

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

**DEPARTMENT:** Planning and Inspections Department, Planning Division

**AGENDA DATE:** Introduction: March 8, 2016  
Public Hearing: April 5, 2016

**CONTACT PERSON/PHONE:** Larry F. Nichols, (915) 212-1550, [NicholsLF@elpasotexas.gov](mailto:NicholsLF@elpasotexas.gov)  
Michael McElroy, (915) 212-1612, [McelroyMS@elpasotexas.gov](mailto:McelroyMS@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 6

**SUBJECT:**

An Ordinance granting Special Permit No. PZST15-00045 to allow for infill development with a reduction in rear setback, parking reduction, and density bonus on the property described as Lot 1, Block 1, North Loop Apartments, 9522 North Loop Drive, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9522 North Loop Drive. Property Owner: North Loop Apartments, LLC. PZST15-00045 (**District 6**)

**BACKGROUND / DISCUSSION:**

The request is for a special permit to allow for infill development with setback reductions, a density bonus, and parking reduction for the development of an apartment complex.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission – Approval Recommendation (5-0)

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

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

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

**DEPARTMENT HEAD:**

Larry F. Nichols  
Director, Planning and Inspections Department

**APPROVED FOR AGENDA:**

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

**DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00045 TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN REAR SETBACK, PARKING REDUCTION, AND DENSITY BONUS ON THE PROPERTY DESCRIBED AS LOT 1, BLOCK 1, NORTH LOOP APARTMENTS, 9522 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, North Loop Apartments, LLC has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reduction in rear setback, parking reduction, and density bonus; 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 a S-D (Special Development) Zone District:  
  

*Lot 1, Block 1, North Loop Apartments, 9522 North Loop, City of El Paso, El Paso County, Texas; and,*
2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow infill development for a reduction in rear setback, parking reduction, and density bonus; and,
3. That this Special Permit is issued subject to the development standards in the S-D (Special Development) 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 incorporated herein by reference for all purposes; and,

**ORDINANCE NO. \_\_\_\_\_**

**PZST15-00045**

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST15-00045 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.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

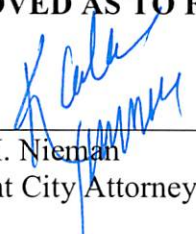
**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Oscar Leaser  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Larry F. Nichols, Director  
Planning and Inspections Department

**ORDINANCE NO.** \_\_\_\_\_

**PZST15-00045**

## AGREEMENT

The owner, North Loop Apartments, LLC, referred to in the above Ordinance, hereby agree 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 S-D (Special Development) District regulations, and subject to all other requirements set forth in this Ordinance.

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

North Loop Apartments, LLC:

By: \_\_\_\_\_  
(name/title)

\_\_\_\_\_  
(signature)

## ACKNOWLEDGMENT

THE STATE OF TEXAS   )  
  )  
COUNTY OF EL PASO   )

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_, for North Loop Apartments, LLC as Owner.

My Commission Expires:

\_\_\_\_\_  
Notary Public, State of Texas

Notary's Printed or Typed Name:

\_\_\_\_\_

**ORDINANCE NO.** \_\_\_\_\_

**PZST15-00045**

## **MEMORANDUM**

**DATE:** February 16, 2016

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

**FROM:** Michael McElroy, Senior Planner

**SUBJECT: PZST15-00045**

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The City Plan Commission (CPC), on February 11, 2016, voted 5-0 to recommend **approval** of a special permit to allow for infill development with a setback reduction, density bonus, and parking reduction for the development of an apartment complex.

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

There were no communications in support or opposition to the special permit request.

**Attachment:**  
Staff Report

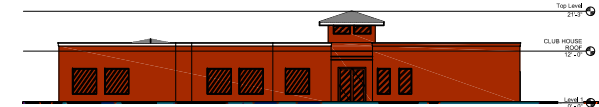
# Exhibit "A"



① BUILDING A - ELEVATION  
1" = 20'-0"



② BUILDING A - ELEVATION  
1" = 20'-0"



③ CLUB HOUSE - ELEVATION  
1" = 20'-0"

