

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: November 3, 2009
Public Hearing: November 24, 2009

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4029, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance granting Special Permit No. ZON09-00042, to allow a Beauty Salon and one hundred percent (100%) parking reduction in off-street parking requirement on the property described All of Lot 9 and the North 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas, Pursuant to Section 20.14.070 and 20.04.320 of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1015 North Florence. Property Owners: Maria Otero & Hector J. Gutierrez, ZON09-00042 (**District 8**).

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (4-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON09-00042, TO ALLOW A BEAUTY SALON AND ONE HUNDRED PERCENT (100%) REDUCTION IN OFF-STREET PARKING REQUIREMENT ON THE PROPERTY DESCRIBED ALL OF LOT 9 AND THE NORTH 10 FEET OF LOT 8, BLOCK 273, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.070 AND 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Maria Otero and Hector J. Gutierrez, have applied for a Special Permit under Section 20.04.320 and 20.14.070 of the El Paso City Code to allow for a beauty salon and one hundred percent reduction in off-street parking requirement; and,

WHEREAS, the Section 20.08.030 and 20.14.070 allows for a beauty salon and 100% parking reduction; and,

WHEREAS, a report was made by 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 20.04.320 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 A-O (Apartment) District:

All of Lot 9 and the North 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas;

2. That the City Council hereby grants a Special Permit under Section 20.04.320 and 20.14.070 of the El Paso City Code to allow for beauty salon and 100% parking reduction on the property described in Paragraph 1 of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the **A-O (Apartment) 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 is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON09-00042** shall be subject to termination; construction or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Applicant 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 to the City Plan Commission before building permits are issued.

PASSED AND APPROVED this _____ day of _____, 2009.

(Signatures continue on following page)

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

AGREEMENT

Maria Otero and Hector J. Gutierrez, Applicants 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 **A-O (Apartment) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2009.

MARIA OTERO

(Signature)

HECTOR J. GUTIERREZ

(Signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this ____ day of _____, 2009,
by **Maria Otero**, as Applicant.

Notary Public, State of Texas
Signature

Printed or Typed Name

My Commission Expires:

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this ____ day of _____, 2009,
by **Hector J. Gutierrez**, as Applicant.

Notary Public, State of Texas
Signature

Printed or Typed Name

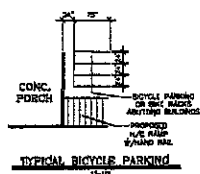
My Commission Expires:

SITE PLAN

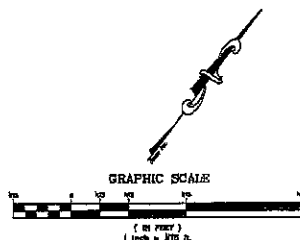
BEING ALL OF LOT 9 AND NORTH 10 FEET OF LOT 8,
BLOCK 273, CAMBELL ADDITION, AN ADDITION TO THE
CITY OF EL PASO, EL PASO COUNTY, TEXAS
CONTAINING: 0.1019 ACRES



