

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

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

**AGENDA DATE:** Introduction: November 7, 2006  
Public Hearing: November 28, 2006

**CONTACT PERSON/PHONE:** Melissa Granado, 541-4730

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance granting Special Permit No. ZON06-00118 to satisfy parking requirements for Parcel I, described as Lot 20, Block 8, Cotton Addition, El Paso, El Paso County, Texas; by allowing off-site off-street parking on Parcel II, described as Lot 10 and the East 11.75 feet of Lot 9 and the West ½ of Lot 11, Block 16, Cotton Addition, El Paso, El Paso County, Texas (2229 Yandell Drive) and Parcel III, described as the South portion of Lots 21-25, Block 8, Cotton Addition, El Paso, El Paso County, Texas (2216 Yandell Drive) pursuant to Section 20.42.040 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Subject Property: Parcel 1: 2224 Yandell Drive, Parcel 2: 2229 Yandell Drive, Parcel 3: 2216 Yandell Drive. Applicant: Duncan Crowell. ZON06-00118 (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 (5-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** R. Alan Schubert

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

OF

ORDINANCE NO. 016513

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON06-00118 TO SATISFY PARKING REQUIREMENTS FOR PARCEL I, DESCRIBED AS LOT 20, BLOCK 8, COTTON ADDITION, EL PASO, EL PASO COUNTY, TEXAS; BY ALLOWING OFF-SITE OFF-STREET PARKING ON PARCEL II, DESCRIBED AS LOT 10 AND THE EAST 11.75 FEET OF LOT 9 AND THE WEST ½ OF LOT 11, BLOCK 16, COTTON ADDITION, EL PASO, EL PASO COUNTY, TEXAS (2229 YANDELL DRIVE) AND PARCEL III, DESCRIBED AS THE SOUTH PORTION OF LOTS 21-25, BLOCK 8, COTTON ADDITION, EL PASO, EL PASO COUNTY, TEXAS (2216 YANDELL DRIVE) PURSUANT TO SECTION 20.42.040 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Duncan Crowell**, has applied for a Special Permit under Section 20.42.040 of the El Paso Municipal Code to allow the off-site parking requirements of Section 20.64.170 to be satisfied off-site;

WHEREAS, the requirements of Section 20.64.170 have been satisfied; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

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;

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

1. That Parcel I, which is described as *Lot 20, Block 8, Cotton Addition, El Paso, El Paso County, Texas*, is in a **C-4/sp (Commercial/special permit)** District which requires fifteen (15) off-street parking spaces under Section 20.64.170 of the El Paso Municipal Code;
2. That the City Council hereby grants a Special Permit under Section 20.42.040 of the El Paso Municipal Code so that the off-street parking requirements described in Paragraph 1 of this Ordinance may be partially satisfied off-site (ten spaces) as described in Paragraph 3 of this Ordinance;
3. That Parcel II, which is described as *Lot 10 and the East 11.75 feet of Lot 9 and the West ½ of Lot 11, Block 16, Cotton Addition, El Paso, El Paso County, Texas*, as more particularly

described by metes and bounds in the attached and incorporated Exhibit "A," and Parcel III, which is described as *the South portion of Lots 21-25, Block 8, Cotton Addition, El Paso, El Paso County, Texas*, as more particularly described by metes and bounds in the attached and incorporated Exhibit "B," are located on separate sites from the property described in Paragraph 1 of this Ordinance;

4. That the City Council hereby grants a Special Permit under Section 20.42.040 so that the properties described in Paragraph 3 of this Ordinance may be used as off-site off-street parking in order to partially satisfy the parking requirements described in Paragraph 1 of this Ordinance;

5. That this Special Permit is issued subject to the development standards in the **C-4/sp (Commercial/special permit)** District regulations and is subject to the approved Detailed 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 "C" and is incorporated herein by reference for all purposes;

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. ZON04-00118**, shall be subject to automatic termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.68 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 28<sup>th</sup> day of November, 2006.

