

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

**DEPARTMENT:** City Development Department

**AGENDA DATE:** Introduction: May 14, 2013  
Public Hearing: June 4, 2013

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance granting Special Permit No. PZST12-00011, to allow for infill development on the property described as Lot 15 and 16, Block 44, Harts Survey No. 9, 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: 906 N. Mesa Street. Property Owner: DDDG Investments II, L.P. PZST12-00011 (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 (8-0)

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

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

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

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, City Development Department

**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST12-00011, TO ALLOW FOR INFILL DEVELOPMENT ON THE PROPERTY DESCRIBED AS LOT 15 AND 16, BLOCK 44, HARTS SURVEY NO. 9, 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**, DDDG INVESTMENT II, L.P., has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City Code; 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:  
*Lot 15 and 16, Block 44, Harts Survey No. 9, 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 for infill development; 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,
4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST12-00011 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,

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

**PZST12-00011**

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 \_\_\_\_\_, 2013.

THE CITY OF EL PASO

\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Moimsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

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

\_\_\_\_\_  
Mathew S. McElroy, Director  
City Development Department

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

PZST12-00011

**AGREEMENT**

DDD<sup>2</sup>G INVESTMENT II, L.P., 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 \_\_\_\_\_, 2013.

DDD<sup>2</sup>G INVESTMENT II, L.P.:

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

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

**ACKNOWLEDGMENT**

THE STATE OF TEXAS   )  
  )  
COUNTY OF EL PASO   )

This instrument is acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by \_\_\_\_\_, for DDD<sup>2</sup>G Investment II, L.P., as Owner.

My Commission Expires:

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

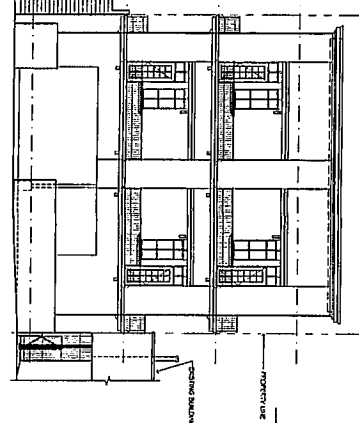
Notary's Printed or Typed Name:

\_\_\_\_\_

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

PZST12-00011

**BUILDING FRONT ELEVATION**  
SCALE: 1"=10'



MONUMENT LINE

10'

ARIZONA ST.

10'

FOURTH AND MONUMENT

STANTON STREET  
(70' R.O.W.)

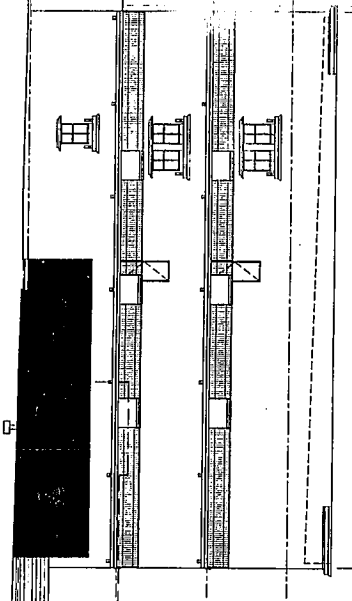
P.O.C.  
FOUR OLD  
NEW MOUNTAIN

(BEARING BASE)  
N573700"W 990.43'  
(992.00' PLAT)

MONTANA AVE  
— — — — —  
(70' R.O.W.)

**SCALE: 1" = 200'**

**BUILDING SIDE ELEVATION**  
SCALE: 1"=10'



RIO GRANDE STREET  
-----  
(70' R.O.W.)

