

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: March 24, 2015
Public Hearing: April 14, 2015

CONTACT PERSON/PHONE: Arturo Rubio, (915) 212-1613, rubioax@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. PZST14-00027, to allow for off-street parking serving another property, on the property described as Lots 1 through 10, Block 266, Campbell Addition, City of El Paso, El Paso County Texas; Lots 17 through 20, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas; a portion of Lot 15 and all of Lot 16, Block 266 Campbell Addition, City of El Paso, El Paso County, Texas, and Lots 11 through 12, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas, 400 Rio Grande Avenue, 416 Rio Grande Avenue, 405 Montana Avenue and 415 Montana Avenue Pursuant to section 20.10.410, off street parking serving another property of the El Paso City Code. The penalty being as provided for in chapter 20.24 of the El Paso City Code. Subject Property: 400 Rio Grande Avenue, 416 Rio Grande Avenue, 405 Montana Avenue and 415 Montana Avenue. Property Owner: ASLM, LTD. PZST14-00027 (**District 8**)

BACKGROUND / DISCUSSION:

Staff report attached.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (9-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Director, Planning and Inspection Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST14-00027, TO ALLOW FOR OFF-STREET PARKING SERVING ANOTHER PROPERTY, ON THE PROPERTY DESCRIBED AS LOTS 1 THROUGH 10, BLOCK 266, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY TEXAS; LOTS 17 THROUGH 20, BLOCK 266, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS; A PORTION OF LOT 15 AND ALL OF LOT 16, BLOCK 266 CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND LOTS 11 THROUGH 12, BLOCK 266, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, 400 RIO GRANDE AVENUE, 416 RIO GRANDE AVENUE, 405 MONTANA AVENUE AND 415 MONTANA AVENUE PURSUANT TO SECTION 20.10.410, OFF STREET PARKING SERVING ANOTHER PROPERTY OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, ASLM, LTD has applied for a Special Permit for off-street parking serving another property under Section 20.10.410 of the El Paso City for retail development; 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 Section 20.10.410 and 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-4 (Commercial) and C-1 (Commercial) Zone District:

Lots 1 through 10, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas; Lots 17 through 20, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas; A portion of Lot 15 and all of Lot 16, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas, and Lots 11 through 12, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas, 400 Rio Grande Avenue, 416 Rio Grande Avenue, 405 Montana Avenue and 415 Montana Avenue and more particularly described by metes and bounds on the attached Exhibit "A" incorporated by reference; and,

ORDINANCE NO. _____

PZST14-00027

2. That the City Council hereby grants a Special Permit under Section 20.10.410 off-street parking serving another property and 20.04.320 of the El Paso City Code, to allow 55 percent parking reduction for a church expansion: and,
3. That this Special Permit is issued subject to the development standards in the C-4 (Commercial) and C-1 (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 "B" and incorporated herein by reference for all purposes; and,
4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST14-00027 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owners 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.

ADOPTED this _____ day of _____, 2015.

THE CITY OF EL PASO

 Oscar Leeser
 Mayor

ATTEST:

 Richarda Duffy Momsen
 City Clerk

APPROVED AS TO FORM:



 Karla M. Nieman
 Assistant City Attorney

APPROVED AS TO CONTENT:

 Mathew S. McElroy, Director
 Planning & Inspections Department

ORDINANCE NO. _____

PZST14-00027

MEMORANDUM

DATE: March 17, 2015

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Arturo Rubio, Lead Planner

SUBJECT: PZST14-00027

The City Plan Commission (CPC) on February 26, 2015, voted 9-0 to recommend **approval** of rezoning the subject property from A-2 (Apartment) to C-1 (Commercial) with a condition *that establishments that serve alcohol for consumption on premise shall be prohibited*. The request is to allow for a parking lot supporting an adjacent commercial lot.

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and, that the rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division has not received any communication in support or opposition to the request.

Property Owner: ASLM, LTD
Representative: Conde Inc.

Attachments:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZST14-00027 (Related to Rezoning Application PZRZ14-00038)
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: February 26, 2015
Staff Planner: Arturo Rubio, 915-212-1613, rubioax@elpasotexas.gov

Location: 400 Rio Grande Avenue, 416 Rio Grande Avenue, 405 Montana Avenue and 415 Montana Avenue

Legal Description: Lots 1 through 10, Block 266, Campbell Addition, City of El Paso, El Paso, County, Texas; Lots 17 through 20, Block 266, Campbell Addition, City of El Paso, El Paso, County, Texas; A portion of Lot 15 and all of Lot 16, Block 266, Campbell Addition, City of El Paso, El Paso, County, Texas and Lots 11 through 12, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas

Acreage: 1.25 acres

Rep District: 8

Current Zoning: A-2 (Apartment)

Existing Use: Vacant

C/SC/SP/ZBA/LNC: N/A

Request: Special Permit to allow for parking lot serving another property

Proposed Use: Parking Lot

Property Owner: ASLM, LTD

Representative: Conde Inc.

SURROUNDING ZONING AND LAND USE

North: S-D/sp (Special Development/special permit)/Parking Lot

South: C-4 (Commercial)/Retail

East: A-2/sp (Apartment/special permit)/Parking lot/C-4/sp (Commercial/special permit)/Parking lot

West: A-2/sp (Apartment/special permit)/Parking lot/C-4/sp (Commercial/special permit)/Parking lot

PLAN EL PASO DESIGNATION: G-2 Traditional Neighborhood (Walkable)

NEAREST PARK: Houston Park (1,462 feet)

NEAREST SCHOOL: El Paso High School (3,424 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

Houston Park Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 10, 2015. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit for the subject property to allow for a parking lot serving another property. The request is to allow for a parking lot supporting an adjacent commercial lot. The A-2 (Apartment) district does not permit the use of a parking lot to serve a separate commercial use and the applicant is requesting a special permit and related rezoning PZRZ14-00038 to allow for an offsite parking lot to satisfy the adjacent commercial lot's parking requirements as it is built up to the property lines on all sides and there is no

room for onsite parking. The rezoning lots and special permit lot are both currently owned by the applicant. The total subject property is 1.25 acres in size and the A-2 lots are vacant and the C-4 (Commercial) lot is fully developed for commercial uses. The site plan shows two parking areas that will be developed in phases to support the adjacent commercial development on the adjacent commercial lot. Access to the subject property is proposed from Rio Grande Avenue and Montana Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit to allow for a parking lot serving another property. The special permit application complies with all of the requirements of 20.10.410 Off-street parking (serving another property) and 20.04.260 Special permits.