Front Elevation

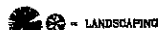


TYPICAL BICYCLE PARKING



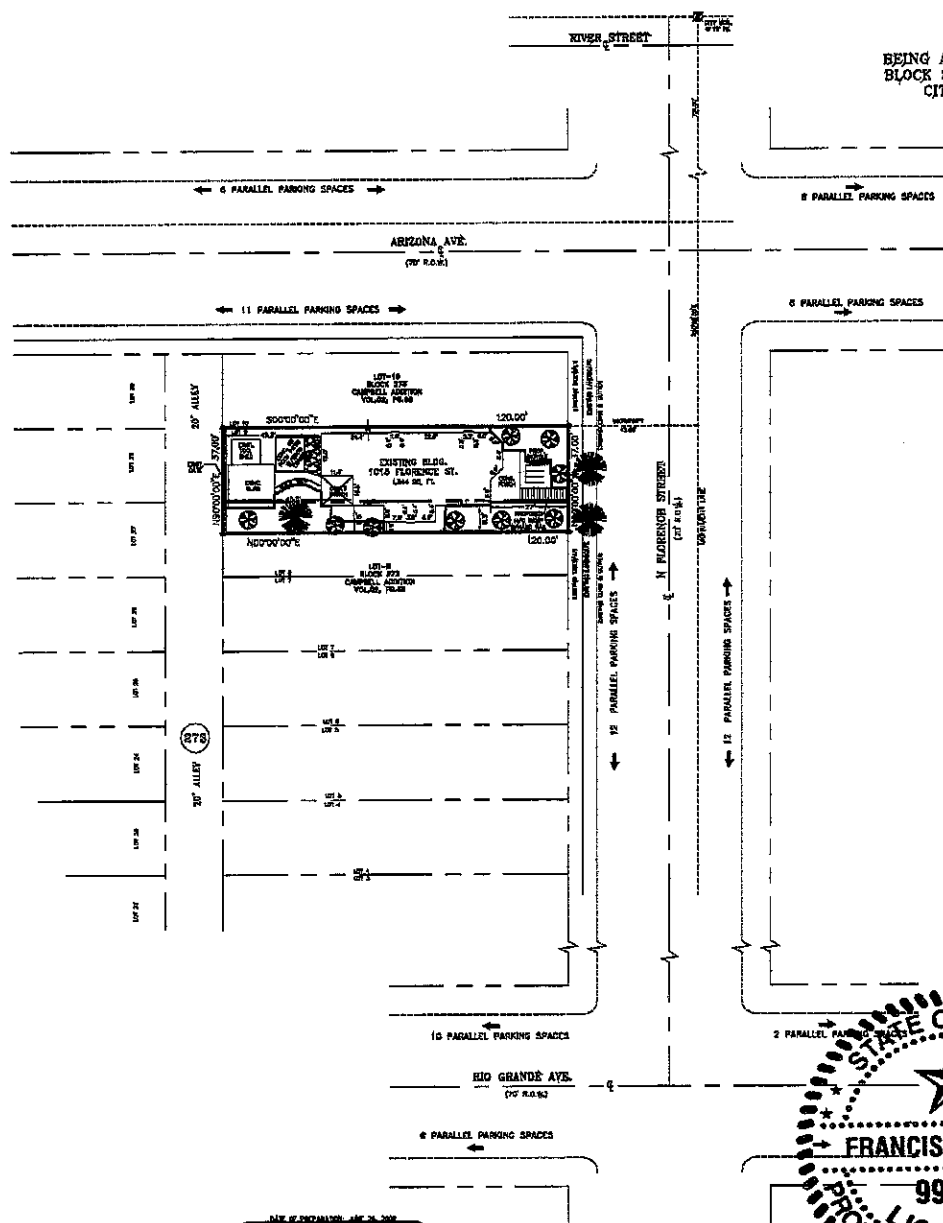
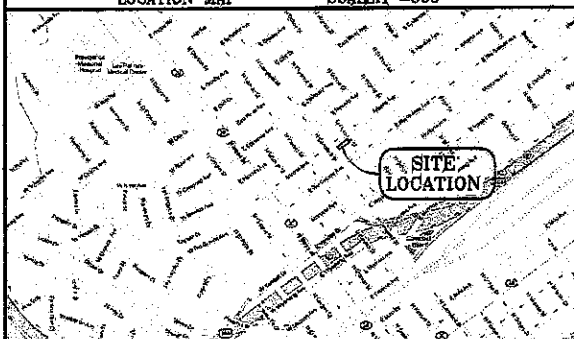
GRAPHIC SCALE

(१५ फरवरी)
(१९५० ई. में)



LOCATION MAP

SCALE: 1"=800'



PARKING INFORMATION

HAIR & NAIL SALON/ART GALLERY
TOTAL BUILDING: 1,844 SQ. FT.
PARKING REQUIRED BY CITY CODE: 6
PARKING PROVIDED ON SITE: 2
VEHICLE PARKING REQUIRED: 5
HANDICAPPED PARKING REQUIRED: 1
HANDICAPPED PARKING AVAILABLE:
TYPICAL PARKING DIMENSIONS:
SPALLS: 6 FT. BY 18 FT.

REQUIRED LANDSCAPING

REQUIRED LANDSCAPING

TOTAL SIZE REQUIRED	525.00 sq. ft.
TOTAL SIZE PROVIDED	1,596.00 sq. ft.
DECIDUOUS OR CANOPY TREES	1 - 2" CALIPER
SHRUBS	7 - 8 gal. (1'x1')
GROUND COVER	33 sq. ft.

ONE DECIDUOUS OR EVERGREEN TREE AROUND 2' FROM EACH CALIPER AND AT THE END OF PLANTING.