SOUTH 8 FEET OF  
LOT 13 AND ALL OF LOT 14  
HARTS SURVEY NO. 9  
INST NO. 20100007723

PARKING REQUIREMENTS	
TOTAL GROSS FLOOR AREA	=8,930 sq.ft.
MINIMUM PARKING FOR RETAIL	=18
MAXIMUM PARKING FOR RETAIL	=24
TOTAL PARKING PROVIDED	=9
REQUEST 50% PARKING REDUCTION FOR INMILL DEVELOPMENT	

INMILL ZONING REQUEST	
FRONT SETBACKS	=0
REAR SETBACKS	=10 ft.
SIDE SETBACKS	=0

**INFILL ZONING REQUEST**  
**FRONT SETBACKS**  
**REAR SETBACKS**  
**SIDE SETBACKS**

$$\begin{aligned} &= 0 \\ &= 10 \text{ ft.} \\ &= 0 \end{aligned}$$

**1st LEVEL**  
**SCALE: 1"=10'**



MESA STREET  
(70' R.O.W.)

**LEGEND:**

- EXISTING STREET CENTERLINE
- EXISTING CURB
- PROPOSED CONCRETE CURB & GUTTER
- EXISTING TRACT LINE
- EXISTING POWER LINE

SCALE: 1" = 10'

2nd AND 3rd LEVEL  
SCALE: 1"=10'

10

**LEGAL DESCRIPTION**  
 LOTS 15 AND 16, BLOCK 44,  
 HARTS SURVEY NO. 9,  
 AN ADDITION TO THE CITY OF EL PASO  
 EL PASO COUNTY, TEXAS.  
 AREA 0.14 ACRES ±

DETAILED SITE  
DEVELOPMENT PLAN

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906 MESA STREET

906 MESA STREET



**engineers • architects • planners**  
**TEKAS REGISTERED ENGINEERING FIRM F-4566**  
4112 Woodrow Blvd., Ste. F El Paso, TX 79922  
Office 915.544.5222 Fax 915.544.5223 www.dawg.org/da

4712 Woodrow Bawn, Ste. F El Paso, TX 79922  
Office 915 544 5272 Fax 915 544 5273 [www.enrg.com](http://www.enrg.com)

## MEMORANDUM

**DATE:** May 2, 2013

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZST12-00011

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The City Plan Commission (CPC), on January 24, 2013, voted 8-0 to recommend **approval** of the special permit application to allow infill development.

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 effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There is one opposition to this request.

**Attachments:** Staff Report



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

**Case No:** PZST12-00011  
**Application Type:** Special Permit  
**CPC Hearing Date:** January 24, 2013  
**Staff Planner:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**Location:** 906 N. Mesa Street  
**Legal Description:** Lots 15 and 16, Block 44, Harts Survey No. 9, City of El Paso, El Paso County, Texas  
**Acreage:** 0.14-acre  
**Rep District:** 8  
**Zoning:** C-4 (Commercial)  
**Existing Use:** Vacant  
**Request:** Infill Development  
**Proposed Use:** Office

**Property Owner:** DDDG Investment II, L.P.  
**Representative:** CEA Group

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

**North:** C-4 (Commercial) / Office  
**South:** C-4 (Commercial) / Retail  
**East:** A-2 (Apartment) / Parking Lot  
**West:** C-4 (Commercial) / Bank

**The Plan for El Paso Designation:** G2, Traditional neighborhood (Walkable) (Central Planning Area)  
**NEAREST PARK:** Cleveland Square Park (1,894 feet)  
**NEAREST SCHOOL:** Vilas Elementary (3,907 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 September 10, 2012 and received 1 phone call in opposition.

The item was re-notified on January 8, 2013 and Planning Division has not received any letters or phone calls in support or opposition of the special permit request since it was re-notified.

### **APPLICATION DESCRIPTION**

The applicant is requesting a special permit for infill development and a detailed site development plan. The site plan was previously reviewed and recommended for approval by the CPC on September 20, 2012. The applicant has made significant changes to detailed site plan and is now coming back to the CPC for review. The following are the changes from the previous detailed site development plan: the office building has decreased in size from 9,795 sq. ft. to 8,830 sq. ft. three-story and a portion of garage parking is now at street level. Also, the rear yard setback had increased from 0 to 10 feet which is the minimum required rear yard setback. Detailed site development plan complies with all other density and dimensional standards. The development requires 18 parking spaces and the applicant is providing 9 parking spaces. The infill development includes an automatic 50% parking reduction. Access to the subject property is proposed from Rio Grande Avenue and Montana Avenue via the alley.

