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. ZON07-00085 to satisfy parking requirements for Parcel 1, described as Lots 17-32, Bassett Addition, City of El Paso, El Paso County, Texas (2101 Myrtle Avenue); by allowing off-site/off-street parking on Parcel 2, described as Lots 6-11 and 18, and portions of Lots 5 and 19, Block 42, Bassett Addition, City of El Paso, El Paso County, Texas (2000 Texas Avenue); pursuant to Section 20.42.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.64.175 of the El Paso City Code. Subject Property: 2101 Myrtle Avenue. Applicant: El Puente Community Development Corporation, ZON07-00085, (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)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON07-00085 TO SATISFY PARKING REQUIREMENTS FOR PARCEL 1, DESCRIBED AS LOTS 17-32, BLOCK 43, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS (2101 MYRTLE AVENUE); BY ALLOWING OFF-SITE/OFF-STREET PARKING ON PARCEL 2, DESCRIBED AS LOTS 6-11 AND 18, AND PORTIONS OF LOTS 5 AND 19, BLOCK 42, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS (2000 TEXAS AVENUE); PURSUANT TO SECTION 20.08.030.C OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Maria Luisa Picard-Ami (El Puente Community Development Corporation) has applied for a Special Permit under Section 20.08.030.C of the El Paso City Code to allow the off-site/off-street parking requirements of Chapter 20.14 to be satisfied off-site; and,

WHEREAS, the requirements of Section 20.04.320 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,

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

1. That Parcel 1, which is described as *Lots 17-32, Block 43, Bassett Addition, City of El Paso, El Paso County, Texas,* and which is municipally known and numbered as 2101 Myrtle Avenue is in a C-4 (Commercial) District which requires an additional 126 parking spaces under Chapter 20.14 of the El Paso City Code; and,

2. That the City Council hereby grants a Special Permit under Section 20.08.030.C of the El Paso City Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied off-street/off-site parking as described in Paragraph 3 of this Ordinance; and,

3. That Parcel II, which is described as *Lots 6-11 and 18, and portions of Lots 5 and 19, Block 42, Bassett Addition, City of El Paso, El Paso County,* and more particularly described by metes and bounds in the attached Exhibit 'A', and which is municipally known and numbered as 2000 Texas Avenue, is located on a separate site from the property described in Paragraph 1 of this Ordinance; and,

4. That the City Council hereby grants a Special Permit under Section 20.04.320 so that the property described in Paragraph 3 of this Ordinance may be used as off-site/off-street parking in order to satisfy the parking requirements described in Paragraph 1 of this Ordinance; and,

5. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) District regulations and is subject to the approved Site Development Plan signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and is incorporated herein by reference for all purposes; and,

6. That if at any time the off-street parking spaces described herein are not available to fulfill the parking requirements described herein, or if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON07-00085**, shall be subject to automatic 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,

7. 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

AGREEMENT

Maria Luisa Picard-Ami (El Puente Community Development Corporation), the Applicants referred to in the attached Ordinance Number _____, hereby agree to develop the property legally described as *Lots 17-32, Block 43, and Lots 6-11 and 18, and portions of Lots 5 and 19, Block 42, Bassett Addition, City of El Paso, El Paso County, Texas,* in accordance with the approved Site Development Plan, attached hereto as Exhibit "B" and incorporated herein by reference for all purposes, 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.

By: _____

Title: Sustainable Community Developer.

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-Ami**, as Representative, on behalf of **El Puente Community Development Corporation** as Applicant.

My Commission Expires: 12/21/10

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
Notary's Printed or Typed Name:
ROCIO G GENERA

By: _____

Title: _____

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Exhibit "A"

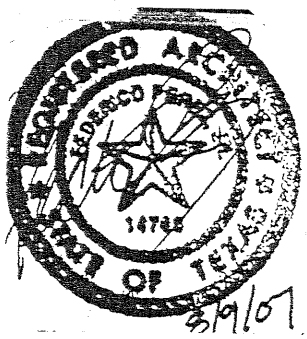
Legal Description of Parcel 2 :

Parcel 2: West 5.3 feet of Lot 5, all of Lots 6, 7, 8, 9, 10 and 11, Block 42, Bassett's Addition; an Addition to the City of El Paso, El Paso County, Texas;

Lots 5, 6, 7, 8, 9, 10, 11 and 12 Block 57, Cotton Addition; an Addition to the City of El Paso, El Paso County, Texas and

Lot 18 and West 22.5 feet of Lot 19, Block 42, Bassett's Addition, and Lots 1,2 and West 22.5 feet of Lot 3, Block 57, Cotton Addition, and Addition to the City of El Paso, El Paso, County, Texas, save and except therefrom the Southerly one foot of

Together with the Southerly one foot of Texas Street adjacent to said Block 42 of said Bassett's Addition, and the Southerly one foot of the alley in said Block 57, of said Cotton Addition; save and excepting from the above described real property the Southerly one foot of said Lots 5 to 11, in said Block 42, of said Bassett's Addition, an Addition to the City of El Paso, El Paso County, Texas, as adjusted by and in conformity with the conveyances between the City of El Paso and Electrical and Mechanical Supply Company, Inc., by Indenture dated December 30, 1947 of record in Volume 886, Page 6, Real Property Records, El Paso County, Texas.



