

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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: September 24, 2013
Public Hearing: October 15, 2013

CONTACT PERSON/PHONE: Michael McElroy, (915) 541-4239, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance granting Special Permit No. PZST13-00008, to allow for infill development with a 50 percent parking reduction on the property described as Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, 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: 5000 Riley. Property Owner: RNR Properties. PZST13-00008 (**District 2**)

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 (5-0)

*****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. PZST13-00008, TO ALLOW FOR INFILL DEVELOPMENT WITH A 50 PERCENT PARKING REDUCTION ON THE PROPERTY DESCRIBED AS TRACT 4-C, SECTION 11, BLOCK 81, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, 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, RNR Properties, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for 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-1 (Commercial) Zone District:

Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas and as more particularly described by metes and bounds on the attached Exhibit "A"; and,

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a 50% parking reduction; and,
3. That this Special Permit is issued subject to the development standards in the 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,

ORDINANCE NO. _____

PZST13-00008

4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST13-00008 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 _____, 2013.

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
City Development Department

ORDINANCE NO. _____

PZST13-00008

AGREEMENT

RNR Properties, 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 C-1 (Commercial) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2013.

RNR Properties:

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 **RNR Properties**, as Owner.

My Commission Expires:

Notary Public, State of Texas

Notary's Printed or Typed Name:

ORDINANCE NO. _____

PZST13-00008

Exhibit "A"

Tract 4-C, Section 11, Block 81, Township 2,
Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas

March 28, 2013

METES AND BOUNDS DESCRIPTION

Exhibit "A"

FIELD NOTE DESCRIPTION of a Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the common boundary line of Tract 4-A and Tract 4-C, same being the southerly right-of-way line of Riley Court (60' R.O.W.), and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said southerly right-of-way line, along said common boundary line, South $01^{\circ}11'00''$ East, a distance of 179.00 feet to a point;

THENCE, leaving said common boundary line, South $88^{\circ}49'00''$ West, a distance of 90.96 feet to a point;

THENCE, North $01^{\circ}11'00''$ West, a distance of 1.89 feet to a point;

THENCE, North $88^{\circ}49'00''$ East, a distance of 90.96 feet to the **POINT OF BEGINNING** of the herein described lot and containing 16,281.84 square feet or 0.3738 Acres of land more or less.

Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950



CAD CONSULTING COMPANY.
1790 Lee Trevino Suite # 503
El Paso, Texas 79936
(915) 633-6422
.wpd

A handwritten signature in black ink, consisting of several stylized, overlapping strokes.

MEMORANDUM

DATE: June 17, 2013

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

FROM: Michael McElroy, Planner

SUBJECT: PZST13-00008

The City Plan Commission (CPC) on May 30, 2013, voted **5-0** to recommend **APPROVAL** of the special permit application to allow for infill development and a 50% parking reduction in the C-1 (Commercial) zoning district.

The CPC found that the special permit is in conformance with the Plan for El Paso and that the proposed use is in conformance with the Plan El Paso-Future Land Use Map Designation for the Northeast Planning Area. The proposed development is compatible with adjacent land uses. The CPC also determined that the special permit protects the best interest, health, safety, and welfare of the public in general; 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 was one (1) phone call in **OPPOSITION** to this request.

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZST13-00008
Application Type Special Permit
CPC Hearing Date May 30, 2013
Staff Planner Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov
Location 5000 Riley
Legal Description Tract 4-C, Section 11, Block 81, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
Acreage 0.374 acres
Rep District 2
Zoning C-1 (Commercial)
Existing Use Vacant
Request Infill Development / 50% parking reduction
Proposed Use Apartments
Property Owner RNR Properties
Representative Angel Ramos

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / Single Family Homes
South: C-4/sc (Commercial/Special contract) / Retail-Manufacturing
East: A-2 (Apartment) / Apartments
West: R-4 (Residential) / Single Family Homes

PLAN EL PASO DESIGNATION: G-3, Post-War (Northeast)

NEAREST PARK: Stiles Park (3,891 feet)

NEAREST SCHOOL: Ramona Elementary (523 feet)

NEIGHBORHOOD ASSOCIATIONS

Mountainview Neighborhood Association

NEIGHBORHOOD INPUT

Notices of the May 16, 2013 public hearing were mailed to all property owners within 300 feet of the subject property on April 30, 2013. The Planning Division received one phone call in opposition to this request.

APPLICATION DESCRIPTION

The applicant is requesting a special permit for infill development to allow a parking reduction from 20 spaces to 10 spaces to permit the construction of an apartment complex. Access is from Diana Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review request for infill development as the applicant meets the requirements of Section 20.04.320, Special Permit Approvals and 20.04.150 Detailed Site Development Plan.

Plan El Paso- Future Land Use Map Designation

All applications for special permits 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 purpose of the C-1 (Neighborhood Commercial District) district is to provide compatible neighborhood convenience goods and services that serve day-to-day needs. Permit locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

COMMENTS:

City Development Department - Planning Division - Transportation

No objections

City Development Department – Planning Division - Land Development

Recommend approval

We have reviewed revised detail site development plan and recommend the Developer/Engineer address the following comments.