## **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for infill development as the development meets all guidelines and requirements for infill development, special permit 20.04.320 and detailed site development plan 20.04.150.

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

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

G-2 – Traditional Neighborhood: 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 faced 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-4 (Commercial) 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.

## **COMMENTS:**

### **City Development Department - Planning Division - Transportation**

No objections.

#### Notes:

- Location is located along the Mesa Rapid Transit System (RTS) Corridor. Coordinate the location and/or arrangement of any bus stops and/or bus pull in bays with Sun Metro.
- Access and improvements to Mesa Street (SH 20) shall be coordinated and approved by TxDOT.
- 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.

### **City Development Department – Plan Review**

Recommend approval with conditions that compliance with current building and zoning codes are met: proposed plans lack detail as follows:

1. to meet all egress requirements
2. fire protection
3. necessary ventilation at parking garage
4. correct ADA accessible route be addressed
5. occupant loads

### **City Development Department - Landscaping Division**

No objections.

### **City Development Department - Land Development**

No objections.

### **Fire Department**

IFC 2009 Section 501.3; Construction documents for proposed fire apparatus access 503.1.1 Access shall allow the extension within 150 feet of all portions of any facility or building 1003.6 Means of egress continuity. The path of egress travel along a means of egress shall not be interrupted by any building element other than a means of egress component as specified in this chapter. Obstructions shall not be placed in the required width of a



means of egress except projections permitted by this chapter. The required capacity of a means of egress system shall not be diminished along the path of egress travel.

**\*\* Note,** A more detailed reviewed will be done by fire plan review during the permitting process.

### **Sun Metro**

Sun Metro does not oppose this request. Recommends the construction of sidewalks to permit pedestrian access to mass transit opportunities.

### **El Paso Water Utilities**

We have reviewed the special permit request described above and provide the following comments:

EPWU does not object to this request.

EPWU-PSB Comments

Water:

Along Mesa Street between Rio Grande Avenue and Montana Avenue there is an existing ten (10) inch diameter water main.

Along the alley located between Mesa Street and Stanton Street north of Montana Avenue there is an existing four (4) inch diameter water main. This main dead-ends at approximately 27 feet north of Montana Avenue. From this dead-end point of the main towards Rio Grande Avenue there are no existing water mains along the described alley.

As per EPWU-PSB Records, 906 N. Mesa Street has a single one (1) inch diameter water service.

Previous water pressure readings conducted on fire hydrant number 2074 located at Mesa Street and Rio Grande Avenue yielded a static pressure of 70 pounds per square inch (psi), residual pressure of 68 psi, discharge of 1,087 gallons per minute (gpm).

Sanitary Sewer:

Along the alley located between Mesa Street and Stanton Street there is an existing eight (8) inch diameter sanitary sewer main.

Along Mesa Street between Rio Grande Avenue and Montana Avenue there are no an existing sanitary sewer mains.

General:

Mesa Street is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Mesa Street right-of-way requires written permission from TxDOT.

Water and sanitary sewer service is available from the above described mains.

If the City of El Paso Fire Department requires additional fire hydrants on public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service.

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. 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.

