

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

DEPARTMENT: City Development Department
AGENDA DATE: Introduction: August 28, 2012
Public Hearing: September 18, 2012
CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720
DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance granting Special Permit No. PZST12-00009, to allow for infill development with reduced side yard setbacks, reduced rear yard setbacks and a parking reduction; and to allow a professional office in an A-2 (Apartment) zoning district, on the property described as Lot 15 and 16, Bock 278, Pierce Finley 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. Subject Property: 1028 Rio Grande Avenue. Property Owners: Orlando & Dora Mondragon. PZST12-00009 (**District 8**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC): Recommend Approval

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
City Development Department Director

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00009, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED SIDE YARD SETBACKS, REDUCED REAR YARD SETBACKS AND A PARKING REDUCTION; AND TO ALLOW A PROFESSIONAL OFFICE IN AN A-2 (APARTMENT) ZONING DISTRICT, ON THE PROPERTY DESCRIBED AS LOT 15 AND 16, BLOCK 278, PIERCE FINLEY 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, Orlando and Dora Mondragon, have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a professional office with reduced side yard setbacks, reduced rear yard setbacks 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 a **A-2 (APARTMENT)** Zone District:

Lot 15 and 16, Block 278, Pierce Finley Addition, City of El Paso, El Paso County, Texas; 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 infill development with reduced side yard setbacks, reduced rear yard setbacks and a parking reduction; and to allow a professional office in an A-2 (Apartment) zoning district; 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 "A" and incorporated herein by reference for all purposes; and,

ORDINANCE NO. _____

PZST12-00009

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST12-00009 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 _____, 2012.

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 and
Economic Development Department

ORDINANCE NO. _____

PZST12-00009

Dedicated to Outstanding Customer Service for a Better Community

S E R V I C E S O L U T I O N S S U C C E S S



Date: August 20, 2012
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZST12-00009**

On August 9, 2012, the City Plan Commission (CPC) voted 8-0 to recommend **approval** of the special permit for infill development to allow side and rear yard setback reductions; a 50% automatic parking reduction; and to allow a professional office in an A-2 (Apartment) zoning district by special permit. This recommendation is in agreement with the recommendation from staff.

The CPC found that the special permit is in conformance with review criteria for Plan El Paso. The CPC found that the proposed use is in conformance with the Plan El Paso Projected Land Use Map for the Central Planning Area. The CPC also determined that the special permit will protect 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.

Attachment: CPC Staff Report

Mayor

John F. Cook

City Council

District 1

Ann Morgan Lilly

District 2

Susie Byrd

District 3

Emma Acosta

District 4

Carl L. Robinson

District 5

Dr. Michiel R. Noe

District 6

Eddie Holguin Jr.

District 7

Steve Ortega

District 8

Cortney Carlisle Niland

City Manager

Joyce A. Wilson



City Development Department

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City of El Paso – City Plan Commission Staff Report

Case No: PZST12-00009
Application Type: Special Permit
CPC Hearing Date: August 9, 2012
Staff Planner: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov
Location: 1028 Rio Grande Avenue
Legal Description: Lots 15 and 16, Block 278, Pierce Finley Addition, City of El Paso, El Paso County, Texas
Acreage: .1377 acre
Rep District: 8
Zoning: A-2 (Apartment)
Existing Use: Single-family structure
Request: Special Permit for Infill Development to allow rear and side yard setback reductions; to allow a professional office in an A-2 (Apartment) District; and to allow a 50% parking reduction
Proposed Use: Professional Office
Property Owner: Orlando & Dora Mondragon
Representative: Emmanuel R. Moreno

SURROUNDING ZONING AND LAND USE

North: A-O/sc (Apartment/Office/special contract) / professional office
South: A-2 (Apartment) / apartments
East: A-2 (Apartment) / single-family residential
West: A-2 (Apartment) / single-family residential

Plan El Paso Designation: G-2-Traditional Neighborhood, (Central Planning Area)

Nearest Park: Houston Park (734 ft.)

Nearest School: El Paso High School (2,093 ft.)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association, Houston Park Neighborhood Association, Central El Paso Community Organization

NEIGHBORHOOD INPUT

Notices of the August 9, 2012, public hearing were mailed to all property owners within 300 feet of the subject property on July 23, 2012. The Planning Division received one (1) phone call in support of this request.

