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

DEPARTMENT: **Planning, Research & Development**

AGENDA DATE: **Introduction: May 3, 2005**
Public Hearing: May 24, 2005

CONTACT PERSON/PHONE: **Christina Valles, 541-4930**

DISTRICT(S) AFFECTED: **8**

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00011, To allow for a parking reduction on the property described as the East 15 ½ feet of Lot 20 and the West 19 feet of Lot 21, Block 32 Franklin Heights Addition, El Paso, El Paso County, Texas, pursuant to section 20.64.175 of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code.

BACKGROUND / DISCUSSION:
See attached report.

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

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

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

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER:_____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00011, TO ALLOW FOR A PARKING REDUCTION ON THE PROPERTY DESCRIBED AS THE EAST 15 ½ FEET OF LOT 20 AND THE WEST 19 FEET OF LOT 21, BLOCK 32 FRANKLIN HEIGHTS ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.64.175 OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, Elizabeth Valenzuela has applied for a Special Permit under Section 20.64.175 of the El Paso Municipal Code to allow for a parking reduction;

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;

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 the property described as follows is in the A-3/H (Apartment/Historic) District, requiring ten (10) off-street parking spaces to serve proposed apartments;

> *The East 15 ½ feet of Lot 20 and the West 19 feet of Lot 21, Block 32, Franklin Heights Addition, El Paso, El Paso County, Texas*; and

2. That the City Council hereby grants a Special Permit under Section 20.64.175 of the El Paso Municipal Code so that the parking requirements described in Paragraph 1 of this Ordinance may be satisfied with a parking reduction as described in Paragraph 3 of this Ordinance;

3. That the City Council hereby grants a Special Permit under Section 20.64.175 for a parking reduction of 85%, so that the property, required to provide ten (10) off-street parking spaces, can satisfy the parking requirements by providing three (3) off-street parking spaces;

4. That this Special Permit is issued subject to the development standards in the A-3/H (Apartment/Historic) 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 is incorporated herein by reference for all purposes;

5. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00011**, 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

6. 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 _____, 2005.

THE CITY OF EL PASO

_____
Joe Wardy, Mayor

ATTEST:

_____
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

_____
Matt Watson, Assistant City Attorney
Doc No. 11367

APPROVED AS TO CONTENT:

_____
Christina Valles, Planner II
Planning, Research & Development Department

APPROVED AS TO CONTENT:

_____
Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development Department

AGREEMENT

Elizabeth Valenzuela, 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 and in accordance with the standards identified in the A-3/H (Apartment/Historic) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 19th day of April, 2005.

Elizabeth D. Valenzuela
Elizabeth Valenzuela

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 19th day of April, 2005, by Elizabeth D. Valenzuela as Applicant.

My Commission Expires:

Nancy M Spencer
Notary Public, State of Texas
Notary's Printed or Typed Name:
Nancy M Spencer

NANCY M. SPENCER
Notary Public, State of Texas
Commission Expires 11-24-05

Prepared For: Wright and Dalbin Architects
Being the East 15.5 feet of Lot 20 and the West 19 feet of Lot 21,
Block 32, Franklin Heights
City of El Paso, El Paso County, Texas
WO: 030905-8
Date: April 7, 2005

PROPERTY DESCRIPTION
(1305 Magoffin Avenue)

Description of a 0.1695 acre parcel of land being the East 15.5 feet of Lot 20 and the West 19 feet of Lot 21, Block 32, Franklin Heights, City of El Paso, El Paso County, Texas, being more particularly described by metes and bounds as follows:

Beginning at a City Monument located 10 feet North of the center line intersection of Myrtle Avenue and Brown Street; Thence, along the center line of Brown Street, South 37° 06' 00" East a distance of 264.00 feet; Thence, leaving said center line, North 52° 54' 00" East a distance of 119.50 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449 and the "True Point of Beginning";

Thence, North 52° 54' 00" East a distance of 34.50 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449 and a point for corner;

Thence, South 37° 06' 00" East a distance of 216.94 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449 lying on the Northerly Right of Way line of Magoffin Avenue;

Thence, along said Northerly Right of Way line, South 62° 36' 53" West a distance of 35.00 feet to a 5/8" diameter rebar with plastic cap stamped Roe Engineering L.C., Tx. 2449, and a point for corner;

Thence, leaving said Northerly Right of Way line, North 37° 06' 00" West a distance of 211.04 feet back to the "True Point of Beginning" of said parcel and containing in all 7,382.64 square feet or 0.1695 acres of land more or less.