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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: **ZON07-00085**

The City Plan Commission (CPC), on September 20, 2007, voted to recommend **APPROVAL** of the special permit to allow off-site/off-street parking to satisfy parking requirements on the subject property, concurring with staff recommendation.

A related special permit request to allow for an 85% parking reduction will also be considered with this request. (See ZON07-00086)

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.

Attachment: Staff Report

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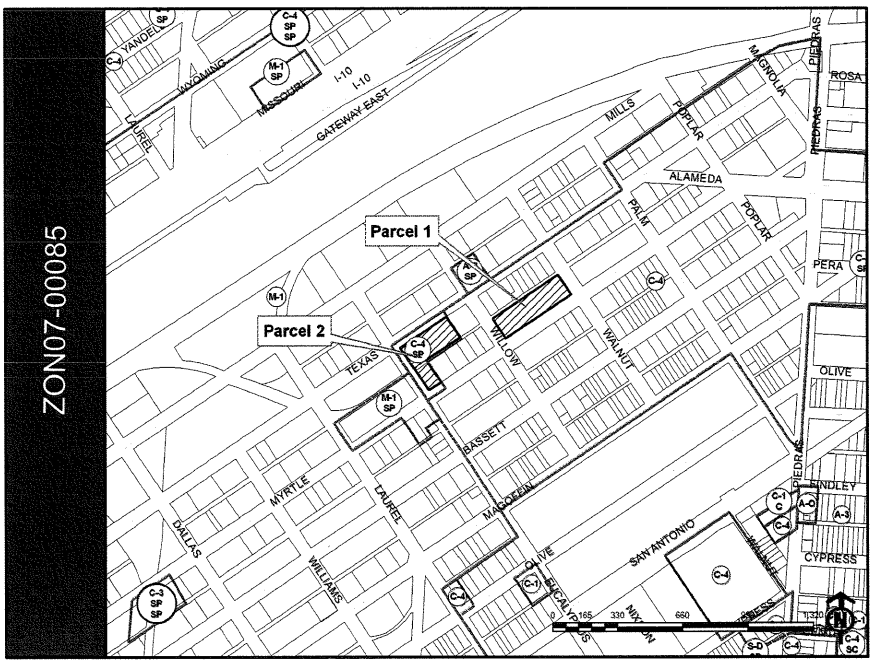
ZON07-00085

Application Types:	Special Permit
Property Owner(s):	El Puente Community Development Corporation
Representative(s):	Maria Luisa Picard-Ami
Legal Description:	Parcel 1: Lots 17 - 32, Block 43, Bassett Addition, City of El Paso, El Paso County, Texas Parcel 2: Lots 6, 7, 8, 9, 10, 11 and 18, and portions of Lots 5 and 19, Block 42, Bassett Addition, City of El Paso, El Paso County, Texas; Lots 1 and 2, Lots 5 - 12 and a portion of Lot 3, Block 57, Cotton Addition, City of El Paso, El Paso County, Texas;
Location:	Parcel 1: 2101 Myrtle Avenue; Parcel 2: 2000 Texas Street
Representative District:	8
Zoning:	Parcel 1: C-4 (Commercial) Parcel 2: C-4/sp (Commercial/special permit)
Request:	Off-site/off-street parking
Recognized Neighborhood Associations Contacted:	A Presidential Neighborhood Association; Magoffin Neighborhood Association
Public Response:	None
Surrounding Land Uses:	***North:*** C-4, M-1 / Commercial, Manufacturing; ***South:*** C-4 / Commercial; ***East:*** C-4 / Commercial; ***West:*** C-4, M-1 / Commercial, Manufacturing
Year 2025 Designation:	**Commercial** (Central Planning Area)



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General Information
The applicant requests a special permit for Parcel 1 (the future site of Mayapan Social Enterprise Innovation Center) to allow off site parking on Parcel 2 (the Café Mayapan). Parcel 1 requires a total of 144 parking spaces and is currently providing 18, resulting in a shortage of 126 parking spaces. Parcel 2 requires a total of 53 parking spaces and is currently providing 56, an overage of 3 parking spaces. Parcel 2 is not able to provide enough parking spaces to satisfy the parking requirements for Parcel 1. A related special permit for a parking reduction has also been requested and is proposed to satisfy the remaining parking requirements. (See ZON07-00086)

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 off site parking by special permit.

