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

DEPARTMENT: **Planning and Economic Development Department**

AGENDA DATE: **Introduction: December 20, 2011**
Public Hearing: January 17, 2012

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 8

SUBJECT:
An Ordinance granting Special Permit No. PZST11-00010, to allow for Infill Development and a Parking Reduction on the property described as North 45 ft. of Lots 1 and 2, the North 45 ft. of the West 5 ft. of Lot 3, and the North 40 ft. of the East of Lot 3, Block 32, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2900, 2902 Rosa Avenue. Property Owner: Family Crisis Shelter of El Paso. PZST11-00010 **(District 8)**

BACKGROUND / DISCUSSION:
N/A

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (4-0)

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

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

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development

_____

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST11-00010, TO ALLOW FOR INFILL DEVELOPMENT AND A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS NORTH 45 FT. OF LOTS 1 AND 2, THE NORTH 45 FT. OF THE WEST 5 FT. OF LOT 3, AND THE NORTH 40 FT. OF THE EAST OF LOT 3, BLOCK 32, EAST EL PASO ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Family Crisis Shelter of El Paso, Owner, has applied for a Special Permit under Section 20.10.280 of the El Paso City Code to allow for Infill Development and a Parking Reduction; 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 an **M-1 (Manufacturing)** District:

   North 45 ft. of Lots 1 and 2, the North 45 ft. of the West 5 ft. of Lot 3, and the North 40 ft. of the East of Lot 3, Block 32, East El Paso Addition, City of El Paso, El Paso County, Texas; and, as more particularly described by metes and bounds on the attached Exhibit "A" and made a part hereof for all purposes; and,

2. That the City Council hereby grants a Special Permit for Infill Development under Section 20.10.280 of the El Paso City Code, to allow reduced yard setbacks and a 100% parking reduction; and,

3. That this Special Permit is issued subject to the development standards in the **M-1 (Manufacturing)** 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 Owner or the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. **PZST11-00010** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; 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 of the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2012.

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:

_____
Mathew S. McElroy
Deputy Director – Planning and
Economic Development Department

AGREEMENT

Family Crisis Shelter of El Paso, Owner, 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 **M-1 (Manufacturing)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2012.

Family Crisis Shelter of El Paso:

By: _____
(name/title)

_____
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of

_____, 2012, by _____, for **Family Crisis Shelter of El Paso,** as Owner.

My Commission Expires:

_____
Notary Public, State of Texas

Notary's Printed or Typed Name:

_____

Exhibit "A"

The North 45 feet of Lots 1 and 2 and the North 45 feet
Of the West 5 feet of lot 3 and the north 40 feet of the
East 20 feet of lot 3, Block 32
East El Paso Addition,
City of El Paso, El Paso County, Texas
November 17, 2011

METES AND BOUNDS DESCRIPTION
2900-2902 Rosa Avenue
Exhibit "A"

FIELD NOTE DESCRIPTION of the North 45 feet of Lots 1 and 2 and the North 45 feet Of the West 5 feet of lot 3 and the north 40 feet of the East 20 feet of lot 3, Block 32, East El Paso Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found city monument located offset 10 feet east of the centerline of Raynor Street (70' R.O.W.) and Rosa Street (70' R.O.W.), **THENCE,** leaving said intersection along said centerline of Rosa Street, North 90°00'00" West, a distance of 380.00 feet to a point, **THENCE,** leaving said centerline, South 00°00'00" East, a distance of 20.00 feet to the **POINT OF BEGINNING** of the herein described parcel;

THENCE, South 00°00'00" East, a distance of 40.00 feet to a point;

THENCE, South 90°00'00" West, a distance of 20.00 feet to a point;

THENCE, South 00°00'00" East, a distance of 5.00 feet to a point;

THENCE, South 90°00'00" West, a distance of 54.99 feet to a point;

