

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: April 7, 2015
Public Hearing: April 28, 2015

CONTACT PERSON/PHONE: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. PZST15-00005 to allow for infill development with a reduction in rear and side street yard setbacks, as well as a 50 percent parking reduction, on the property described as Lots 4 through 8, Block 13, Sunset Heights, 617 W. Franklin Avenue, 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: 617 W. Franklin Avenue. Property Owner: The City of El Paso. PZST15-00005 (**District 8**)

BACKGROUND / DISCUSSION:

N/A

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:

Mathew S. McElroy
Director, Planning and Inspections Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00005 TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN REAR AND SIDE STREET YARD SETBACKS, AS WELL AS A 50 PERCENT PARKING REDUCTION, ON THE PROPERTY DESCRIBED AS LOTS 4 THROUGH 8, BLOCK 13, SUNSET HEIGHTS, 617 W. FRANKLIN AVENUE, 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, The City of El Paso has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reduction in rear and side street yard setbacks, as well as a 50 percent 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 a C-4 (Commercial) Zone District:
*Lots 4 through 8, Block 13, Sunset Heights, 617 W. Franklin Avenue,
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 and side street yard setbacks, as well as a 50 percent parking reduction; and,
3. That this Special Permit is issued subject to the development standards in the C-4 (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 incorporated herein by reference for all purposes; and,

ORDINANCE NO. _____

PZST15-00005

4. That if at any time the Owner fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST15-00005 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
5. That the Owner 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. _____

PZST15-00005

AGREEMENT

The City of El Paso, 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 C-4 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2015.

The City of El Paso:

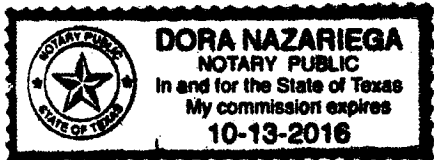
By: MARK SUTTER, CFO for City of El Paso
(name/title)
Mark Sutter
(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 26th day of March, 2015, by Mark Sutter, for The City of El Paso, as CFO.

My Commission Expires:
10-13-2016



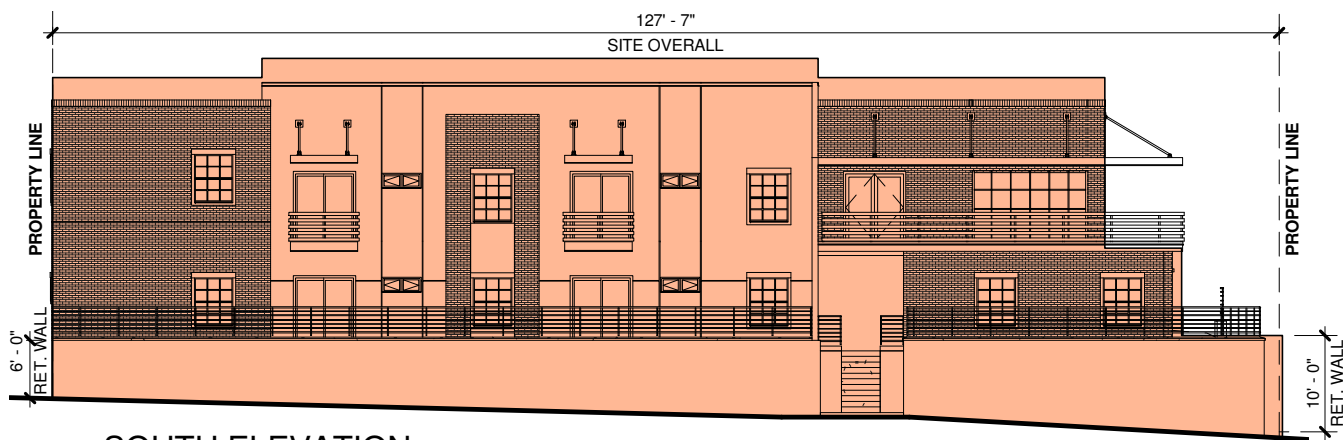
Dora Nazariaga
Notary Public, State of Texas