The recommendation is based on the compatibility of existing commercial zone districts to the North, South, east and west side of the subject property. The existing C-4 and proposed C-1 (Commercial) districts comply with Plan El Paso Land Use Map Designation G-2 Traditional (Walkable) in the Northwest Planning area.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-2 Traditional Neighborhood (Walkable): This sector includes the remainder of Central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly face streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the Smart Code as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the C-1 district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

The purpose of the C-4 district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

ANALYSIS

To grant the special permit to allow for parking serving another property, the applicant must comply with the following standards, per Section 20.10.410, Off-street parking (serving another property) and 20.04.260 Special permits generally:

20.10.410 - Off-street parking (serving another property).

- A. Any otherwise permitted use for which the off-street parking requirements of Chapter 20.14 are to be satisfied by off-street parking spaces on property which is located on a separate site from the property requiring the off-street parking spaces, and for which the following can be demonstrated:
1. The parking area is compatible with the general development of the neighborhood and does not adversely affect the use of adjacent properties;
 2. The parking area is so arranged as to permit sufficient space for parking spaces and turning maneuvers, as well as adequate ingress and egress to the site;
 3. Lighting shall comply with Chapter 18.18 (Dark Sky Ordinance) of this Code;
 4. The parking area is located in such a manner from the site generating the parking requirement to assure that such parking facility will adequately serve the use;

5. Access to be provided to the parking area shall not be through private property that is not zoned to permit the use generating the off-street parking;
 6. Adequate provisions shall be made to assure that the parking area is reasonably identifiable as to the patronage it serves, the location, points of access, hours of operation and other appropriate matters made as a condition of the special permit approval;
 7. The parking spaces required to be provided for the use shall be restricted to that use;
 8. Any off-street parking spaces to be provided on the site generating the off-street parking requirement shall be used to accommodate required handicapped accessible spaces and patron parking;
 9. The parking area shall be owned or leased by the same property owner who operates the use generating the off-street parking requirement, and any leasehold interest in the parking area shall be validly held for the duration of the use.
- B. Off-street parking spaces serving another property which are located partially or totally on a separate site from the property requiring the off-street parking spaces.

The special permit application complies with all of the requirements of Off-street parking (serving another property).

20.04.260 - Special permits generally.

- A. The city council may by special permit after hearing and report by the city plan commission authorize the location of the uses subject to special permits identified in the district regulations.
- B. In addition to the development standards identified in this title, city council shall impose such additional conditions and safeguards including those related to architecture, site plan, landscape planting and screening as required to protect the public welfare and to conserve and protect property and property values in the immediate vicinity of the special permit.
- C. Applications for special permits shall be filed with the executive secretary of the city plan commission. The application shall be reviewed by the planning division for completeness and shall not be processed until any missing information is supplied by the applicant and the fee has been received. A complete application shall be scheduled for action by the city plan commission, which shall have forty-five days in which to recommend approval, disapproval or approval with conditions or amendments.
- D. Where disapproval is recommended the procedure shall be concluded unless the applicant within fifteen days of disapproval appeals the recommendation to city council. In the event of such a request the executive secretary of the city plan commission shall forward to the city council a statement of the reasons for disapproval.
- E. Applications for special permits shall include a detailed site development plan that complies with Article III.
- F. Special permits are automatically terminated whenever conditions made a part of them are not complied with, and construction shall stop or occupancy be discontinued until the violation ceases.
- G. The fee required by this section and Section 20.04.410 of this Code, and established by the city council in accordance with Section 20.04.800 of this Code, pertaining to properties located within the boundaries of the Tax Increment Financing Zone No. 5, and any neighborhood empowerment zone which may be designated by a resolution of the city council, shall be reduced by one hundred percent for the period from the effective date of the ordinance codified in this chapter through August 31, 2008; reduced by eighty percent for the period from September 1, 2008 through August 31, 2009; reduced by sixty percent for the period from September 1, 2009 through August 31, 2010; reduced by forty percent for the period from September 1, 2010 through August 31, 2011; and reduced by twenty percent for the period from September 1, 2011 through August 31, 2012.

The special permit application complies with all of the requirements of 20.04.260 Special permits generally.

COMMENTS:

Planning Division - Transportation

No objections

General Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Texas Department of Transportation

Not under TxDOT jurisdiction

City Development Department – Building & Development Permitting

No comments received

City Development Department - Land Development

No comments received

Fire Department

Recommend Approval

El Paso Water Utilities

EPWU does not object to this request.

Water:

1. There is an existing 12-inch diameter water main extending along Rio Grande Ave that is available for service, the water main is located approximately 35-ft north from the northern property line
2. There is an existing 6-inch diameter water main extending along Kansas Street that is available for service, the water main is located approximately 15-ft east from the center line of the right-of-way.
3. There is an existing 4-inch diameter water main extending along Montana Avenue that is available for service, the water main is located approximately 15-ft north from the center line of the right-of-way.
4. There is an existing 12-inch diameter water main extending along Campbell Street that is available for service, the water main is located approximately 15-ft north from the center line of the right-of-way.
5. There is an existing 48-inch diameter water main extending along Rio Grande Avenue, the water main is located approximately 35-ft north from the northern property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
6. EPWU records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 405 Montana Avenue.
7. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 415 Montana Avenue.

Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along the alley between Montana and Rio Grande Avenues that is available for service, the sewer main is located approximately 1-ft east from the center line of the right-of-way.

General:

EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant 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.