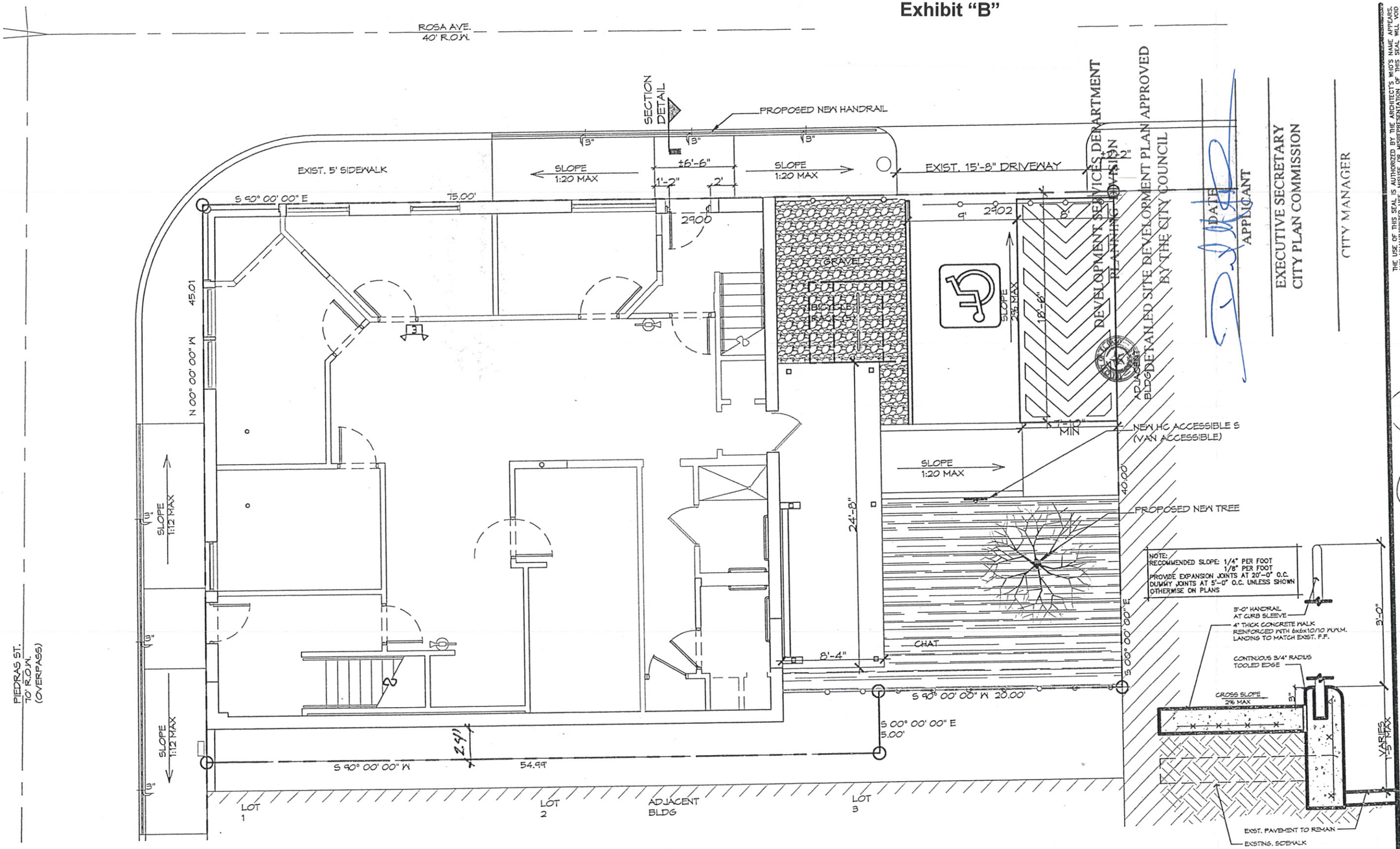
THENCE, North 00°00'00" West, a distance of 45.01 feet to a point;

THENCE, South 90°00'00" East, a distance of 75.00 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 3,274.95 square feet or 0.0752 acres of land more or less.