DRY STAND PIPE LOCATION AND PLACEMENT WILL BE COORDINATED WITH THE FIRE MARSHAL'S OFFICE

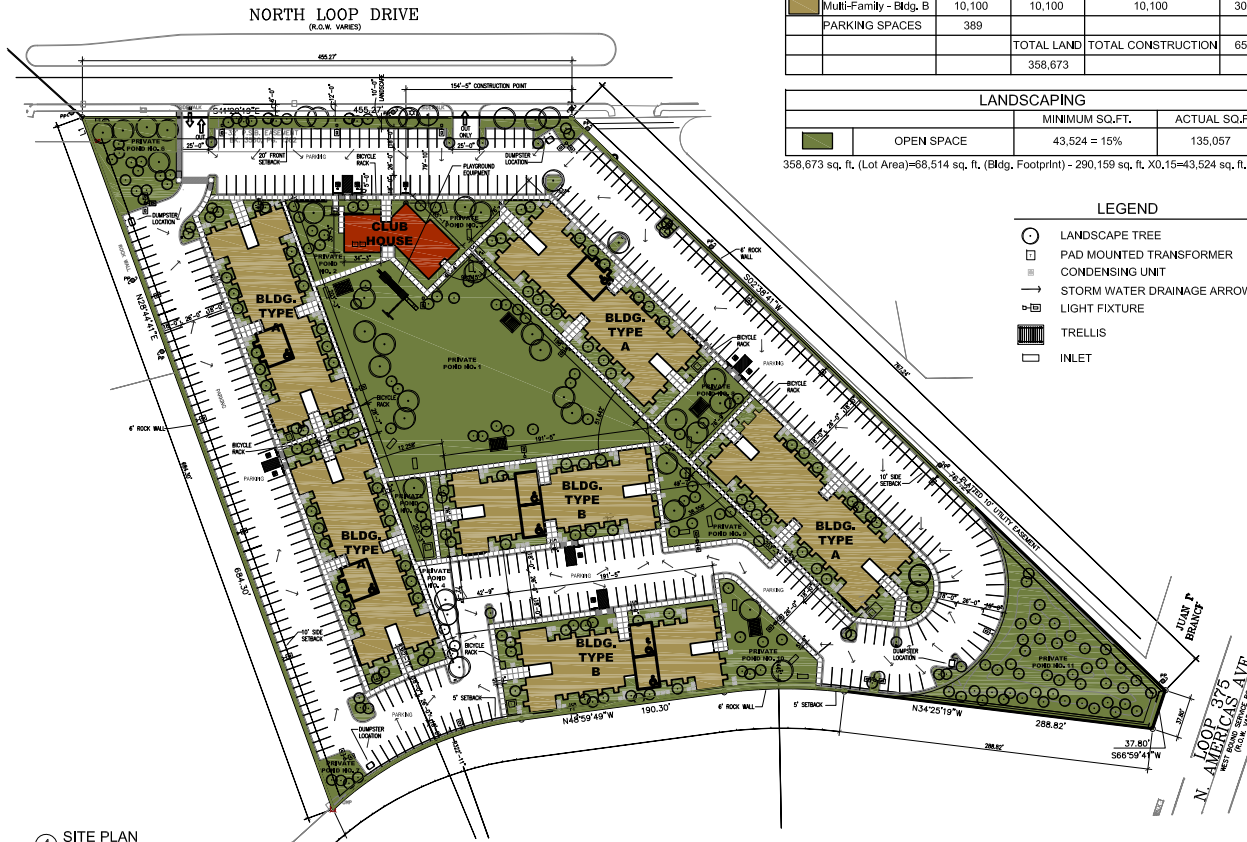
SIZE AND USE OF STRUCTURES				
	1st Floor	2nd Floor	3rd Floor	TOTAL
Club House	3,761	—	—	3,761
Multi-Family - Bldg. A	10,594	10,594	10,594	31,782
Multi-Family - Bldg. B	10,100	10,100	10,100	30,300
PARKING SPACES	389			
	TOTAL LAND	TOTAL CONSTRUCTION		65,843
	358,673			

LANDSCAPING		
	MINIMUM SQ.FT.	ACTUAL SQ.FT.
OPEN SPACE	43,524 = 15%	135,057

358,673 sq. ft. (Lot Area)=68,514 sq. ft. (Bldg. Footprint) - 290,159 sq. ft. X0.15=43,524 sq. ft.

## LEGEND

- LANDSCAPE TREE
- PAD MOUNTED TRANSFORMER
- CONDENSING UNIT
- STORM WATER DRAINAGE ARROW
- LIGHT FIXTURE
- TRELLIS
- INLET



④ SITE PLAN  
1" = 80'-0"

THE DOCUMENTS, WHENEVER BY HAND COPY OR MACHINE READABLE FORM, BE REPRODUCED AND AN INSTRUMENT OF SERVICE TO THE PROJECT FOR WHICH IT WAS PREPARED. THIS DOCUMENT IS NOT INTENDED OR AUTHORIZED FOR REUSE BY ANY PARTY FOR THE PURPOSES OF REPRODUCTION OR ANY OTHER PROJECT. ANY REUSE INCLUDING CONTRACTING OR OTHERWISE THE DOCUMENT WITHOUT WRITTEN PERMISSION FROM EXIGO ARCHITECTS FOR THE SPECIFIC PURPOSES REFERRED TO IS A VIOLATION OF FEDERAL COPYRIGHT LAWS. UNAUTHORIZED USE OF THE MATERIALS MAY RESULT IN CIVIL AND/OR CRIMINAL PENALTIES.

## Required Documentation List

- Legal Description:  
3 YSLETA TR 5-D (8,2777 AC)
- Location and arrangement of structures: AS SHOWN ON PLAN
- Size and use of structures:

SIZE AND USE OF STRUCTURES				
APARTMENTS	ADA UNITS	1 BED	2 BED	TOTAL
Club House				
Bldg. A - 1st Floor	3	0	9	12
Bldg. A - 2nd Floor	0	0	12	12
Bldg. A - 3rd Floor	0	0	12	12
Bldg. B - 1st Floor	4	4	8	12
Bldg. B - 2nd Floor	0	2	10	12
Bldg. B - 3rd Floor	0	2	10	12
				Total Construction
Total Construction	1st Floor	2nd Floor	3rd Floor	
Bldg. A	10,594	10,594	10,594	31,782
Bldg. B	10,100	10,100	10,100	30,300

- Lot lines with dimensions of areas:  
See distances on plan; LOT SIZE 358,673 sq. ft.
- Required setbacks:  
Front required 20'; provided 20'  
Sides required 10'; provided 10'  
Rear required 10'; provided 5'
- Landscape: 43,524 sq. ft. = 15% of property
- Open space: AS SHOWN ON PLAN
- Curb cuts and driveways: AS SHOWN ON PLAN
- Pedestrian ways and sidewalks: AS SHOWN ON PLAN
- Architects seal: AS SHOWN ON PLAN
- On site parking: 389

PARKING			
UNIT TYPE	PARKING REQUIRED PER UNIT	UNIT COUNT	TOTAL PARKING PER UNIT TYPE
Club House	1/480 sf	3761 sf	8
1 Bedroom	1.5	12	18
2 Bedroom	2	204	408
TOTAL PARKING REQUIRED			434
TOTAL PARKING PROVIDED			389

- Storm Water Drainage: ON SITE PONDING
- Retaining Walls: NONE
- Screening Walls, Fences, W.I. Fence: 6' ROCK WALL ON THREE SIDES
- Utility rights-of-way, easements: 32' PSB EASMENT
- Architectural design of buildings: EXTERIOR ELEVATIONS AS SHOWN ON PLAN
- Boycle Racks - 22 REQUIRED; 24 PROVIDED; 6 RACKS AT 4 EA



211 N. Florence, Ste. 204  
El Paso, TX 79901  
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Fax, (915) 533-0332  
www.exigoarch.com

**NORTH LOOP APARTMENTS**  
NORTH LOOP  
EL PASO, TEXAS, 79907

20151000

Consultants:



Drawing Date: 01/29/2016  
Drawn: JR  
Checked: JO  
Scale: AS SHOWN

Revisions:

No. Description Date

**DRAWING COORDINATION**  
ARCHITECTURAL, CIVIL, MECHANICAL, STRUCTURAL, ELECTRICAL, AND LANDSCAPING DRAWINGS ARE INTERRELATED. GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL REVIEW AND COORDINATE THE ENTIRE SET OF DRAWINGS AND PROJECT MANUAL.