ALL PROPOSED PLANTING AND VERTICAL TREE ADJACENT TO THE SIDEWALK SHALL BE PROVIDED WITHIN 10' OF THE SIDEWALK. ONE CALIPER TREE SHALL BE PROVIDED FOR EVERY 10' OF PLANTING. PLANTING SPACES ON PORTION THEREOF SHALL BE PROVIDED WITHIN 10' OF THE SIDEWALK. CURETTS THEREAFTER SHALL BE CITY DRAIN. 76

SUBSTITUTION AS PER IL PARK MUNICIPAL ORDINANCE 16.46.090 SECTION 1

STREET AS PER "RECOMMENDED TREES FOR IL PARK" VEG. SPEC. URBAN FORESTRY COUNCIL

PROPOSED ZONING: A-O

SPECIAL PERMIT TO ALLOW:
100% PARKING REDUCTION
AND BEAUTY SALON
AS PER SECTION 20.14.070

ZONING: A-O
MINIMUM YARD SETBACKS

FRONT	20	19	MIN.
REAR	5 <td>19 <td>MIN.</td> </td>	19 <td>MIN.</td>	MIN.
SIDE	5 <td>12 <td>MIN.</td> </td>	12 <td>MIN.</td>	MIN.
SIDE ABUTTING			
STREET	10 <td>19 <td>MIN.</td> </td>	19 <td>MIN.</td>	MIN.



DETAILED SITE DEVELOPMENT
PLAN APPROVED BY THE
CITY PLAN COMMISSION

DATE _____

Abstract

EXECUTIVE SECRETARY
CITY PLANNING COMMISSION

MEMORANDUM

DATE: October 26, 2009

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00042

The City Plan Commission (CPC), on October 8, 2009, voted **4-0** to recommend **APPROVAL** of the special permit application to allow for a 100% parking reduction for a beauty salon/art gallery in agreement with the recommendation from the DCC and staff.

The CPC found that the special permit is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Central 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 **NO OPPOSITION** to this request.

Attachment: Staff report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00042
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: October 8, 2009
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: 1015 N. Florence Street
Legal Description: All of Lot 9 and the North 10 feet of Lot 8, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas
Acreage: 0.1019-acre
Rep District: 8
Existing Use: Single-Family Residential
Existing Zoning: A-2 (Apartment)
Request: Beauty Salon and 100% Parking Reduction

Property Owner: Maria Otero & Hector J. Gutierrez
Applicant: Maria Otero & Hector J. Gutierrez
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Single-Family Residential
South: A-2 (Apartment) / Single-Family Residential
East: A-2 (Apartment) / Single-Family Residential
West: A-2 (Apartment) / Multi-Family Residential

THE PLAN FOR EL PASO DESIGNATION: Commercial (Central Planning Area)

Nearest Park: Houston Park (1,332 Feet)

Nearest School: El Paso High (2,136 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Southside Neighborhood Association

NEIGHBORHOOD INPUT

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed special permit on September 16, 2009. Planning did not receive any calls or letters in support or opposition.

APPLICATION DESCRIPTION

The property owner is requesting a special permit and approval of a detailed site development plan to allow a beauty salon and 100% reduction in off-street parking requirement. The detailed site development plan shows a 1,544 square-foot beauty salon with art gallery that requires six (6) parking spaces. The parking study submitted and approved by Traffic Engineering shows adequate on-street parking available within 300 feet of the subject property. The applicant has submitted an application ZON09-00043 to rezone this property from A-2 (Apartment) to A-O (Apartment/Office).

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

DCC recommends **APPROVAL** of the special permit and detailed site development plan.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the special permit and detailed site development plan.

The Plan for El Paso –City-wide Land Use Goals

All applications for special permit and detailed site development plan shall demonstrate compliance with the following criteria:

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing type and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

Development Services Department - Building Permits and Inspections Division

Zoning: no comments received.

Landscaping: Landscape is not required for this project as per 18.46.060 B.

Development Services Department – Planning Division

Current Planning: Recommends **APPROVAL** of the special permit and detailed site development plan.

Land Development:

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the Development Services Department, Engineering Section.*
- Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone C, Panel 480214 0039 B.

* This requirement will be applied at the time of development.

Engineering Department - Traffic Division

Traffic does not object to the parking reduction request. Parking study submitted by the applicant and verified by Traffic shows that adequate on-street parking is available within 300 feet of the property.

Street Department

All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations.

Fire Department

The El Paso Fire Department reviewed ZON09-00042 a Special Permit Request for parking reduction at 1014 N. Florence St. and we have no opposition at this time.

