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

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

AGENDA DATE: **Introduction: October 6, 2009**
Public Hearing: October 27, 2009

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4029, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:
An Ordinance granting Special Permit No. ZON09-00039, to allow for a forty-four percent (44%) parking reduction on the property described as Lots 18 – 20 and the South 10 feet of Lot 17, Block 59, Alexander Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 711-723 S. Stanton Street. Property Owners: Richard R. Marro, ZON09-00039 **(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 (6-0)

**********************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. ZON09-00039, TO ALLOW FOR A FORTY-FOUR PERCENT (44%) PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 18 –20 AND THE SOUTH 10 FEET OF LOT 17, BLOCK 59, ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Richard R. Marro, has applied for a Special Permit under Section 20.04.260 of the El Paso City Code to allow for a forty-four percent (44%) parking reduction; and,

WHEREAS, the requirements of Section 20.14.070 have been satisfied; and,

WHEREAS, a report was made by 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 20.14.070 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 A-O (Apartment/Office) District:

Lots 18 – 20 and the South 10 feet of Lot 17, Block 59, Alexander Addition, City of El Paso, El Paso County, Texas;

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the parking reduction:

That the 20 foot wide alley shall be paved and improved to City standards from the subject property to Crosby Avenue

2. That the City Council hereby grants a Special Permit under Section 20.14.070 of the El Paso City Code so that a forty-four percent (44%) parking reduction, may be permitted on the property described in Paragraph 1 of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the A-O (Apartment/Office) 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 is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON09-00039** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; 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 to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2009.

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 McElroy, Deputy Director-Planning
Development Services Department

AGREEMENT

Richard R. Marro, the Applicant referred to in the above Ordinance, hereby agrees 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-O (Apartment/Office) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2009.

_____
(Signature)

_____
(Name/Title)

ACKNOWLEDGMENT

THE STATE OF)
)
COUNTY OF)

This instrument is acknowledged before me on this _____ day of _____, 2008, by _____ for **Richard R. Marro**, as Applicant.

(Seal)

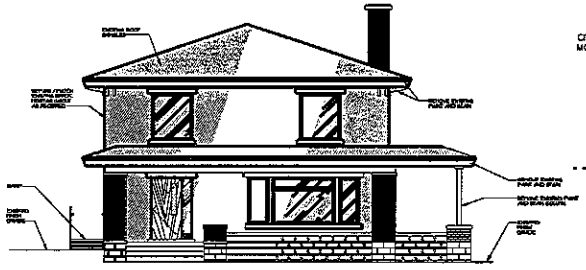
_____
Notary Public, State of Texas
Signature

_____
Printed or Typed Name

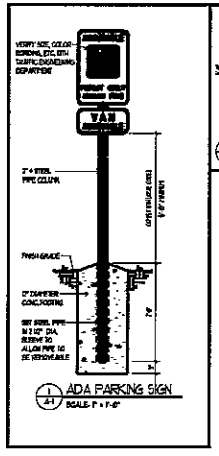
My Commission Expires:

_____

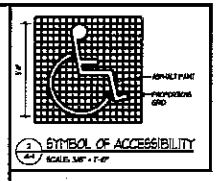
EXHIBIT "A"



