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

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

AGENDA DATE: **Introduction: November 6, 2007**
Public Hearing: November 27, 2007

CONTACT PERSON/PHONE: **Esther Guerrero, 541-4720**

DISTRICT(S) AFFECTED: **8**

SUBJECT:

An ordinance granting Special Permit No. ZON07-00086, to allow for a parking reduction on the property described as Lots 17-32, Block 43, Bassett Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso City Code. The penalty being as provided in Chapter 20.68 of the El Paso City Code. Subject Property: 2101 Myrtle Avenue. Applicant: El Puente Community Development Corporation, ZON07-00086, (District 8)

BACKGROUND / DISCUSSION:
See attached report.

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: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

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ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON07-00086, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOTS 17-32, BLOCK 43, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

WHEREAS, El Puente Community Development Corporation, has applied for a Special Permit under Section 20.64.175 of the El Paso City Code to allow for a eighty-five percent (85%) parking reduction; and,

WHEREAS, the requirements of Section 20.64.175 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 20.64.175 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) District:

Lots 17-32, Block 43, Basssett Addition, City of El Paso County, Texas; and,

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso City Code so that a eighty-five percent (85%) parking reduction, may be permitted on the property described in Paragraph 1 of this Ordinance; and,

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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 "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. ZON07-00086** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 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 _____, 2007.

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:

_____
Kimberly Forsyth, Senior Planner
Development Services Department

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AGREEMENT

El Puente Community Development Corporation, 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 **C-4 (Commercial) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 15th day of October, 2007.

Maria L. Picard-Am
(Signature)

Sustainable Community Developer
(Name/Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 15th day of OCTOBER, 2007, by MARIA LUISA PICARD-AM for **El Puente Community Development Corporation,** as Applicant.

(Seal)

ROCIO G. GENERA
NOTARY PUBLIC
In and for the State of Texas
My commission expires
December 21, 2010

Rocio G. Genera
Notary Public, State of Texas
Signature

ROCIO G. GENERA
Printed or Typed Name

My Commission Expires:

12/21/2010

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JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES
PLANNING DIVISION
MEMORANDUM

DATE: October 25, 2007

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

FROM: Esther Guerrero, Planner

SUBJECT: **ZON07-00086**

The City Plan Commission (CPC), on September 20, 2007, voted to recommend **APPROVAL** of the special permit request for an 85% parking reduction for the subject property, concurring with staff recommendation.

A related special permit request to allow for off-site/off street parking will also be considered with this request. (See ZON07-00085)

The CPC found that this special permit is in conformance with The Plan for El Paso Citywide land use goals; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this 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 effects of the special permit will not have an adverse impact on the natural environment, social and economic conditions, and property values in the vicinity and the city as a whole.

One letter of opposition was received.

Attachment: Staff Report

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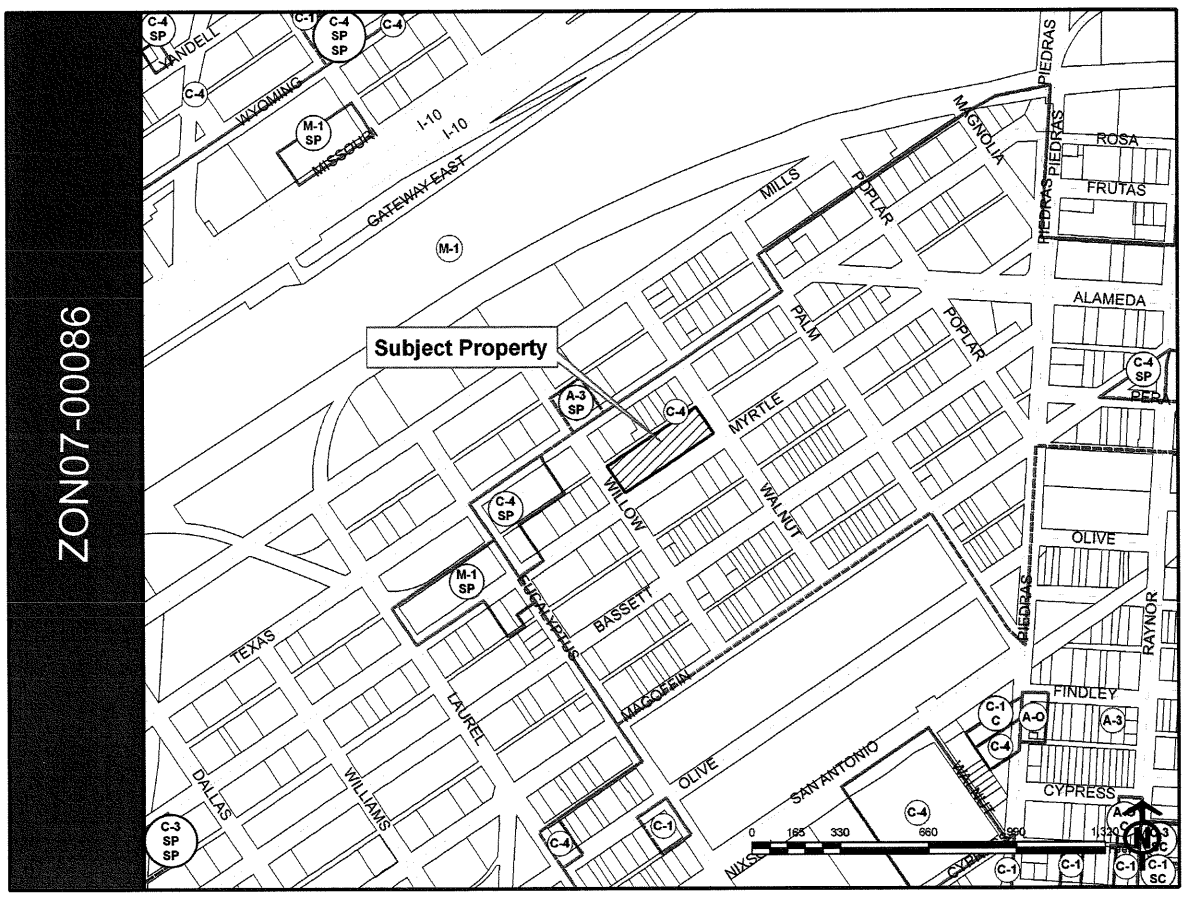
ZON07-00086