### **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:

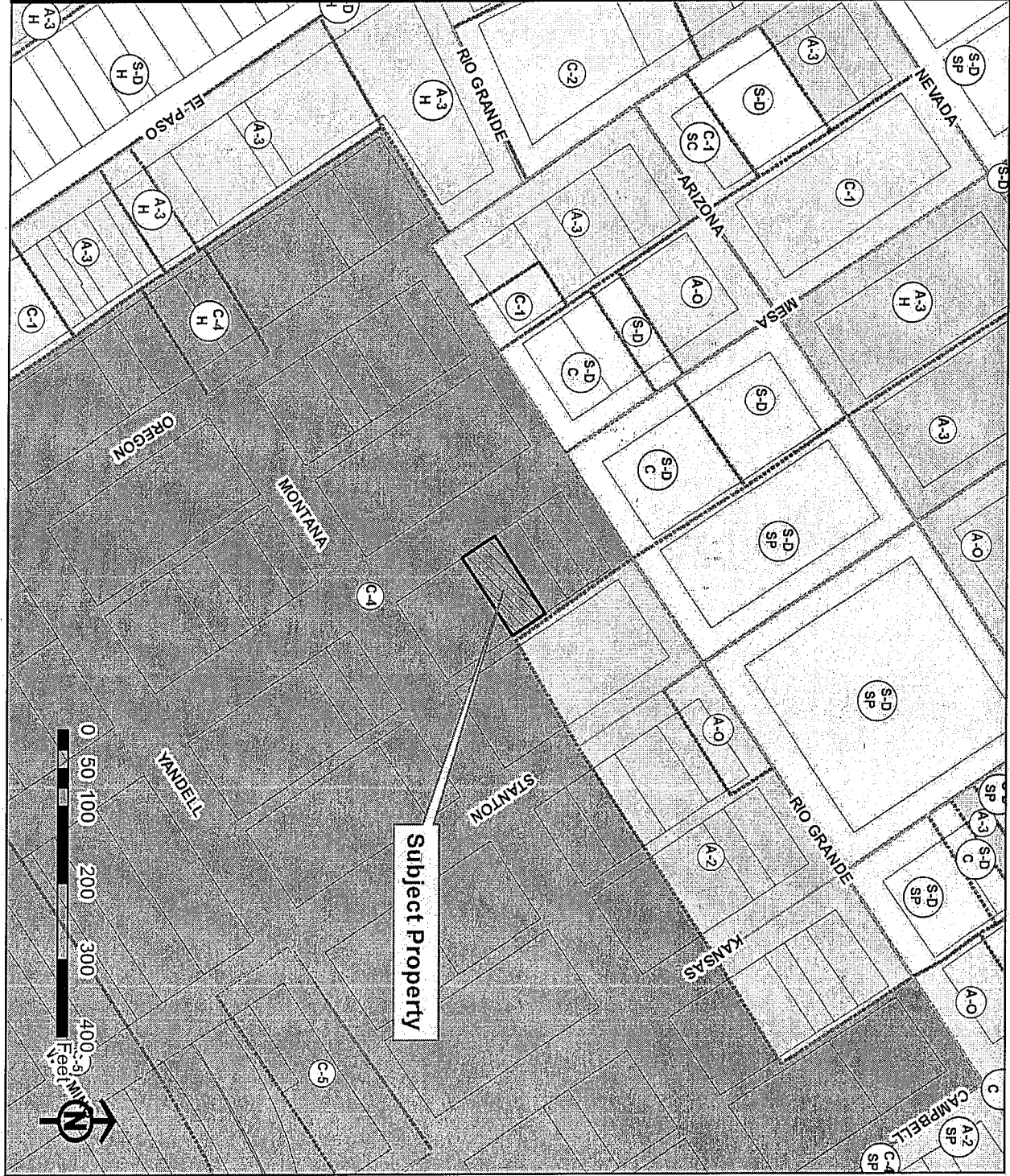
1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the special permit and detailed site development plan into conformance with the review criteria in Plan 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 Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

