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

DEPARTMENT: **City Development Department**

AGENDA DATE: **Introduction: September 24, 2013**
Public Hearing: October 15, 2013

CONTACT PERSON/PHONE: Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:
An Ordinance granting Special Permit No. PZST13-00011, to allow for Infill Development with an 83 percent parking reduction in the C-4 (Commercial) zoning district, on the property described as a Portion of Lot 27, Lots 28 to 32, Block 54, Bassett Addition, and All of Blocks 55 & 56 and CLSD Streets BTW, 2201 Mills, 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: 2201 Mills. Property Owner: E.P.I.L.D., Inc. PZST13-00011 **(District 8)**

BACKGROUND / DISCUSSION:
Staff report attached.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
City Plan Commission (CPC) – Approval Recommendation (5-0)

********************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. PZST13-00011, TO ALLOW FOR INFILL DEVELOPMENT WITH AN 83 PERCENT PARKING REDUCTION IN THE C-4 (COMMERCIAL) ZONING DISTRICT, ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 27, LOTS 28 TO 32, BLOCK 54, BASSETT ADDITION, AND ALL OF BLOCKS 55 & 56 AND CLSD STREETS BTW, 2201 MILLS, 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.P.I.L.D., Inc.**,** has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for an 83 percent parking reduction in a C-4 (Commercial) zoning district; 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 (Commercial) Zone District:

   Portion of Lot 27, Lots 28 to 32, Block 54, Bassett Addition, and All of Blocks 55 & 56 and CLSD Streets BTW, 2201 Mills, City of El Paso, El Paso County, Texas and as more particularly described by metes and bounds on the attached Exhibit "A"; and,

2. That the City Council hereby grants a Special Permit under Sections 20.10.280 of the El Paso City Code, to allow an infill development, for an 83% percent 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,

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST13-00011 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. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

_____
Mathew S. McElroy, Director
City Development Department

AGREEMENT

E.P.I.L.D., Inc., 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 **C-4 (Commercial)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2013.

E.P.I.L.D., Inc.:

By: _____
(name/title)

_____
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of

_____, 2013, by _____, for **E.P.I.L.D., Inc**., as Owner.

My Commission Expires:

_____
Notary Public, State of Texas

Notary's Printed or Typed Name:

_____

Exhibit "A"

PROPERTY DESCRIPTION

2021 MILLS

Description of a 2.6562 acre parcel of land being the easterly 16.8 feet of lot 27 and all of lots 28 to 32 in fractional Block 54, all of lots 17 to 32 in fractional Block 55, all of lots 17 to 31 in fractional Block 56, the 70 foot strip (formerly walnut street) lying between fractional Blocks 54 and 55, the 70 foot strip (formerly palm street) lying between fractional Blocks 55 and 56, Bassett Addition, City of El Paso, El Paso County, Texas. SAVE AND EXCEPT a strip 12.5 feet wide along the northerly side of each and all of said tracts above described, said strip occupied by a spur track of the Galveston, Harrisburg & San Antonio RR. Co., or the Texas and New Orleans RR. Co., being a portion of the strip of land conveyed to the Galveston, Harrisburg & San Antonio RR. Co., by El Paso Sash & Door Company by deed dated 3-30-1917, of record in book 286, page 508, of the deed records of El Paso County, Texas. Said 2.6562 acre parcel of land being that same parcel recorded in book 3599, page 631, El Paso County Clerks Deed Records, said map of Bassett Addition recorded in book 5, page 21 and 21A, Plat Records, El Paso County, Texas and described as follows;

Commencing for reference at a city monument found 10' north and east of the centerline intersection of Texas Avenue (72' wide) and Walnut Street (70' wide), said monument located North 53°00'00" East a distance of 470.00' from a city monument found 10' north and east of the centerline intersection of said Texas Avenue and Willow Street (70' wide), said monument also located South 53°00'00" West a distance of 470.00' from a city monument found 10' north and east of the centerline intersection of said Texas Avenue and Palm Street (70' wide); Thence, along a line 10' easterly of and parallel with said centerline of Walnut Street, North 37°00'00" West a distance of 320.00' to the centerline of Mills Avenue (72' wide); Thence with said centerline of Mills Avenue, South 53°00'00" West a distance of 186.80' to a point; Thence, leaving said centerline, North 37°00'00" West a distance of 36.00' to a PK nail set at the southwesterly corner of this parcel and also marking the southeasterly corner of that parcel described in 2058, page 77, said PK nail also lying on the northerly ROW line of Mills Avenue, and being the "Point Of Beginning";

Thence, with the common boundary line of this parcel and said parcel described in 2058, page 77, North 37°00'00" West a distance of 199.49' to a PK nail set on the southerly line of said 12.5' strip of land described in book 286, page 508;

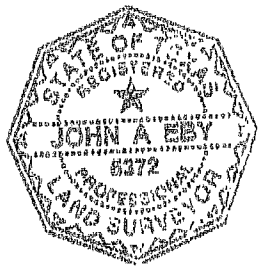
Thence, with said southerly line of said 12.5' strip of land described in book 286, page 508, along the arc of a curve to the right a distance of 1023.32', having a central angle of 10°20'43", a radius of 5667.50' and a chord that bears North 64°15'23" East a distance of 1021.93' to a PK nail set on said northerly ROW line of Mills Avenue;