THE CITY OF EL PASO

  
\_\_\_\_\_  
John Cook, Mayor

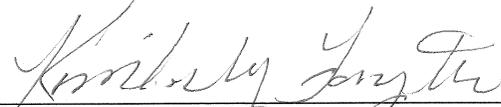
**(Signatures continue on following page.)**

ATTEST:



Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

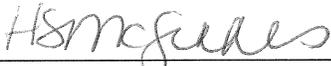


Kimberly Forsyth, Senior Planner  
Development Services Department



Rodolfo Valdez, Chief Urban Planner  
Development Services Department

APPROVED AS TO FORM:



Hillary S. McGinnes,  
Assistant City Attorney

2008 JUN 13 10:58  
CITY OF DENVER



**DORADO ENGINEERING, INC.**

**2717 E. Yandell El Paso, Texas 79903 (915) 562-0002 Fax (915) 562-7743**

**Parcel 2**

**Property Description:** A portion of Lots 9 and 11, all of 10, block 16, Cotton Addition, El Paso, El Paso County, Texas

**METES AND BOUNDS DESCRIPTION**

Legal description of a parcel of land out of Cotton Addition, Block 16, and being more particularly described as follows:

Commencing at a point lying on the intersection of the common boundary line between Lots 11 and 12, Block 16, Cotton Addition and the northerly right-of-way line of Yandell boulevard; Thence South 53° 00' 00" West along said right-of-way line of Yandell Boulevard, a distance of twelve and fifty hundredths (12.50) feet to a point, said point being the Point of Beginning for this description;

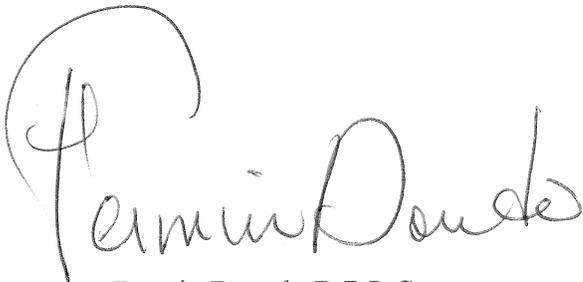
Thence continuing along said right-of-way line of Yandell Boulevard South 53° 00' 00" West a distance of forty nine and twenty five hundredths (49.25) feet;

Thence North 37° 00' 00" West a distance of one hundred twenty and no hundredths (120.00) feet;

Thence North 53° 00' 00" East, a distance of forty nine and twenty five hundredths (49.50) feet;

Thence South 37° 00' 00" East, a distance of one hundred twenty and no hundredths (120.00) feet to a point, said point being the Point of Beginning.

Said parcel of land contains 5,910 square feet or 0.135 acres of land more or less.



Fermin Dorado R.P.L.S.



December 4, 2006

**DORADO ENGINEERING, INC.**  
2717 E. Yandell El Paso, Texas 79903 (915) 562-0002 Fax (915) 562-7743

Parcel 3

Property Description: A portion of Lots 21 - 24, Block 8, Cotton Addition, El Paso,  
El Paso, County, Texas

**METES AND BOUNDS DESCRIPTION**

The parcel of land herein described is a portion of Lots 21 through 24, Block 8, Cotton Addition, El Paso, El Paso County, Texas and is more particularly described by metes and bounds as follows:

Commencing at a point lying on the intersection of the common boundary line between Lots 20 and 21, Block 8, Cotton Addition and the Northerly Right-of-Way line of an 18-foot alley, said point being the TRUE POINT OF BEGINNING of this description;

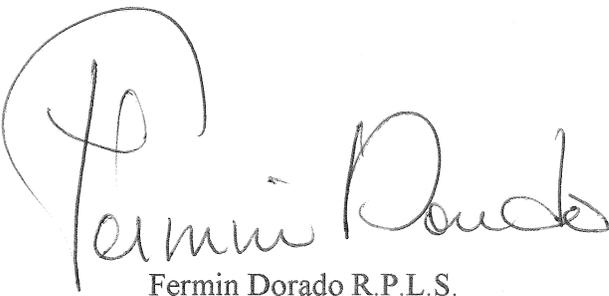
Thence South 53° 00' 00" West along said Right-of-Way, a distance of 79.60 feet;

