

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: December 1, 2009
Public Hearing: December 22, 2009

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

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance granting Special Permit No. ZON09-00057, to allow for a one hundred percent (100%) parking reduction of the off-street parking requirement on the property described as the South 55 Feet of Lot 4, Block 134, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.14.070 and 20.04.320 of the El Paso City Code. The penalty being as provided in Chapter 20.24 of the El Paso City Code. Subject Property: 2823 Mobile Avenue. Property Owners: Francisco E. Herrera, ZON09-00057 (**District 2**).

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 (5-0)

*****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. ZON09-00057, TO ALLOW FOR A ONE HUNDRED PERCENT (100%) REDUCTION OF THE OFF-STREET PARKING REQUIREMENT ON THE PROPERTY DESCRIBED AS THE SOUTH 55 FEET OF LOT 4, BLOCK 134, THIRD AMENDED MAP OF HIGHLAND PARK ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 AND 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Francisco E. Herrera, has applied for a Special Permit under Section 20.04.320 and 20.14.070 of the El Paso City Code to allow for a one hundred percent reduction in off-street parking requirement; and,

WHEREAS, the Section 20.08.030 and 20.14.070 allows one hundred percent parking reduction; 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 20.04.320 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-2 (Commercial) District:

The South 55 Feet of Lot 4, Block 134, Third Amended Map of Highland Park Addition, City of El Paso El Paso County, Texas

2. That the City Council hereby grants a Special Permit under Section 20.04.320 and 20.14.070 of the El Paso City Code to allow for a 100% reduction of the off-street parking requirement 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 **C-2 (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. ZON09-00057** 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:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

MEMORANDUM

DATE: November 23, 2009

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00057

The City Plan Commission (CPC) on October 22, 2009, voted **5-0** to recommend **APPROVAL** of the special permit application to allow for a 100% parking reduction for financial institution.

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: ZON09-00057
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: October 22, 2009
Staff Planner: Andrew Salloum, 915-541-4029

Location: 2823 Mobile Avenue
Legal Description: The South 55 Feet of Lot 4, Block 134, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas

Acreage: 0.0315-acre
Rep District: 2
Existing Use: Vacant Building
Existing Zoning: C-2 (Commercial)
Request: 100% Parking Reduction
Proposed Use: Financial Institution

Property Owner: Francisco E. Herrera
Applicant: Francisco E. Herrera
Representative: Jesus Jaime

SURROUNDING ZONING AND LAND USE

North: C-2 (Commercial) / Single-Family Residential
South: C-2 (Commercial) / Office and Restaurant
East: C-2 (Commercial) / Sports Bar and Restaurant
West: C-2 (Commercial) and R-5 (Residential) / Single-Family Residential

THE PLAN FOR EL PASO DESIGNATION: Residential (Central Planning Area)

Nearest Park: Newman Park (1,920 Feet)

Nearest School: Austin High (3,350 Feet)

NEIGHBORHOOD ASSOCIATIONS

Central Neighborhood Association

NEIGHBORHOOD INPUT

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed special permit on September 30, 2009. Planning did not receive any calls or letters in support or opposition.

APPLICATION DESCRIPTION

The property owner is requesting a special permit and detailed site development plan approval to allow for a 100% reduction of the off-street parking requirement. The detailed site development plan shows a 1,315 square-foot financial institution that requires twenty (22) parking spaces and 3 bicycle 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.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan.

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: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The application is in conformance with The Plan for El Paso and with the 2025 Projected General Land Use Map which designates the property for mixed use land uses. The proposed parking reduction will not adversely affect the surrounding development.

Development Services Department - Building Permits and Inspections Division

Zoning: no objection.

Landscaping: Landscape not required for this project. Existing structure, no expansion, staying in same zone.

Development Services Department – Planning Division

Current Planning: Recommends **APPROVAL** of the special permit and detailed site development plan.

Land Development: no comments received.

Engineering Department - Traffic Division

Traffic does not object to the parking reduction request. Parking study submitted by the applicant and verified by Traffic shows that adequate on-street parking is available within 300 feet of the property.

Street Department

Pending comments.

Fire Department

No adverse comments.

El Paso Water Utilities

EPWU does not object to this request.

Sun Metro

Sun Metro has no opposition to this request.