Sun Metro

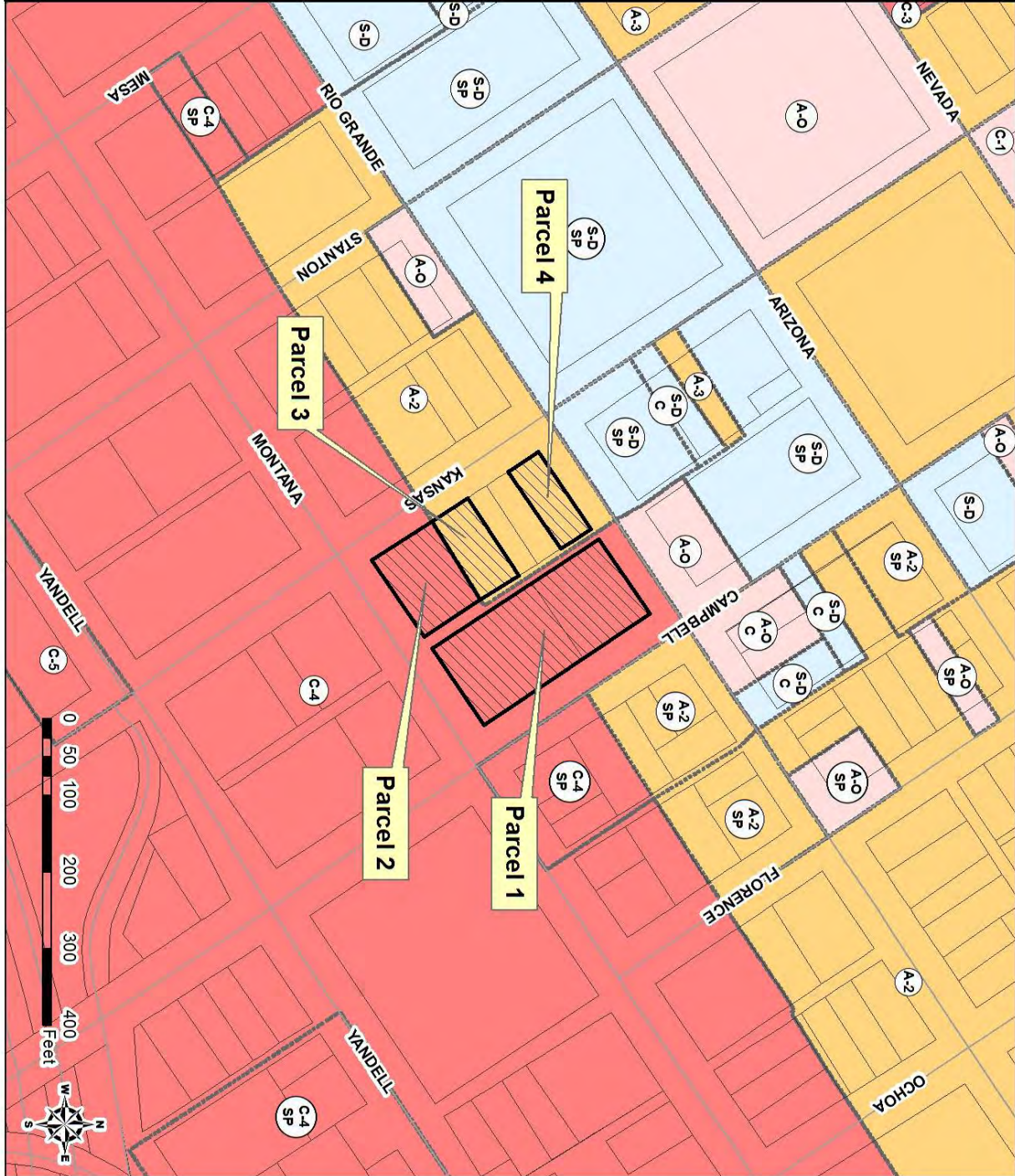
Sun Metro does not oppose this request. Sun Metro has an existing bus stop being serviced by Routes 34 and 36 adjacent to the northwest corner of the property (Rio Grande and Kansas). It is recommended that property owner coordinate site work with Sun Metro staff to mitigate possible disruptions to services and site work.

Attachments

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Site Plan

ATTACHMENT 1: ZONING MAP

PZRZ14-00038 & PZST14-00027



ATTACHMENT 2: AERIAL MAP

PZRZ14-00038 & PZST14-00027





Recommendation/Public Input

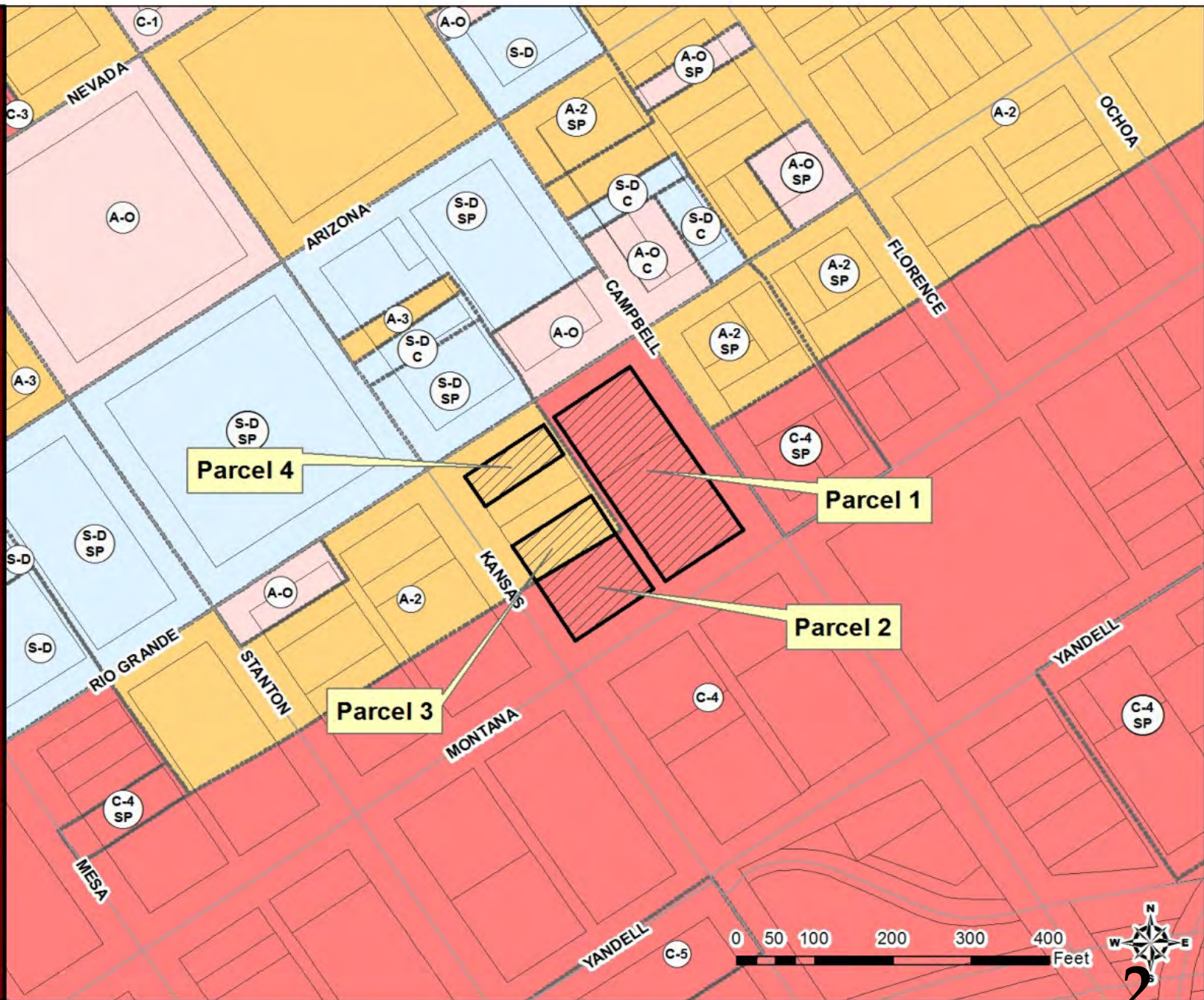
- **Planning Division recommendation: Approval**
- **CPC Vote: Approval Recommendation (9-0) with a condition *that establishments that serve alcohol for consumption on premise shall be prohibited.***
- **Public Input: The Planning Division has not received any communication in support or opposition to the requests (PZRZ14-00038 & PZST14-00027).**