APPLICATION DESCRIPTION

The applicant is requesting the following by special permit for infill development: the reduction of the west-side yard setback from the required five (5) feet, to four (4) feet, eight (8) inches; the reduction of the rear yard setback from the required 25 feet, to five (5) feet; to allow a professional office in an A-2 (Apartment) zoning district; and to allow the automatic 50% parking reduction by infill development.

The site plan shows an existing 1,470 sq. ft. building, with 736 sq. ft. of proposed additional building expansion, two (2) parking spaces and access via Octavia Street.

CITY DEVELOPMENT DEPARTMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit request.

Plan El Paso-Future Land Use Map Designation

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

G-2 – Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the A-2 (Apartment) medium density residential 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 non-residential uses and support facilities.

City Development Department Section Comments

Planning

No objections to the proposed parking reduction as there is sufficient on street parking during regular business hours to accommodate additional parking.

Site Plan Comments:

1. Show property line boundaries to ensure rockwall is not encroaching onto alley right-of-way
2. Provide width of existing alley.
3. Provide sidewalk and parkway widths.
4. Include front and east side setbacks on site plan
5. Directional ramp is required at Rio Grande at Octavia as Rio Grande is an arterial street
6. Provide landscape calculations on detailed site plan that include required and proposed percentages.
7. Landscaping shall not impede visibility at the intersection of Rio Grande at Octavia.
8. Ensure site plan is to scale; certain dimensions do not appear to be to scale.

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.

Permits & Inspections

No comments received.

Land Development

- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the City Development Department, Land Development Section.*
- * This requirement will be applied at the time of development.

Fire Department

Recommend approval of “site plan” as presented, does not adversely affect the Fire Department at this time.

** Note: a more detailed review will be done by fire plan review during the permitting process.

Police Department (Central Regional Command)

The El Paso Police Department has no objections to this request.

El Paso Water Utilities

1. EPWU-PSB does not object to this request.

Water

2. There is an existing 48-inch diameter water transmission main Along Rio Grande Avenue. Also, there is an existing 20-inch diameter water transmission main along Octavia Street. No direct service connections are allowed to these mains as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

3. There is an existing 12-inch diameter water main along Rio Grande Avenue and there is an existing 4-inch diameter water main along Octavia Street. These water mains are available for service.
4. EPWU records indicate one (1) active 3/4-inch water meter connection serving the subject property with 1028 E. Rio Grande Avenue as the service address.

Sanitary Sewer:

5. There is an existing 6-inch diameter sanitary sewer main that extends along the alley between Rio Grande Avenue and Montana Avenue, south of the subject property. This sanitary sewer main is available for service.

General:

6. A new service application is required for additional water and sanitary sewer services. New service applications are available at 1154 Hawkins, 3rd 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.