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

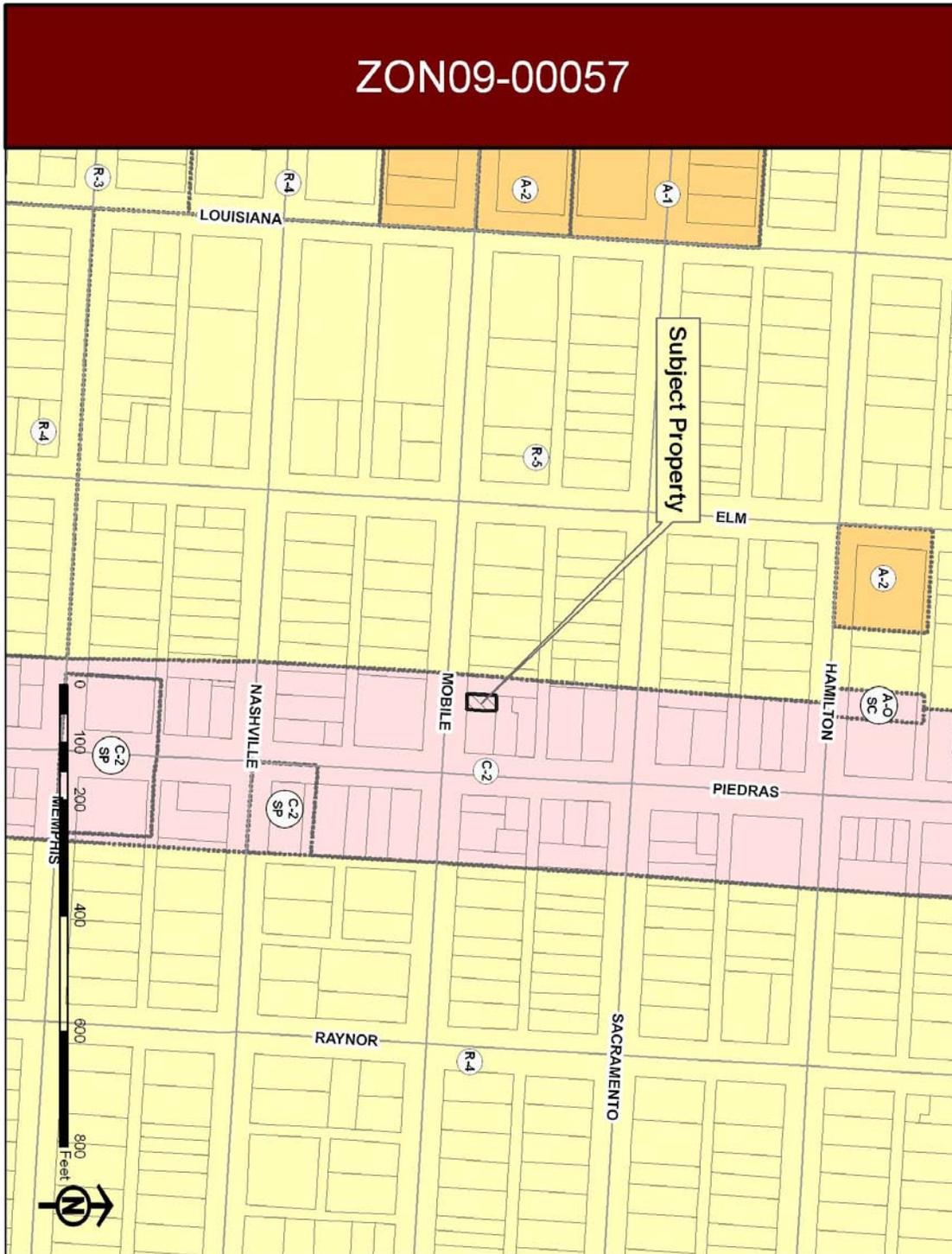
2. Recommend approval of the application with modifications to bring the special permit and detailed site development plan into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.