Strategic Goal #3 Promote the Visual Image of El Paso

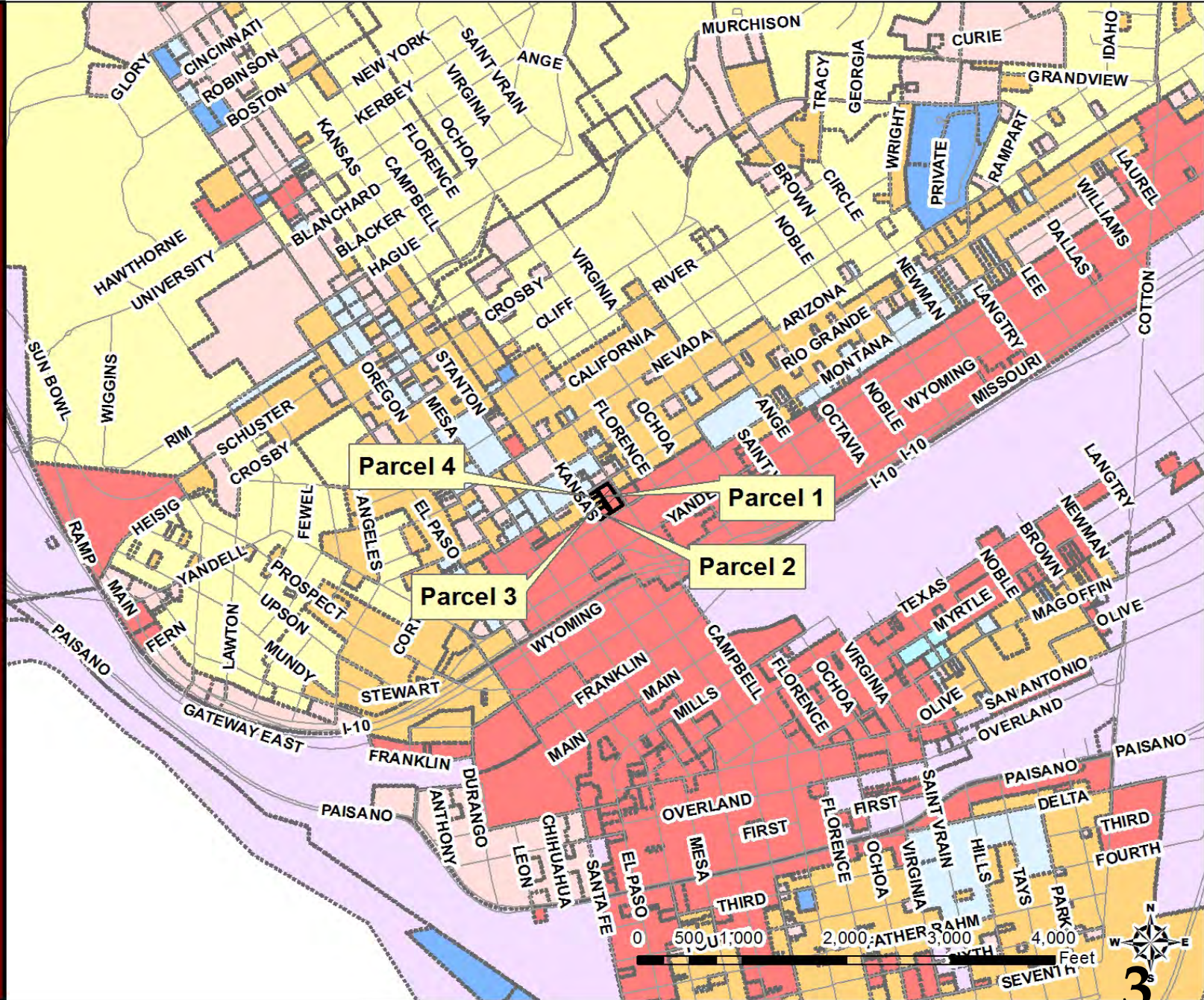
3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

