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

AGENDA DATE:April 23, 2024PUBLIC HEARING DATE:May 21, 2024

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553

Nina Rodriguez, (915) 212-1561

DISTRICT(S) AFFECTED: District 4

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance granting special permit No. PZST23-00012, to allow for infill development with reductions to minimum lot area and minimum average lot width on the property described as Lot 42, Block 20, Sun Valley Addition Section Three, 5204 Sun Valley 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.

The proposed special permit meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: 5204 Sun Valley Dr. Applicant: Goal Development Group, PZST23-00012

BACKGROUND / DISCUSSION:

The applicant is requesting a special permit for infill development with reductions to minimum lot area and minimum average lot width to allow for duplex use. City Plan Commission recommended 5-1 to approve the proposed special permit on March 21, 2024. As of April 22, 2024, the Planning Division received one (1) email of opposition to the special permit request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division **SECONDARY DEPARTMENT:** N/A

DEPARTMENT HEAD:

Philip Eiwe

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST23-00012, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTIONS TO MINIMUM LOT AREA AND MINIMUM AVERAGE LOT WIDTH ON THE PROPERTY DESCRIBED AS LOT 42, BLOCK 20, SUN VALLEY ADDITION SECTION THREE, 5204 SUN VALLEY 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, Goal Development Group, have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a duplex use with reductions to minimum lot area and minimum average lot width; 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 R-4 (Residential) Zone District:

Lot 42, Block 20, Sun Valley Addition Section Three, 5204 Sun Valley Drive, 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 an infill development for a duplex use with reductions to minimum lot area and minimum average lot width; and,
- 3. That this Special Permit is issued subject to the development standards in the R-4 (Residential) 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. PZST23-00012 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.

ADOPTED this _____ day of _____, 2024.

THE CITY OF EL PASO

Oscar Leeser Mayor

ATTEST:

Laura D. Prine City Clerk

APPROVED AS TO FORM:

Russell Abeln

Russell T. Abeln Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Eine

Philip F. Étiwe, Director Planning & Inspections Department

ORDINANCE NO.

HQ24-2361 | Trans# 513835| P&I Special Permit Infill Dev w/Infill reduced setbacks RTA

AGREEMENT

Goal Development Group, 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 R-4 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 2 day of April _____, 2024.

Goal Development Group:

By: Francisco Viniegra / President (signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS

COUNTY OF EL PASO

This instrument is acknowledged before me on this $\underline{\nearrow}$ day of

)

PETE ARMENDARIZ Notary ID #11277307

ly Commission Expires July 7, 2026

<u>PRESIDENT</u>, 2024, by <u>FRANCISC VINIKERA</u>, for Goal Development Group, as Owner.

My Commission Expires:

Notary Public, State of Texas

Notary's Printed or Typed Name:

PETE ALMENDARIZ

ORDINANCE NO. HQ24-2361 | Trans# 513835| P&I Special Permit Infill Dev w/Infill reduced setbacks RTA

7-7-2026

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EXHIBIT "A"



5204 Sun Valley

City Plan Commission — March 21, 2024

CASE NUMBER:	PZST23-00012
CASE MANAGER:	Nina Rodriguez, (915) 212-1561, <u>RodriguezNA@elpasotexas.gov</u>
PROPERTY OWNER:	Goal Development Group
REPRESENTATIVE:	Luis Contreras
LOCATION:	5204 Sun Valley Dr. (District 4)
PROPERTY AREA:	0.14 acres
EXISTING ZONING:	R-4 (Residential)
REQUEST:	Special Permit for Infill Development with reductions to minimum lot area and minimum average lot width requirements for duplex use in the R-4 (Residential) district and approval of a Detailed Site Development Plan.
RELATED APPLICATIONS:	None
PUBLIC INPUT:	One (1) email of opposition received as of March 14, 2024

SUMMARY OF REQUEST: The applicant is requesting a special permit for an infill development with reductions to minimum lot area and minimum average lot width requirements for a duplex in a R-4 (Residential) zone district, and approval of a detailed site development plan.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of special permit for infill development with reductions to minimum lot area and minimum average lot width requirements for a duplex in the R-4 (Residential) zone district. The proposal meets all the requirements of El Paso City Code Sections 20.04.320 – Special Permit, 20.04.150 – Detailed Site Development Plan, and 20.10.280 – Infill Development. The proposed use is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan.



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval for infill development with reductions to minimum lot area and minimum average lot width requirements for a duplex in the R-4 (Residential) district. The detailed site development plan shows a 1,980 square-foot, one-story duplex with a maximum height of 14.58 feet. The table below provides a detailed summary of the requested lot requirement modifications. The detailed site development plan complies with all other applicable standards. Vehicular access to the subject property is provided from Sun Valley Drive.