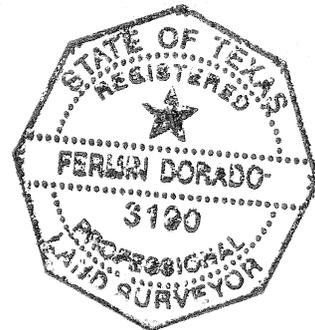
Thence North 37° 00' 00" West a distance of 40.00 feet;

Thence North 53° 00' 00" East, a distance of 79.60 feet to a point lying on the common boundary line between Lots 20 and 21, Block 8, Cotton Addition;

Thence South 37° 00' 00" East, along said boundary line, a distance of 40.00 feet to the TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

Said parcel of land contains .073 acres (3,184 sq. ft.) of land more or less.

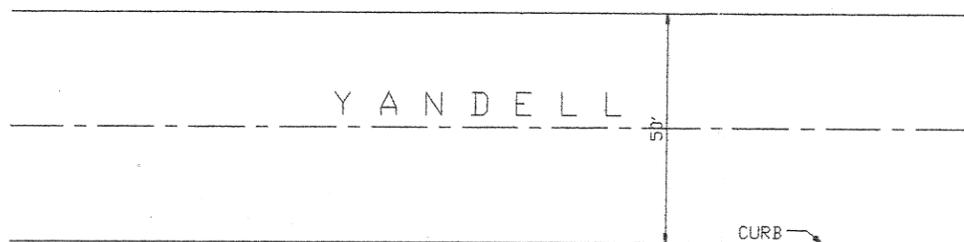
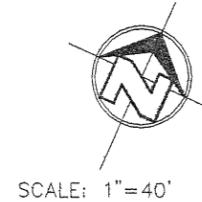
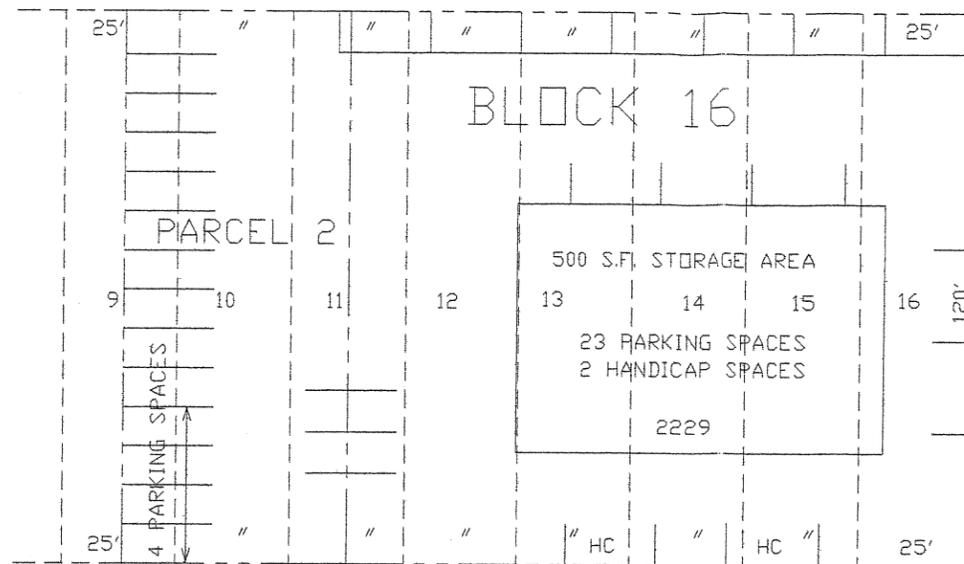
  
Fermin Dorado R.P.L.S.