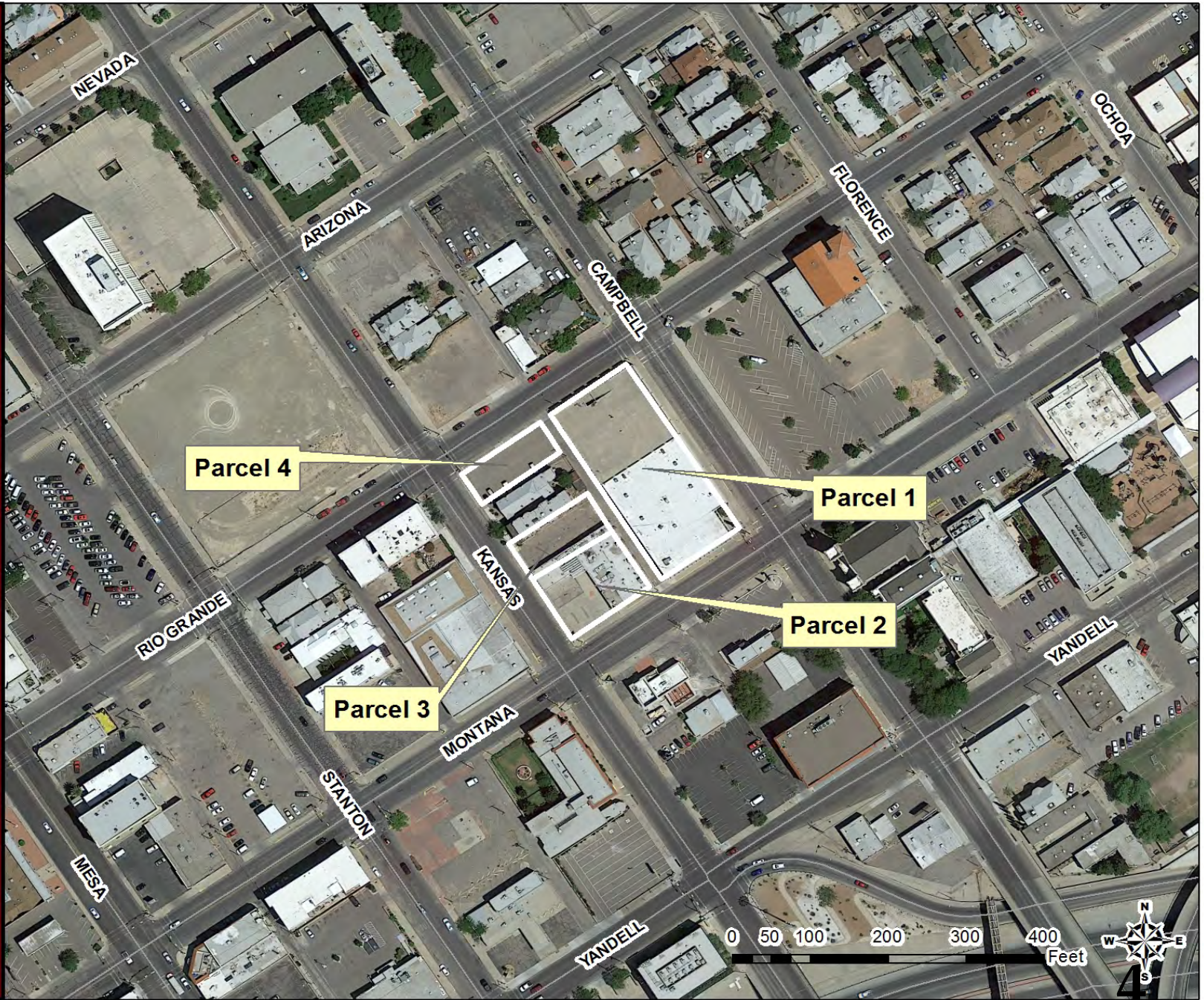
PZRZ14-00038 & PZST14-00027



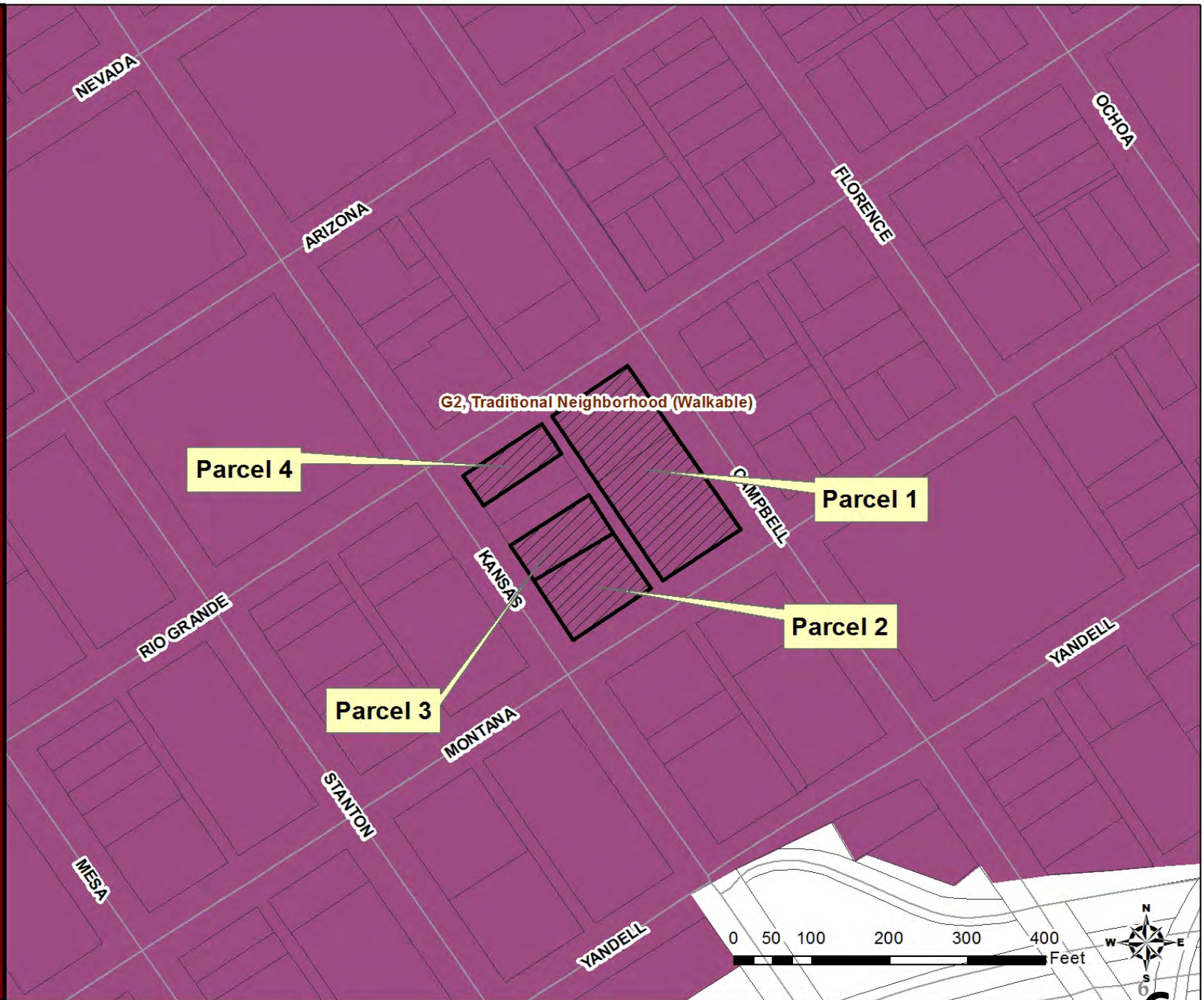
PZRZ14-00038 & PZST14-00027



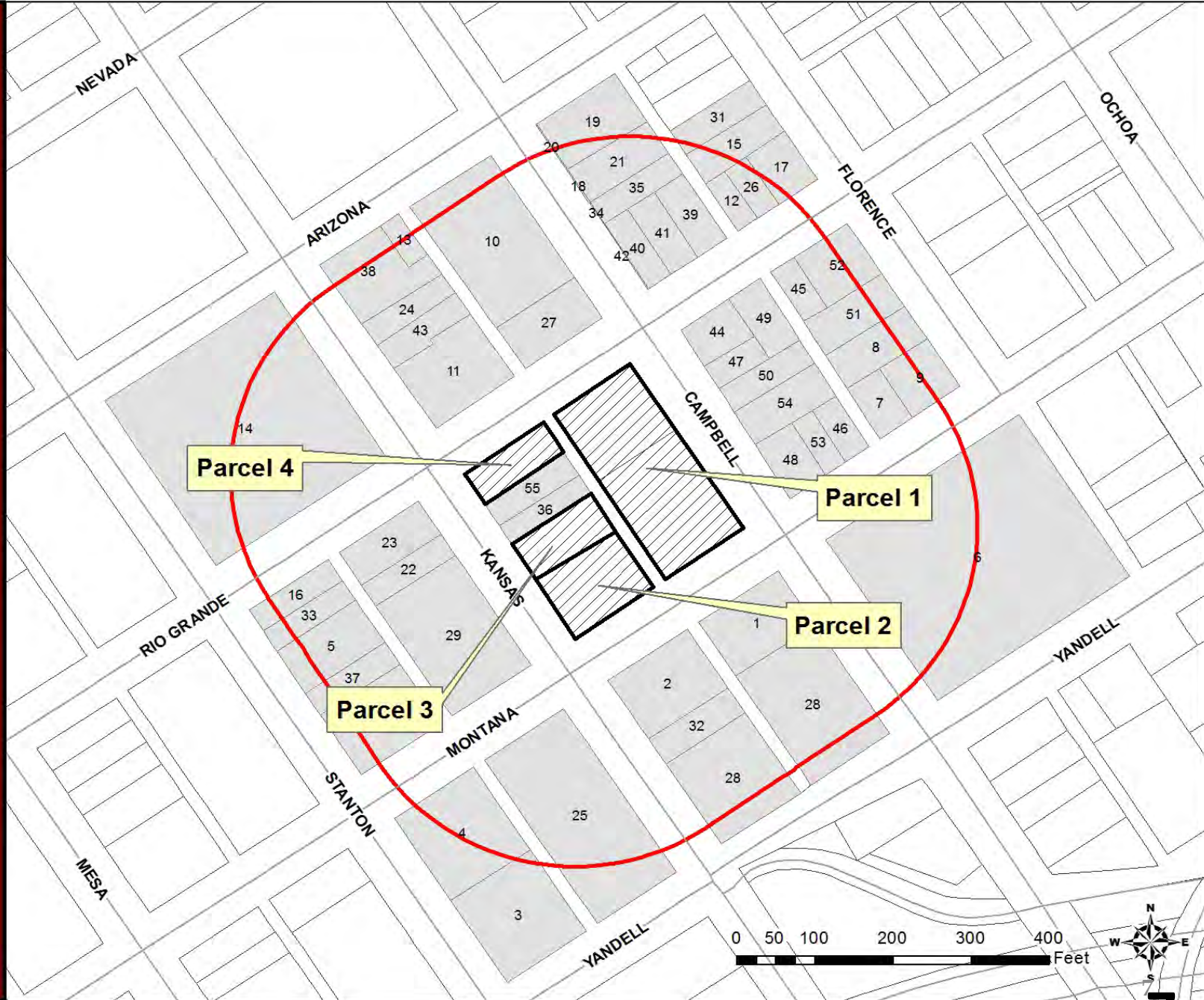