Bradley Roe, R.P.L.S. 2449
Roe Engineering, L.C.
(Survey Plat accompanies this Property Description)

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DIRECTOR

PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA, JR.
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

April 20, 2005

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

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00011

The City Plan Commission (CPC), on March 24, 2005, voted **7 - 0** to recommend **APPROVAL** of this special permit request for parking reduction, concurring with Staff's recommendation.

The CPC found that this special permit request is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this special permit request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request.

Attachment: Location Map

STAFF REPORT

Special Use Permit #:	ZON05-00011
Property Owner(s):	Elizabeth Valenzuela
Applicant(s):	Elizabeth Valenzuela
Representative(s):	Wright & Dalbin Architects
Legal Description:	The East 15 1/2 feet of Lot 20 and the West 19 Feet of Lot 21, Block 32, Franklin Heights Addition
Location:	1305 Magoffin
Representative District:	**#** 8
Area:	0.1643 Acres (ZON05-00011 Square Feet)
Zoning:	A-3H (Apartment/Historic)
Existing Use:	Multi-family housing
Proposed Use:	Reduction of Parking: ***Spaces Required:*** ***10*** *Spaces Provided:* *3* ***Number and % Reduced:*** ***7 (70%)***
Recognized Neighborhood Associations Contacted:	El Paso Central Business Association, Magoffin Neighborhood Association

Surrounding Land Uses:

North -	C-4 (Commercial) / multi-family residential;
South -	A-3/H (Apartment/historic)/single-family residential C-4/H (Commercial/historic/single-family residential
East -	A-3/H (Apartment/historic)/multi-family residential
West-	A-3/H (Apartment/historic)/single-family residential

Year 2025 Designation:	Residential (Central Planning Area)

CITY PLAN COMMISSION HEARING, March 24, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL

Special Use Permit: ZON05-00011

General Information:

The applicant is requesting a special permit to allow for a parking reduction which will serve proposed multi-family housing. The property is currently zoned A-3/H (Apartment/Historic). The site is currently multi-family housing and is 0.1643 acres in size. The proposed site plan shows two buildings to be remodeled on the site. Access is proposed via the service alley; three (3) parking spaces are provided. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends approval of this special permit request.

The recommendation is based on the following:

> **The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso "provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development."
>
> **The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for residential land uses.
>
> A-3H (Apartment/Historic) zoning permits Parking Reduction by special permit.

The Commission must determine the following:

> Will the special permit for Parking Reduction protect the best interest, health, safety and welfare of the public in general?

Information To The Applicant:

Building Permits and Inspections Department Notes:

20.65 (landscaping) does not apply to this project.

Engineering Department, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed parking reduction.

Fire Department Notes:

Special Use Permit for a parking reduction does not adversely affect the Fire Department.
Note: Fire Department recommends that the applicant coordinate improvement plans with the Fire Department Plan Review Section.

El Paso Water Utilities Notes:

No objections.

Sun Metro Notes:

Routes 4, 21, 22, and 62 service this area.