Carlos M. Jiménez
Registered Professional Land Surveyor
Texas No. 3950

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2011\11-3320.wpd

Exhibit "B"



SECTION DETAIL

LEGAL DESCRIPTION:
2900 ROSA AVE
THE N 45 FT FO LOTS 1&2 &
THE N 45 FT OF THE W 5 FT
OF LOT 3 BLOCK 32

2902 ROSA AVE
THE N 40 FT. OF THE E 20FT
OF LOT 3 BLOCK 32

ZONE: M1
PROPOSED USE:
11 UNITS IN TOTAL
4 UNITS AT 1st FLOOR
7 UNITS AT 2nd FLOOR

TOTAL AREA: 4,174.5 SF
1st FLOOR:
EXISTING: 1,964 SF
PROPOSED: 213 SF
2nd FLOOR:
EXISTING: 1,997 SF

LANDSCAPE AREA
TOTAL AREA: 3,275 SF
LANDSCAPE FACTOR 15%
LANDSCAPE AREA REQ. 491.25 SF
LANDSCAPE AREA PROV.: 494.64 SF

PARKING TREES REQ.: 1
PARKING TREES PROV. : 1

PARKING:
REQUIRED: 12 CARS PARKING
3 BICYCLES

1 PER ROOM X 11 ROOMS = 11 CAR PARKING
1 FOR THE OPERATOR RESIDENCE = 1 CAR PARKING

CAR PARKING REDUCTION REQUESTED: 100%
BICYCLE PARKING PROVIDED: 1 RACK FOR 5 BICYCLES

NORTH

THE USE OF THIS SEAL IS AUTHORIZED BY THE ARCHITECT'S WHO'S 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 ARCHITECT'S EXPRESS WRITTEN PERMISSION.

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 THIS FIRM'S PROFESSIONAL PRACTICE. THE MAILING ADDRESS IS TBAE, P.O. BOX 12337, AUSTIN, TEXAS 78711, TELE. (512) 305-9000.

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REGISTERED ARCHITECT ☆ FREDERICK DALBIN ☆ STATE OF TEXAS 12420

9/15/2011

FAMILY CRISIS SHELTER OF EL PASO
2900 ROSA AVE

SITE PLAN
SHEET 1 OF 1

10.11.75
08/24/2011
1/8" = 1'-0"

PZST11-00010

Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS

Date: December 7, 2011

To: Honorable Mayor and City Council
Joyce Wilson, City Manager

From: Esther Guerrero, Planner

Subject: **PZST11-00010 Special Permit for Infill Development and Parking Reduction**

The City Plan Commission (CPC) on October 20, 2011, voted **4-0** to recommend **approval** of this special permit. There are two requests: one for infill development to allow reduced rear, front and side yard setbacks, and the second request for a 100% parking reduction. The property is zoned M-1 (Manufacturing) and is 0.236 acre in size.

The applicant is proposing to occupy the existing 4,174 sq. ft. building, which is currently being renovated, as a family shelter. The facility will include four units on the first level and seven units on the second level.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

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 CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; and 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 one present at the meeting to speak in favor or in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson

City of El Paso – City Plan Commission Staff Report

Case No:	PZST11-00010
Application Type:	Special Permit
CPC Hearing Date:	October 20, 2011
Staff Planner:	Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov
Location:	2900, 2902 Rosa Avenue
Legal Description:	North 45 ft. of Lots 1 & 2, the North 45 ft. of the West 5 ft. of Lot 3, and the North 40 ft. of the East of Lot 3, Block 32, East El Paso Addition, City of El Paso, El Paso County, Texas
Acreage:	0.236 acre
Rep District:	8
Zoning:	M-1 (Manufacturing)
Existing Use:	Family Shelter
Request:	100% Parking Reduction, Infill Development for reduced yard setbacks
Proposed Use:	Transitional Housing Facility
Property Owner:	Family Crisis Shelter of El Paso
Applicant:	Same
Representative:	David Arellano