Notary's Printed or Typed Name:
Dora Nazariaga

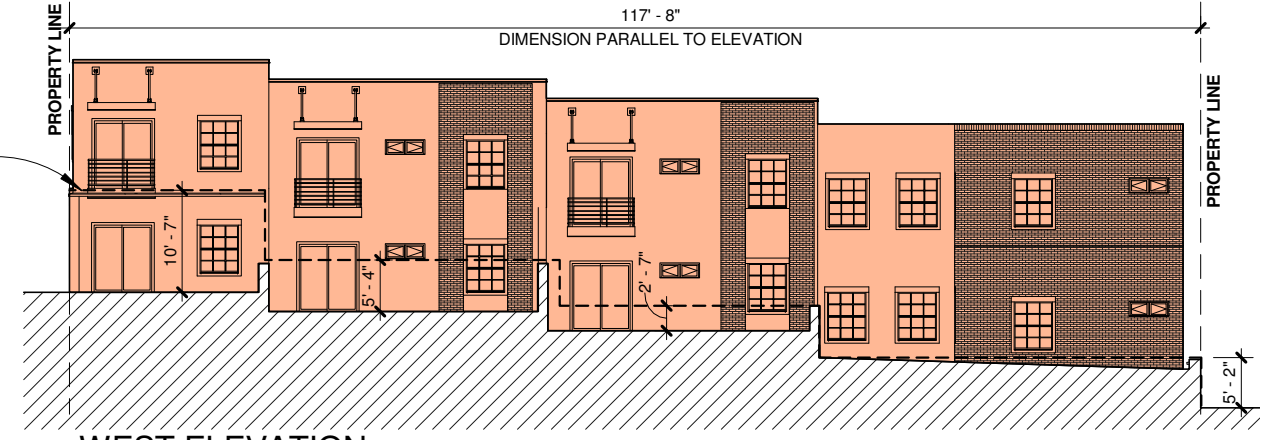
ORDINANCE NO. _____

PZST15-00005

Exhibit "A"

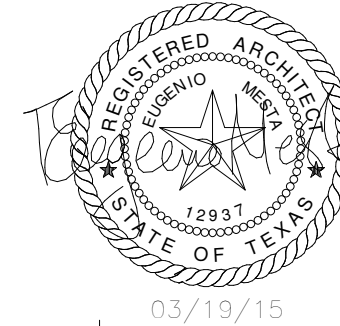


3 SOUTH ELEVATION
1" = 20'-0"



4 WEST 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	TOTAL
MUTIFAMILY	5,736	5,810	11,546
PARKING SPACES	14	NA	NA
FAR	0.76		
	TOTAL LAND	TOTAL CONSTRUCTION	11,546
	15,002	15,002	

LANDSCAPING		
	MINIMUM SQ. FT.	ACTUAL SQ. FT.
OPEN SPACE	1,390 SQ.FT. = 15%	1,909 SQ.FT. = 21%

15,002 sq.ft (Lot Area) - 5,736 sq.ft.(Bldg. Footprint) = 9,266 sq.ft. X 0.15 = 1,390 sq.ft.