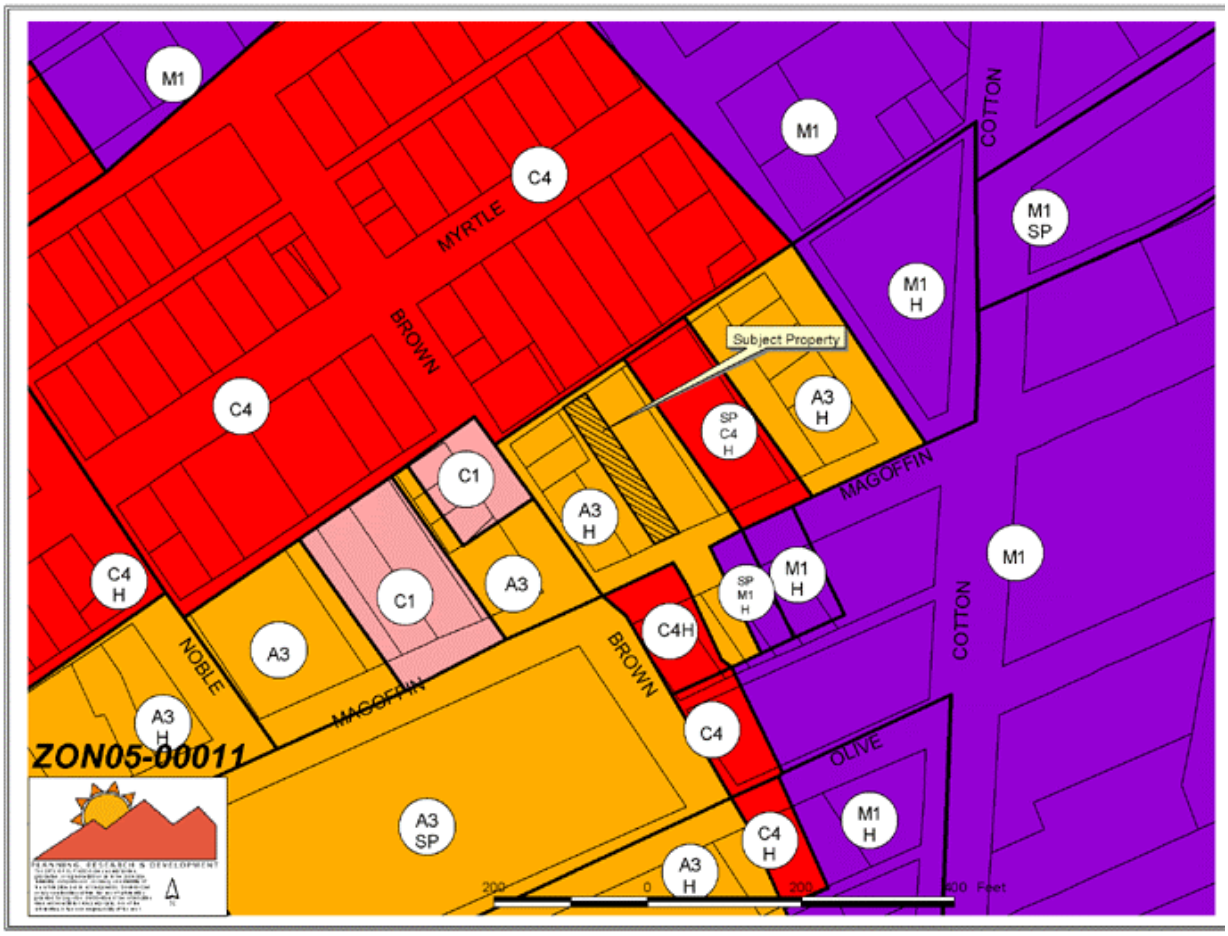
Planning, Research & Development Department Notes:

Recommend approval of this special permit request for a reduction of parking.

ATTACHMENT: 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 PLANNING, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