SURROUNDING ZONING AND LAND USE

North: M-1 (Manufacturing) / warehouse
South: M-1 (Manufacturing) / automotive stereo repair and installation shop
East: M-1 (Manufacturing) / warehouse and storage yard
West: C-4 (Commercial) / Piedras Street overpass

The Plan for El Paso Designation: Industrial (Central Planning Area)
Nearest Park: El Barrio Park (2,329 feet)
Nearest School: Beall Elementary (1,269 feet)

NEIGHBORHOOD ASSOCIATIONS

Chamizal Neighborhood Association, El Paso Central Business Association

NEIGHBORHOOD INPUT

Notices of the October 20, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on October 5, 2011. The Planning Division has not received any phone calls or letters in support or opposition of this request.

APPLICATION DESCRIPTION

The site plan shows an existing two-story, 4,174 sq. ft. building with four units on the 1st level, seven units on the 2nd floor, one handicap parking stall, and access via Rosa Avenue. The applicant is requesting a 100% parking reduction from the required 13 parking spaces and reduced yard setbacks of zero feet.

The City Council on May 24, 2011, adopted Ordinance No. 017567, allowing transitional housing facilities to be located in M-1 (Manufacturing) Districts, and as a special permit use in all Apartments Districts, S-D (Special Development) Districts, in C-1, C-2 and C-3 (Commercial) Districts and in SRR (Special Residential Revitalization) Districts; and detailed site plan in Special Districts GMU (General Mixed Use) and IMU (Industrial Mixed Use).

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for a 100% parking reduction based on the parking study submitted which was reviewed and approved by the Department of Transportation, and an infill development for reduced yard setbacks.

The awnings will require a special privilege license from the Department of Transportation.

The Plan for El Paso-City-Wide Land Use Goals

All applications for special permit shall demonstrate compliance with the following criteria:

a. Goal: establish a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities and outlets for social and cultural expression.

b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

c. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.

The purpose of the M-1 (Light Manufacturing) district is to provide locations for light-intensity industries involving manufacturing, assembling, distribution and warehousing. It is intended that the districts will serve the entire City and will permit supporting commercial uses. The regulations of the districts are intended to preserve a light industrial nature particularly with regard to noise, smoke, odors, dust, vibrations and other noxious conditions.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for special permit and offered no objections to Planning Staff's recommendation for approval.

Engineering – Construction Management Division-Plan Review

No comments received.

Engineering – Land Development

No objections.

Department of Transportation

Transportation does not object to the parking reduction:

1. Sidewalks shall be continuous across the driveway and shall comply with ADA and City standards.
2. Awnings are encroaching onto city right-of-way. All encroachments must be addressed with the Department of Transportation

Note: All existing/proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Fire Department

No comments received.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

EPWU does not object to this request.

Water

-Along Rosa Avenue fronting addresses 2900 and 2902 Rosa Avenue there is an existing six (6) inch diameter water main.

- Along Piedras Street fronting 2900 Rosa Avenue there is an existing six (6) inch diameter water main.

-Previous water pressure readings conducted on fire hydrant number 2114 located at Rosa Avenue and Raynor Street have yielded a static pressure of 95 pounds per square inch (psi), residual pressure of 83 psi, discharge of 1,289 gallons per minute (gpm). Private water pressure regulating devices will be required at the discharge side of each water meter. The Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. Additionally, the lot buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