Required Documentation List

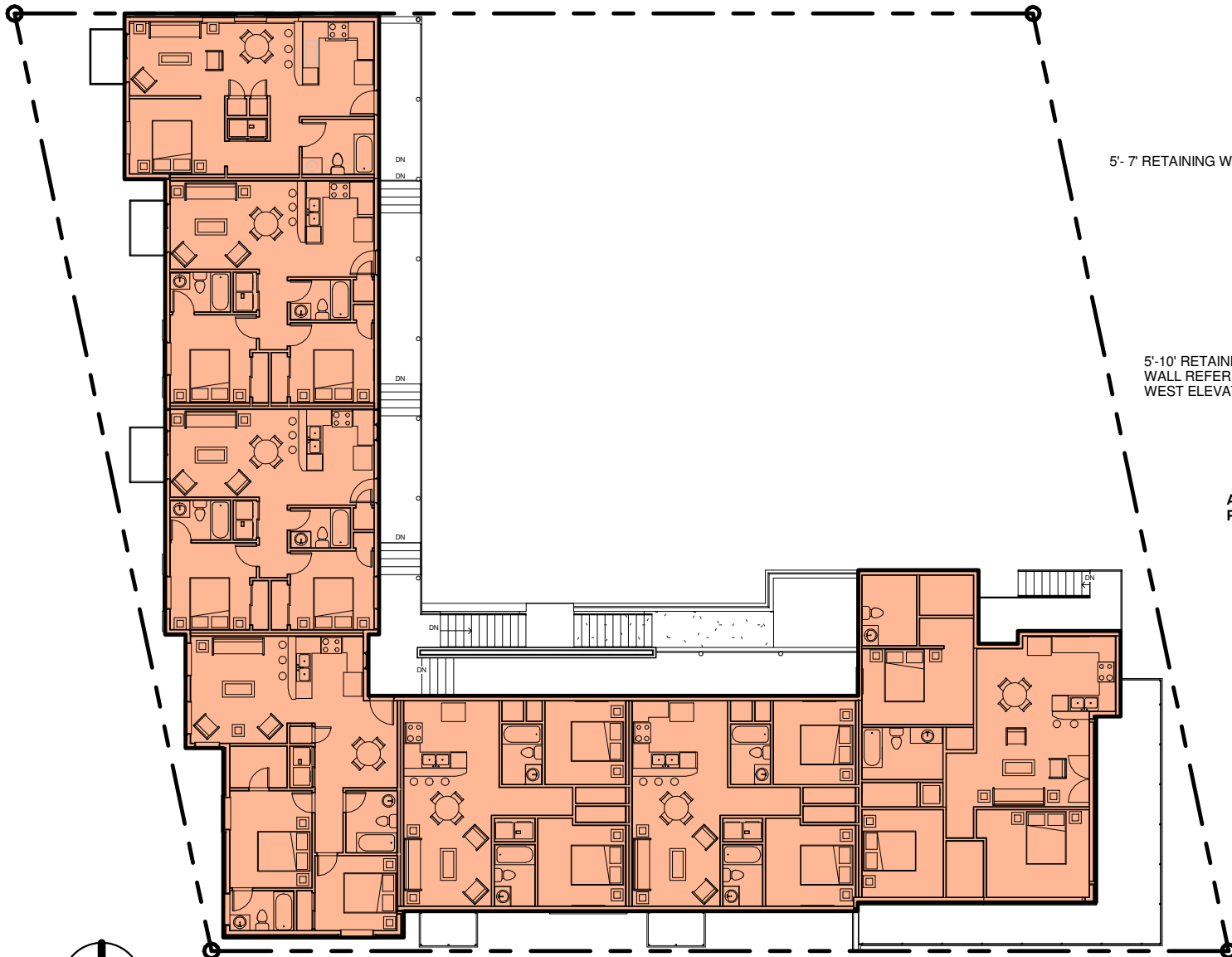
- Legal Description:
BEING OF LOTS 4 THROUGH 8, BLOCK 13, SUNSET HEIGHTS, AN ADDITION TO THE CITY OF EL PASO, EL PASO, COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF FILED IN VOLUME 10, PAGE 47, EL PASO COUNTY PLAT RECORDS. (0.3444 ACRES)
- Location and arrangement of structures
As shown on plan.
- Size and use of Structures:

SIZE AND USE OF STRUCTURES					
APARTMENTS	ADA Unit	1 Bed	2 Bed	3 Bed	Total
1st. Floor	1	0	5	1	7
2nd. Floor	0	1	5	1	7
Total Construction	1st. Floor	2nd. Floor			Total Construction
	5,736	5,810			11,546 sq. ft.