PZRZ14-00038 & PZST14-00027



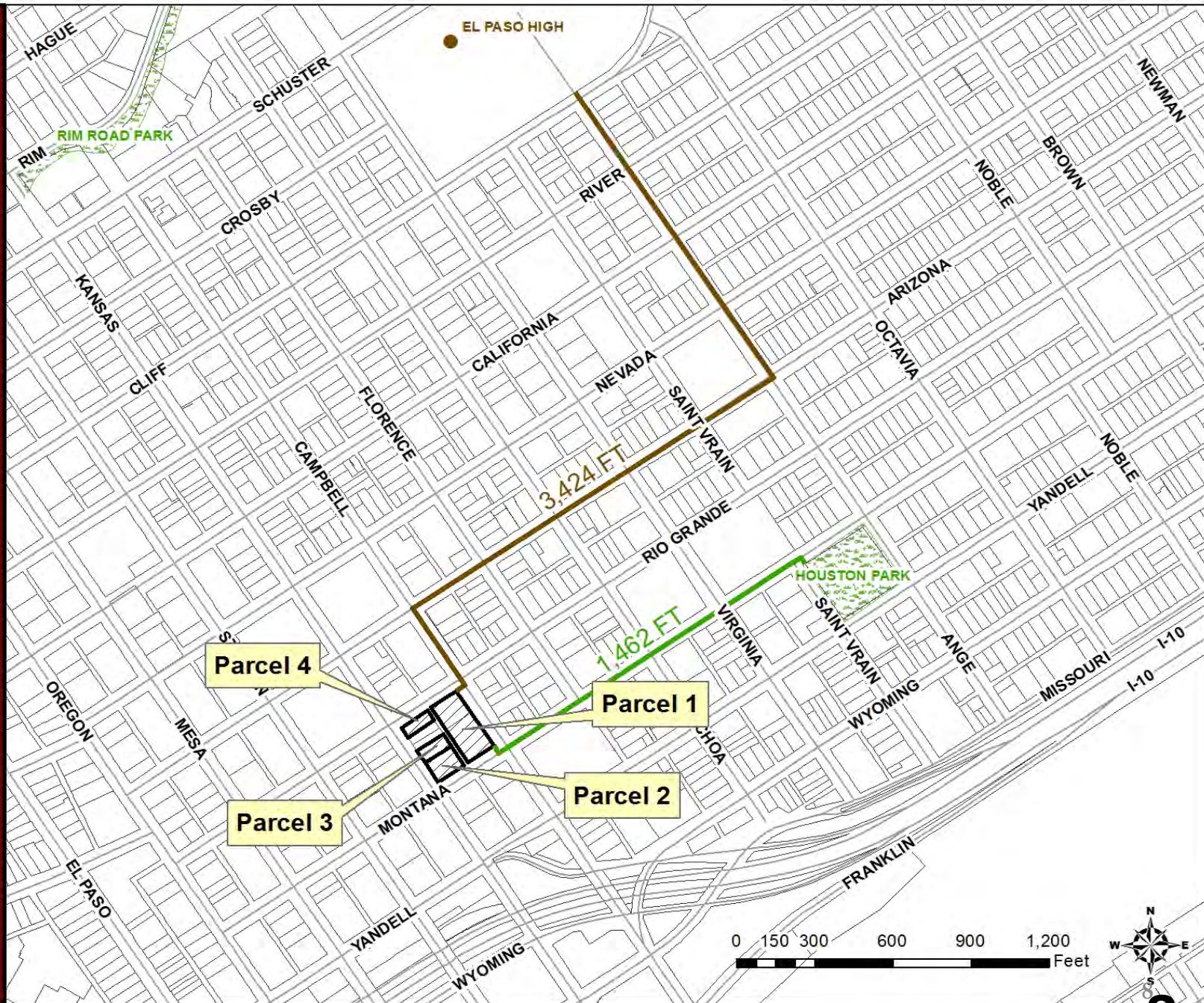
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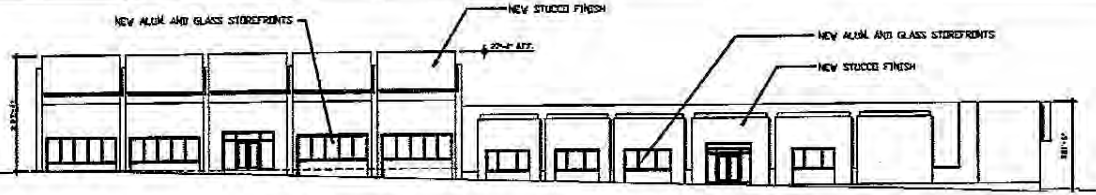