**DETAILED SITE DEVELOPMENT PLAN**



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZST15-00045  
**Application Type:** Special Permit  
**CPC Hearing Date:** February 11, 2016  
**Staff Planner:** Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov  
**Location:** 9522 North Loop Drive  
**Legal Description:** Lot 1, Block 1, North Loop Apartments, City of El Paso, El Paso County, Texas  
**Acreage:** 8.2341  
**Rep District:** 6  
**Existing Zoning:** S-D (Special Development)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** Infill Development / Density Bonus / Parking Reduction  
**Proposed Use:** Apartments  
**Property Owner:** North Loop Apartments, LLC  
**Representative:** Exigo Architects – Jesus Ortega

### **SURROUNDING ZONING AND LAND USE**

**North:** C-2/c (Commercial/condition) & A-M/sc (Apartment-Mobile Home/special contract) / Funeral Home & Mobile Homes  
**South:** C-2 (Commercial) / Financial Institution  
**East:** C-2 (Commercial) / Vacant  
**West:** C-4/sc (Commercial/special contract) & A-M (Apartment-Mobile Home) / Vacant & Mobile Homes

**PLAN EL PASO DESIGNATION:** G-3, Post-War (Mission Valley Planning Area)

**NEAREST PARK:** Feather Lake Park (375 feet)

**NEAREST SCHOOL:** Del Valle High School (3,456 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Mission Valley Civic Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 26, 2016. The Planning Division has not received any communications in support or opposition to the special permit request.

### **APPLICATION DESCRIPTION**

The request is for a special permit and detailed site plan approval for infill development to allow the construction of a 216 unit apartment complex to include a clubhouse facility. A reduction in rear setback from the required 10' to 5' is requested. At 8.23 acres the property is permitted an apartment density of 164 units. With a 50% density bonus, 246 units are achievable. However, the applicant only requests a 31.5% density bonus. Four hundred and thirty-four parking spaces are required, and 389 are provided, a 10% parking reduction request. All ADA and bicycle parking requirements are being met. Access to the property is proposed from North Loop Drive.

### **Planning and Inspections Department – Planning Division Recommendation**

The Planning Division recommends **approval** of the request, and acceptance of the detailed site development plan, as the proposed development is consistent with the surrounding commercial and apartment zoning. Additionally, the proposed development is compliant with the G-3 Post-War land use

designation in the Plan El Paso Mission Valley Planning Area. Further, the property meets the requirements of Sections 20.04.320, Special Permit Approvals, 20.10.280, Infill Development, and 20.04.150 Detailed Site Development Plan.

### **Plan El Paso-Future Land Use Map Designation**

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

G-3 – Post War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The S-D (Special Development) District is intended to permit mixed use projects in certain older areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area.

### **ANALYSIS**

To grant the special permit to allow for infill development, the applicant must comply with the following standards, per Section 20.10.280, Infill Development:

A. Location Criteria. An infill development may be designated for any property on which at least two of the following factors are present: the property is wholly or partially located within a designated tax increment financing district, or the property is wholly or partially located within a designated state or federal enterprise zone, or the property is wholly or partially located within an empowerment zone, or the property is wholly or partially located within a designated redevelopment area pursuant to Chapter 20.14 of this title, or the property is located within a designated historic district, or the property is within an older neighborhood of the city. An older neighborhood of the city defined as a legally recorded and developed subdivision for at least thirty years. Where an infill development is able to satisfy only one of the preceding factors, an applicant shall be allowed to make a formal request to city council to waive the two factor requirement prior to the submission of a special use permit application for the property. In all instances where a waiver is requested and authorized by city council, at least one location factor shall be met. For purposes of this section, any property with a historic designation shall be subject to the requirements and review provisions of Chapter 20.20 (Historic Designations) of this title, and shall not be waived by any provision of this section.

*The property is in a state enterprise zone. The City Plan Commission recently approved a plat for the property on a major combination basis in October 2015. Yet, as the property had not been subdivided for 30 years or more, the City Council approved a waiver of this provision on December 8, 2015.*

B. Use Regulations. Unless the ordinance designating the infill development provides otherwise, a proposed infill development may be approved for any use permitted in the base-zoning district in which it is located. However, the ordinance designating an infill development overlay may provide a list of principal uses, accessory uses and prohibited uses pursuant to a specific area plan adopted by the city council.

*Apartments are a permissible use in the S-D (Special Development) zone district.*

C. Setback Provisions. The side, front and rear setback requirements of the base-zoning district on which it is located may be reduced up to one hundred percent for an infill development as approved by city council. Buildings should be designed to relate to and take advantage of any existing site attributes, and shall be a consideration for reduction of the setback requirements.



<b>Dimensional Standards Required and Proposed</b>		
Dimension	Required	Proposed
Rear Setback	10'	5'

D. Parking. The minimum parking requirements enumerated in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall be automatically reduced by fifty percent for any use within a designated infill development.

*The proposed development requires 434 parking spaces and provides 389, a 10% parking reduction request.*

E. Design. Unless otherwise approved by city council, any construction permitted pursuant to this section shall be designed to consistently relate to the massing and character of the surrounding properties. Consistency of massing and character shall be determined as shown on the site plan with typical elevations and proposed construction materials, that the proposed construction is compatible with the overall design features and building development of the neighborhood within which the proposed infill development is located. Design features include, but shall not be limited to, building height, architectural style, building materials, landscape and setbacks.

*The proposed development is consistent with the G-3 Post-War growth sector.*

#### **COMMENTS:**

##### **Planning and Inspections Department – Planning Division - Transportation**

No objections.