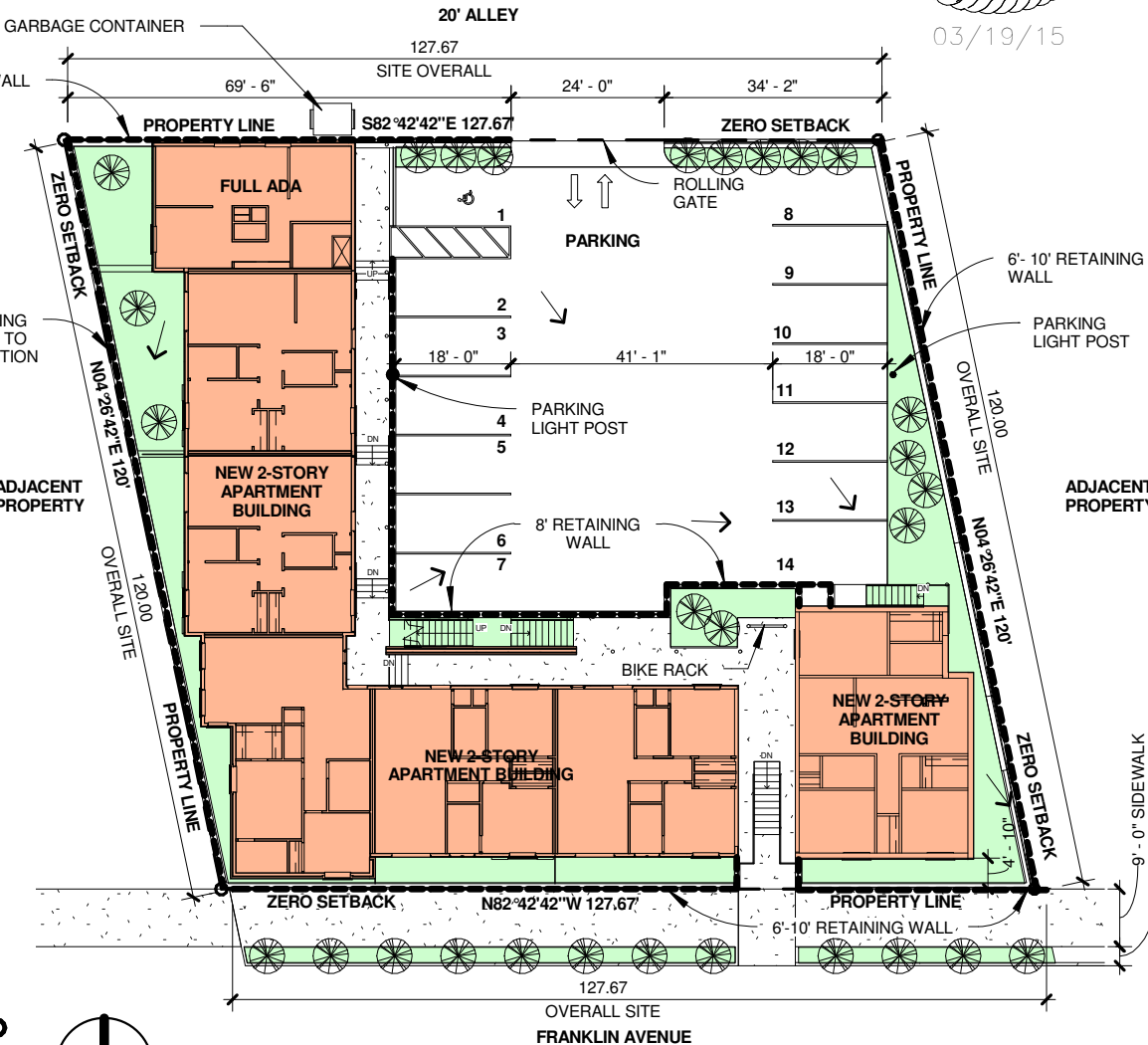
- Lot lines with dimensions of areas:
See distances on plan: 15,002 sq. ft.
- Required setbacks: None.
- Landscaping: 1,909 sq. ft. = 21% of property.
- Open spaces: As shown on plan.
- Curbs cuts and driveways: As shown on plan
- Pedestrian ways and sidewalks: As shown on plan.
- Architect seal: As shown on plan.
- On-Site Parking: 14

PARKING			
UNIT TYPE	PARKING REQUIRED PER UNIT	UNIT COUNT	TOTAL PARKING PER UNIT TYPE
1 Bedroom	1.5	2	3
2 Bedroom	2	10	20
3 Bedroom	2	2	4
		Total Parking Required	27
		Total Parking Provided	14
		Parking Reduction	13
		Parking Reduction %	48%

- Storm Water Drainage: None
- Retaining Walls: As show on plan.
- Screening Walls, Fences, W.I. Fence on back at alley and between apartment units, as shown on plan.
- Utility rights-of-way, easements: None
- Architectural design of buildings:
Exterior elevations as shown on plan.
- Bicycle rack.