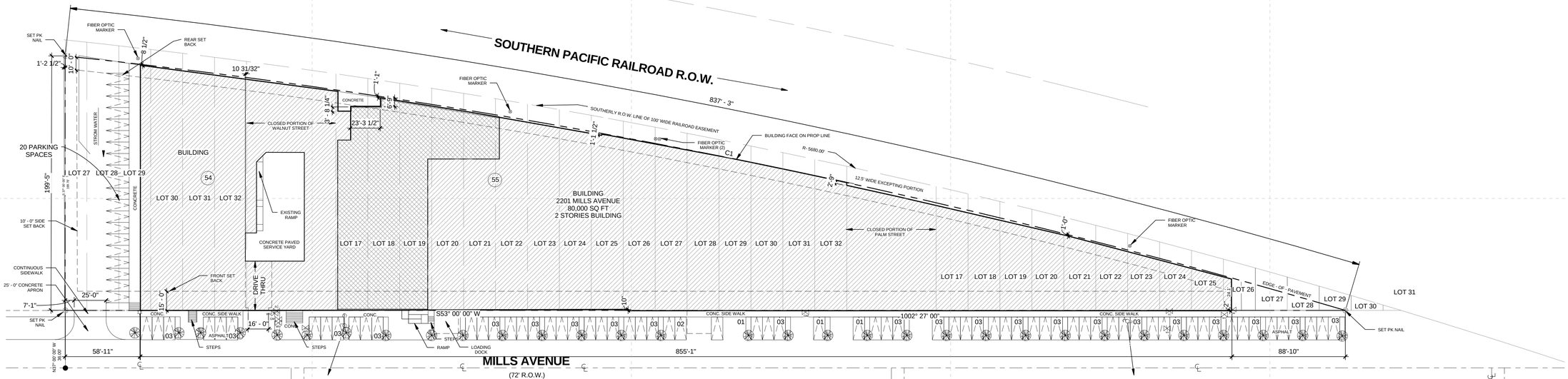
Thence, with said northerly ROW line of Mills Avenue, South 53°00'00" West a distance of 1002.27' to the "Point Of Beginning" and containing 115,702 sq. ft. or 2.6562 acres.

Based on a field survey performed under my supervision and dated January 7, 2013

John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.
13998 Bradley Road
El Paso, TX. 79938
915-241-1841





1 SITE PLAN
1" = 40'-0"

PARKING COUNT:

ON-SITE PARKING = 20
NEW ON-STREET PARKING = 69

LEGEND

- LIGHT POLE
- POWER POLE
- OVERHEAD LINE
- WATER METER
- WATER VALVE
- FIRE CONNECTION
- GAS METER

LEGAL DESCRIPTION:
54 BASSETT 280 TO 32 & E 16.8 FT OF 27 & ALL OF BLKS 55 & 56 CLSD STREETS BTW 115414.00 SQ. FT

PLAN NORTH

FRONT STREET VIEW

REAR VIEW

2 PHOTOGRAPHIC VIEWS
NOT TO SCALE

NOT FOR CONSTRUCTION

Wright&Dalbin
ARCHITECTS, INC.
2112 Murchison Dr.
El Paso, Texas. 79930
wrightdalbin.com
Ph: 915-533-3777
Fax: 915-532-7733

THE USE OF THIS SEAL IS AUTHORIZED BY THE ARCHITECT WHOSE NAME APPEARS. ANY UNAUTHORIZED USE, MISUSE OR MISREPRESENTATION OF THIS SEAL WILL VOID ANY LIABILITY, DIRECT OR INDIRECT, WHICH MAY RESULT FROM ITS USE. NO PERSON MAY MAKE ANY MODIFICATION TO THIS ELECTRONIC DRAWING FILE WITHOUT THE ARCHITECTS WRITTEN PERMISSION.

THIS DRAWING AND RELATED SPECIFICATIONS, FIELD DATA, NOTES AND OTHER DOCUMENTS, INCLUDING ALL DOCUMENTS ON ELECTRONIC MEDIA, WERE PREPARED BY WRIGHT & DALBIN ARCHITECTS, INC. AND ARE THE PROPERTY OF SERVICE, AND SHALL REMAIN THE PROPERTY OF WRIGHT & DALBIN ARCHITECTS, INC.

THIS DRAWING CAN BE USED AS A BACKGROUND.

IF YOU SHOULD HAVE ANY COMPLAINTS REGARDING THIS ARCHITECTURAL FIRM, PLEASE BE INFORMED THAT THE TEXAS BOARD OF ARCHITECTURAL EXAMINERS HAS JURISDICTION OVER COMPLAINTS REGARDING THE PROFESSIONAL PRACTICE. THE MAILING ADDRESS IS TBAE, P.O. BOX 12337, AUSTIN, TEXAS 78711, (512) 305-9000

COPYRIGHT 2013 WRIGHT & DALBIN ARCHITECTS, INC.

REGISTERED ARCHITECT
FREDERIC P. DALBIN
12429
STATE OF TEXAS

CONSULTANTS

CONTRACT DOCUMENTS COORDINATION

THE DRAWINGS AND SPECIFICATIONS FOR THIS PROJECT ARE TO BE TAKEN TOGETHER AS A SINGLE CONSTRUCTION CONTRACT DOCUMENT. AND ANY DIVISION BY TRADE OR OTHER DESIGNATION IS COINCIDENTAL. GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS SHALL REVIEW AND COORDINATE THE ENTIRE SET OF DRAWINGS AND PROJECT MANUAL.

EL PASO IMPORT CO.

2201 E. MILLS AVENUE, EL PASO TX, 79901

OWNER

JACK DULANEY

MARK	DATE	DESCRIPTION

121081

7-2-2013

RS

FD

SHEET TITLE

ARCHITECTURAL SITE PLAN

AC-101

SHEET 0F

Exhibit "B"

F:\Projects\121081.EP Imports\rvt\121081_EPIMPORT PARKING 1.rvt
8/5/2013 4:10:28 PM

M E M O R A N D U M

DATE: September 9, 2013

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

FROM: Michael McElroy, Planner

SUBJECT: **PZST13-00011**

The City Plan Commission (CPC) on August 8, 2013, voted **5-0** to recommend **APPROVAL** of the special permit application to allow for infill development and a parking reduction.