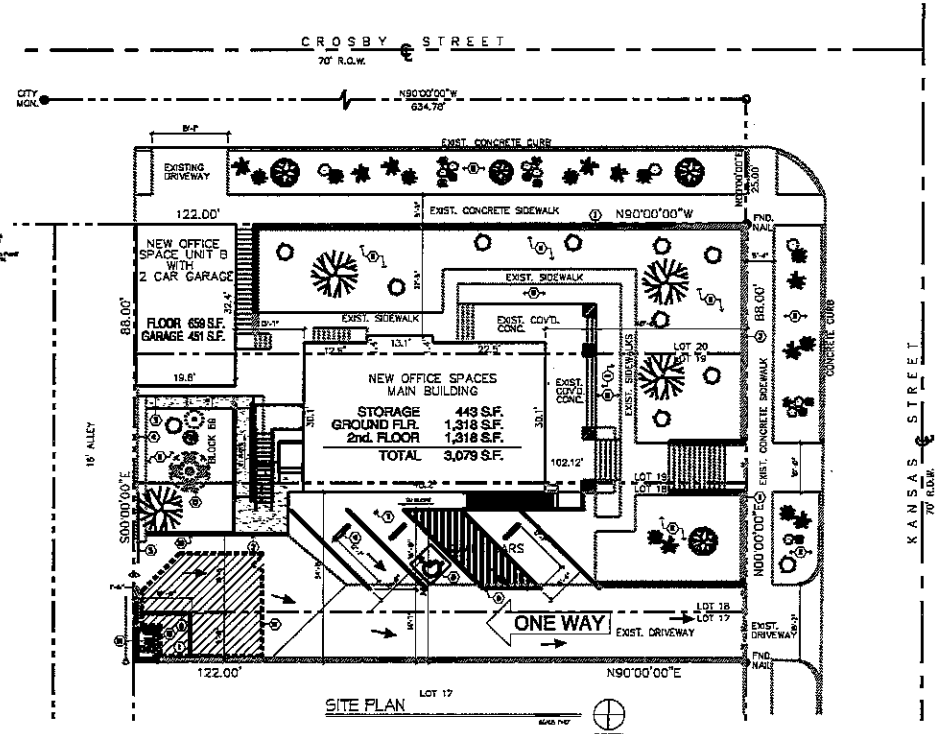
FRONT ELEVATION - MAIN UNIT



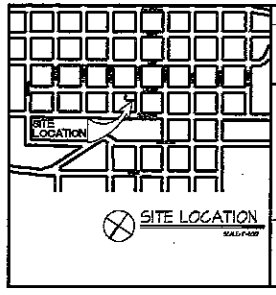
1 A-1 ADA PARKING SIGN



2 A-1 SYMBOL OF ACCESSIBILITY



SITE PLAN



SITE LOCATION

LEGAL DESCRIPTION

LOTS 18 THROUGH 20 AND THE SOUTH 10 FEET OF LOT 17, BLOCK 59 - ALEXANDER ADDITION
CITY OF EL PASO, EL PASO COUNTY, TEXAS

PARKING CALCULATIONS

PARKING SPACES REQ'D. AS PER CH. 20.04.010 OF ZONING ORDINANCE FOR CITY OF EL PASO, TEXAS

PARKING COUNT 1+450 SF.GFA

REQUIRED SPACES	REQUIRED	PROVIDED
OFFICES-MAIN Lvl. & 2nd. FLR.	2000/250=4 +3/3= 1	3
OFFICES-UNIT B (2 CAR GARAGE)	1000/400 = 1/4= 3	3
TOTAL	4	6
HANDICAP (1 VAN ACCESSIBLE)	0	1
TOTAL	1	1
BICYCLE	3 SPACES BIKE RACK	3

NOTE: REQUESTING 4.4% PARKING REDUCTION BELOW PARKING REQUIREMENTS.

LEGEND

EXISTING LANDSCAPING
EXISTING DRAINAGE FLOW OF WATER
EXISTING PROPERTY LINE
EXISTING HIGH POINT

PROJECT DATA

BUILDING CODE: 2003 IBC
BUILDING OCCUPANCY: BUSINESS GROUP "A-3"
GROSS SQUARE FOOTAGE: 3079 SQ. FT.