2 SECOND FLOOR PLAN
1" = 20'-0"



1 SITE PLAN
1" = 30'-0"

Franklin Apartments



MEMORANDUM

DATE: March 19, 2015

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

FROM: Michael McElroy, Planner

SUBJECT: PZST15-00005

The City Plan Commission (CPC), on March 12, 2015, voted 5-0 to recommend **approval** of a special permit to allow for infill development with a reduction in rear and side street yard setbacks, as well as a 50 percent parking reduction.

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



City of El Paso – City Plan Commission Staff Report

Case No: PZST15-00005
Application Type: Special Permit and Detailed Site Development Plan Review
CPC Hearing Date: March 12, 2015
Staff Planner: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location: 617 W. Franklin Avenue
Legal Description: Lots 4 through 8, Block 13, Sunset Heights, City of El Paso, El Paso County, Texas
Acreage: 0.3444 acres
Rep District: 8
Existing Zoning: C-4 (Commercial)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: N/A
Request: Infill / Rear and Side Yard Setback Reduction/ 50% Parking Reduction
Proposed Use: Apartments
Property Owner: The City of El Paso
Representative: Memo Sotomayor

SURROUNDING ZONING AND LAND USE

North: A-3 (Apartment) / Single-Family Dwellings
South: M-1 (Manufacturing) and U-P/H (Union Plaza/Historic) / Office and University Campus
East: C-4 (Commercial) / Single-family Dwelling and Parking Lot
West: M-1 (Manufacturing) / Interstate 10 and Frontage

PLAN EL PASO DESIGNATION: G-1, Downtown (Central Planning Area)

NEAREST PARK: Grace Chope Park (0')

NEAREST SCHOOL: Vilas Elementary (1,730 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 23, 2015. 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 to allow for infill development to permit a reduction in rear yard setback from 25' to 0', side yard setback from 5' to 0', and side street yard setback from 10' to 0'. The proposed use is an apartment complex, inclusive of 1 ADA unit, 1 one-bedroom unit, 10 two-bedroom units, and 2 three-bedroom units, totaling 11,546 sq. ft. An additional 1,909 sq. ft. is proposed for landscaping. The proposed development requires 27 parking spaces, and provides 14, including ADA accessible parking and bicycle spaces. A 50 percent parking space reduction is requested. Access to the property is proposed from the rear alley.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of the request as the proposed development is consistent with the surrounding apartment zoning and multi-family developments. Additionally, the proposed development is compliant with the G-1 Downtown land use designation in the Plan El Paso Central Planning Area. Further, the property meets the requirements of Section 20.04.320, Special Permit

Plan El Paso-Future Land Use Map Designation

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

G-1 – Downtown: This sector includes the historic core of Downtown plus the larger downtown area from Paisano Drive north to I-10. El Paso’s “Invest first in Downtown” policies apply in this sector. New buildings should continue the tradition of multi-story, multi-use buildings with retail on the first floor and offices or residences on the upper floors. The reintroduction of a stable, mixed-income residential population will provide a market for a wider range of dining and entertainment options.

The purpose of the C-4 (Commercial) district is intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provides a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.

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 and is in an older neighborhood, having been platted in 1904 (Attachment 5).

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 C-4 (Commercial) 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.

Dimensional Standards Required and Proposed		
Dimension	Required	Proposed
Rear Yard	25'	0'
Side Yard	5'	0'
Side Street	10'	0'

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 27 parking spaces, and provides 14, including ADA accessible parking and bicycle spaces. A 50 percent parking space reduction is requested.

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-1 Downtown 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

No objection.