The CPC found that the special permit is in conformance with the Plan El Paso and that the proposed use is in conformance with the Plan El Paso-Future Land Use Map Designation. 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
3rd REVISION

Case No:	PZST13-00011
Application Type	Special Permit
CPC Hearing Date	August 8, 2013
Staff Planner	Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov
Location	2201 Mills Avenue
Legal Description	Portion of Lot 27, Lots 28 to 32, Block 54, Bassett Addition, and All of Blocks 55 & 56 and CLSD Streets BTW, City of El Paso, El Paso County, Texas
Acreage	2.64 acres
Rep District	8
Zoning	M-1 (Manufacturing)
Existing Use	Furniture Manufacturing
Request	Infill Development and Parking Reduction
Proposed Use	Furniture Manufacturing / Dance Hall (Related to PZRZ13-00016)
Property Owner	E.P.I.L.D., Inc.
Representative	Fred Dalbin

SURROUNDING ZONING AND LAND USE
North: M-1 (Manufacturing) / Railroad
South: M-1 (Manufacturing) / Single Family Residential
East: M-1 (Manufacturing) / Railroad
West: M-1 (Manufacturing) / Manufacturing / Storage

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Central Planning Area)
NEAREST PARK: El Barrio Park (2,716 feet)
NEAREST SCHOOL: Beall Elementary (1,632 feet)

NEIGHBORHOOD ASSOCIATIONS
El Paso Central Business Association, Familias Unidas del Chamizal

NEIGHBORHOOD INPUT
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 24, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION
The property owner is requesting a special permit for infill and an 83% parking reduction. The site plan shows an existing 80,000 sq. ft., two-story building currently serving as a furniture manufacturing plant. A 7,500 sq. ft. banquet hall, 1,963 sq. ft. kitchen, and 3,360 sq. ft. office area is proposed to occupy a portion of the structure. As proposed, the site's parking space requirement is 102 spaces. Access to the subject property is proposed from Mills Avenue.

PLANNING DIVISION RECOMMENDATION
The Planning Division recommends **approval** of the special permit for infill development and a parking reduction and approval of the detailed site development plan review request as the applicant meets the requirements of Section 20.04.320, Special Permit Approvals 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-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; buildings directly face streets; schools, parks, and small 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 C-4 (Regional Commercial) district is to provide commercial uses intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. 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.

COMMENTS:

Planning Division - Transportation
No objections

City Development Department – Plan Review
No objections. Applicant shall meet the landscape ordinance at time of permit.

City Development Department - Land Development
No objection

Fire Department
No objections

Police Department
The El Paso Police Department has no issues with this request

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

EPWU-PSB Comments

Water:

Along Mills Street between Willow Street and Walnut Street there is an existing eight (8) inch diameter water main. Along Mills Street between Walnut Street and Poplar Street there is an existing twelve (12) inch diameter water main.

Immediately north of 2201 Mills between Interstate Highway No. 10 and the subject Property within the railway company property there is an existing eight (8) inch diameter water main. The alignment of this main is approximates the alignment of Walnut Street. This 8-inch diameter water main dead-ends immediately north of 2201 Mills.

Along Poplar Street between Mills Street and Texas Street there is an existing twelve (12) inch diameter water main.

Previous water pressure readings conducted on fire hydrant number 1579 located at the corner of Mills Street and Walnut Street have yielded a static pressure of 92 pounds per square inch (psi), residual pressure of 80 psi, discharge of 1,186 gallons per minute (gpm).

Sanitary Sewer:

Along Mills Street between Willow Street and Poplar Street there is an existing eight (8) inch diameter sanitary sewer main.

Within the railway company property north of the intersection of Poplar Street and Mills Avenue there are two (2) existing eighteen (18) inch diameter sanitary sewer mains. The alignment of both of these mains approximates the alignment of Poplar Street. South of the intersection of Poplar Street and Mills Avenue, both mains continue south along Poplar Street. No direct service connections are allowed to these mains as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

General
As per EPWU-PSB Records 2201 Mills Avenue has a single two (2) inch diameter water service, and single eight (8)inch diameter fire-fighting water service (fire line).

If the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

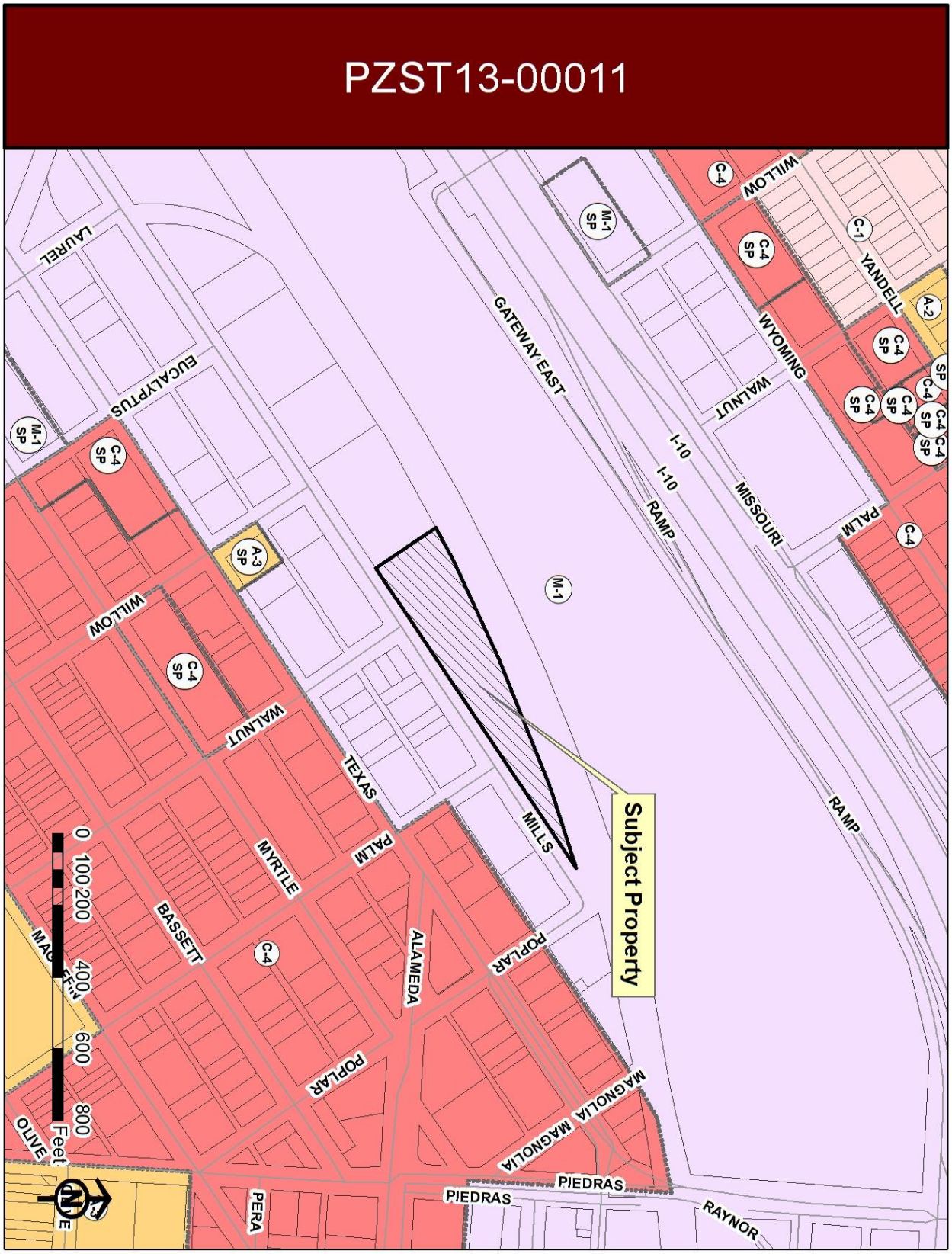
Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description 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 the special permit is in conformance with the review criteria of 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 the special permit into conformance with the review criteria in 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 the special permit does not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