OFFICE-UNIT B (2 CAR GARAGE)	AREA =	1000 SF
OFFICE-UNIT B	AREA =	1,000 SF
OFFICE-MAIN	AREA =	1,318 SF
STORAGE	AREA =	443 SF
TOTAL =		3,079 SF

MAX. OCCUPANCY LOAD: NUMBER OF PEOPLE

OFFICE-MAIN	1318 SF / 200 SF/PER =	6.6
STORAGE =	443 SF / 300 SF =	1.5
TOTAL =		8.1
OFFICE UNIT B	1000 SF / 200 SF/PER =	5.0
GARAGE =	451 SF / 300 SF =	1.5
TOTAL =		6.5

CONSTRUCTION TYPE: TYPE VA
SPRINKLERED: NO
ZONING: A-O

KEYED NOTES

1. EXISTING ROCK WALL.
2. PROPOSED NEW CONCRETE AREA FOR USE BY AUTO. LANDSCAPED AREA.
3. PROPOSED NEW SIDEWALK.
4. EXISTING CONCRETE RETAINING WALL.
5. PROPOSED NEW 8' LONG EL ROLLING GATE.
6. NEW PROPOSED 4" WIDE PARKING STRIPES.
7. PROPOSED NEW ADJ. MAX. 1 POST, SEE DET. 1/A-1.
8. PROPOSED NEW PARKED AC SYMBOL, SEE DET. 2/A-1.
9. PROPOSED NEW GATE, SHOP.
10. PROPOSED NEW 4' WIDE x 5" DEEPTH CONCRETE CURB.
11. EXISTING / PROPOSED NEW LANDSCAPED AREA.
12. PROPOSED PARKING TABLE (CITY STYLE).
13. PROPOSED 3 - BICYCLE RACK.
14. EXISTING BUILDING TO BE REPAINTED IN ITS ENTIRETY.
15. EXISTING PORTION OF SIDEWALK TO BE REMOVED AND REPLACED.

LANDSCAPING REQUIRED

SITE FRONAGE = 370 DEPTH (FR+LANDSCAPE RATE)
SITE FRONAGE = 370 DEPTH x 0.05 = LANDSCAPE REQ'D.

TOTAL SITE REQUIRED:
(1)+(2)+(3)+(4) = 6600 S.F. x 15% = 1000 S.F.

TOTAL SITE REQUIRED:
(5)+(6)+(7)+(8) = 6600 S.F. x 10% = 660 S.F.

TOTAL SITE REQUIRED: 1760 S.F.
TOTAL SITE PROVIDED: 3760 S.F.

NEW OFFICE SPACES - MAIN BUILDING
OWNER: RICHARD R. MARRO
EL PASO, TEXAS 79930

CHAVEZ D.S. CORP.

SHEET SIZE: 24x36
SITE PLAN
SITE SCALE: 1/8" = 1'-0"
DATE: JULY 2, 2008
SHEET: A-1

M E M O R A N D U M

DATE: September 21, 2009

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

FROM: Andrew Salloum, Planner

SUBJECT: **ZON09-00039**

The City Plan Commission (CPC), on September 10, 2009, voted **6-0** to recommend **APPROVAL** of the special permit application to allow for a 44% parking reduction for office with a condition:

> *1. That the 20 foot wide alley shall be paved and improved to City standards from the subject property to Crosby Avenue in agreement with the recommendation from the DCC and staff.*

The CPC found that the special permit is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected 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.

Attachment: Staff report

City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00039
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: September 10, 2009
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: 1600 Kansas
Legal Description: Lots 18 – 20 and the South 10 feet of Lot 17, Block 59, Alexander Addition, City of El Paso, El Paso County, Texas
Acreage: 0.2465-acre
Rep District: 8
Existing Use: Vacant Building
Existing Zoning: A-O (Apartment/Office)
Request: 44% Parking Reduction

Property Owner: Richard R. Marro
Applicant: Richard R. Marro
Representative: Richard R. Marro

SURROUNDING ZONING AND LAND USE
North: R-5 (Residential) / Single-Family Residential
South: A-2 (Apartment) / Multi-Family Residential
East: R-5 (Residential) / Single-Family Residential
West: A-2 (Apartment) / Multi-Family Residential

THE PLAN FOR EL PASO DESIGNATION: Residential Use (Central Planning Area)
NEAREST PARK: Rim Road Park (420 Feet)
NEAREST SCHOOL: El Paso High (1,525 Feet)

NEIGHBORHOOD ASSOCIATIONS
El Paso Central Business Association
Southside Neighborhood Association

NEIGHBORHOOD INPUT
Notice of the public hearing was mailed to all property owners within 300 feet on August 26, 2009. Planning did not receive any calls or letters in support or opposition.