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
4. Parking Study

ATTACHMENT 1: LOCATION MAP

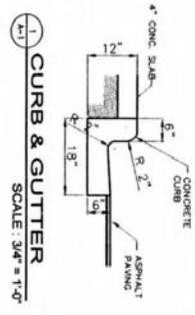
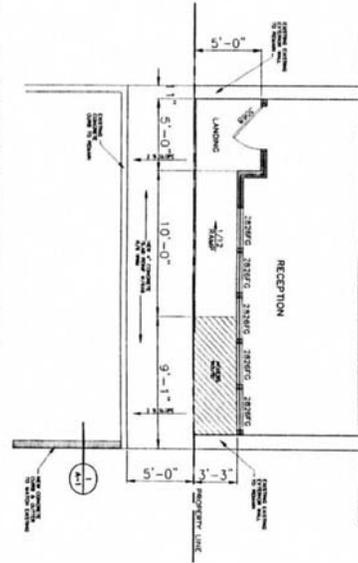


ATTACHMENT 2: AERIAL MAP

ZON09-00057



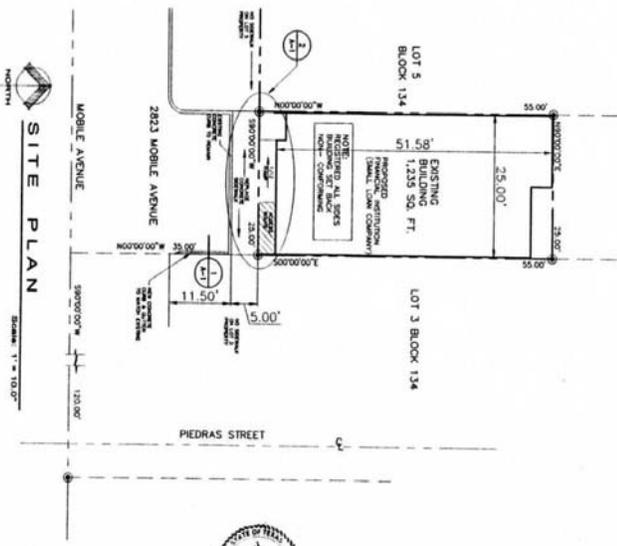
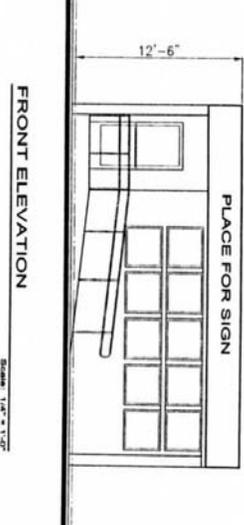
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



GENERAL NOTES:
BUILDING TOTAL = 1,235 SQ. FT.

PARKING REQUIREMENTS
(CALCULATED FROM TEXAS CODE)
1.287/200 = 7
315 = 15
TOTAL REQUIRED = 22
PARKING PROVIDED = 0
M/C PROVIDED = 0
BICYCLE SPACES REQUIRED = 3

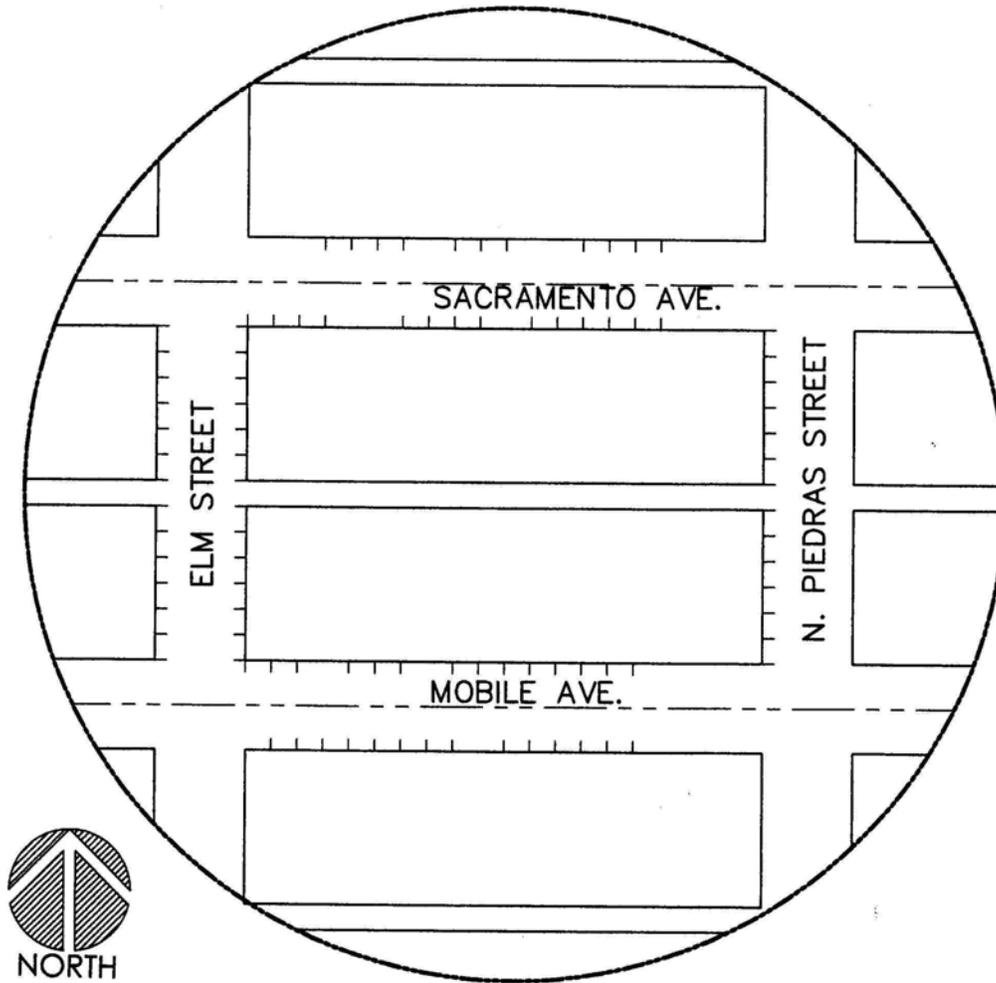
LANDSCAPE AREA REQUIRED
(LAND AREA X 0.75) 1,375 X 0.075 = 103 SQ. FT.
REQUIRED AREA = 103 SQ. FT.
PROVIDED AREA = 0