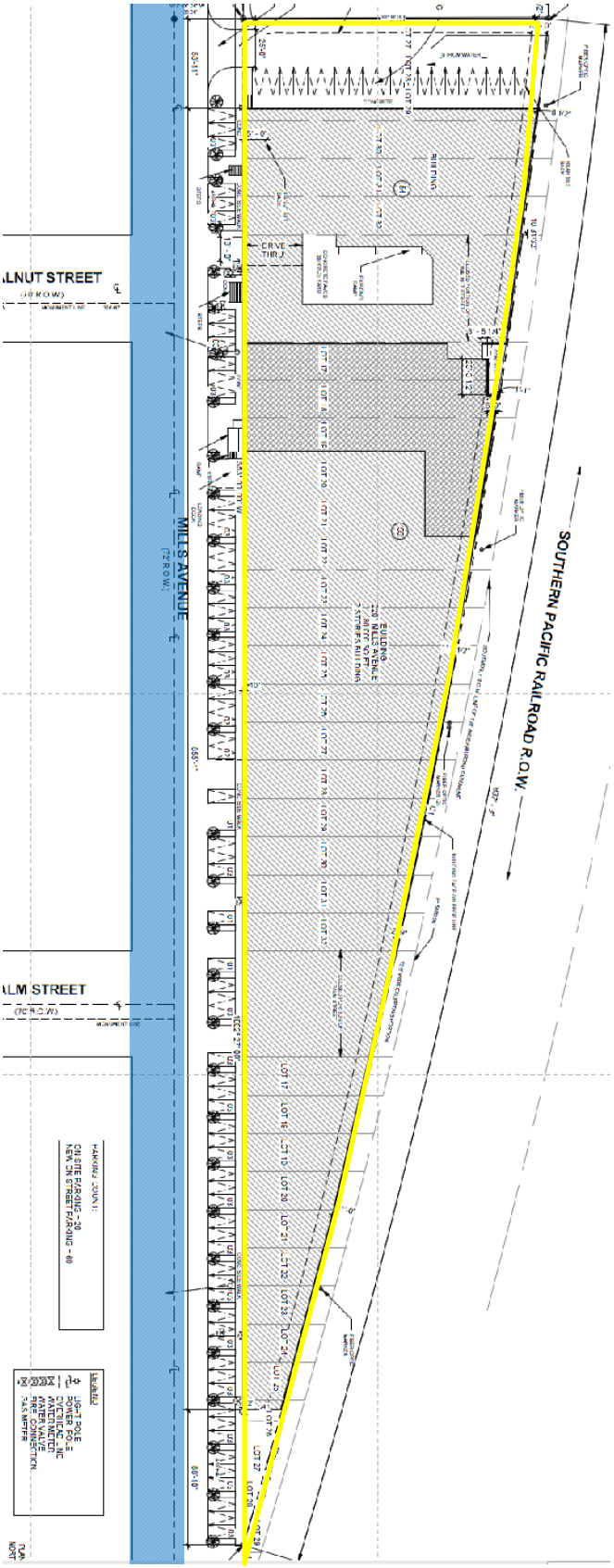
Attachments
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