1. Provide 6' rock wall from high side abutting residential zone.
2. Due to the property being within an area in a Special Flood Hazard Area (A3), applicant shall coordinate with Floodplain Coordinator for the requirements and compliance of Special Flood Hazard Area.

City Development Department – Building Permits & Inspections Division

Recommend approval

El Paso Fire Department

Recommend "APPROVAL" of "Detailed Site Plan" as presented. *****NOTE ***** PZST 13-00008 In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted "Detailed Site Plan" for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi-family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. "When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments". The Fire Planning Division has reviewed the submitted "Detailed Site Plan" as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

El Paso Water Utilities

1. El Paso Water Utilities (EPWU) does not object to this request.

Water:

2. There is an existing 4-inch diameter water main that is available for service along Riley Ct. The water main is located approximately 40-ft north from the northern property line.
3. There is an existing 12-inch diameter water main that is available for service along Diana Dr. The main is located approximately 14 feet west of west property line.
4. There is an existing 24-inch diameter low flow water main along Diana Dr. This main is located approximately 11 east of the right of way center line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

5 Previous water pressures reading from fire hydrant # 8292 located at the northwest corner of the
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intersection of Diana Dr. and Apollo, have yielded a static pressure of 116 (psi) pounds per square inch, a residual pressure of 102 (psi) pounds per square inch and a discharge of 1321 (gpm) gallons per minute.

6. The owner should, for his own protection and at his own expense, 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 above-described water pressure regulating device.

Sanitary Sewer:

7. There is an existing 8-inch diameter sanitary sewer main along Riley Ct. that is sewer main is available for service, the sewer main is located approximately 25-ft north of the northern property line.

General:

8. 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.

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.

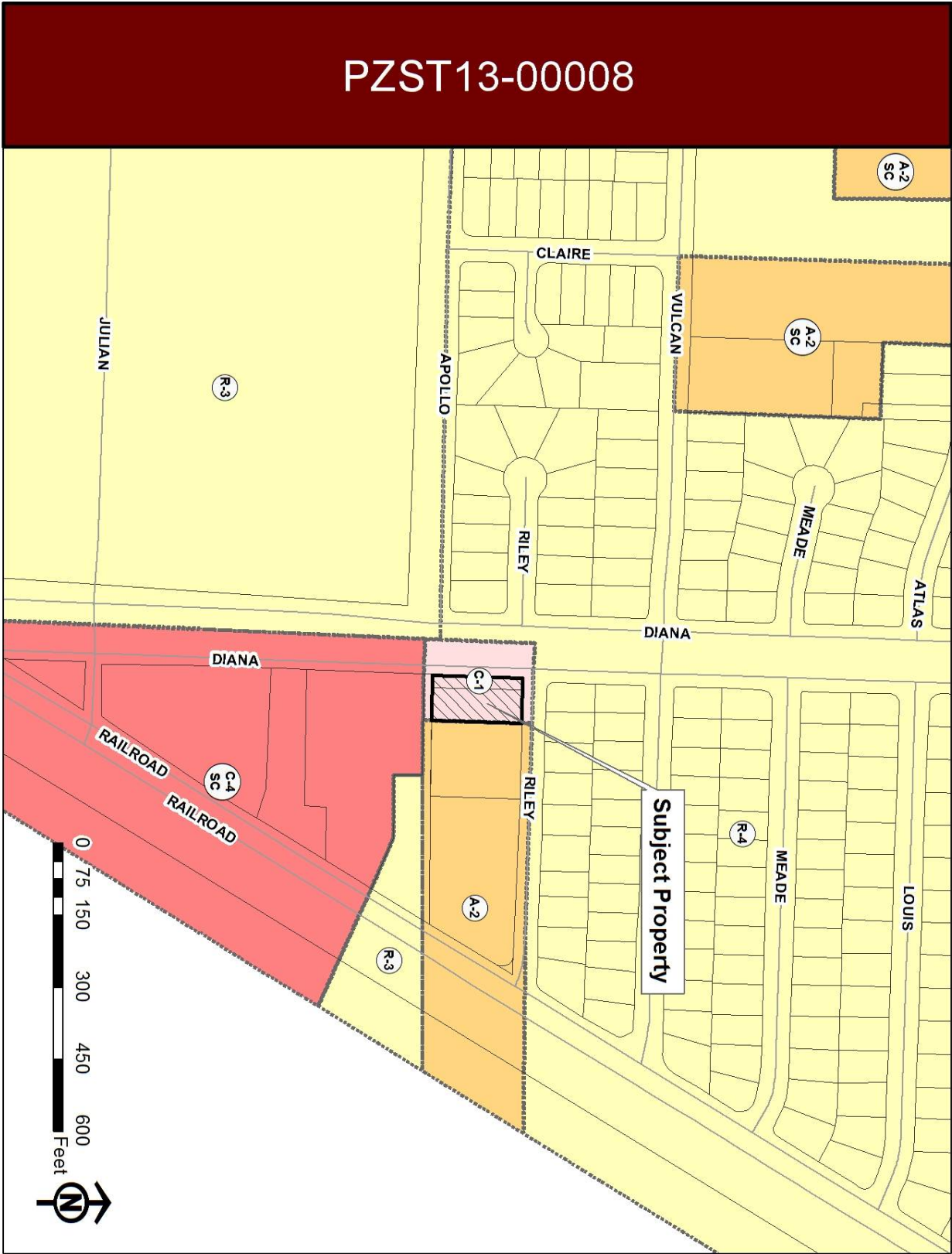
Attachments:

Attachment 1: Zoning Map

Attachment 2: Aerial Map

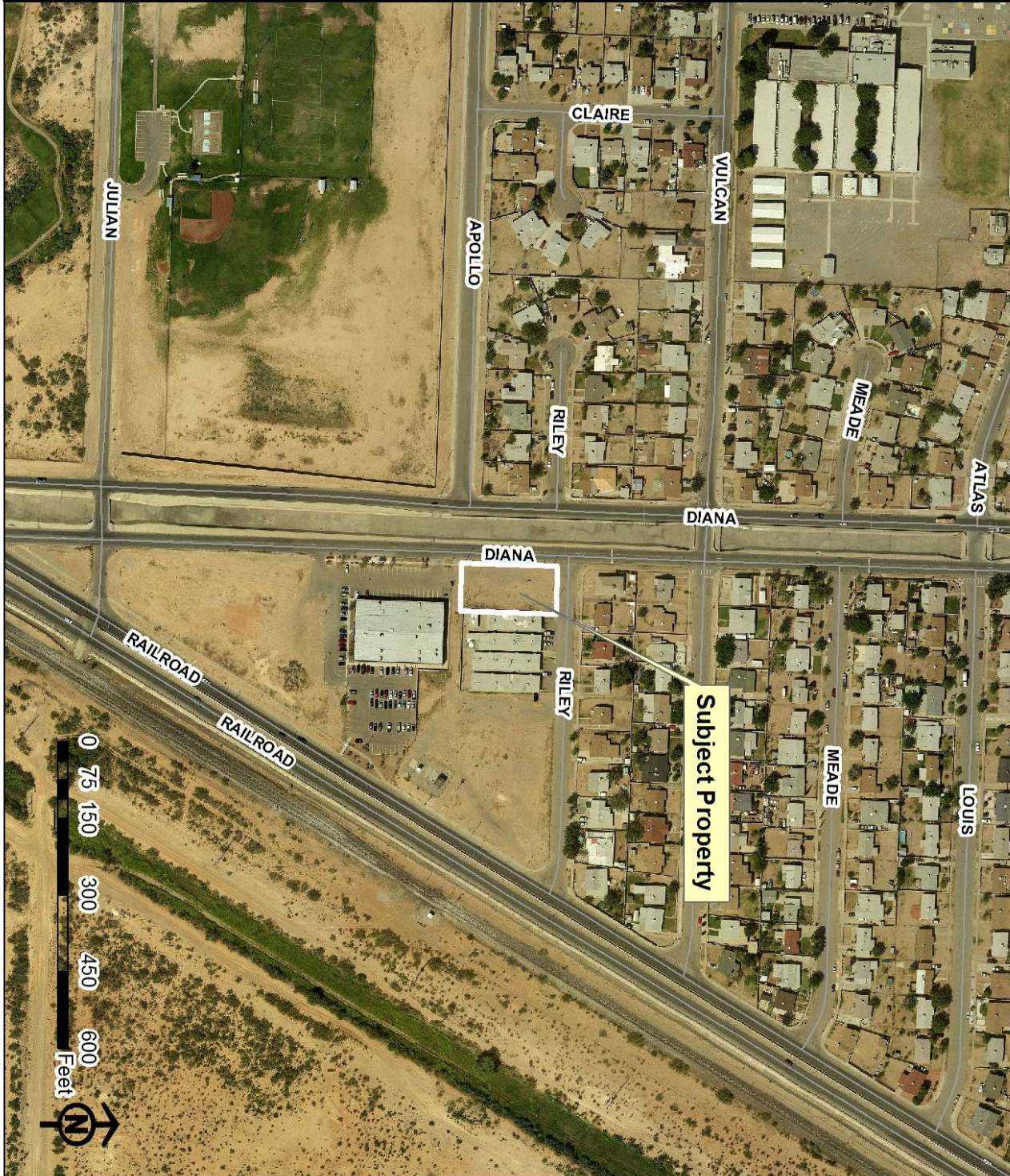
Attachment 3: Detailed Site Development Plan

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

PZST13-00008



RILEY CT.
(35' WIDE PUBLIC RIGHT-OF-WAY)

DIANA DR.
(30' WIDE PUBLIC RISE-1-0-WAY)