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

##### **Planning and Inspections Department - Land Development**

Applicant shall coordinate with FEMA, for the requirements for developing in a Special Flood Hazard flood plain area.

Label and illustrate private pond locations.

Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

##### **Planning and Inspections Department – Plan Review**

No objections to requested special permit

##### **Planning and Inspections Department - Landscaping**

No objections to requested special permit

##### **Sun Metro**

Sun Metro does not oppose this request. Recommends the construction of sidewalks to permit pedestrian access to mass transit options. Recommends coordinating with Sun Metro regarding possible future services. Rt. 66 has a Bordeaux\North Loop (134) Bus Stop approximately 1156 F Head northwest on N Loop Drive toward Bordeaux Drive

##### **El Paso Fire Department**

Recommend approval.

**El Paso Water Utilities**

1. EPWU does not object to this request.
2. North Loop Road is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Road right-of-way requires written permission from TxDOT.

**Water:**

1. There is an existing 12-inch diameter water main extending along the north side of North Loop that is available for service, the water main is located approximately 58-feet north from the center line of the right-of-way. This main is available for service.
2. Previous water pressure from fire hydrant #5216 located approximately 650-ft east of Bordeaux Drive has yield a static pressure of 108 (psi), a residual pressure of 90 (psi), and a discharge of 919 gallons per minute.
3. The owner should, for his own protection and at his own expense shall install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the water pressure regulator device.

**Sanitary Sewer:**

There is an existing 12-inch diameter sanitary sewer main extending along a 32-ft PSB easement located parallel to North Loop that is available for service, the sewer main is located approximately 12-ft south from the northern subject property line. This main is available for service.

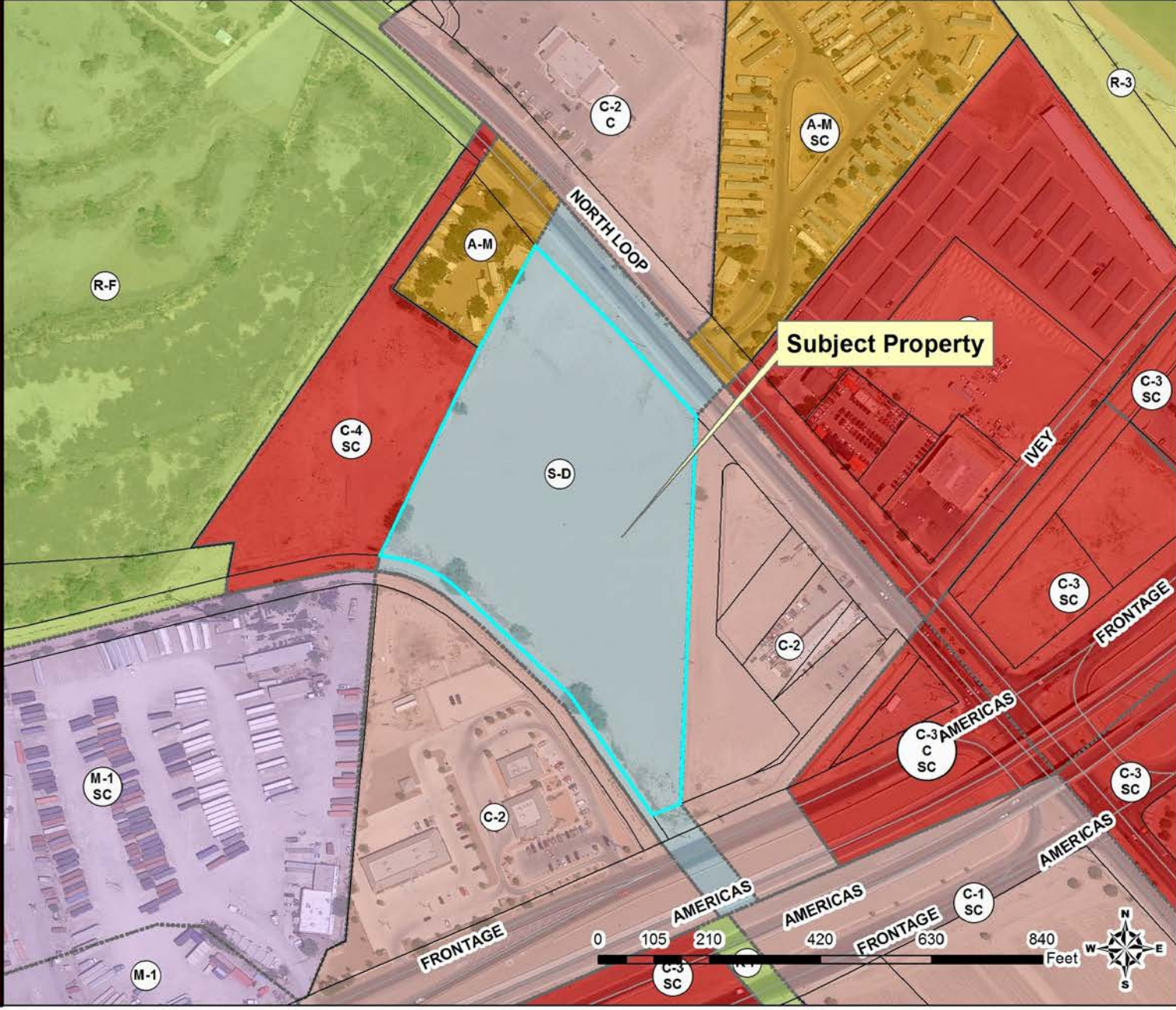
**General:**

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.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