Planning and Inspections Department – Plan Review

Recommend approval. At the time of submittal for building permits project will need to comply with all provisions of the IBC, TAS and local municipal code.

Planning and Inspections Department - Landscaping

Recommend approval. At the time of submittal for building permits project will need to comply with all provisions of title 18.46 as applicable.

El Paso Fire Department

EPFD recommends approval with conditions. Applicant shall coordinate with the Fire Marshal’s office for the location and specifications of a dry stand pipe.

El Paso Water Utilities

EPWU does not object to this request.

Water:

1. There is an existing 48-inch diameter water transmission main along Franklin Avenue fronting the subject property. No direct service connections are allowed to this main as per the El Paso Water Utilities Public Service Board Rules and Regulations.

2. There is an existing 4-inch diameter water main along the Alley that is adjacent to the subject property. This water main is available for service but may need to be upgraded to a larger diameter main from Coldwell (Missouri) Street, depending on the water meter requirements for the proposed apartments. The owner is responsible for the costs of any necessary main upgrades.

Sewer:

There is an existing 8-inch diameter sewer mains along Franklin Avenue and the Alley adjacent to the subject property. These sewer mains are available for service.

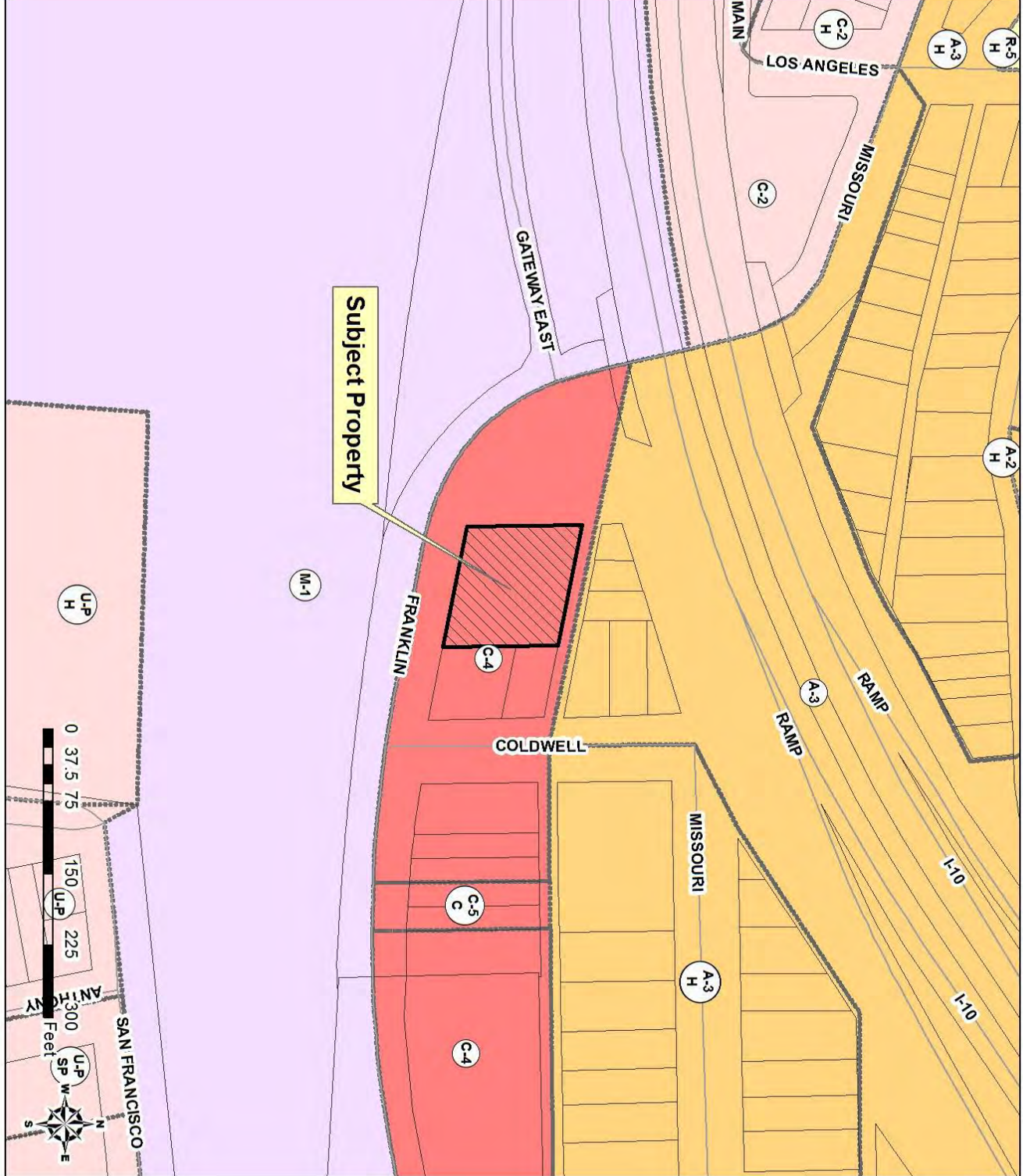
General:

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 owner 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
5. Plat of Sunset Heights

PZST15-00005

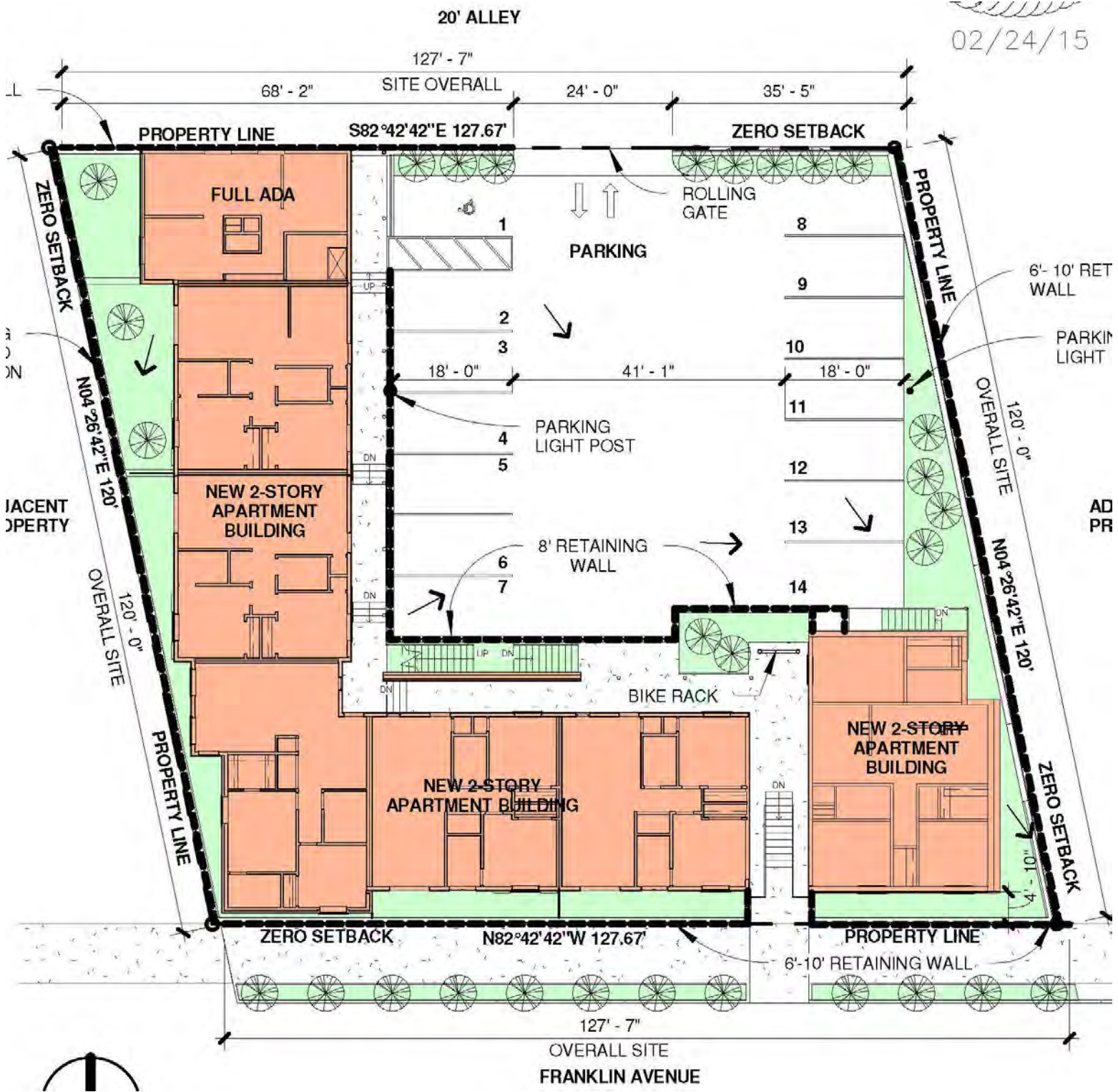


PZST15-00005