ATTACHMENT 1: ZONING MAP

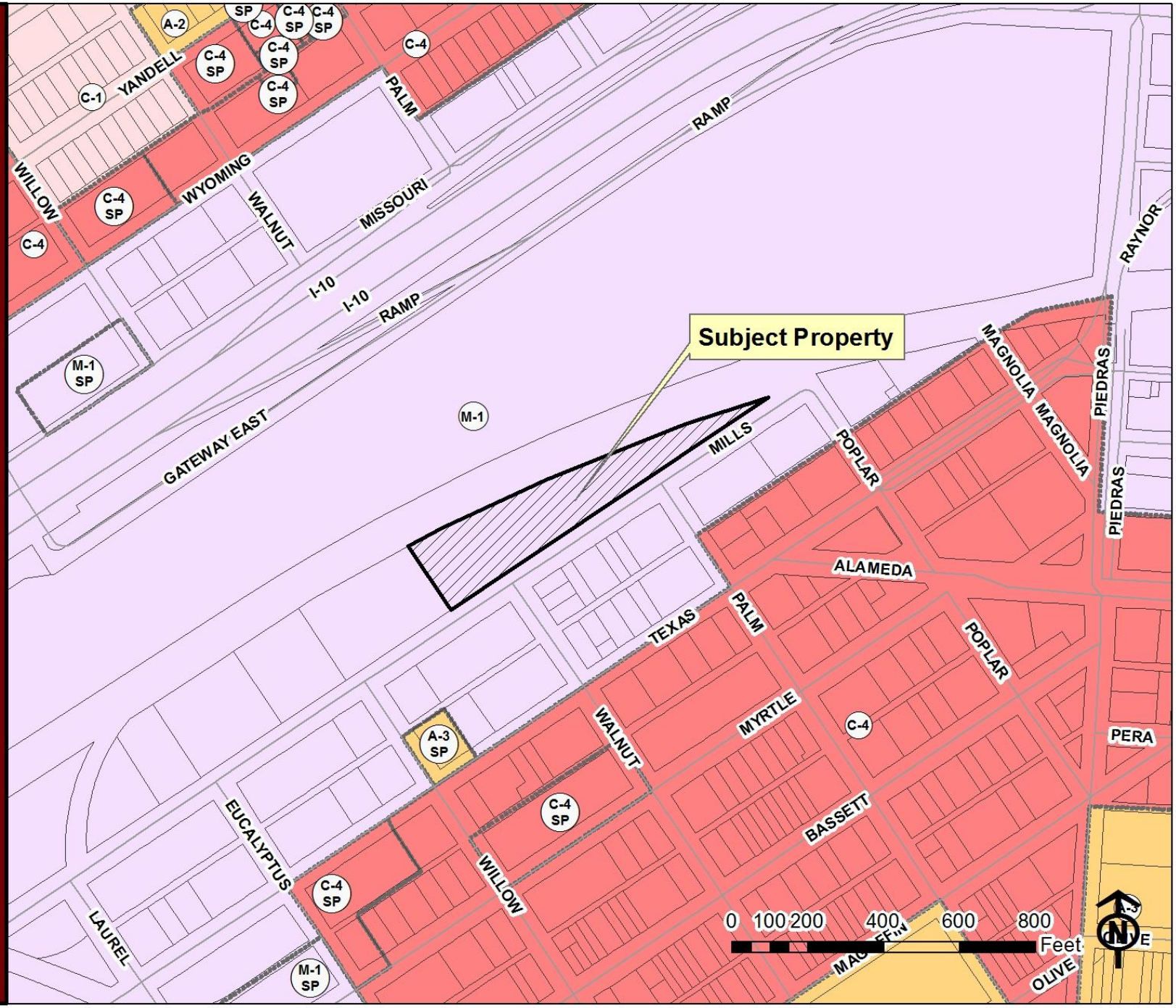


ATTACHMENT 2: AERIAL MAP

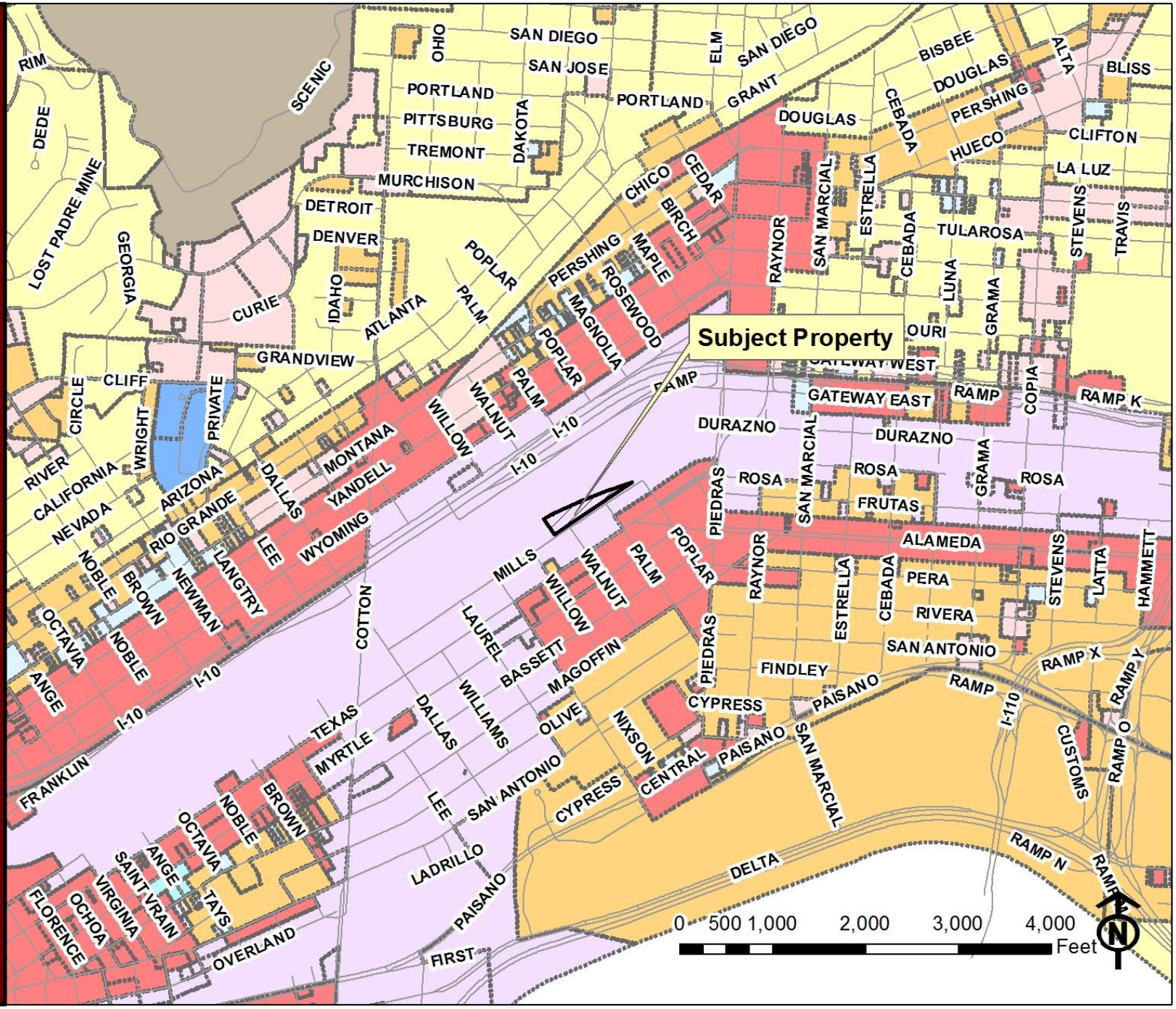
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