The following table summarizes the requested reductions:

R-4 (Residential) Zone District - Duplex		
Density/Dimensional Standard	Required	Proposed
Lot Area (min.)	7,000 Square Feet	6,074 Square Feet
Lot Width (average min.)	70 Feet	60.74 Feet

COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EL PASO CITY CODE SECTION 20.10.280)

CODE SECTION 20:10:2007	
Criteria	Does the Request Comply?
Location Criteria: An infill development may be located on any parcel of land which meets at least one of the location criteria.	Yes. the subject property was annexed into the City of El Paso in 1953, prior to 1955. This satisfies Mandatory Requirement 20.10.280.B.3 of the El Paso City Code.
Mandatory Design Requirement 1.1: Where on-site surface parking is proposed, it shall be located at the rear of the property and when possible accessed via alleyway; or at the side of the property and screened in accordance with Section 21.50.070.F5.	Yes. The applicant has been granted an exception to Section 20.10.280 (C)(1.i.1.d) as the development shares a common property line at the rear of the property.
Mandatory Design Requirement 1.2: Buildings shall be placed on the parcels such that the principal orientation is toward the main street and the principal entrance is from the sidewalk.	Yes. The duplex is oriented towards Sun Valley Drive (main street), with pedestrian access from the same street.
Mandatory Design Requirement 1.3: For proposals abutting existing residential development the front setback shall not deviate from the average front setback of lots within the same block as the proposed development by more than 15%.	Yes. The subject property is located in an R-4 (Residential) district, abutting other existing residential developments with an average setback of 25.8 feet for all lots within the same block. The site plan shows a 22.3-foot front setback (within the deviation of 15% of the average setback requirement).
Selective Design Requirement 2.5: The total width of the primary structure shall be greater than or equal to 80% of the total lot width along the main street. For the purposes of this calculation, any necessary vehicular access driveway shall be subtracted from the total lot width.	Yes. The proposed width of the duplex is 50.74 feet, which is greater than 80% of the lot width of 60.74 feet.

Selective Design Requirement 2.6: The project shall demonstrate compliance with one of the architectural styles defined in the Community Design Manual of <i>Plan El Paso</i> .	Yes. The elevations and site plan demonstrate compliance with the craftsman and prairie architectural styles as defined in the Community Design Manual of <i>Plan El Paso</i> .
Selective Design Requirement 2.10: For projects in residential districts, the applicant shall demonstrate that the parcel has been vacant or underdeveloped for no less than 15 years. For purposes of this guideline only, underdeveloped shall be defined as parcels which do not meet the maximum density permitted in the base zoning district.	Yes. A single-family dwelling was present on the subject property between 2009 and 2018 according to GIS aerial imagery. The property is considered underdeveloped as it has not reached its maximum density as per the R-4 (Residential) zoning district.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (EI Paso City Code 20.04.320.D)		
Criteria	Does the Request Comply?	
1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.	Yes. Aside from the required minimum lot area and minimum average lot width reductions requested, the detailed site development plan demonstrates compliance with all applicable standards of the El Paso City Code.	
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. The request is in accordance with the recommendations of <i>Plan El Paso</i> and the G-3, Post-war Future Land Use Designation.	
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property fronts Sun Valley Drive, a minor arterial as classified on the City of El Paso's Major Thoroughfare Plan (MTP). Vehicular and pedestrian access is provided from Sun Valley Drive, which is adequate to support duplex use.	
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	Yes. There are no anticipated adverse or negative impacts on adjacent properties from the development.	
5. The design of the proposed development mitigates substantial environmental problems.	N/A. There are no known environmental problems in the area that require mitigation.	
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The development complies with landscaping requirements of the El Paso City Code.	
7. The proposed development is compatible with adjacent structures and uses.8. The proposed development is not materially detrimental to the property adjacent to the site.	Yes. Duplex use is compatible with other existing uses and building configurations in the immediate area. Yes. The duplex is similar in use and intensity to adjacent properties. No impact on adjacent properties is anticipated.	

Criteria	Does the Request Comply?
 Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property: <u>G-3, Post-war</u>: 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. 	Yes. The subject property and proposed duplex meet the intent of the G-3 Future Land Use Map designation as the use supplements the housing stock of the area, which is appropriate for the land use designation.
Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site: R-4 (Residential) District: The purpose of this district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.	Yes. Duplex use is permitted by right in the R-4 (Residential) district and is compatible with surrounding properties.
THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY A THE FOLLOWING FACTORS:	ND SURROUNDING PROPERTY, AFTER EVALUATING
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	The subject property is not within any historic districts or study area plan boundaries.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the request.	There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	The area is stable as there have not been any rezoning cases in the area within the last 10 years.
Socioeconomic & Physical Conditions : Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The development will keep the existing zoning district. The subject property resides in an older, stable area of the city and incorporates the use of duplex in an area mostly comprised of single-family properties.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts on Sun Valley Drive, a minor arterial as designated in the City of El Paso's Major Thoroughfare Plan (MTP). Vehicular access to the subject property is provided from Sun Valley Drive, and pedestrian access is provided from the sidewalk along Sun Valley Drive. There are two (2) bus stops located within a five-minute walking distance (0.25 mile) from the subject property. The closest bus stop is located approximately 0.20 miles away on the southwest corner of Rushing Drive and Peacock Lane. The existing infrastructure and services are adequate to serve a duplex use.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments from reviewing departments.