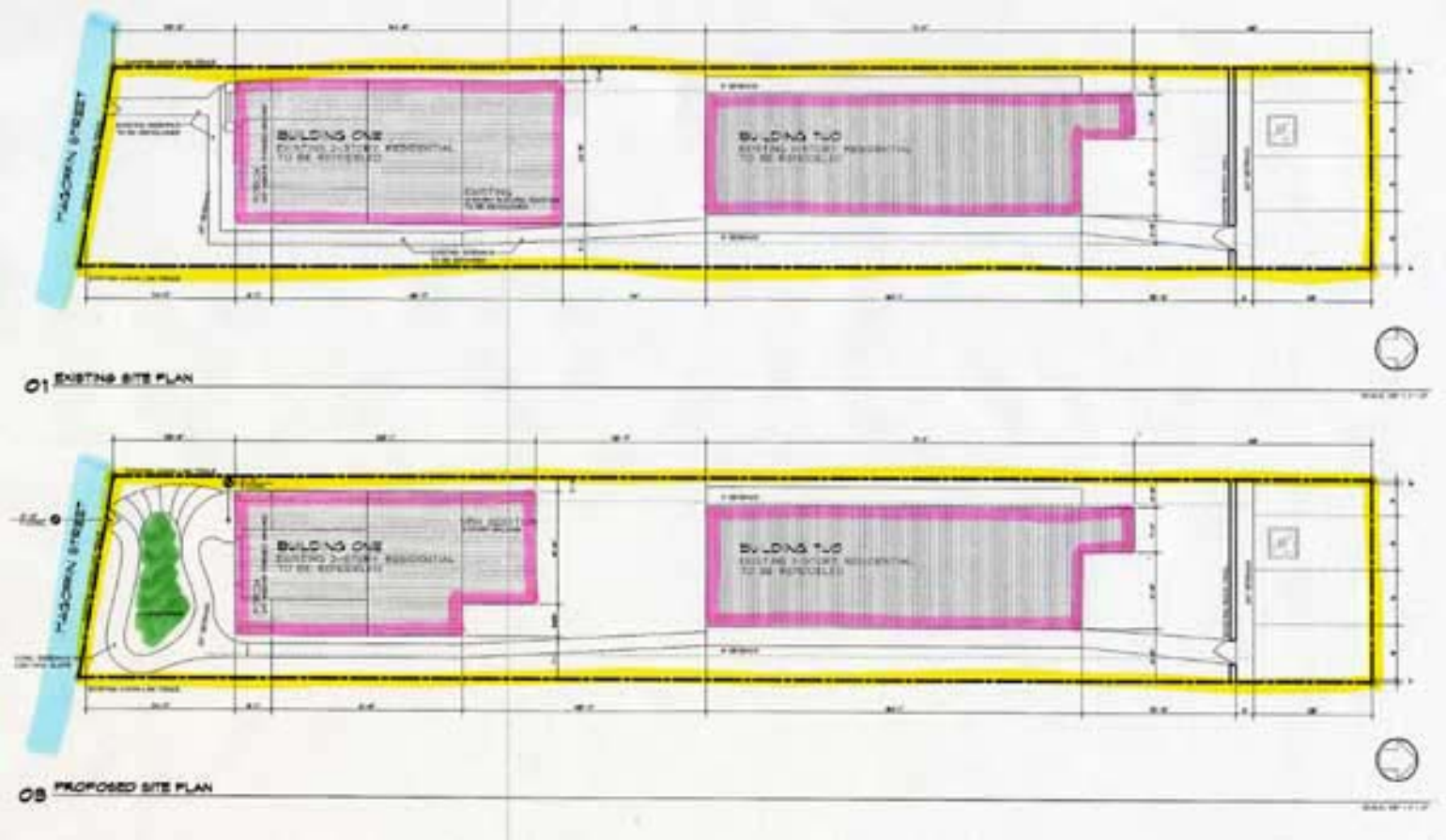
LOCATION MAP

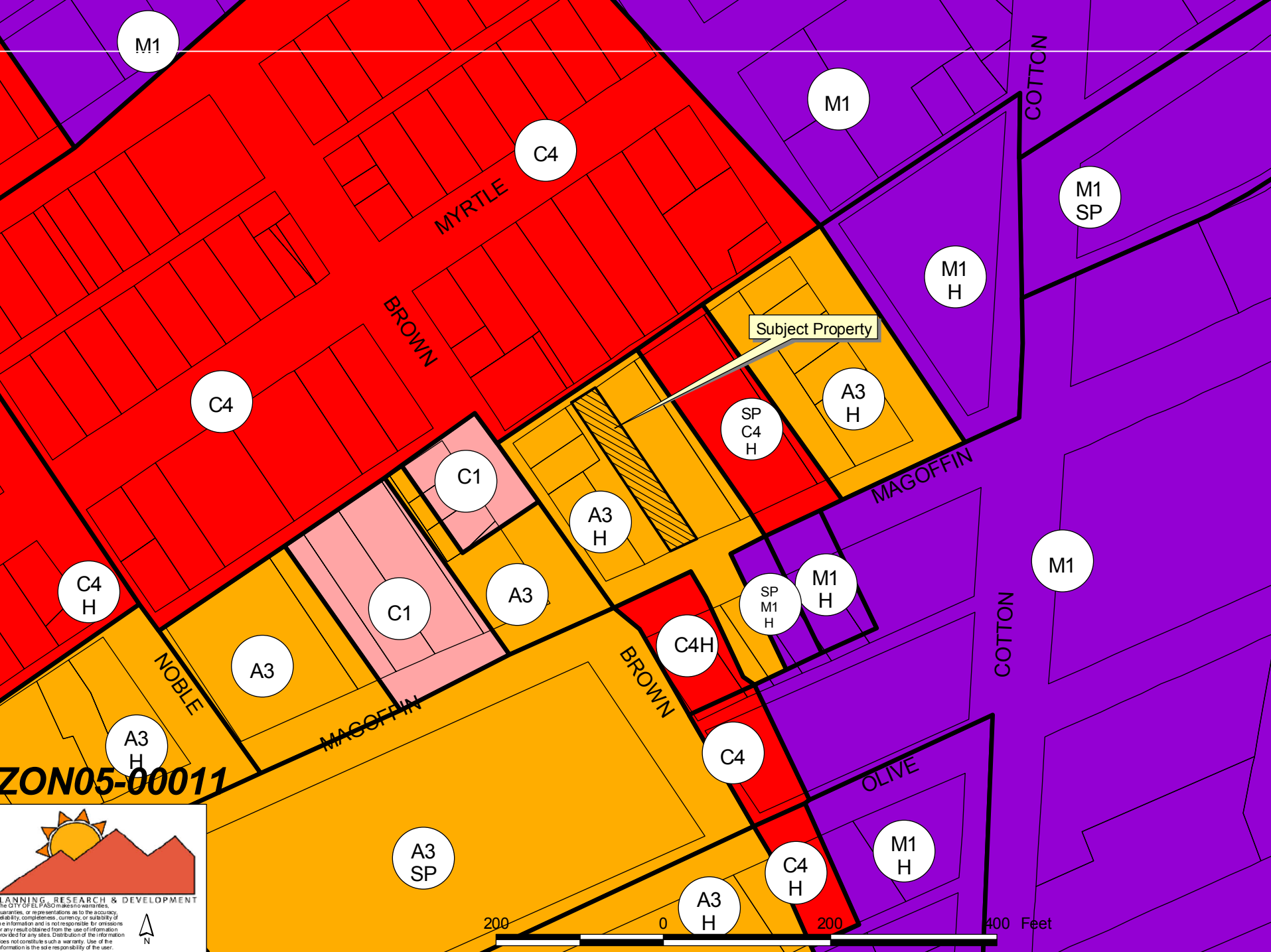


AERIAL MAP

MYRTLE
BROWN
Subject Property
COTTON
MAGOFFIN
NOBLE
MAGOFFIN
BROWN
COTTON
OLIVE
ZON05-00011
PLANNING, RESEARCH & DEVELOPMENT
200
0
200
400 Feet