El Paso Water Utilities

EPWU does not object to this request.

Sun Metro

ZON09-00042: No opposition to request. There is a mass transit stop within 1,000 feet as required per Title 20 Section 20.14.070(C)(6)(c)

CITY PLAN COMMISSION OPTIONS

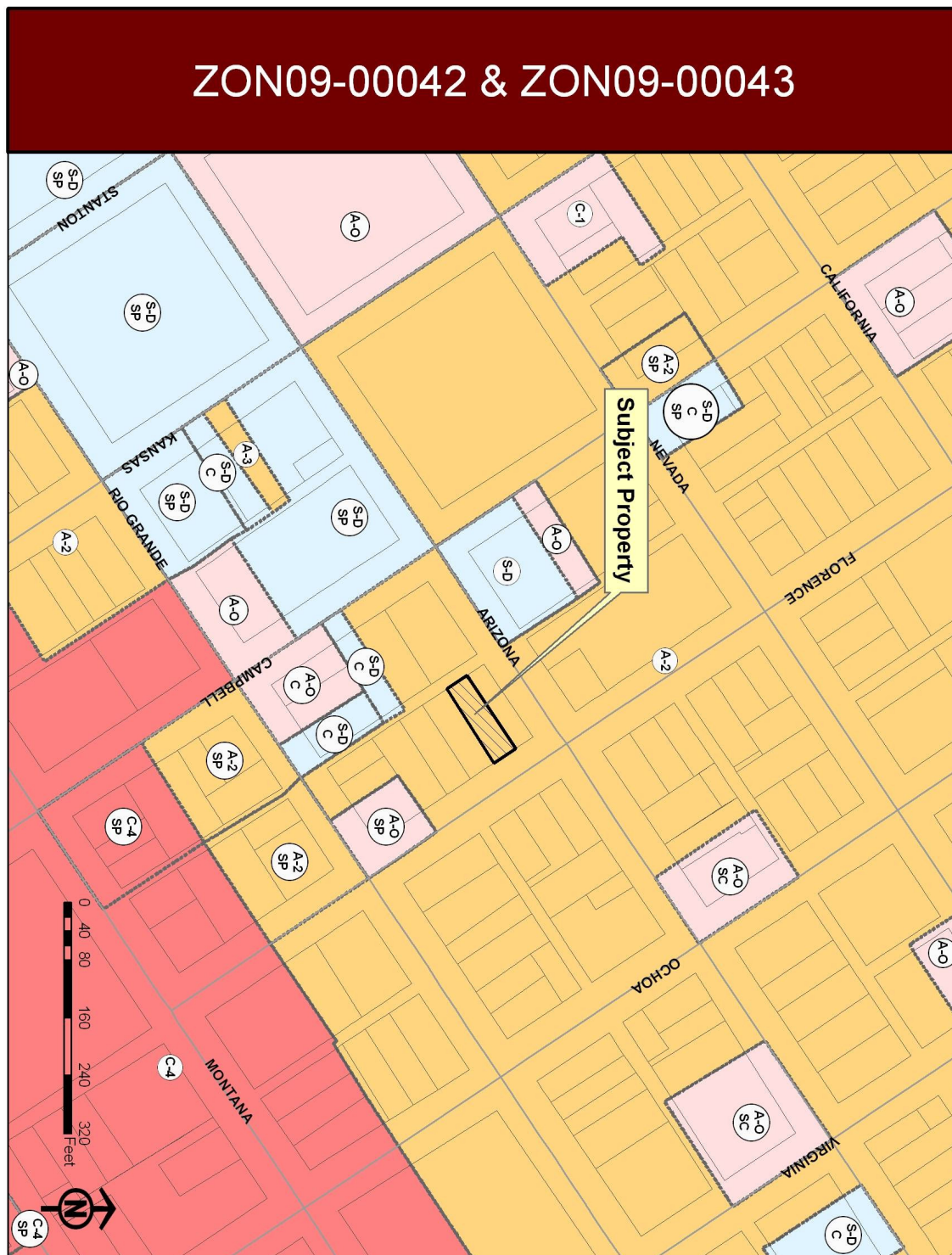
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

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

Attachments

1. Location Map
2. Aerial Map
3. Detailed Site Plan
4. Parking Study

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ZON09-00042 & ZON09-00043



ATTACHMENT 4: PARKING STUDY