PZST15-00045





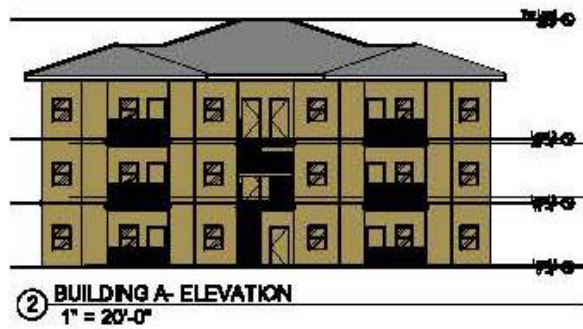
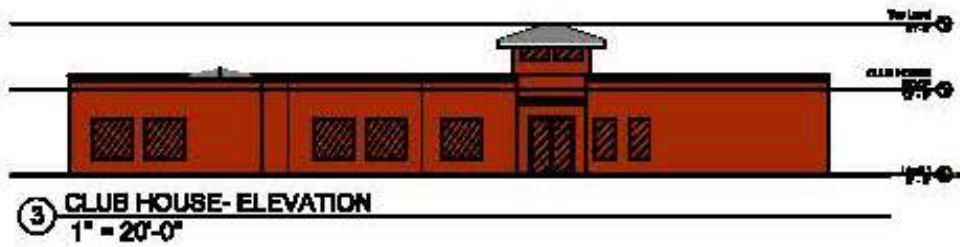
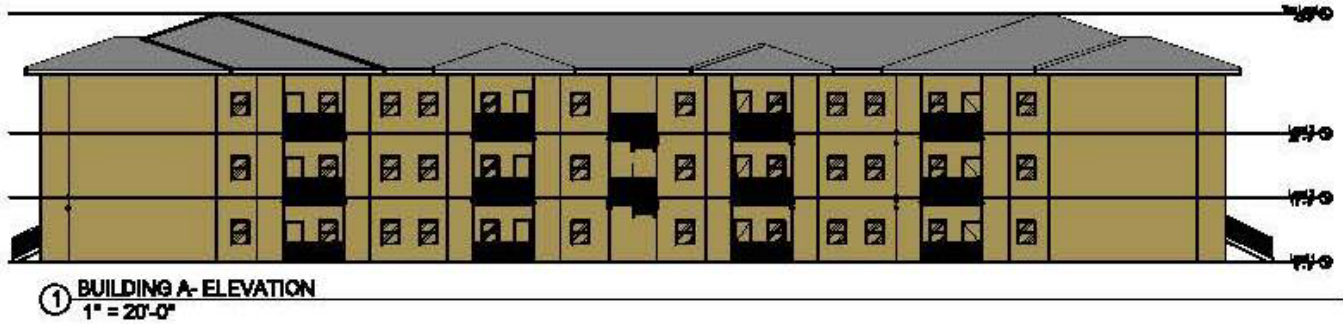
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## ATTACHMENT 4: ELEVATIONS





## Recommendation/Public Input

- Planning Division recommendation: Approval
- CPC Vote: Approval Recommendation (5-0)
- Public Input: No communications in support or opposition to the special permit request.

Strategic Goal #3 Promote the Visual Image of El Paso

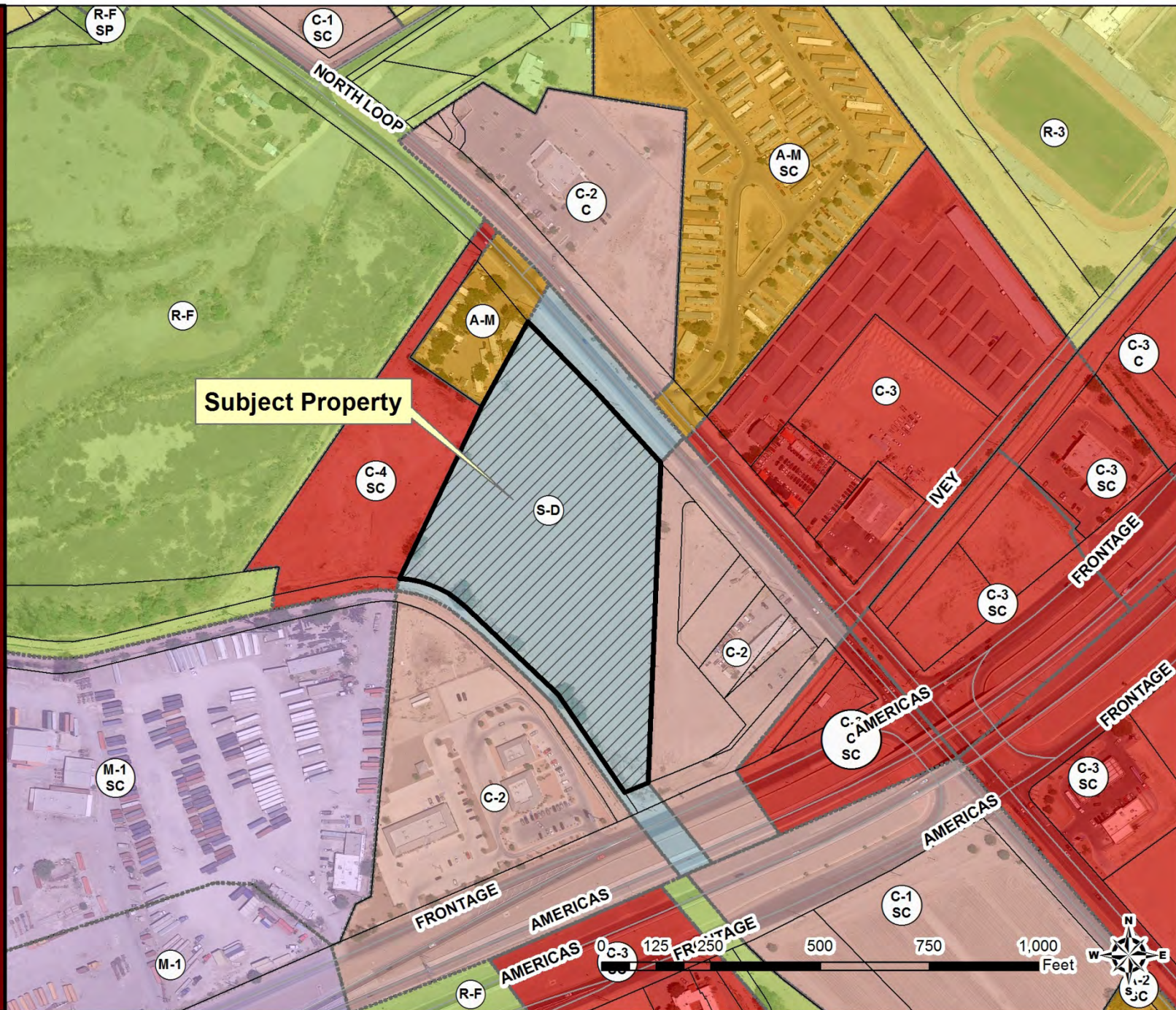
3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community