Findings
The Commission must determine the following:

1. Will the special permit for off site parking protect the best interest, health, safety and welfare of the public in general?
2. Will the special permit for off site parking 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, recommend approval.

Engineering Department-Traffic Division
No traffic concerns.

Fire Department
No comments received.

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

List of Attachments
Attachment 1: Aerial
Attachment 2: Site Plan
Attachment 3: Application

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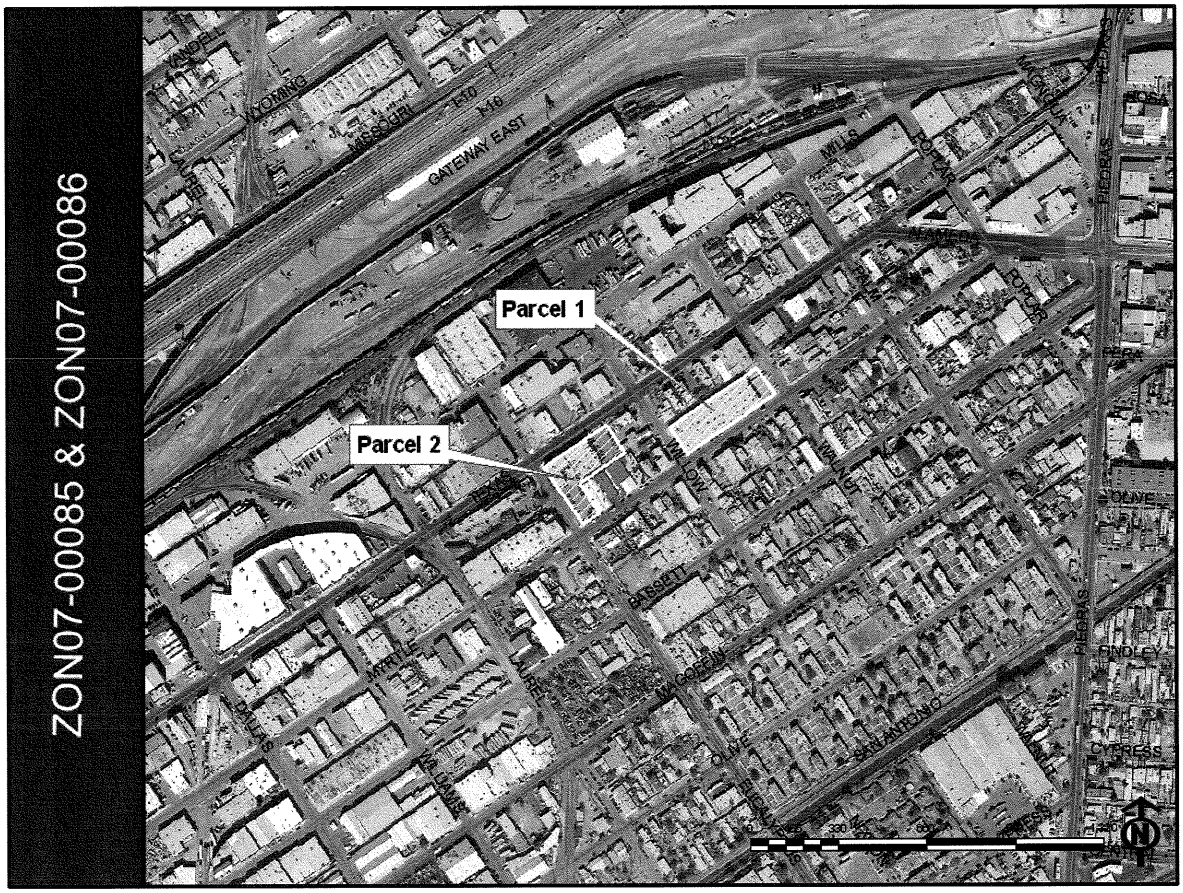
Attachment 1: Aerial