December 4, 2006

**Exhibit "B"**

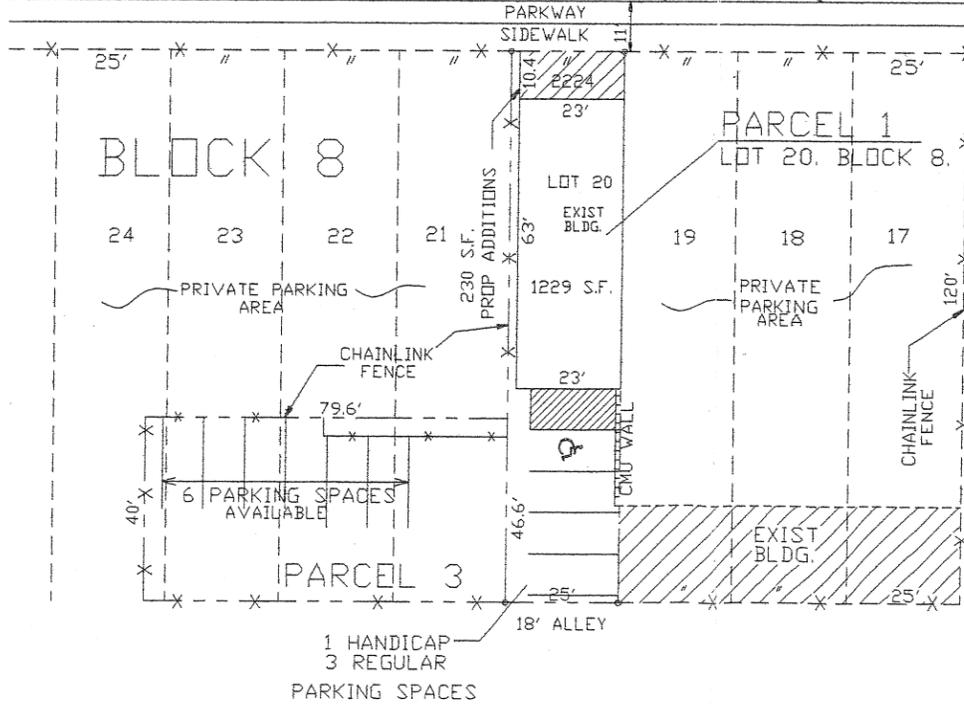
Exhibit "C"



PROP OWNER: DUNCAN CROWELL  
 PROPERTY ADDRESS: 2224 E YANDELL  
 ( PARCEL 1 )  
 PARCEL 2 ADDRESS: 2229 E. YANDELL  
 PARCEL 3 ADDRESS: 2201 W YOMING

PROPERTY ZONE: C-4  
 PROPERTY USE: BAR & RESTAURANT ( PINE KNOT )

TOTAL NUMBER OF  
 PARKING SPACES  
 REGULAR - 14  
 AVAILABLE - 14



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A  
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M



DEVELOPMENT SERVICES DEPARTMENT  
 PLANNING DIVISION

DETAILED SITE DEVELOPMENT PLAN APPROVED  
 BY THE CITY COUNCIL

DATE \_\_\_\_\_  
 APPLICANT *Duncan Crowell*

EXECUTIVE SECRETARY  
 CITY PLAN COMMISSION

CITY MANAGER

SCALE:	DATE: 08/13/06
DESIGN BY:	BY:
DRAWN BY: S.G.	CHKD. BY: J.D.
APPD. BY: J.D.	
ENGINEERS SEAL	ENGINEERS SEAL
REFERENCES: -- BENCHMARKS	S: /DRAWINGS/2224_YANDELL
DATE	REVISIONS
PROJECT NAME	2224 E. YANDELL BLOCK 20, LOT 8 COTTON ADDITION,
SHEET TITLE	SITE PLAN
SHEET	1 OF 1

**DORADO**  
 ENGINEERING, INC.  
 ENGINEERS SURVEYORS PLANNERS  
 2310 MONTANA, EL PASO, TEXAS 79903 (915)532-4788

JOHN COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER

R. ALAN SHUBERT  
DIRECTOR, DEVELOPMENT SERVICES



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

DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

**MEMORANDUM**

**DATE:** October 30, 2006

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

**FROM:** Melissa Granado, Planner

**SUBJECT:** ZON06-00118

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The City Plan Commission (CPC), on October 19, 2006, voted **5-0** to recommend **APPROVAL** of a special permit request for off-site parking for Parcel 1 on Parcel 2 and Parcel 3, concurring with Staff's recommendation.