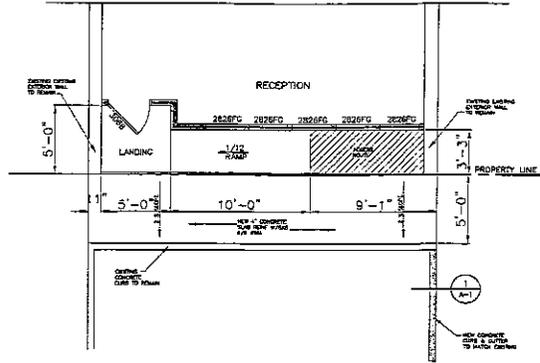
LEGAL DESCRIPTION
THE SOUTH 55 FEET OF LOT 4, BLOCK 134, THIRD AMENDED MAP OF HIGHLAND PARK, ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.

A-1 SHEET TITLE SITE PLAN AND EXTERIOR ELEVATION SHEET 01 OF 01	J L J DESIGNS CELL (915) 329-4346 FAX (915) 629-7089 436 BATES WAY EL PASO, TEXAS. 79915	PROJECT NAME INTERIOR ALTERATIONS TO FRANCISCO HERRERA PROPERTY 2823 MOBILE AVE. EL PASO, TEXAS	OWNER X X X X X	PROJECT NUMBER DRAWING NO. DATE	REVISIONS NO. DATE BY
	ENGINEER'S SEAL ENRIQUE A. REY 35806				

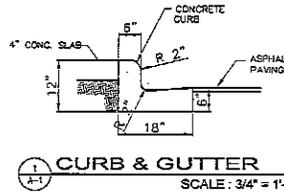
ATTACHMENT 4: PARKING STUDY



PARKING COUNT ON JUNE 09, 2009										
TIME	MOBILE AVE. (23 AVAIL)		PIEDRAS ST. (12 AVAIL)		SACRAMENTO AVE.(19 AVAIL)		ELM ST. (24 AVAIL)		TOTAL OCCUPIED	TOTAL AVAILABLE
08.00 A.M.	4	OCCUPIED	2	OCCUPIED	3	OCCUPIED	1	OCCUPIED	10	TOTAL 68
09.00 A.M.	11	OCCUPIED	2	OCCUPIED	4	OCCUPIED	4	OCCUPIED	21	TOTAL 57
10.00 A.M.	15	OCCUPIED	3	OCCUPIED	10	OCCUPIED	6	OCCUPIED	34	TOTAL 44
11.00 A.M.	18	OCCUPIED	5	OCCUPIED	14	OCCUPIED	9	OCCUPIED	46	TOTAL 32
12.00P.M.	22	OCCUPIED	11	OCCUPIED	16	OCCUPIED	16	OCCUPIED	66	TOTAL 17
01.00 P.M.	20	OCCUPIED	12	OCCUPIED	16	OCCUPIED	18	OCCUPIED	66	TOTAL 12
02.00 P.M.	18	OCCUPIED	10	OCCUPIED	16	OCCUPIED	14	OCCUPIED	58	TOTAL 20
03.00 P.M.	14	OCCUPIED	3	OCCUPIED	9	OCCUPIED	9	OCCUPIED	35	TOTAL 43
04.00 P.M.	11	OCCUPIED	6	OCCUPIED	7	OCCUPIED	8	OCCUPIED	32	TOTAL 46
05.00 P.M.	12	OCCUPIED	8	OCCUPIED	10	OCCUPIED	4	OCCUPIED	34	TOTAL 44
06.00 P.M.	17	OCCUPIED	12	OCCUPIED	16	OCCUPIED	3	OCCUPIED	48	TOTAL 30
07.00 P.M.	19	OCCUPIED	10	OCCUPIED	4	OCCUPIED	4	OCCUPIED	37	TOTAL 41
08.00 P.M.	16	OCCUPIED	9	OCCUPIED	7	OCCUPIED	5	OCCUPIED	44	TOTAL 34