Application Types:	Special Permit
Property Owner(s):	El Puente Community Development Corporation
Representative(s):	Maria Luisa Picard-Ami
Legal Description:	Lots 17 - 32, Block 43, Bassett Addition, City of El Paso, El Paso County, Texas
Location:	2101 Myrtle Avenue
Representative District:	8
Zoning:	C-4 (Commercial)
Request:	85% Parking Reduction
Recognized Neighborhood Associations Contacted:	A Presidential Neighborhood Association; Magoffin Neighborhood Association
Public Response:	1 call and 1 letter in opposition
Surrounding Land Uses:	***North:*** C-4 / Commercial; ***South:*** C-4 / Commercial; ***East:*** C-4 / Commercial; ***West:*** C-4 / Commercial
Year 2025 Designation:	**Commercial** (Central Planning Area)



General Information
The applicant requests a special permit for an 85% parking reduction. The site plan proposes retail uses, gallery, media center and museum and 18 on-site parking spaces.

Section 20.64.170 of the El Paso Municipal Code requires the following number of parking spaces: retail use: 42, assembly areas (gallery, media center, museum, etc.): 102, total: 144. The parking provided is deficient by 123 spaces (3 additional parking spaces will be provided off-site, see related case ZON07-00085) thus a reduction of 85% is requested. Access is proposed via Myrtle Avenue and the alley to the north.

Staff Recommendation
The Development Coordinating Committee (DCC) recommends **approval** of this special permit request.

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso "provide a pattern of commercial development which best serves community needs and which complements and serves all other land uses."
- **The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for **Commercial** land uses.
- **C-4 (Commercial) zoning** permits a parking reduction by special permit.

Findings:

The Commission must determine the following:

1. Will the special permit for a parking reduction protect the best interest, health, safety and welfare of the public in general?
2. Will the special permit for a parking reduction be compatible with adjacent land uses?
3. What is the relation of the proposed special permit to the City's Comprehensive Plan?
4. What effects will the proposed special permit have on the natural environment, social and economic conditions and property values in the vicinity and the city as a whole?

Development Services-Building Permits
Applicant needs to identify actual commercial activity (uses) to determine correct parking requirements.

Development Services-Planning
No objections, recommends approval. (A revised floor plan has been submitted and reviewed for compliance.)

Engineering Department-Traffic Division
No traffic concerns. A Parking Reduction Study was conducted by the applicant and verified by the Traffic Division to show adequate on-street parking spaces within a 300 foot radius of the property.

Fire Department
No comments received.

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

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List of Attachments
Attachment 1: Site Plan, Aerial (On-street parking available)
Attachment 2: Opposition Letter
Attachment 3: Application