GENERALIZED PLOT PLAN




M1
M1
C4
MYRTLE
COTTON
M1
SP
M1
H
BROWN
Subject Property
C4
A3
H
SP
C4
H
C1
MAGOFFIN
A3
H
M1
C4
H
C1
A3
SP
M1
H
M1
COTTON
C4H
NOBLE
A3
BROWN
MAGOFFIN
A3
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C4
OLIVE
ZON05-00011
A3
SP
M1
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C4
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A3
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200
0
200
400 Feet
LANNING, RESEARCH & DEVELOPMENT
The CITY OF EL PASO makes no warranties,
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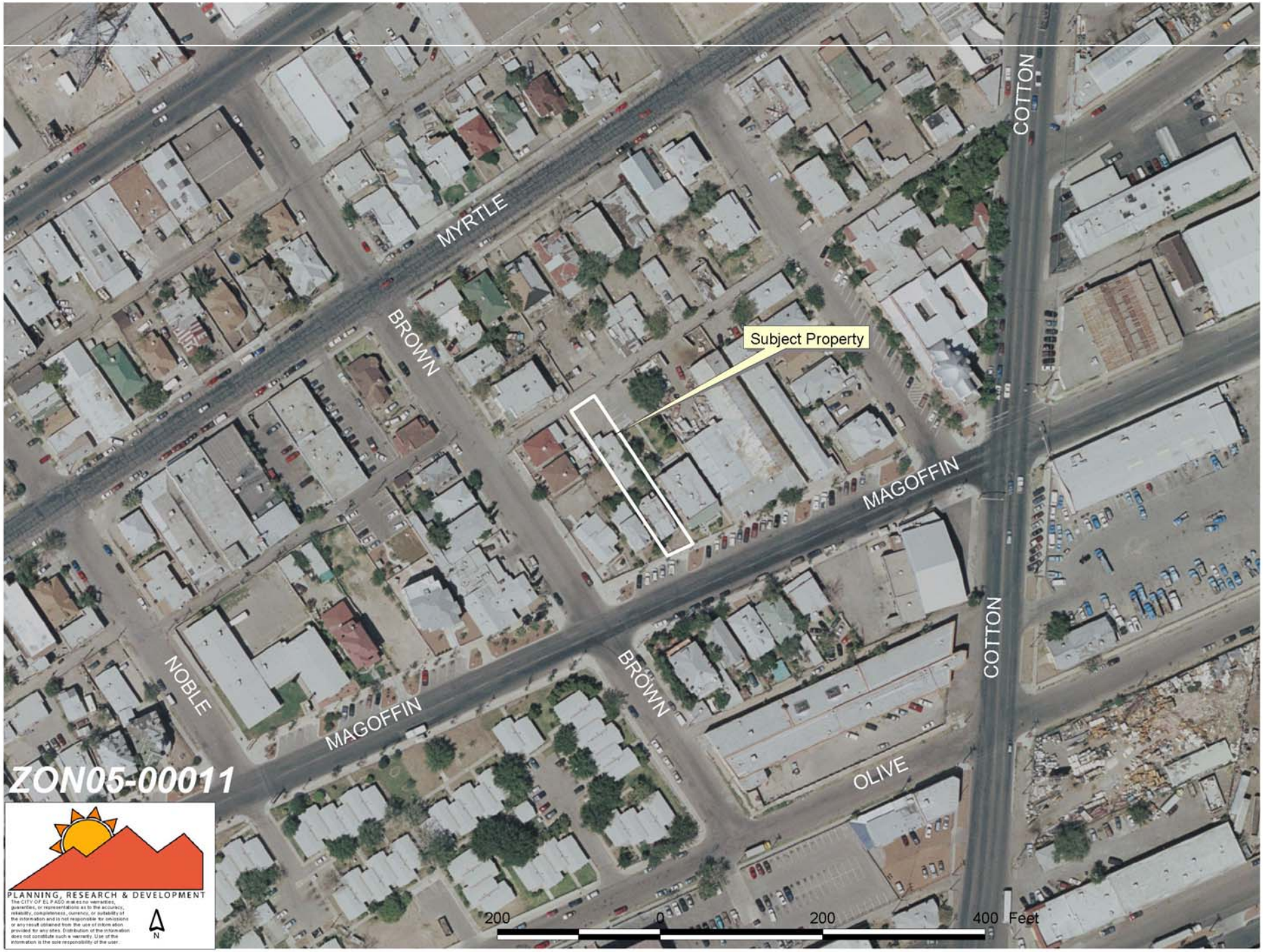
MYRTLE
BROWN
Subject Property
MAGOFFIN
COTTON
NOBLE
MAGOFFIN
BROWN
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OLIVE
ZON05-00011
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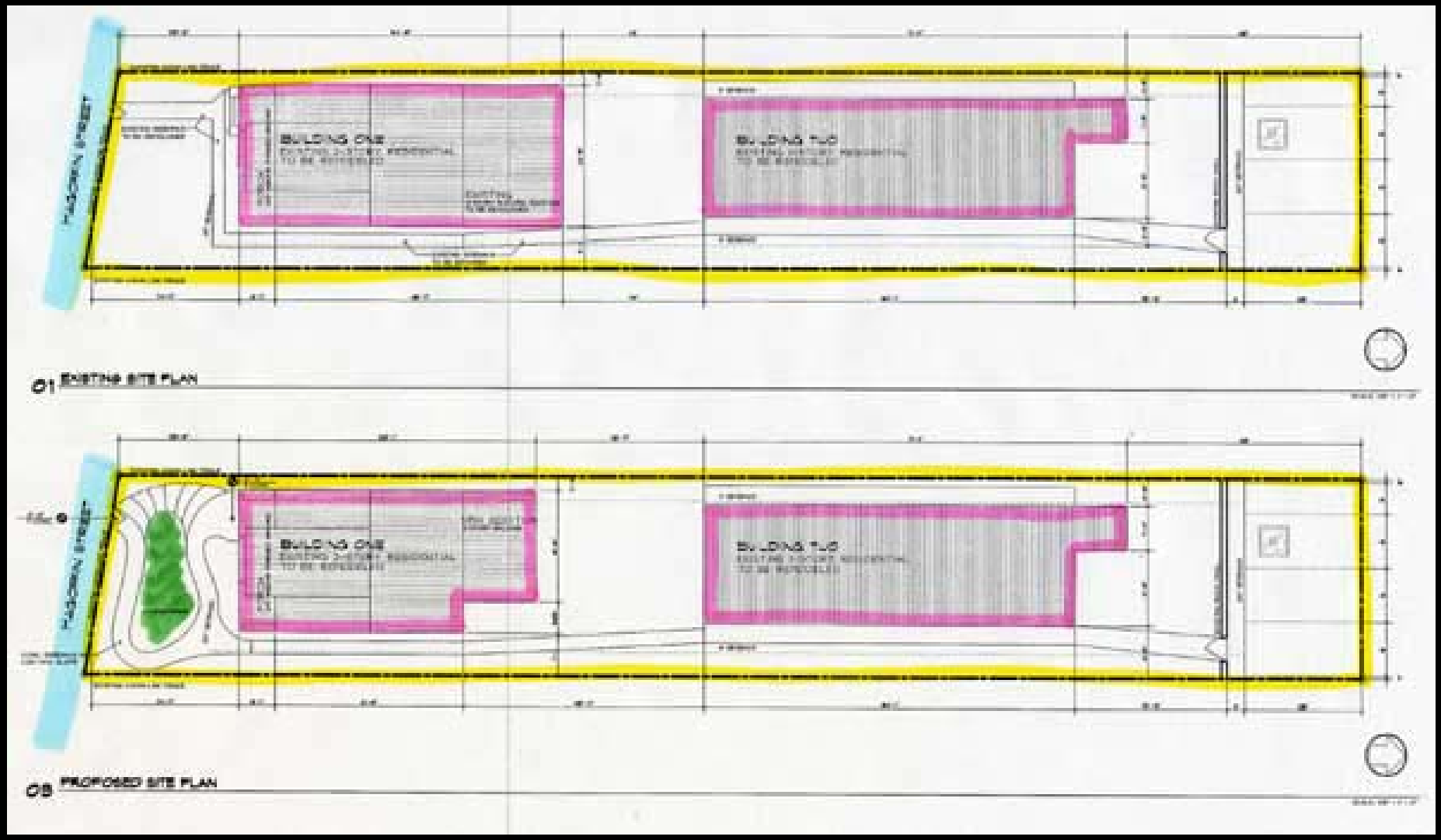
N
200
0
200
400 Feet

ZON05-00011


BUILDING ONE
BUILDING TWO
01 EXISTING SITE PLAN
BUILDING ONE
BUILDING TWO
03 PROPOSED SITE PLAN

ZON05-00011

ZON05-00011

ZON05-00011

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