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

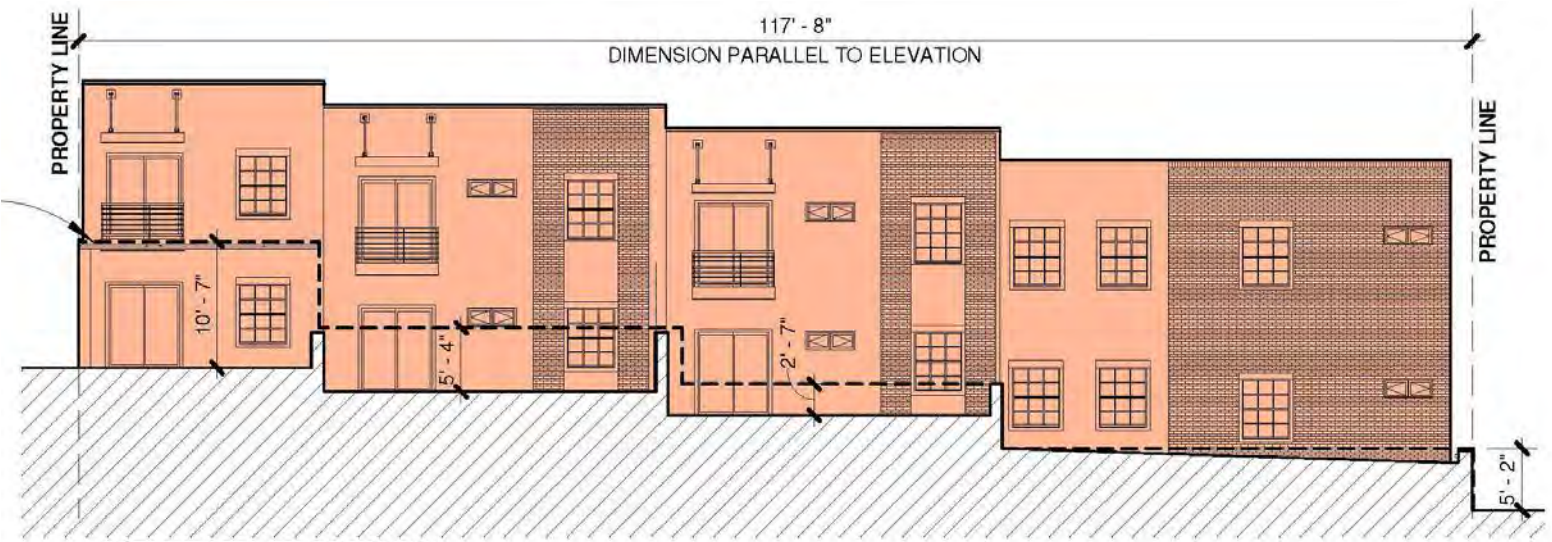
02/24/15



ATTACHMENT 4: ELEVATIONS



3 SOUTH ELEVATION
1" = 20'-0"



4 WEST ELEVATION
1" = 20'-0"

ATTACHMENT 5: PLAT OF SUNSET HEIGHTS