PZST15-00045

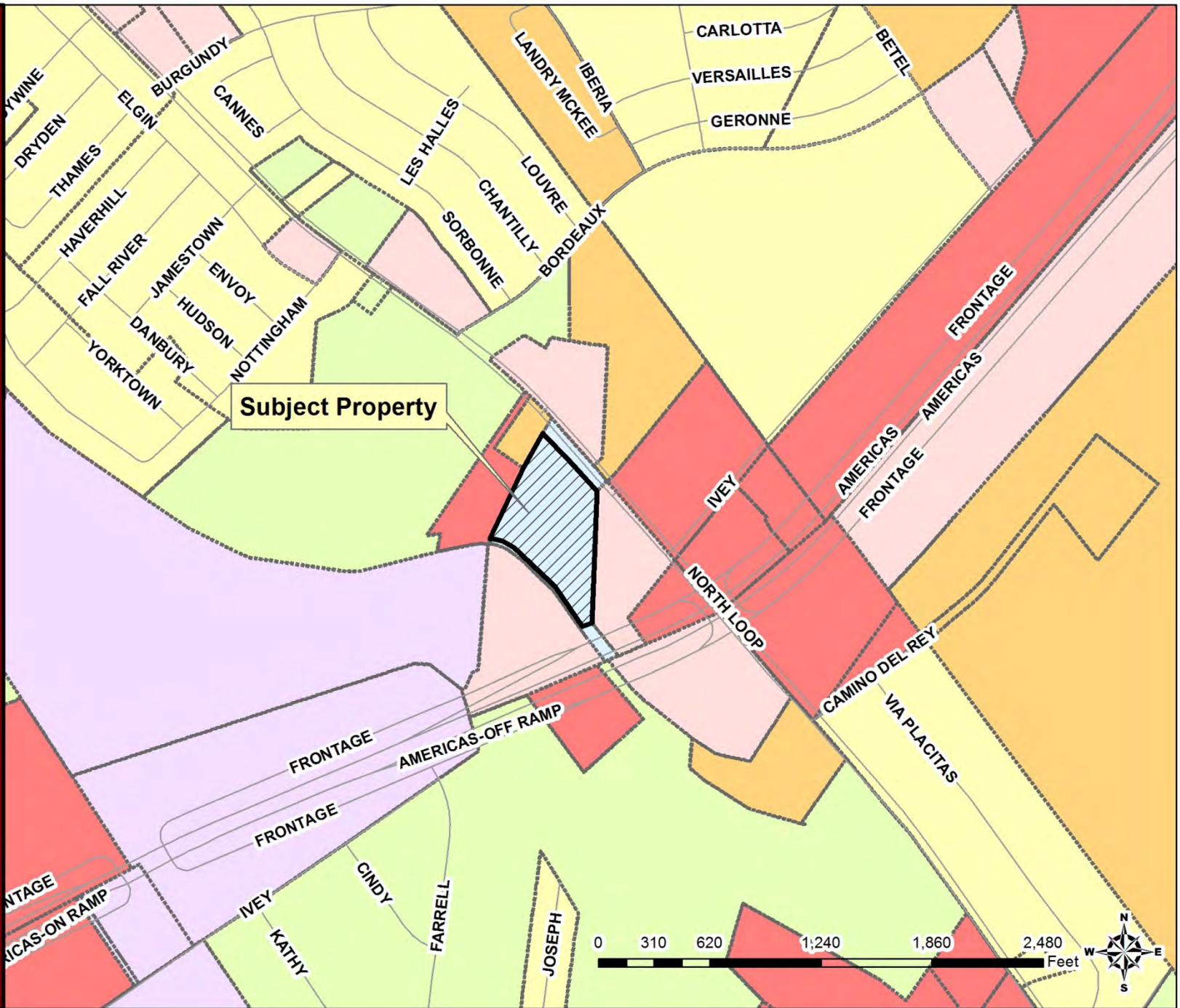
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PZST15-000045