CITY PLAN COMMISSION OPTIONS

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

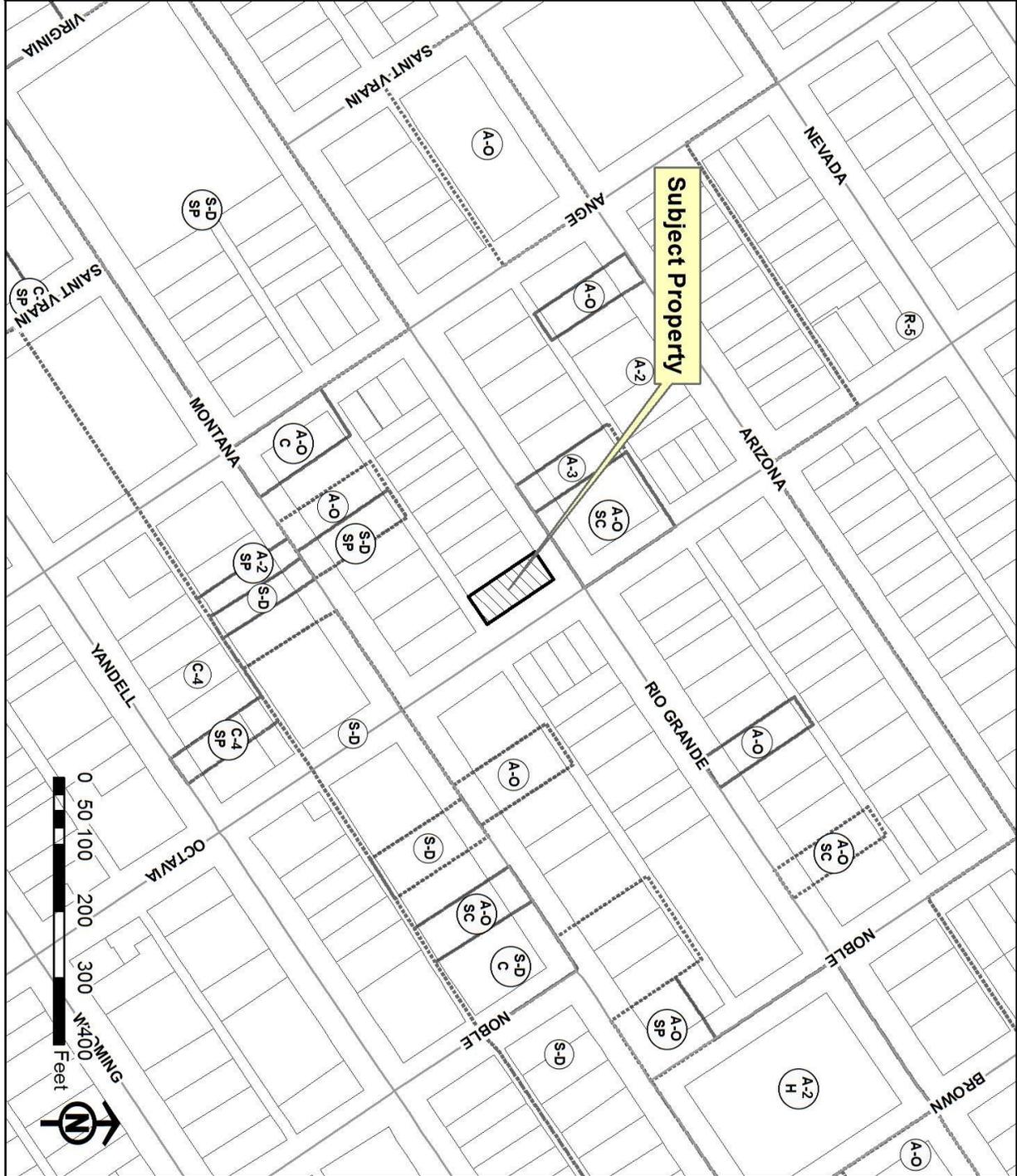
1. Recommend approval of the application finding that it is in conformance with the review criteria for Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring it into conformance with the review criteria for 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 it does not conform to the review criteria for 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