APPLICATION DESCRIPTION
The property owner is requesting a special permit and approval of a detailed site development plan to allow a 44% reduction in off-street parking requirement. The detailed site development plan shows a 3,079 square-foot office building and a 659 square-foot garage office that require nine (9) parking spaces. The parking study submitted and approved by Traffic Engineering shows adequate on-street parking available within 300 feet of the subject property.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION
The Development Coordinating Committee provides the following comments:
DCC recommends **APPROVAL** of the special permit and detailed site development plan with the condition that the alley be paved per City standards and per Traffic and Street Departments' comments.

PLANNING DIVISION RECOMMENDATION
The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan with the condition that the alley be paved per City standards and per Traffic and Street Departments' comments.

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: develop a balanced and complete community which contains a mix of land uses and densities, housing type and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
c. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

Development Services Department - Building Permits and Inspections Division
Zoning: no comments received.

Landscaping: no comments received.

Development Services Department – Planning Division
The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan with the condition that the alley be paved per City standards and per Traffic and Street Departments' comments.

Land Development:
- 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.*
- Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone C, Panel 480214 0039 B.

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

Engineering Department - Traffic Division
- Traffic Division recommends denial of the special permit for a parking reduction unless the applicant complies with the following to provide safe egress from the site:
- The alley shall be paved to City's standards from the subject property to the street, if it is used for egress.
- One way driveways shall be a minimum of 15 ft wide.

NOTE:
1. Adequate on street parking is available within 300 ft. of the property per the parking study
2. Applicant shall coordinate with the Electric Company when widening the driveway adjacent to the alley and relocating the anchor.

Street Department
We offer no objections but the following conditions shall be placed on the approval.

- The 20 foot Alley shall be paved and improved to the southerly property line of 1600 Kansas Street as per Design Standards for Construction; required to provide access at the back of the property.

- 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.

Fire Department
We have no opposition at this time.

