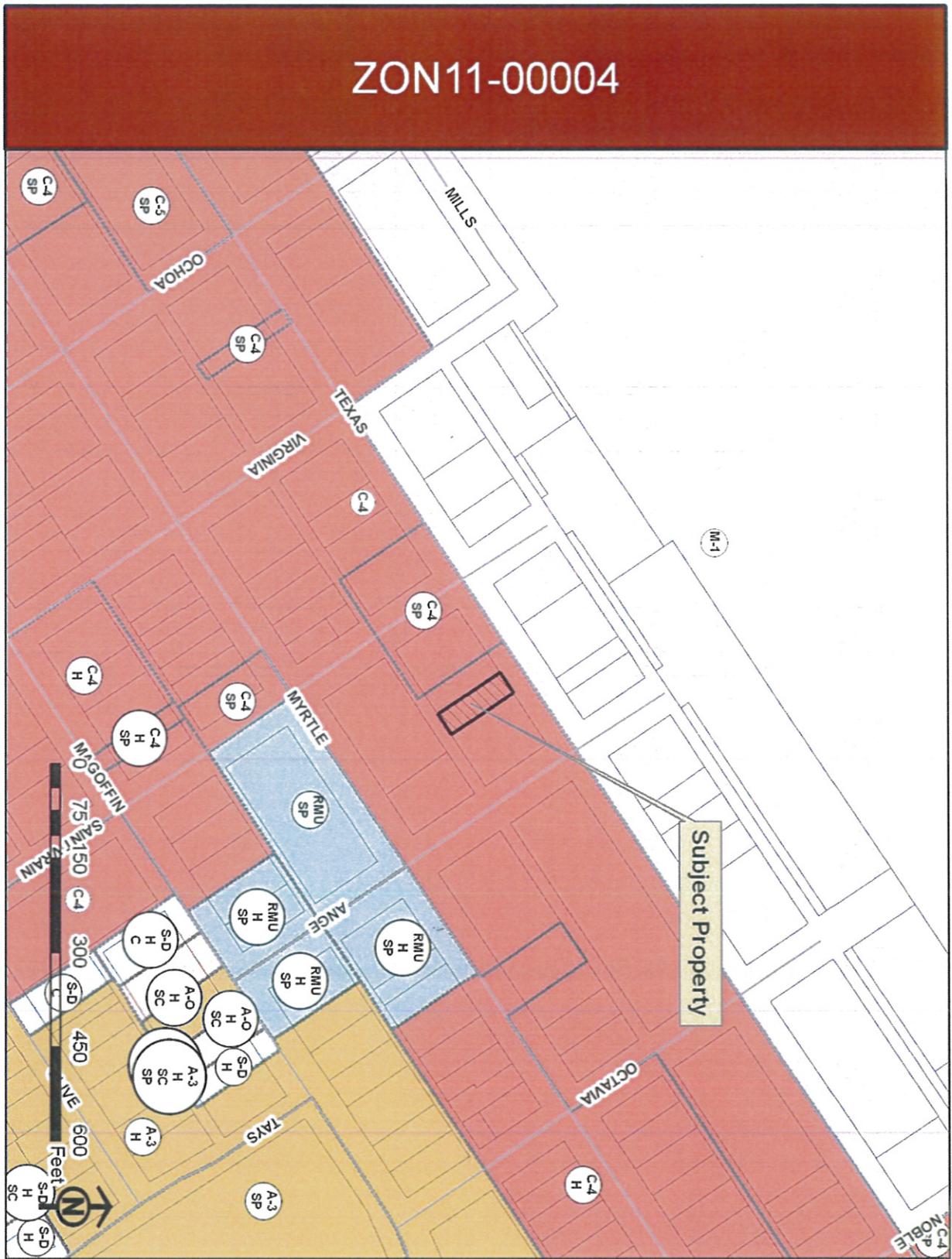
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with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

ATTACHMENT 1: ZONING MAP

ZON11-00004



ATTACHMENT 2: AERIAL MAP

ZON11-00004