CITY PLAN COMMISSION OPTIONS

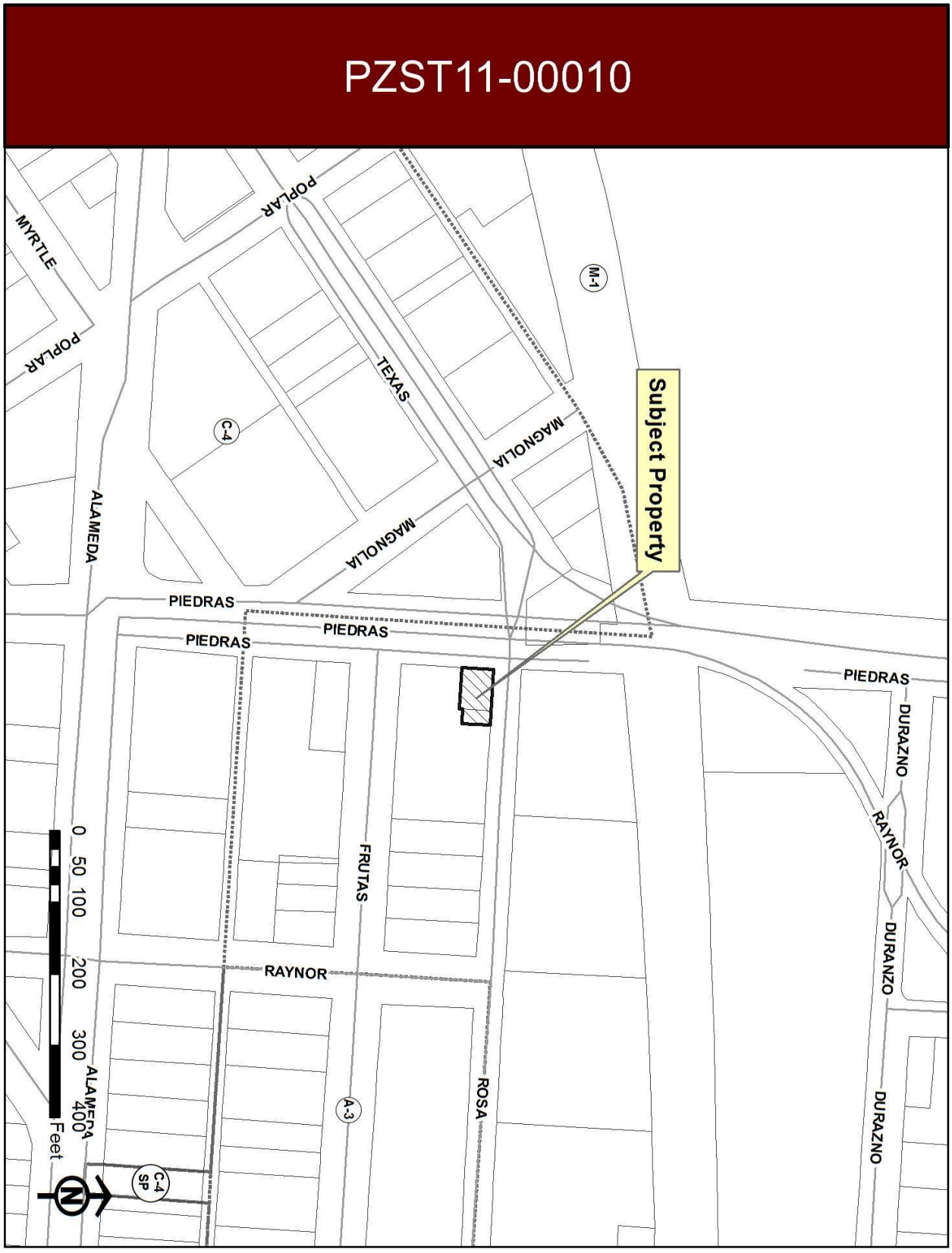
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