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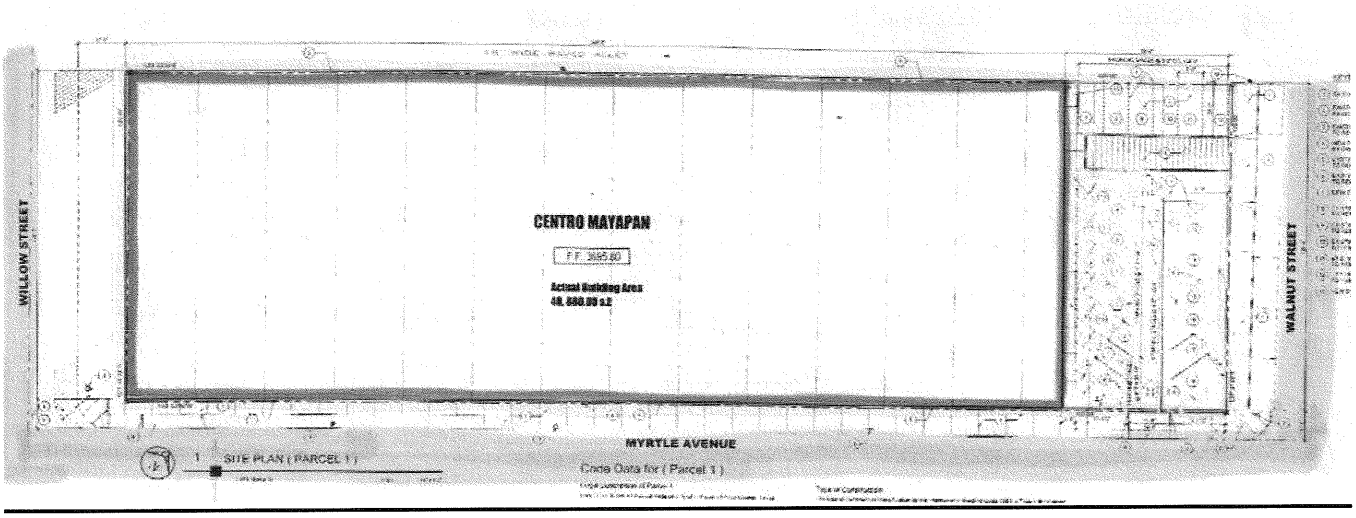
Attachment 1:

Site Plan



Aerial (On-street parking available)

Attachment 2: Opposition Letter

FUNK and COMPANY
MECHANICAL ELECTRICAL CONTRACTORS

2000 Myrtle
El Paso, Texas 79901
(915) 542-1502

TACLA014605E
M-18667
TECL-22609

P.O. Box 3189
El Paso, TX 79923
FAX (915) 534-4409

September 5, 2007

City Plan Commission
C/o Development Services Department
Planning Division
5th Floor, City Hall
2 Civic Center Plaza
El Paso, TX 79901-1 97

FAX (915) 541-4725

CASE NO: Z0N07 – 00085 & Z0N07-00086

Gentlemen:

I am the owner of the property located at 2000 Myrtle Avenue, El Paso, Texas.

We operate a Commercial Construction Company (FUNK AND COMPANY, MECHANICAL ELECTRICAL CONTRACTORS) AT 2000 MYRTLE AVENUE and I am concerned about parking availability on Myrtle Avenue in front of my property. During business hours there is a steady flow of Vendors, Subcontractors, General Contractors, Architects and Engineers coming here to conduct business with us and should have available parking at our property.

We are already having problems with the business at 2007 Myrtle parking 18 wheelers in front of our business and leaving them for days at a time making it very inconvenient for persons doing business with us.

I have no problem with the concept of what is being planned as long as it does not affect the parking availability in front of my business at 2000 Myrtle Avenue.

Sincerely,

Gloria J. Funk

Gloria J. Funk

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Attachment 3: Application

SPECIAL PERM. APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

City of El Paso, Texas
2 Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

1. CONTACT INFORMATION

PROPERTY OWNER(S): EL PUENTE CDC *(915) 351-2558
ADDRESS: 2000 TEXAS AVENUE ZIP CODE: 79901 PHONE: (915) 533-7378
E-MAIL ADDRESS: malupicard-ami@mujerobrera.com FAX: (915) 544-3731

REPRESENTATIVE(S): MARIA LUISA PICARD AMI, CYNTHIA ARNOLD *(915) 351-2558
ADDRESS: 2000 TEXAS AVENUE ZIP CODE: 79901 PHONE: (915) 533-7378
E-MAIL ADDRESS: malupicard-ami@mujerobrera.com FAX:

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: B202-999-0430-4900
LEGAL DESCRIPTION: LOT 17-32, BLOCK 43, BASSETT ADDITION
STREET ADDRESS OR LOCATION: 2101 MURTLE REP DISTRICT: 8
ACREAGE: 1 1019 PRESENT ZONING: C4 PRESENT LAND USE: MERCANTILE/BUSINESS, LIGHT MANUFACTURING
SPECIAL PERMIT REQUEST: PARKING REDUCTION

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION: REP DISTRICT:
ACREAGE: PRESENT ZONING: PRESENT LAND USE:
SPECIAL PERMIT REQUEST:

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION: REP DISTRICT:
ACREAGE: PRESENT ZONING: PRESENT LAND USE:
SPECIAL PERMIT REQUEST:

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
Printed Name: Cynthia Arnold Signature: Cynthia Arnold
Printed Name: Signature:
Printed Name: Signature:

Note: Signatures are required for all owners of record for the property proposed for special permit. Attach additional signatures on a separate sheet of paper.

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