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

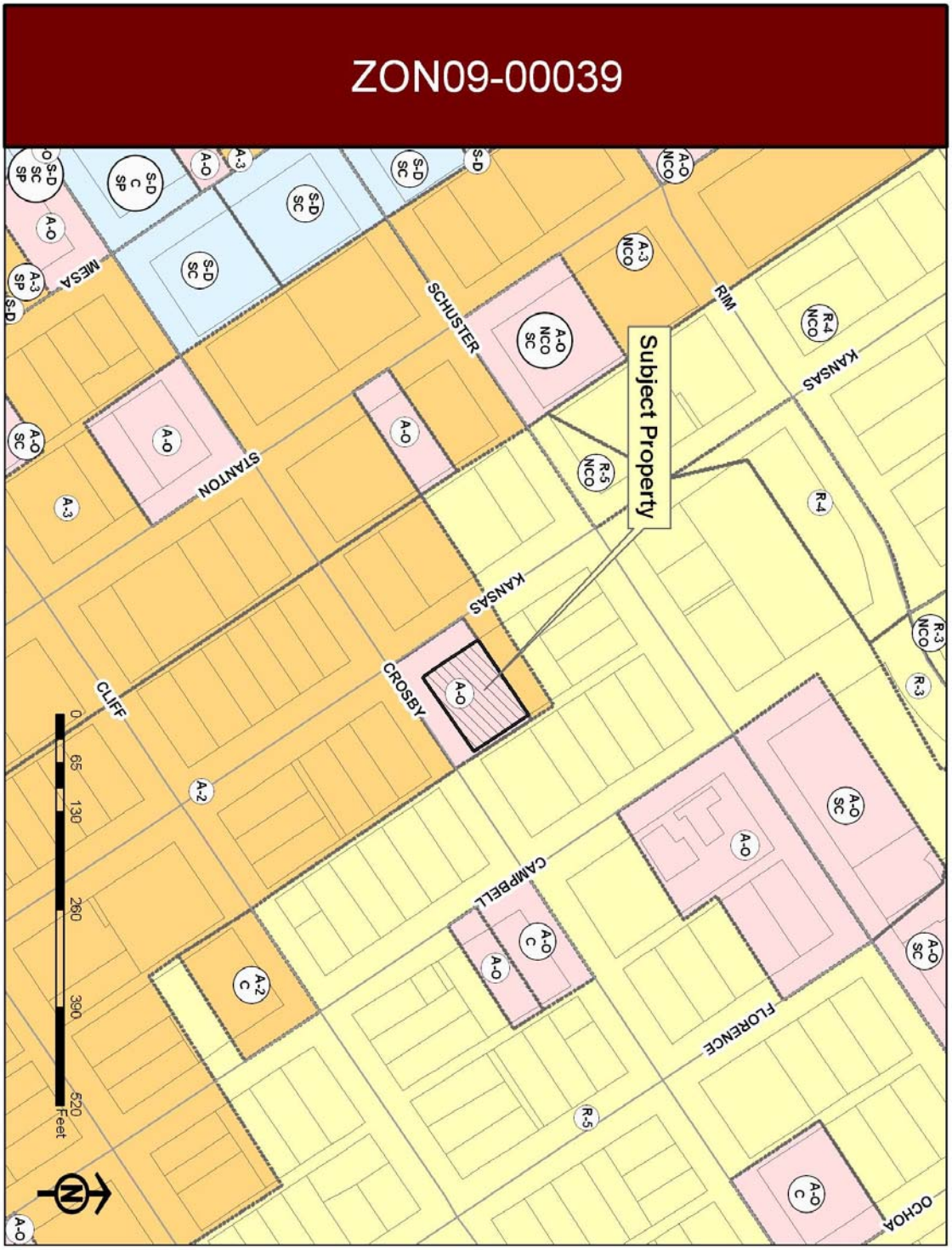
Sun Metro
Sun Metro does not oppose the request. Sun Metro does recommend that sidewalks be provided to allow for pedestrian connectivity to transit stops and that sidewalks be designed to City standards.

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.