The CPC found that the special permit is in conformance with The Plan for El Paso Citywide land use goals that El Paso: "preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods." The CPC found that the proposed off-site parking will not have an adverse impact on the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole. The CPC also determined that the special permit for off-site parking protects the best interest, health, safety, and welfare of the public in general.

There was no opposition to this request.

**Attachment:** Location Map, Aerial Map, Site Plan

## **STAFF REPORT**

**Special Use Permit #:** ZON06-00118

**Property Owner:** Duncan Crowell

**Applicant(s):** SEM Adventure 4, LLC

**Representative:** Socorro Moreno

**Legal Description:** Parcel 1 – Lot 20, Block 8, Cotton Addition, City of El Paso, El Paso County, Texas  
Parcel 2 – Lot 10, and the East 11.75 feet of Lot 9 and the West ½ of Lot 11, Block 16, Cotton Addition, City of El Paso, El Paso County, Texas.  
Parcel 3 – The South portion of Lots 21-25, Block 8, First Filed Map of Cotton Addition to the City of El Paso, El Paso County, Texas

**Location:** Parcel 1: 2224 Yandell Drive  
Parcel 2: 2219 - 2229 Yandell Drive  
Parcel 3: 2216 Yandell Drive

**Representative District:** # 8

**Area:** Parcel 1: 0.0689 acres  
Parcel 2: 0.1357 acres  
Parcel 3: 0.1090 acres

**Zoning:** Parcel 1 – C-4/sp (Commercial/special permit)  
Parcel 2 – A-2 (Apartment)  
Parcel 3 – C-4/sp (Commercial/special permit)

**Existing Use:** Parcel 1: Restaurant  
Parcel 2: Bank and parking lot  
Parcel 3: Parking lot

**Proposed Use:** Parcel 1: Restaurant  
Parcel 2: Off-site parking  
Parcel 3: Off-site parking

**Recognized Neighborhood Associations Contacted:** Five Points Neighborhood Association, A Presidential Neighborhood Association

**Surrounding Land Uses:**

<b>North -</b>	C-4 (Commercial) / Bank
<b>South -</b>	C-4 (Commercial) / Warehouse
<b>East -</b>	C-4 (Commercial) / Parking lot
<b>West-</b>	C-4 (Commercial) / Parking lot

**Year 2025 Designation:** **Mixed Use, Commercial** (Central Planning Area)

**CITY PLAN COMMISSION HEARING, OCTOBER 19, 2006,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

## **Special Use Permit: ZON06-00118**

### **General Information:**

The applicant is requesting a special permit to allow for off-site parking on Parcel 2 – 2219-2229 Yandell Drive and Parcel 3 – 2216 Yandell Drive which will serve an existing restaurant on Parcel 1 – 2224 Yandell Drive. Parcel 1 is currently zoned C-4/sp (Commercial/special permit), Parcel 2 is currently zoned A-2 (Apartment), and Parcel 3 is currently zoned C-4/sp (Commercial/special permit). Parcel 1 is currently a restaurant and is 0.0689 acres in size. Parcel 2 is a parking lot for a credit union and is approximately 0.1357 acres in size. Parcel 3 is a parking lot for the KDBC-TV Station and is approximately 0.1090 acres in size. The proposed site plan shows Parcel 2 and Parcel 3 to serve as off-site parking for Parcel 1. Access is proposed via Yandell Drive and the eighteen foot (18') alley between Yandell Drive and Wyoming Avenue. Parcel 1 is providing four (4) parking spaces; Parcel 2 is providing four (4) parking spaces; Parcel 3 is providing six (6) parking spaces. There are no zoning conditions currently imposed on this property. The special permit existing on Parcels 1 and 3 is for four (4) off-site parking spaces.