PUBLIC COMMENT: The subject property does not lie within the boundaries of any recognized neighborhood associations. Property owners within 300 feet of the subject property were notified of the special permit request on February 23, 2024. As of March 14, 2024, the Planning Division received one (1) email in opposition to the special permit request.

RELATED APPLICATIONS: None.

CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

- 1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
- 2. **Recommend Approval of the special permit request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
- 3. **Recommend Denial** of the special permit request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

- 1. Zoning Map
- 2. Detailed Site Development Plan
- 3. Department Comments
- 4. Neighborhood Notification Boundary Map
- 5. Public Comment







Planning and Inspections Department - Planning Division

Staff recommends approval.

<u>Planning and Inspections Department – Plan Review & Landscaping Division</u> Recommend approval, no objections.

Planning and Inspections Department – Land Development

Recommend approval, no objections to proposed site plan.

Fire Department

Recommend approval, no adverse comments.

<u>Police Department</u> No comments received.

Environment Services No comments received.

<u>Streets and Maintenance Department</u> No objections.

<u>Sun Metro</u> No comments received.

<u>El Paso Water</u> EPWater does not object to this request.

EPWU-PSB Comments

There is an existing 12-inch diameter water main extending along Sun Valley Dr. approximately 20.5-feet south of the northern right of way line. This water main is available for service.

EPWater records indicate an active 3/4-inch water meter serving the subject property. The service address for this meter is 5204 Sun Valley Dr.

Previous water pressure readings from fire hydrant # 5419 located at the northeast corner of the intersection of Shoshone St. and Sun Valley Dr. have yielded a static pressure of 78 pounds per square inch, a residual pressure of 60 pounds per square inch, and a discharge flow of 856 gallons per minute.

Sanitary Sewer

There is an existing 12-inch diameter sanitary sewer main approximately 40-feet north of the southern right-of-way line. This sanitary sewer main is available for service.

General

EPWater 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 EPWater – 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.

Stormwater:

No comments received.

Texas Department of Transportation

No comments received.

El Paso County Water Improvement District #1

No comments received.



 From:
 Erica Hannigan

 To:
 Rodriguez, Nina A.

 Subject:
 City Plan Commission

 Date:
 Wednesday, March 6, 2024 8:14:14 PM

You don't often get email from ericahannigan@yahoo.com. Learn why this is important

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use Phish Alert or forward to SpamReport@elpasotexas.gov.

To Whom it may concern,

I am a bit concerned about the duplex been built across from our single family home. When a residential neighborhood is rezoned for multi-family use, or a duplex it can have varying effects on the house value. On one hand, the increased density and potential for more housing units could drive up house values. On the other hand, some homeowners may be concerned about potential issues such as increased traffic, noise, and changes in the neighborhood's character, which could potentially lower house values.

We already have plenty of traffic and noise because of the high school and the elementary school. As a long time resident I would not like to see my taxes go any higher. We are happy in our neighborhood. Where would they park? Why ask now how we feel about it when the duplex has already been built?

Thank you, Rita Olivarez 5205 Sun Valley Drive PZST23-00012 5204 Sun Valley

From:	Luis F Contreras
To:	ericahannigan@yahoo.com
Subject:	5204 SUN VALLEY
Date:	Thursday, March 21, 2024 9:52:05 AM

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use Phish Alert or forward to SpamReport@elpasotexas.gov.

Good morning Rita,

I introduce myself, my name is Luis F. Contreras and I am responsible for the property that is being built at 5204 Sun Valley, where there was previously another construction that was demolished. Nina Rodriguez from the city offices told me that you had some concerns about this, so I would like to call or visit you to clarify this issue.

I leave you my phone number, this is my email, and anyway I'm going to stop by at noon today, hopefully I can see you.

Best Regards!!!

Luis F. Contreras Licensed Realtor®.



(915)-269-0831 5925 Silver Springs. Suite A. El Paso, Tx. 79912 FB: @LFCREALTOR https://drive.google.com/file/d/120f-BDWQQdzsT1SDf3AYTZ65TzDWX9eJ/view