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

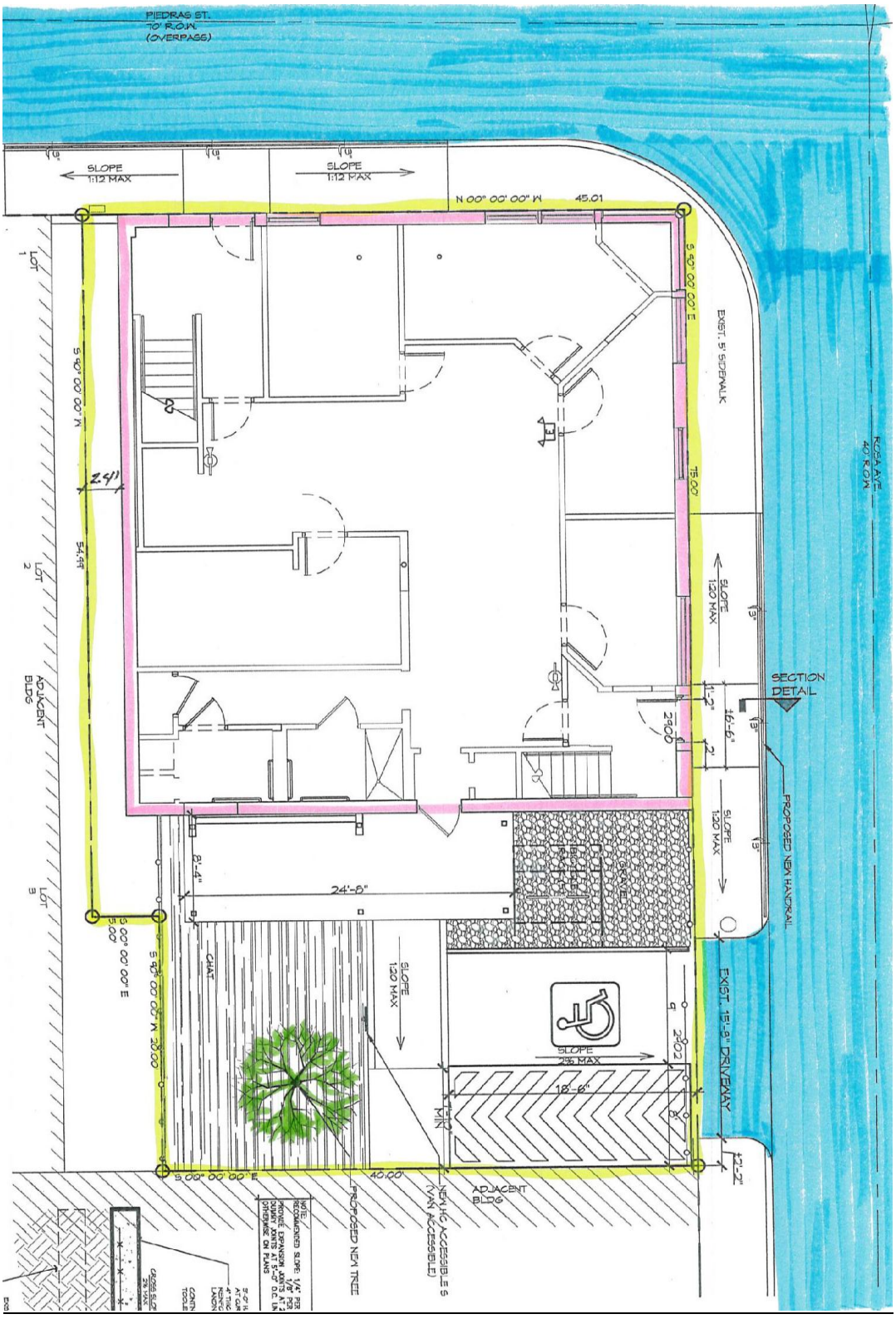
1. Location Map
2. Aerial Map
3. Detailed Site Development Plan

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



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PROPOSED: 219 SF
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LANDSCAPE AREA REQ. 491.25 SF
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