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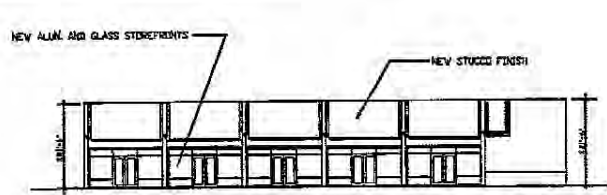


PZRZ14-00038 & PZST14-00027

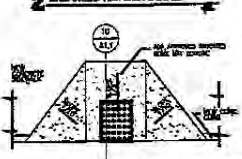
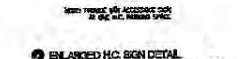
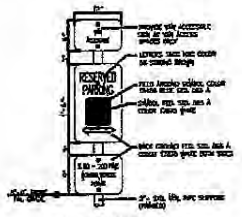




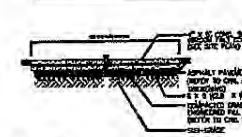
NEW FACADE @ ALLEY SIDE
WEST ELEVATION @ NEW PARKING LOT



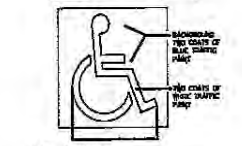
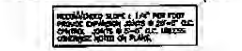
SOUTH ELEVATION ON MONTANA AVE.



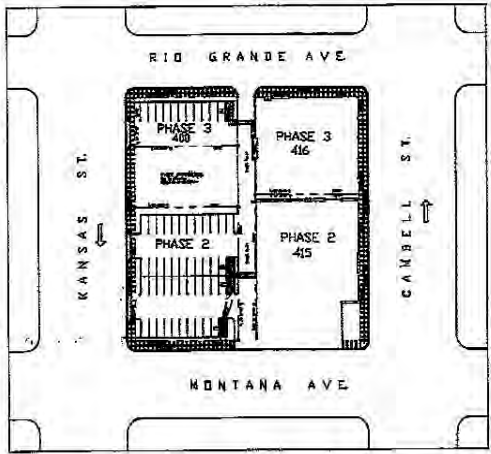
H.C. CURB RAMP < TYP. CITY DETAIL



TYP. SIDEWALK SECTION



H.C. SYMBOL



VICINITY MAP



LANDSCAPE CALCULATIONS 2008 VESIB	
17,160 (X .075) = 1,287 SQ. FT.	TOTAL REQUIRED = 3 I.S. UNIT
TOTAL PROVIDED = 2,205 SQ. FT.	
REQUIRED:	
2' x 2' O.C. PROJECT TREES 10-12 FT	
1' x 1' O.C. SHRUBS 10-12 FT	
1' x 1' O.C. GRASSING	
1' x 1' O.C. CURB TREES 10-12 FT AT SPACES	
1' x 1' O.C. CURB TREES 10-12 FT FOR SET	
PROVIDED:	
2' x 2' O.C. PROJECT TREES 10-12 FT	
1' x 1' O.C. SHRUBS 10-12 FT	
1' x 1' O.C. GRASSING	
1' x 1' O.C. CURB TREES 10-12 FT AT SPACES	
1' x 1' O.C. CURB TREES 10-12 FT FOR SET	

PARKING CALCULATIONS:

PARKING CALCULATION FOR 415 MONTANA PHASE 1
4100 SQ. FT. / 300 = 14 SPACES

PARKING CALCULATION FOR 415 MONTANA PHASE 2
13,088 SQ. FT. / 300 = 44 SPACES

PARKING CALCULATION FOR 415 RIO GRANDE PHASE 3
12,480 SQ. FT. / 300 = 42 SPACES

NEW PARKING PROVIDED 44 SPACES
415 MONTANA 3 HANDICAPPED (VAN ACCESSIBLE)

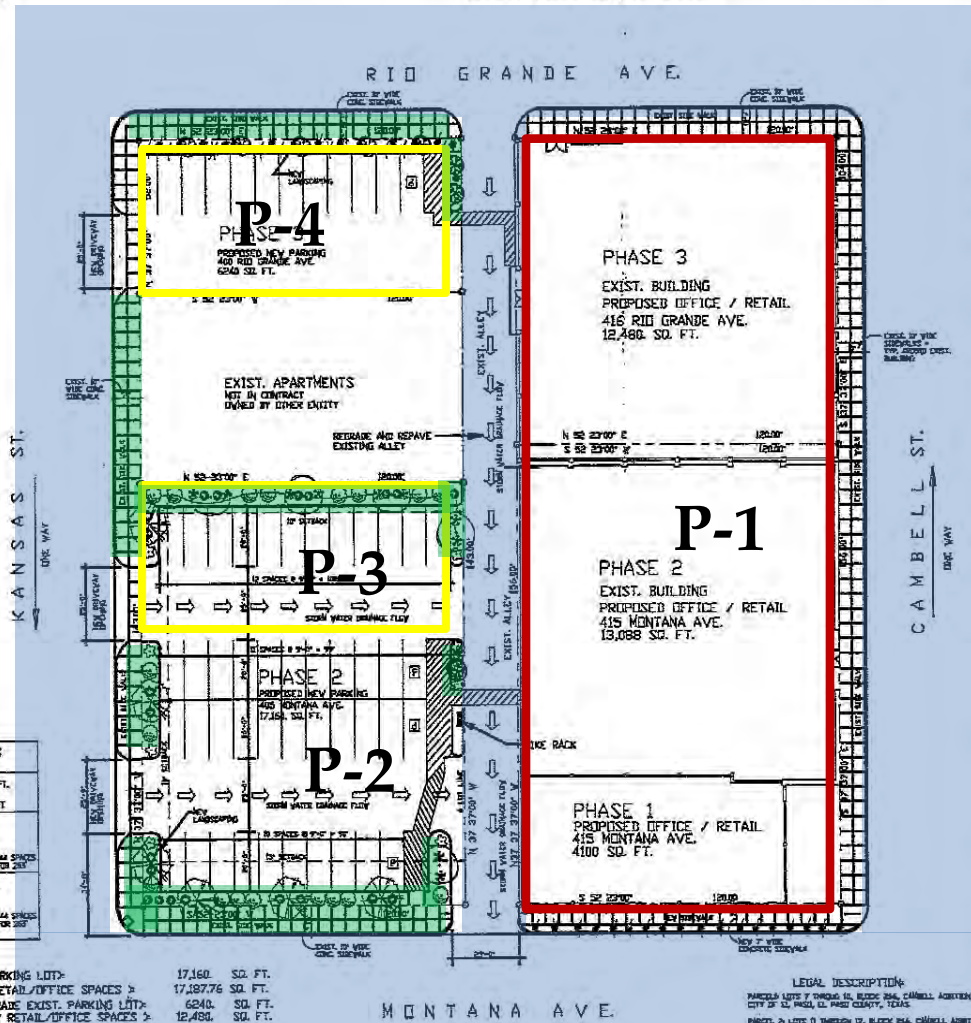
BIKE RACKS: PROVIDE NEW BIKE RACK
44 SPACE 30 JIS - 3 REQUIRED