## **Attachments**

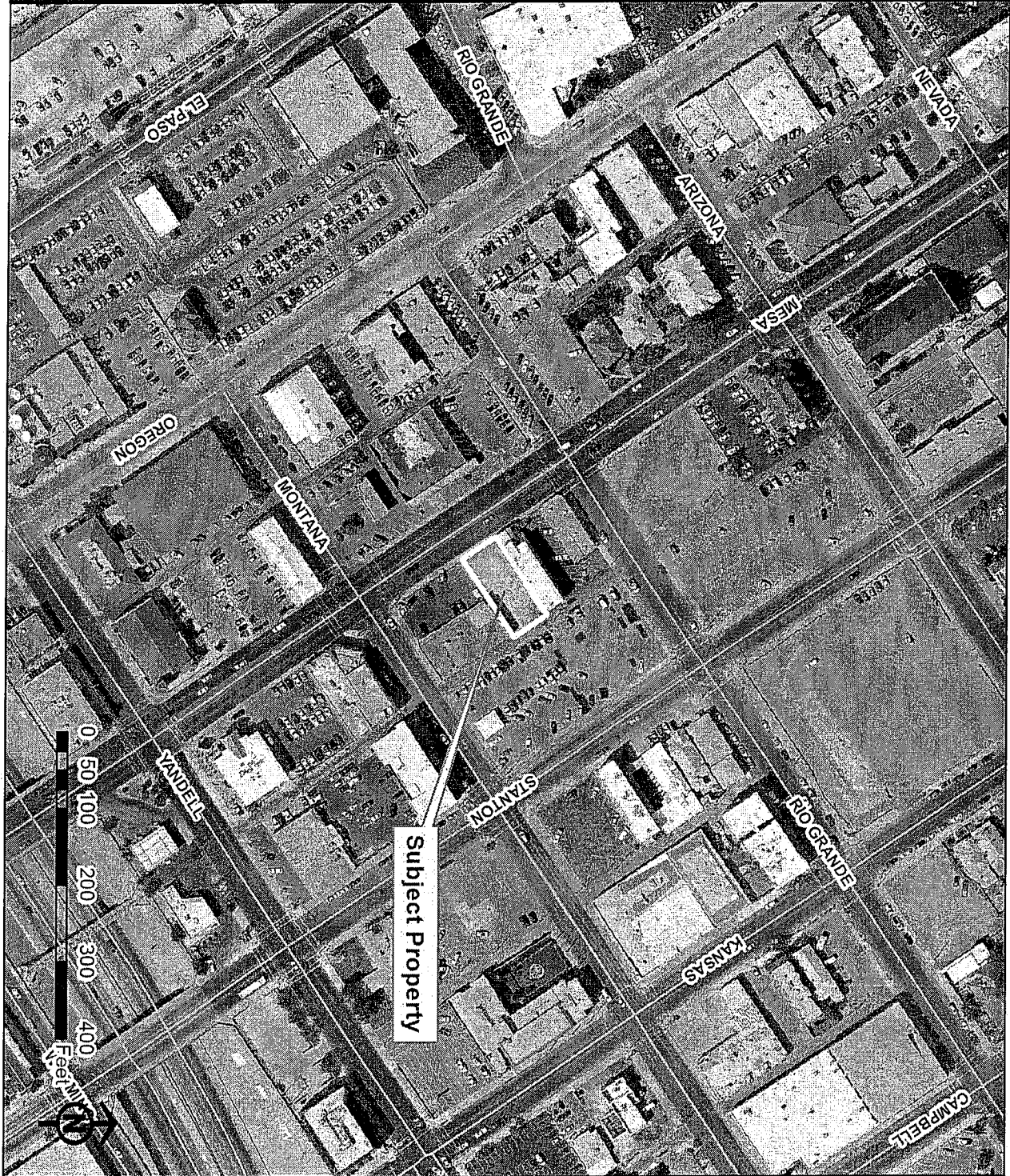
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

ATTACHMENT 1: ZONING MAP

PZST12-00011



PZST12-00011







ARCHITECTURAL ELEVATIONS

BUILDING FRONT ELEVATION  
SCALE: 1/8"=1'-0"

BUILDING SIDE ELEVATION  
SCALE: 1/8"=1'-0"

BUILDING REAR ELEVATION  
SCALE: 1/8"=1'-0"

SEE LOT 13, P. HART, DIST. 6