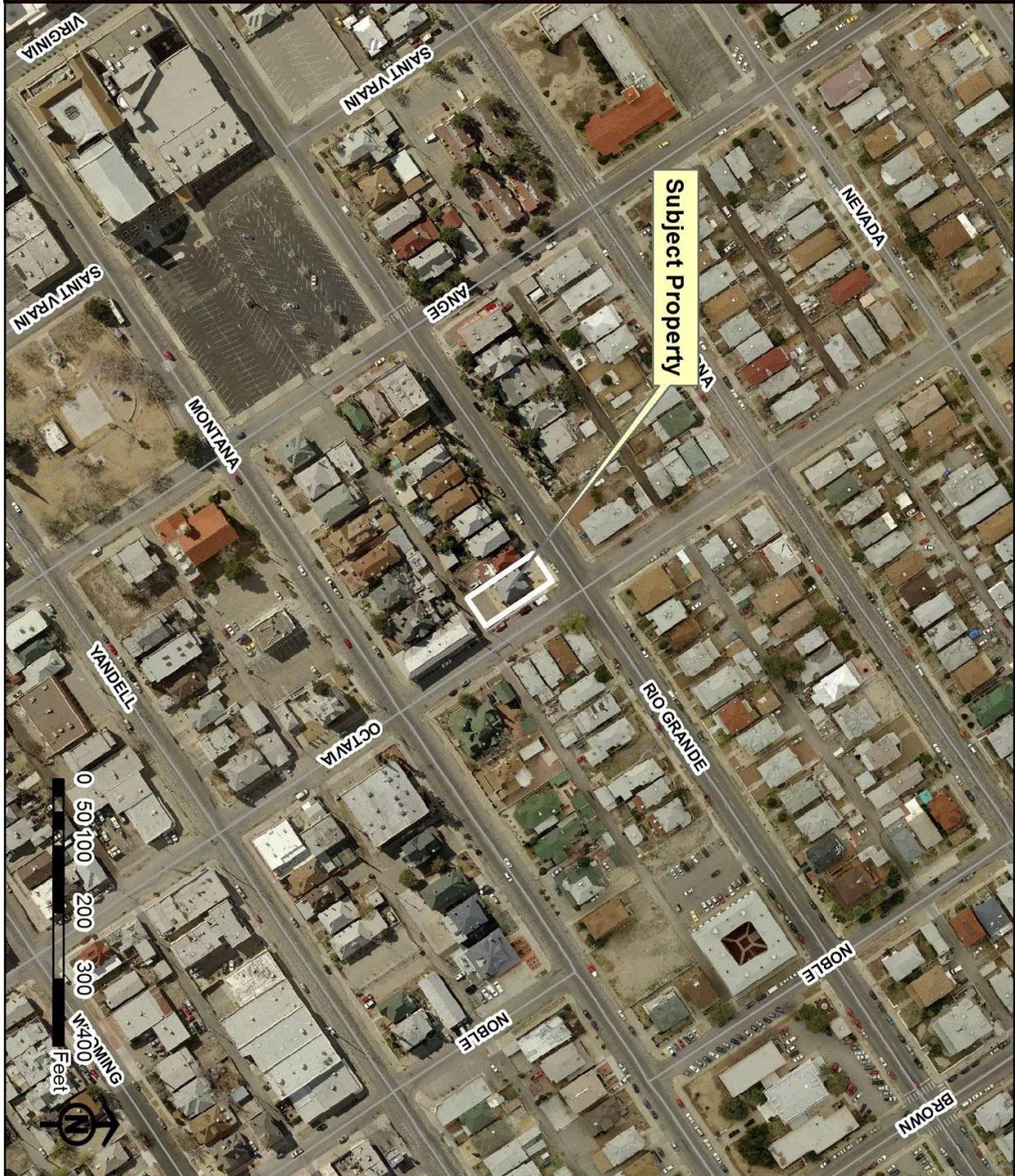
ATTACHMENT 1: LOCATION MAP

PZST12-00009

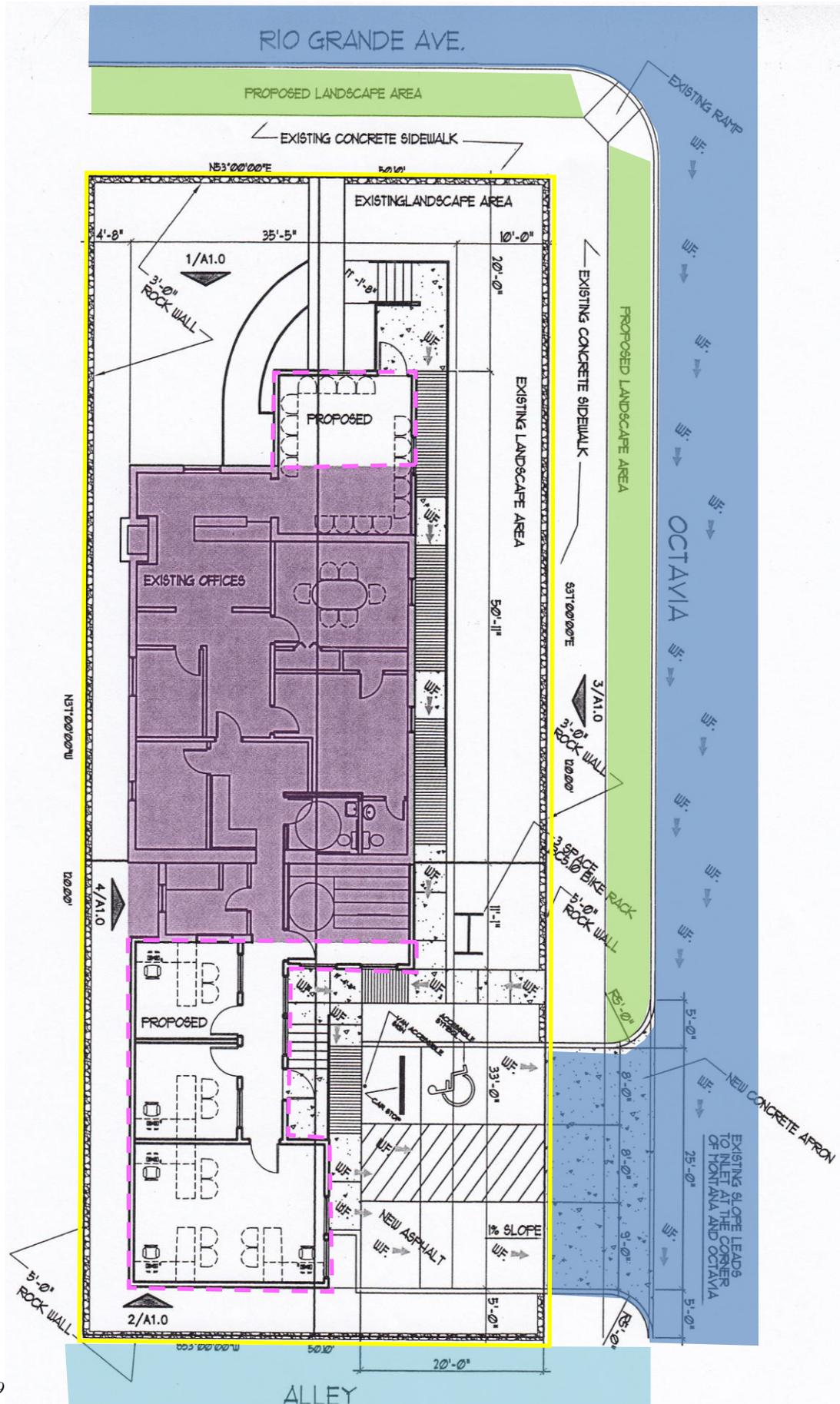


ATTACHMENT 2: AERIAL MAP

PZST12-00009



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