### **Information to the Commission:**

The Development Services Department – Planning Division has not received any calls or letters in support or opposition of this request.

### **Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this special permit request for off-site parking.

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 and office 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 Mixed Use and Commercial land uses.

**C-4 (Commercial) zoning** permits off-site parking by special permit.

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?

**Information To The Applicant:**

**Development Services - Building Permits and Inspections Division Notes:**

Zoning: Restaurant or other establishment for the consumption of food or beverages inside a building on the premises requires one parking space for every one hundred square feet of gross floor area, five spaces minimum.

Landscaping: No comments received.

**Development Services - Planning Division Notes:**

Current Planning: Planning Division recommends approval of the off-site parking request.

Land Development: No comments received.

**Engineering Department, Traffic Division Notes:**

No comments received.

**Fire Department Notes:**

No comments received.

**El Paso Water Utilities Notes:**

Water:

There is an existing 24-inch water transmission main along Yandell Drive. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

There are existing public water mains along the alleys located north and south of Yandell Drive.

Sanitary sewer:

There are existing sanitary sewer mains along the alleys located north and south of Yandell Drive. There are no sewer mains along Yandell Drive.

General:

EPWU records indicate that the property at 2224 Yandell Drive has an active water meter connection (3/4-inch).

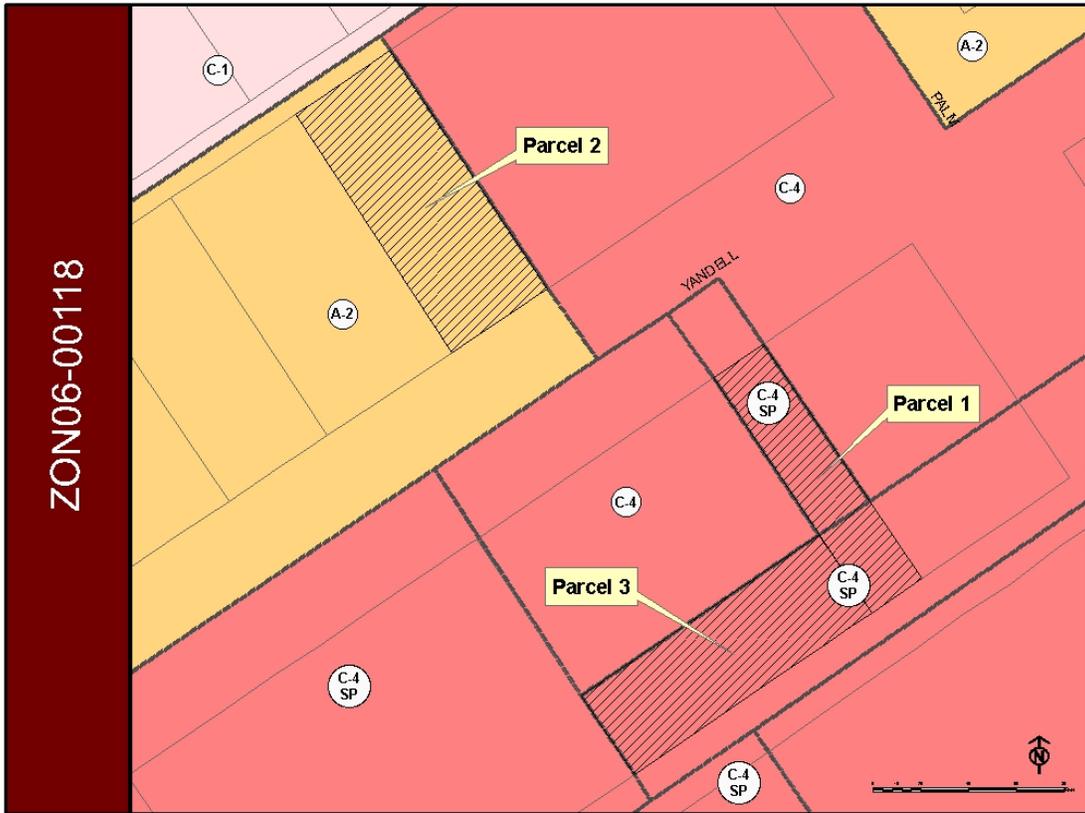
Application for additional water and sanitary sewer services required should be made 6 to 8 weeks in advance. A site plan, a utility plan, grading and drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The owner 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.