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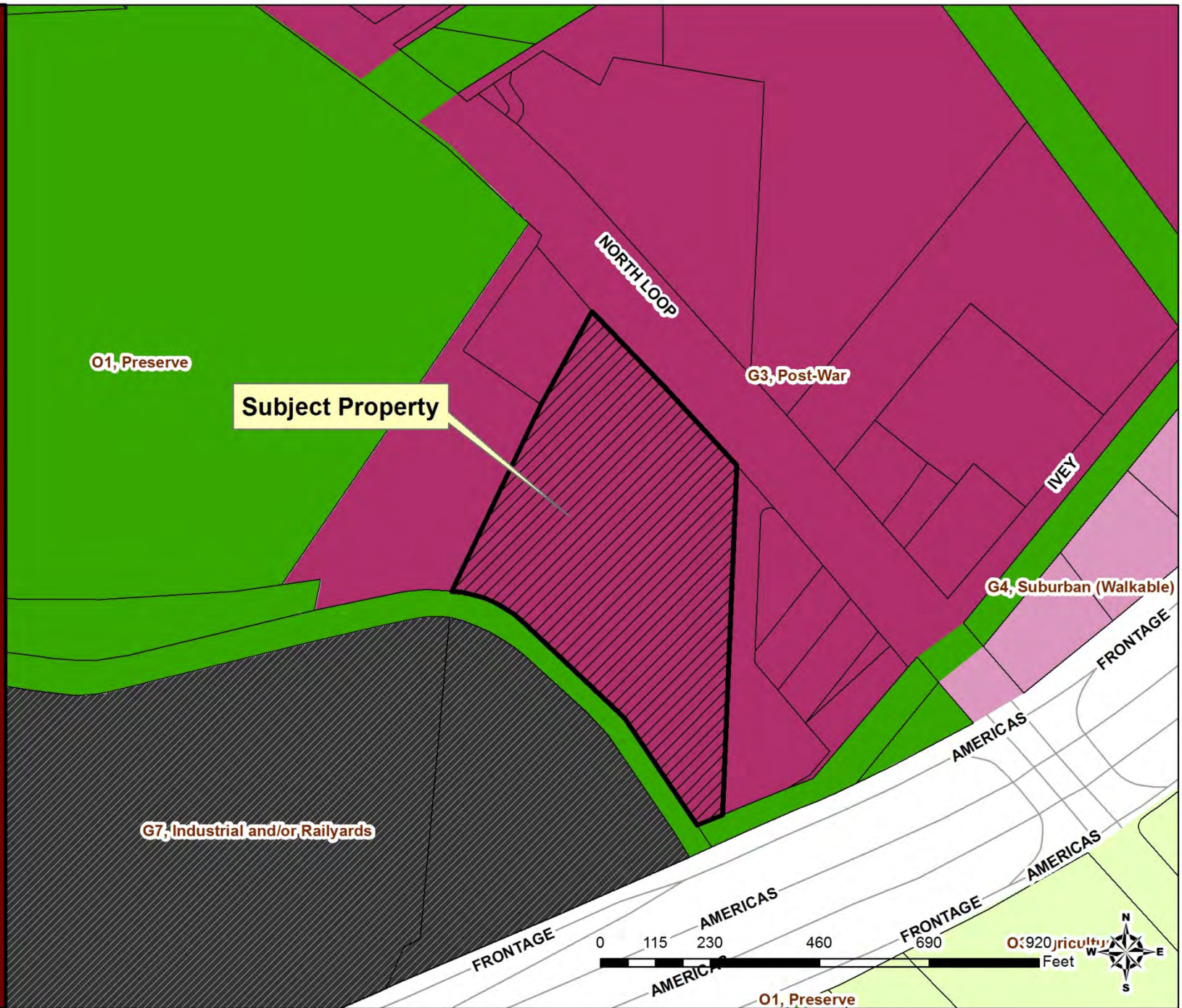
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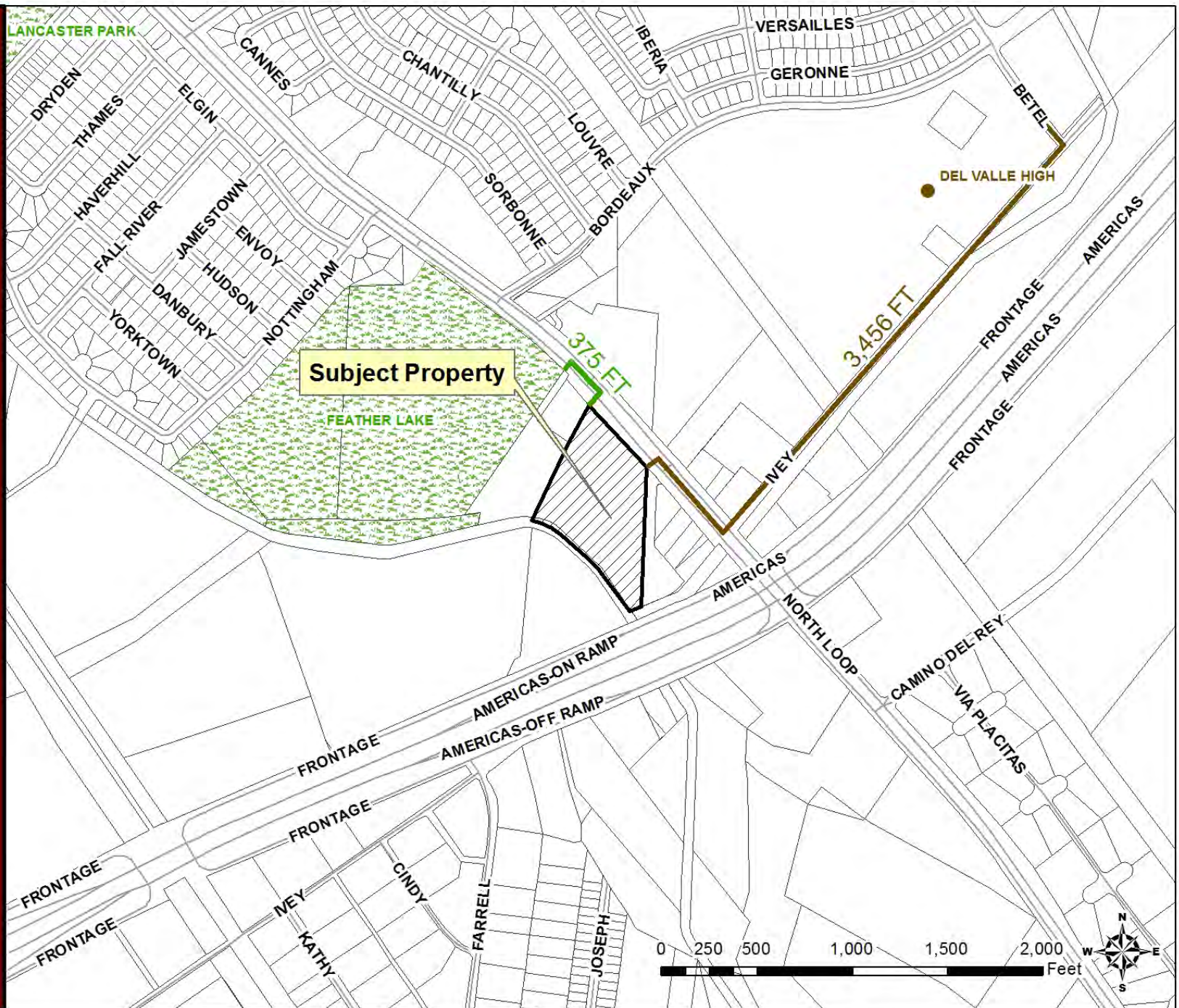
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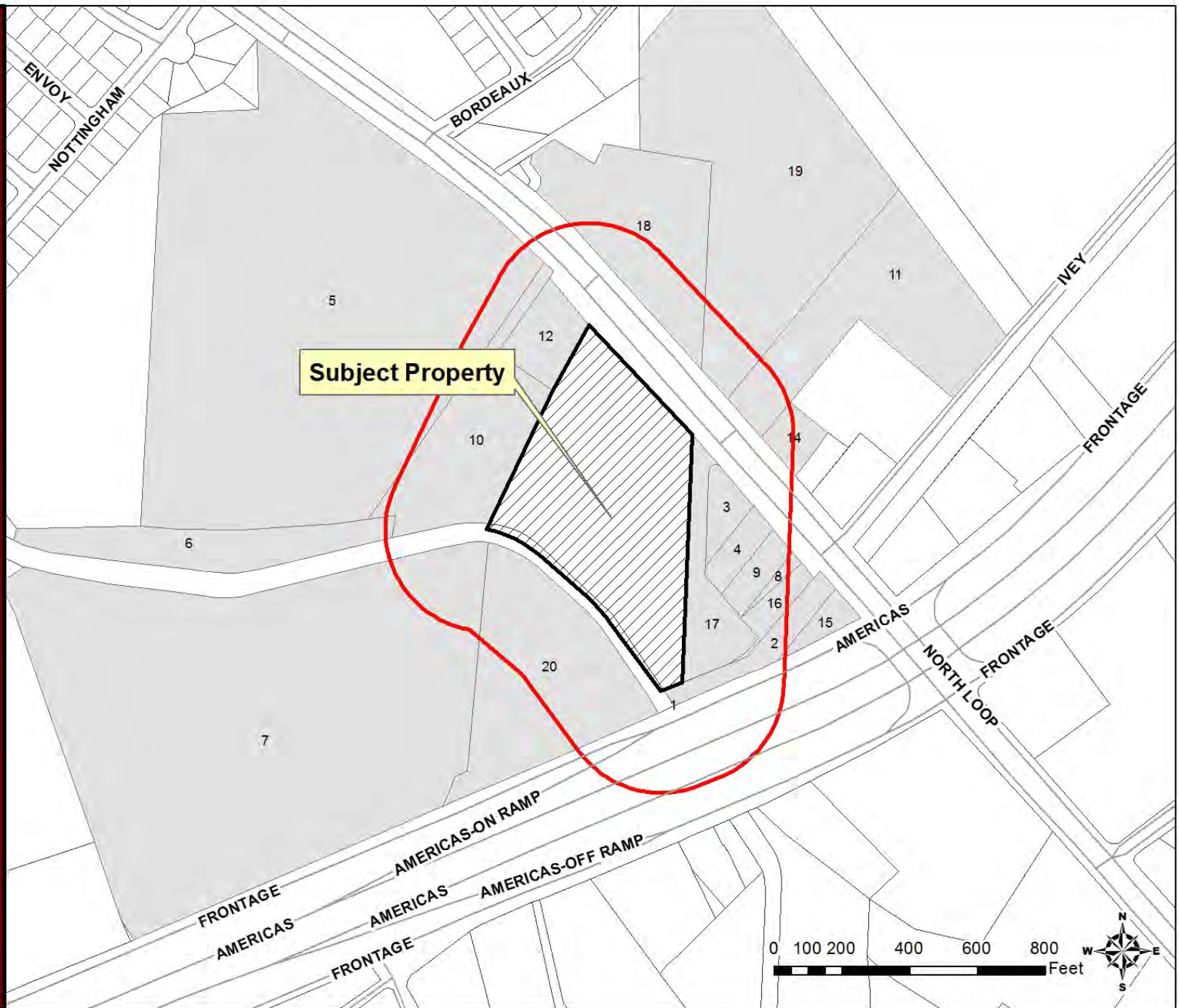
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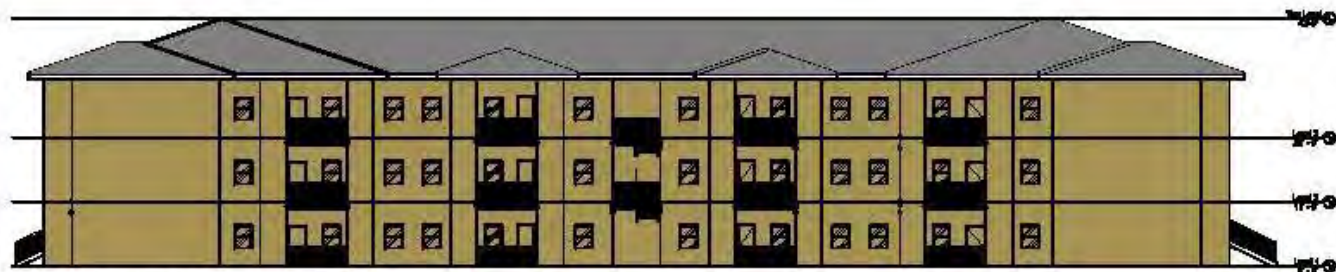








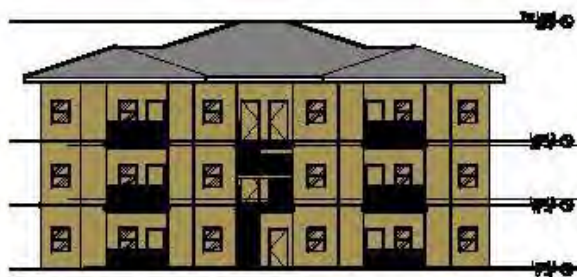
## Elevations



① BUILDING A- ELEVATION  
1" = 20'-0"



③ CLUB HOUSE- ELEVATION  
1" = 20'-0"



② BUILDING A- ELEVATION  
1" = 20'-0"





## Special Permit Request

Dimensional Standards Required and Proposed		
Dimension	Required	Proposed
Rear Setback	10'	5'



12

Subject Property & South





13

North





14

East





15

East





16

West



PZST15-00045

17