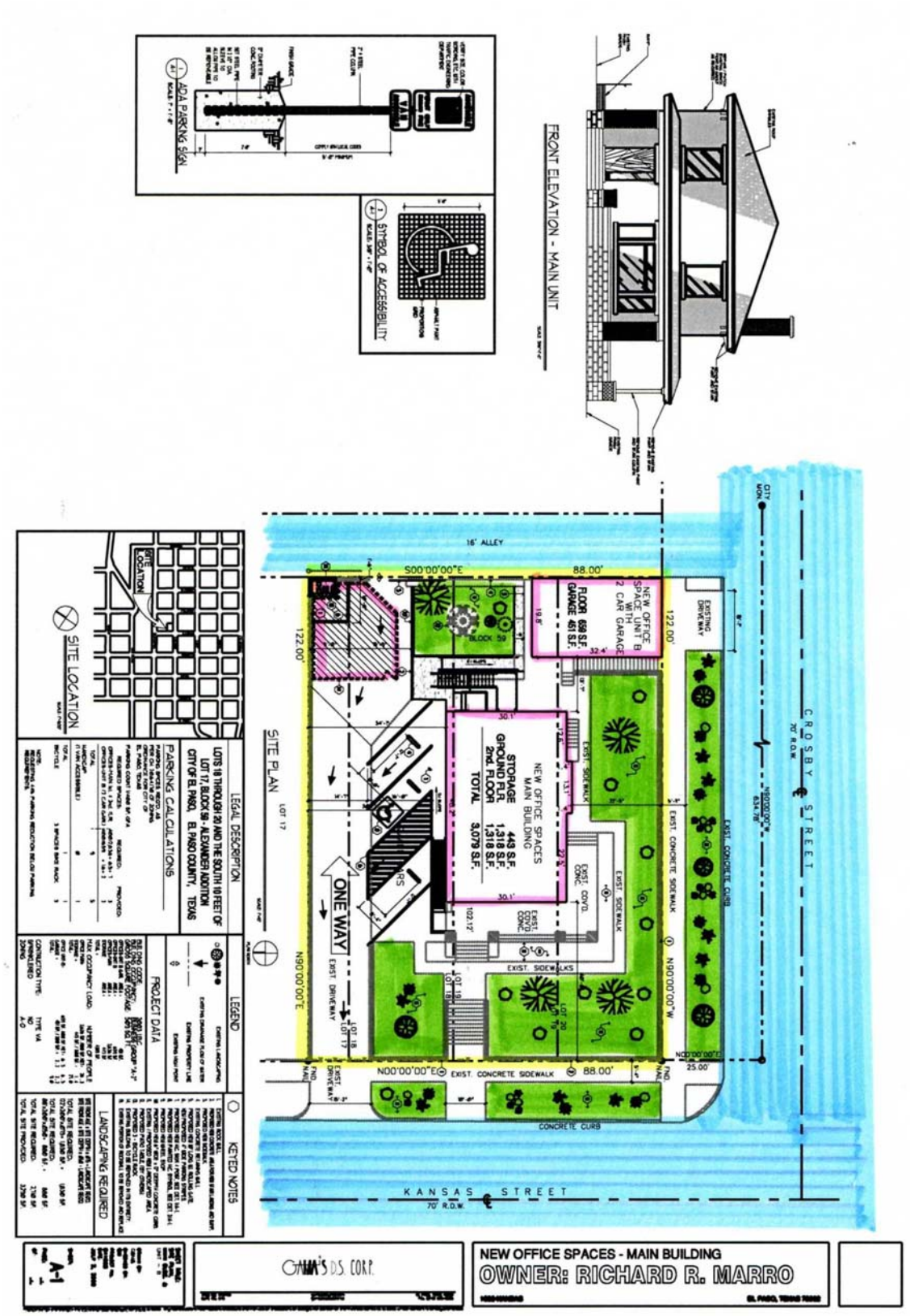
Attachments
1. Location Map
2. Aerial Map
3. Detailed Site Plan and Elevation
4. Parking Study

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN AND ELEVATION



ATTACHMENT 4: PARKING STUDY

TRAFFIC IMPACT STUDY
1600 KANSAS STREET
EL PASO, TEXAS
JULY 16, 2009

Legal Description:

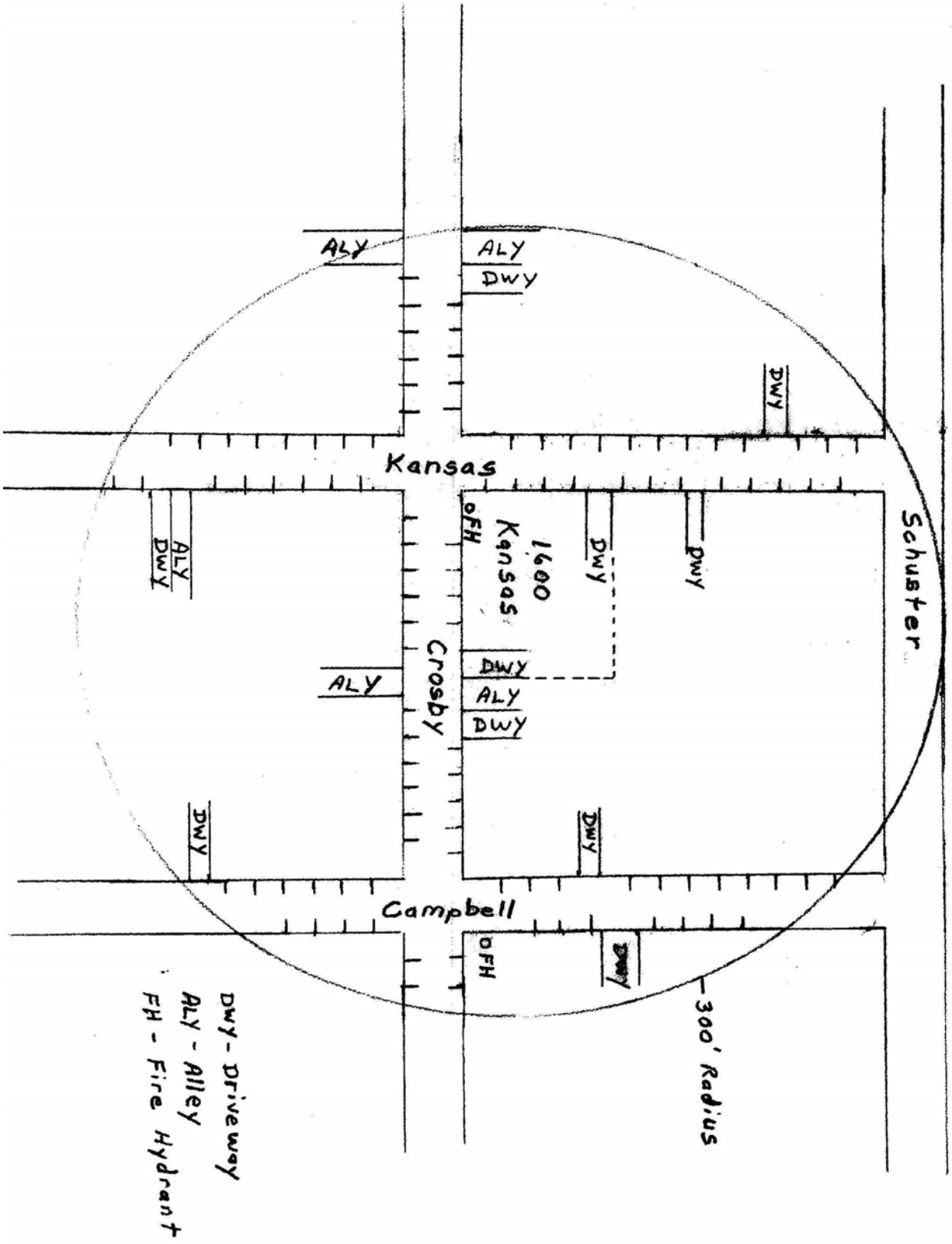
Lots 18 to 20 and south 10 feet of lot 17, block 59, Alexander

Time	# Spaces Occupied	# Spaces Vacant	% Spaces Vacant
08:00 A.M.	27	55	67
09:00 A.M.	30	52	63
10:00 A.M.	32	50	61
11:00 A.M.	32	50	61
12:00 P.M.	31	51	62
01:00 P.M.	31	51	62
02:00 P.M.	27	55	67
03:00 P.M.	27	55	67
04:00 P.M.	29	53	65
05:00 P.M.	30	52	63
06:00 P.M.	24	58	71
07:00 P.M.	27	55	67
08:00 P.M.	28	54	66

Total spaces available within 300' radius of 1600 Kansas Street- 82

This Traffic Impact Study was done by Richard R. Marro.

Richard R. Marro

Richard R Marro

ATTACHMENT 4: PARKING STUDY