PZST13-00011

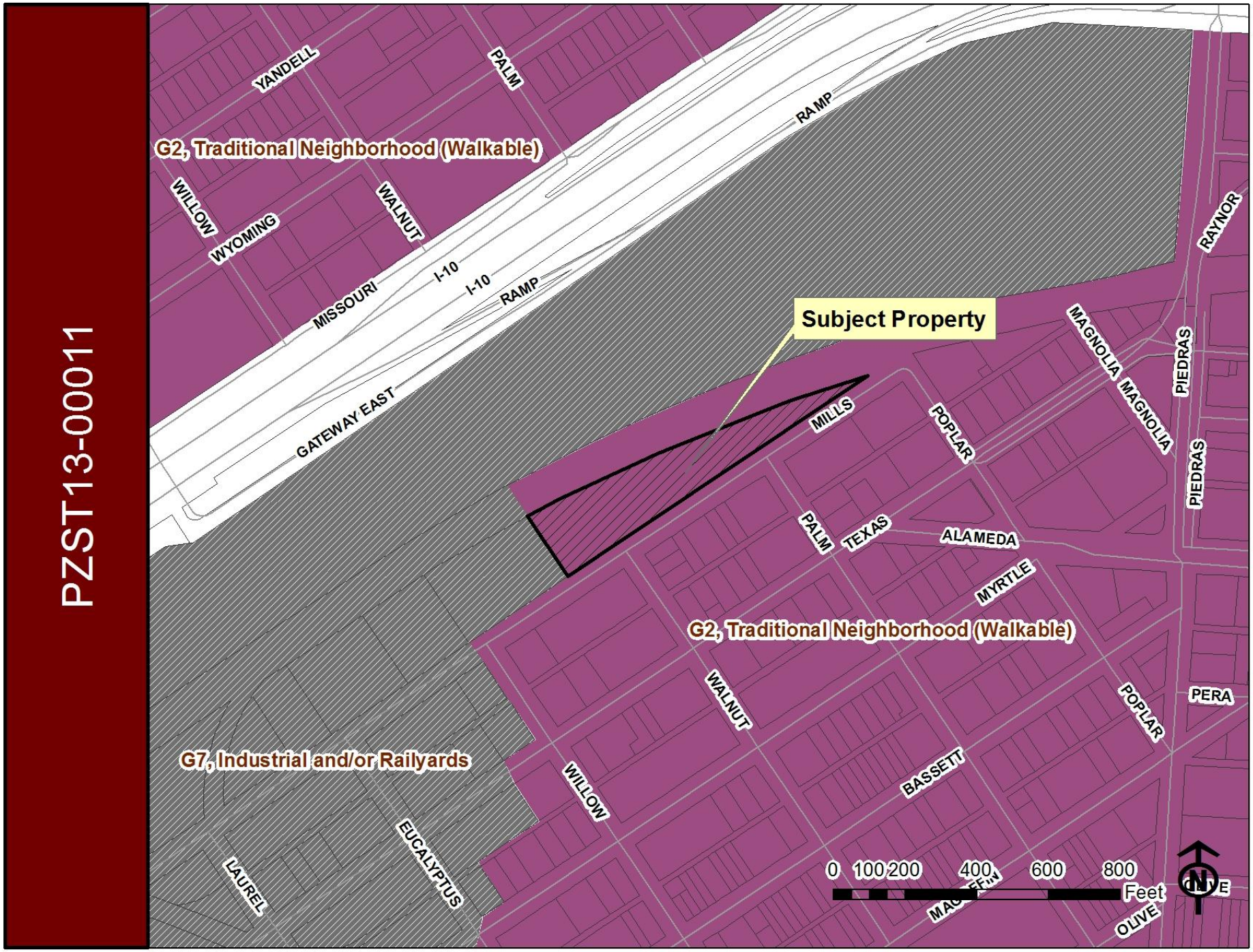


PZST13-00011

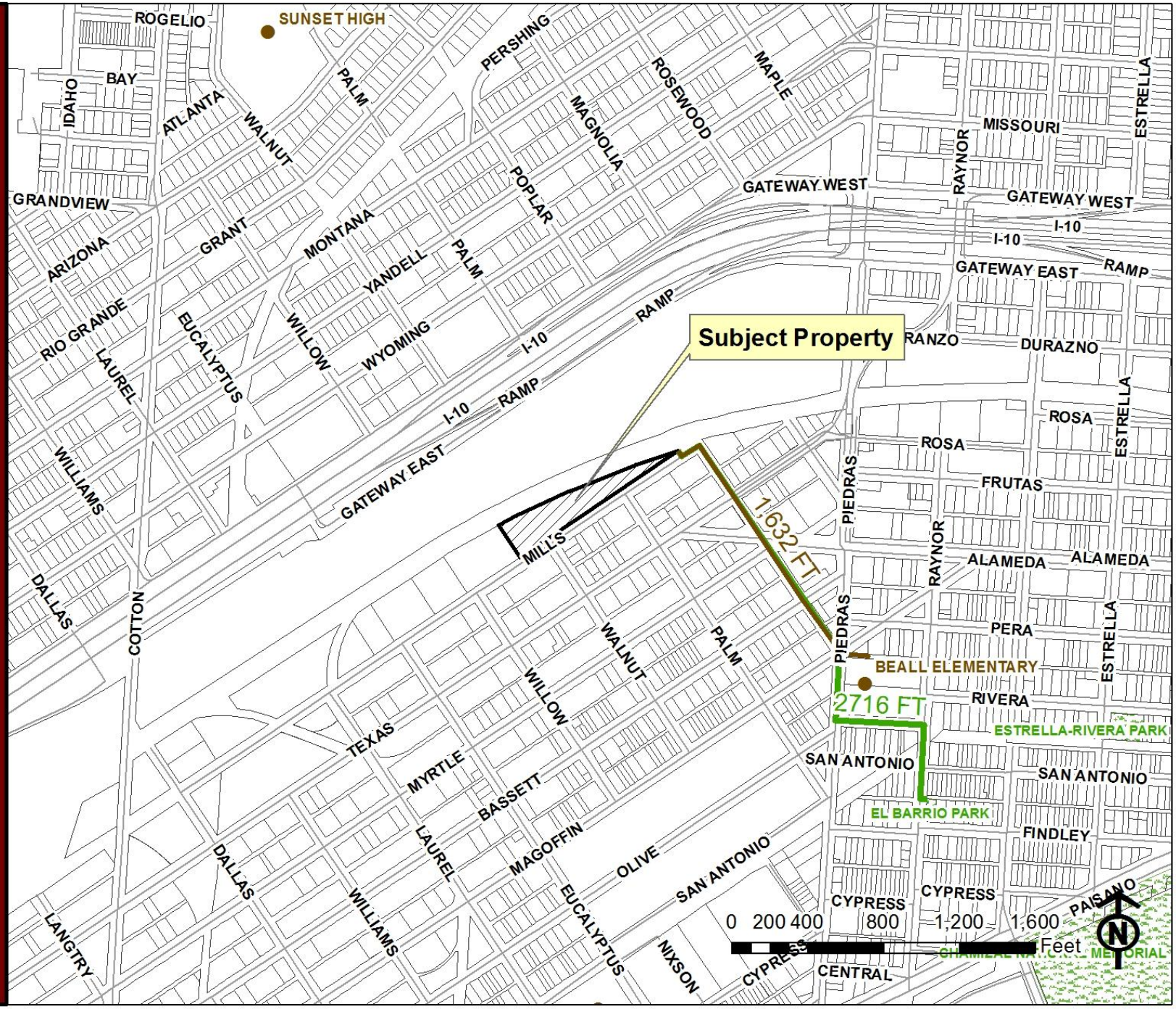


PZST13-00011

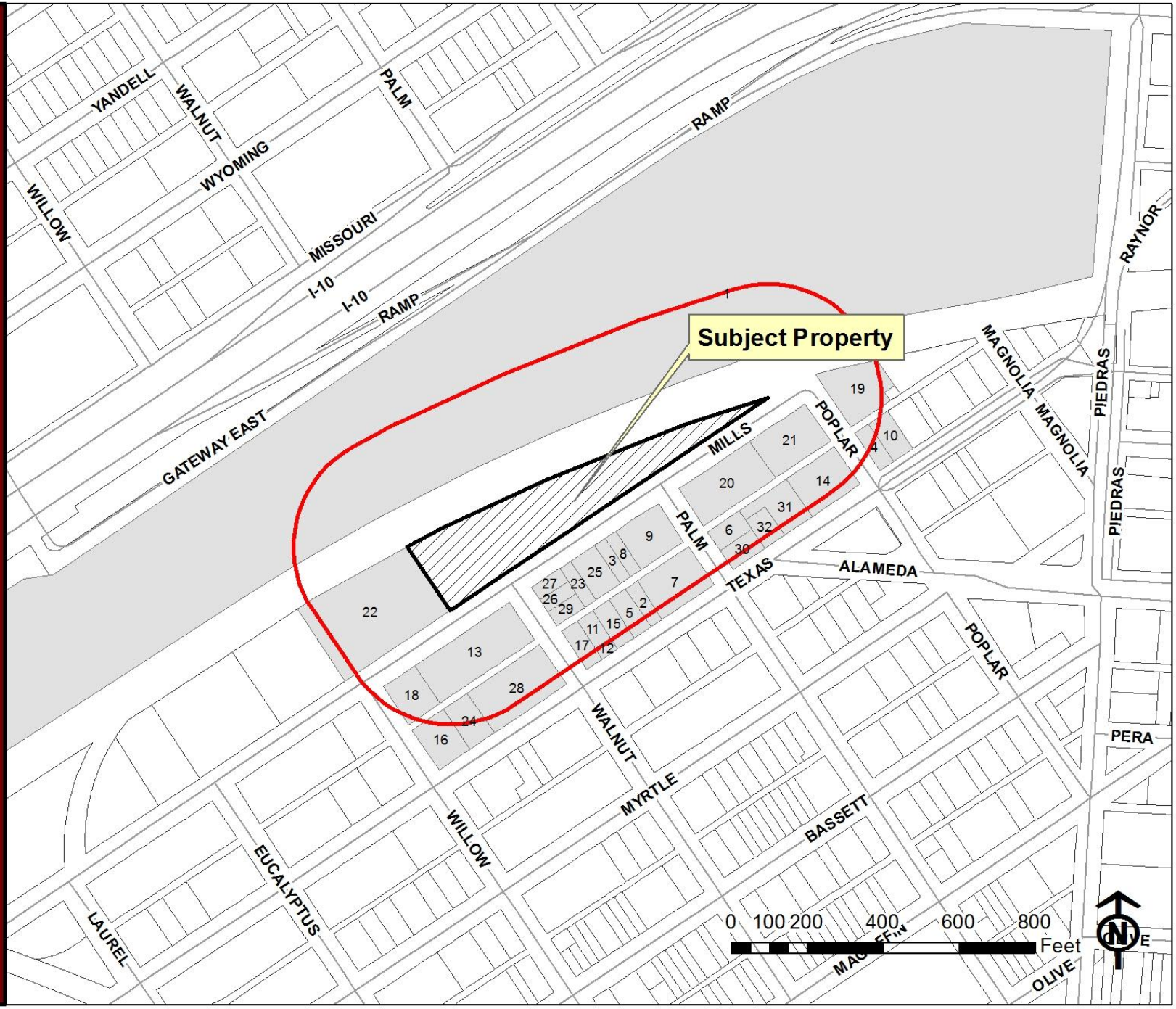
PZST13-00011


PZST13-00011
G2, Traditional Neighborhood (Walkable)
G7, Industrial and/or Railyards
Subject Property
YANDELL
PALM
RAMP
WILLOW
WYOMING
WALNUT
MISSOURI
I-10
I-10
RAMP
GATEWAY EAST
MILLS
POPLAR
MAGNOLIA
MAGNOLIA
PIEDRAS
PIEDRAS
RAYNOR
PALM
TEXAS
ALAMEDA
MYRTLE
WALNUT
POPLAR
PERA
WILLOW
BASSETT
EUCALYPTUS
LAUREL
0 100 200 400 600 800
Feet
N
OLIVE