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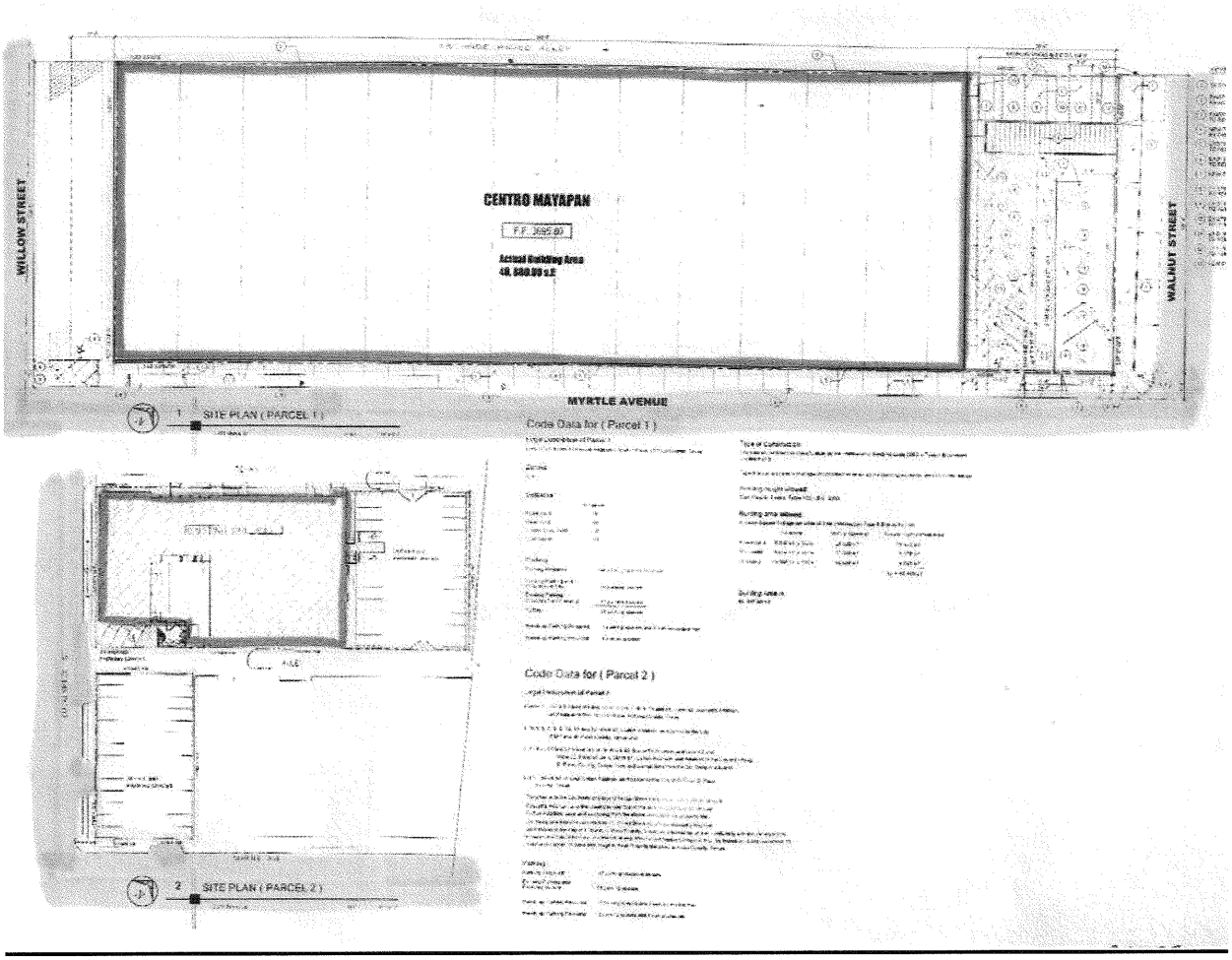
Attachment 2: Site Plan



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Attachment 3: Application

SPECIAL PERMIT 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
ADDRESS: 2000 TEXAS AVE ZIP CODE: 79901 PHONE (915) 533-7378
E-MAIL ADDRESS: malupicard-ami@myecobera.com FAX (915) 544-3730

REPRESENTATIVE(S): MARIA LUISA PICARD-AMI, CYNTHIA ARNOLD
ADDRESS: 2000 TEXAS AVENUE ZIP CODE: 79901
E-MAIL ADDRESS: malupicard-ami@myecobera.com FAX:

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: B202-999-0430-4900
LEGAL DESCRIPTION: LOTS 17-32 BLOCK 43 BASSETT ADDITION
STREET ADDRESS OR LOCATION: 2101 MYRTLE REP DISTRICT: 8
ACREAGE: 1.1019 PRESENT ZONING: C4 PRESENT LAND USE: Mercantile/Business, light manufacturing
SPECIAL PERMIT REQUEST: OFFSITE PARKING

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: C849-997-0570-5100
LEGAL DESCRIPTION: 57 COTTON FR F3 (EXEC E2.5' OF 3) & FR 5-7 & 8-12 & FR 9-1
STREET ADDRESS OR LOCATION: 2000 TEXAS AVENUE REP DISTRICT:
ACREAGE: .9719 PRESENT ZONING: PRESENT LAND USE: OFFICES/RESTAURANT/CLASSROOM
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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