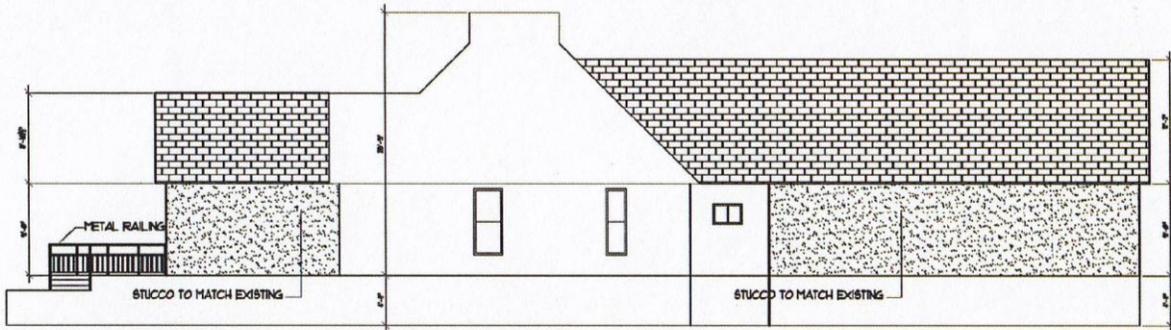
1 FRONT ELEVATION

Scale 1/8:1'-0"



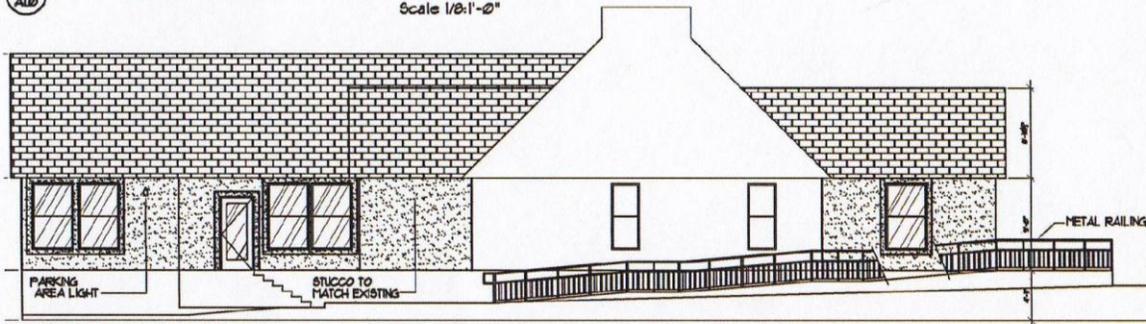
2 BACK ELEVATION

Scale 1/8:1'-0"



4 WEST ELEVATION

Scale 1/8:1'-0"



3 EAST ELEVATION

Scale 1/8:1'-0"