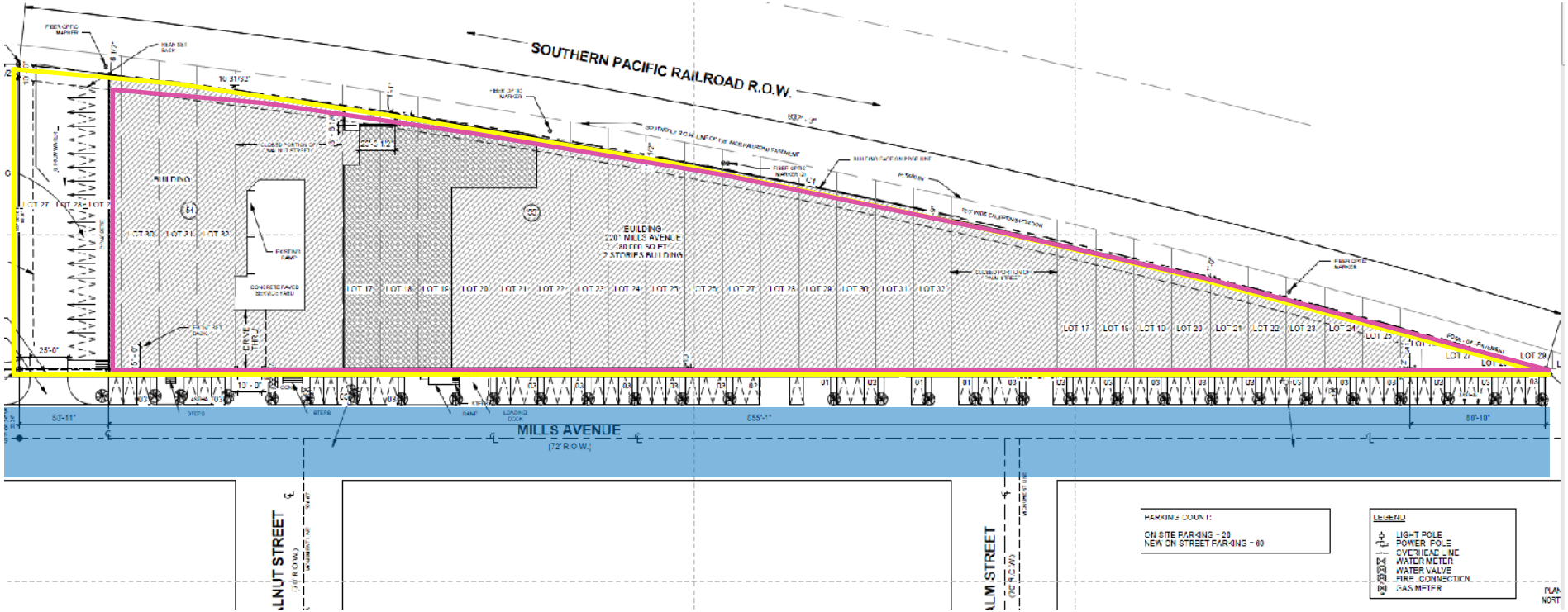
PZST13-00011



PZST13-00011



Detailed Site Development Plan



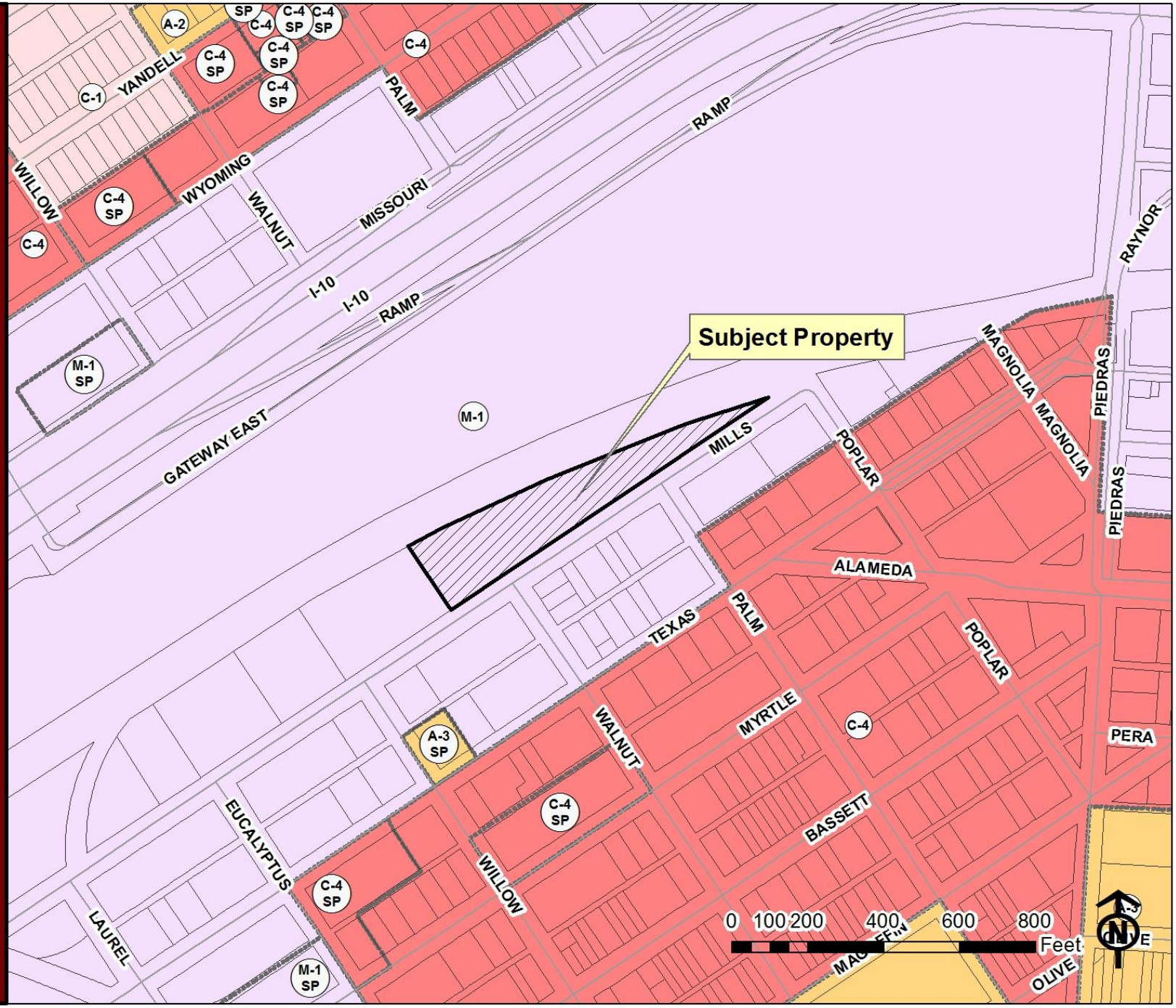
Detailed Site Development Plan

Subject Property

PRIVATE PROPERTY
NO TRESPASSING
UNION PACIFIC RAILROAD
North

East

RAMON'S ICE CREAM
2222
South

West

PZST13-00011