EPWU does not object to this request.

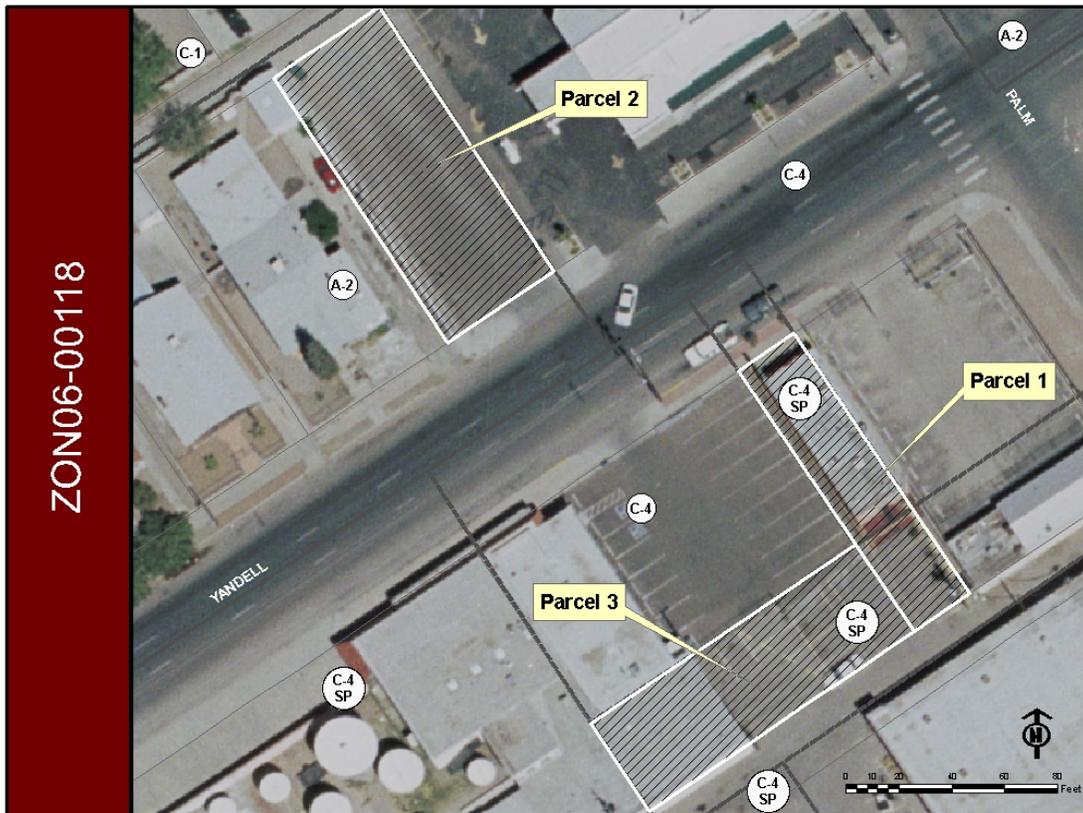
**ATTACHMENT:** Location Map, Aerial Map, Site Plan

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEVELOPMENT SERVICES DEPARTMENT, PLANNING DIVISION (915) 541-4056.

LOCATION MAP



**AERIAL MAP**



# SITE PLAN