2 PARTIAL FLOOR PLAN SCALE: 1/4" = 1'-0"

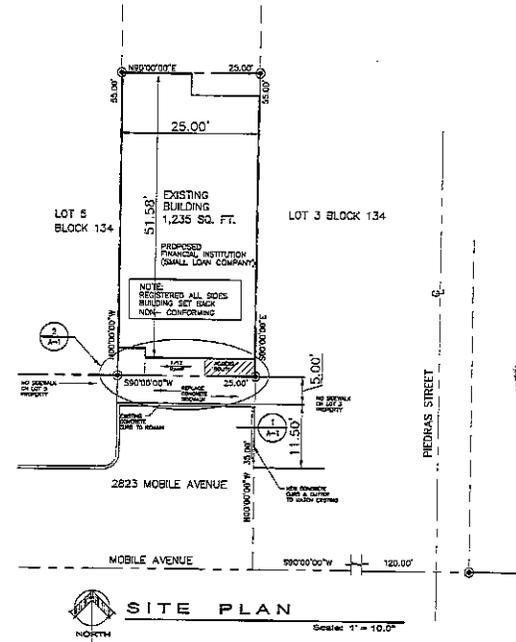
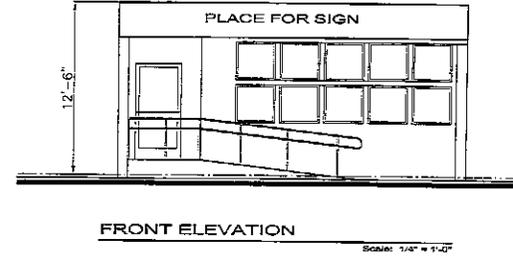


1 CURB & GUTTER SCALE: 3/4" = 1'-0"

GENERAL NOTES:
 BUILDING TOTAL = 1,235 SQ. FT.
PARKING REQUIREMENTS
 FINANCIAL INSTITUTION = 1/200 = 5/TELLER WINDOW
 (SMALL LOAN COMPANY)
 $\frac{1,235/200 = 6.175}{3X5 = 15}$
 TOTAL REQUIRED = 22
 PARKING PROVIDED = 0
 H/C PROVIDED = 0
 BICYCLE SPACES REQUIRE = 3

LANDSCAPE AREA REQUIRED
 (LAND AREA X .075) 1,375 X 0.075 = 103 SQ. FT.

REQUIRED AREA = 103 SQ. FT.
 PROVIDED AREA = 0



SITE PLAN SCALE: 1" = 10.0'

LEGAL DESCRIPTION
 THE SOUTH 55 FEET OF LOT 4, BLOCK 134, THIRD AMENDED MAP OF HIGHLAND PARK ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS.

REVISIONS	
1	09-24-09

PROJECT NUMBER:	
PROJECT NAME:	
DATE:	
BY:	

OWNER: X X X X X

PROJECT NAME: INTERIOR ALTERATIONS TO FRANCISCO HERRERA PROPERTY 2823 MOBILE AVE. EL PASO, TEXAS



J.L.J. DESIGNS
 CELL (915) 329-4346
 FAX (915) 628-7089
 438 BATES WAY
 EL PASO, TEXAS 79915

SHEET TITLE: SITE PLAN AND EXTERIOR ELEVATION

A-1

SHT. 01 OF 01