NOTE: ALL BUILDINGS ARE EXIST. NO EXISTE PARKING HAS EVER BEEN PROVIDED IN THESE SITES

405 MONTANA AVE (NEW PARKING LOT)	17,160	SQ. FT.
415 MONTANA AVE < NEW RETAIL/OFFICE SPACES >	17,187.76	SQ. FT.
480 RIO GRANDE AVE (UPGRADE EXIST. PARKING LOT)	6840	SQ. FT.
415 RIO GRANDE AVE < NEW RETAIL/OFFICE SPACES >	12,480	SQ. FT.

TOTAL PARKING LOT SQUARE FOOTAGE	23,400	SQ. FT.
TOTAL BUILDING SQUARE FOOTAGE	29,667.76	SQ. FT.

TOTAL SQUARE FOOTAGE INCLUDING PARKING LOTS 53,067.76 SQ. FT.



MONTANA AVE.

DETAILED SITE DEVELOPMENT PLAN

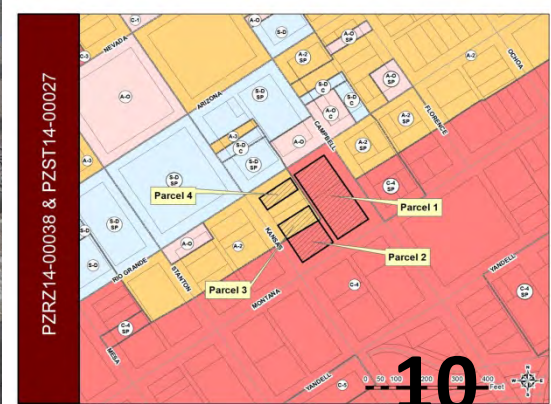
SCALE: 1/8" = 1'-0"

LEGAL DESCRIPTION:
 PARCELS LOTS 7 THROUGH 10, BLOCK 25A, CANNELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS
 PARCELS 2 & LOTS 11 THROUGH 13, BLOCK 25A, CANNELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS
 PARCELS 3 & LOTS 14 THROUGH 16, BLOCK 25A, CANNELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS
 PARCELS 4 & LOTS 17 THROUGH 20, AND THE SOUTHWEST CORNER OF LOT 21, BLOCK 25A, CANNELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

DETAILED SITE DEVELOPMENT PLAN & PROPOSAL FOR REZONING
 405 & 415 MONTANA AVE.
 EL PASO TEXAS

ARCHITECT
 MICHAEL VALDEZ
 8001 TEXAS PL.
 EL PASO, TX
 910 753-4667

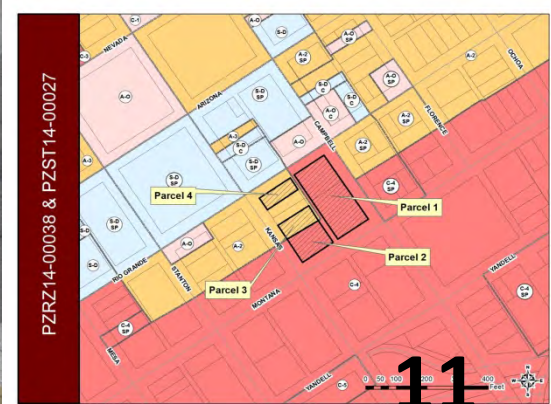
Subject Property Campbell and Rio (Parcel 1)



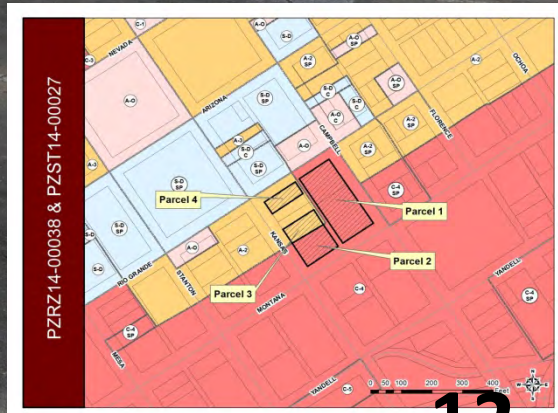
Subject Property Kansas and Montana (Parcel 1)



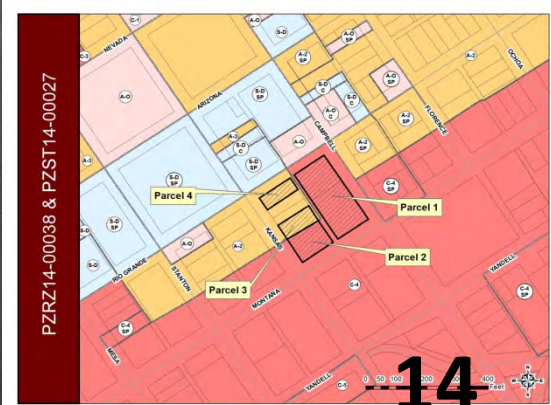
**FOR SALE
OR LEASE**
CALL
581-2264
760-3800



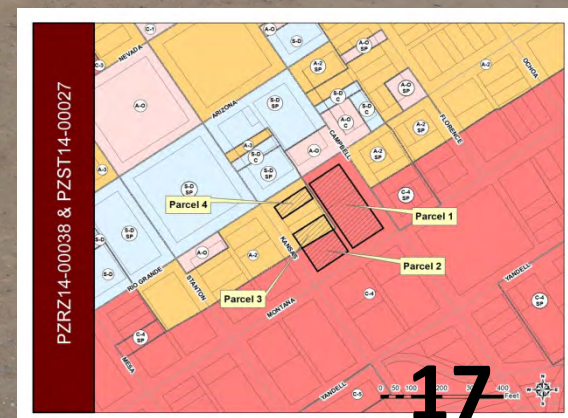
Subject Property Kansas and Montana (Parcel 2 & 3)



North



West



PZRZ14-00038 & PZST14-00027

