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

DEPARTMENT:

AGENDA DATE:

PUBLIC HEARING DATE:

CONTACT PERSON NAME:

PHONE NUMBER:

2nd CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

SUBJECT:

BACKGROUND / DISCUSSION:

COMMUNITY AND STAKEHOLDER OUTREACH:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

| NAME | AMOUNT (\$) |
|------|-------------|
| | |

DEPARTMENT HEAD:

Kevin Smith for Philip Etiwe

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO.

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST24-00016, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTIONS TO AVERAGE LOT WIDTH, FRONT, REAR, AND SIDE YARD SETBACKS AND 100% PARKING REDUCTION PROPERTY ON THE DESCRIBED AS LOT 9. BLOCK 38. **MAGOFFIN SUBDIVISION**, 903 PARK STREET, CITY OF EL PASO, EL COUNTY, TEXAS, PURSUANT **SECTION** 20.10.280 INFILL PASO TO CITY DEVELOPMENT OF THE EL PASO CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Eleuteria Sandra Hering, have applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reductions to average lot width, front, rear, and side yard setbacks, and 100% parking reductions; 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 A-3 (Apartment) Zone District:

Lot 9, Block 38, Magoffin Subdivision, 903 Park Street, 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 reductions to average lot width, front, rear, and side yard setbacks, and 100% parking reduction; and,
- 3. That this Special Permit is issued subject to the development standards in the A-3 (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 incorporated herein by reference for all purposes; and,

PZST24-00016

- 4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST24-00016 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 ______, 2025.

THE CITY OF EL PASO

Renard U. Johnson Mayor

ATTEST:

Laura D. Prine City Clerk

APPROVED AS TO FORM:

Jussel T. Abeln

Russell T. Abeln Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Clive Philip F. Etiwe, Director

Philip F. Etiwe, Director Planning & Inspections Department

ORDINANCE NO.

HQ25-4623|Trans#606199|P&I Special Permit 903 Park Ordinance RTA PZST24-00016

AGREEMENT

Eleuteria Sandra Hering, 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-3 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this And day of , 2025.

Eleuteria Sandra Hering:

By: Eleuteria Sandra Hering (name/title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)

COUNTY OF EL PASO)

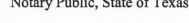
)

⊻∖ day of This instrument is acknowledged before me on this

00 Aufor Eleuteria Sandra Hering, as 2025. by Owner.

My Commission Expires:

Notary Public, State of Texas



OVEMBER 5, 2028

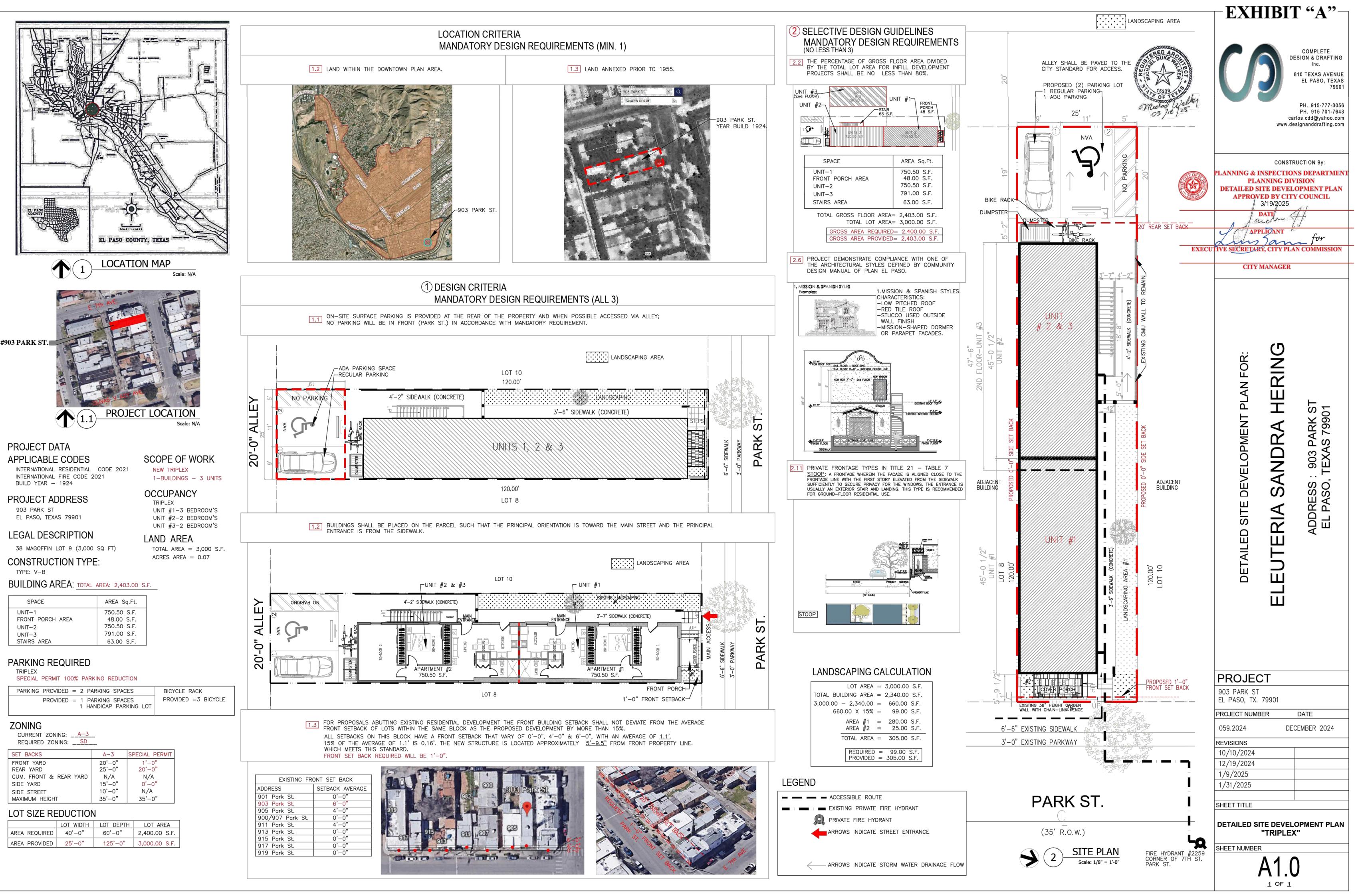
Notary's Printed or Typed Name:

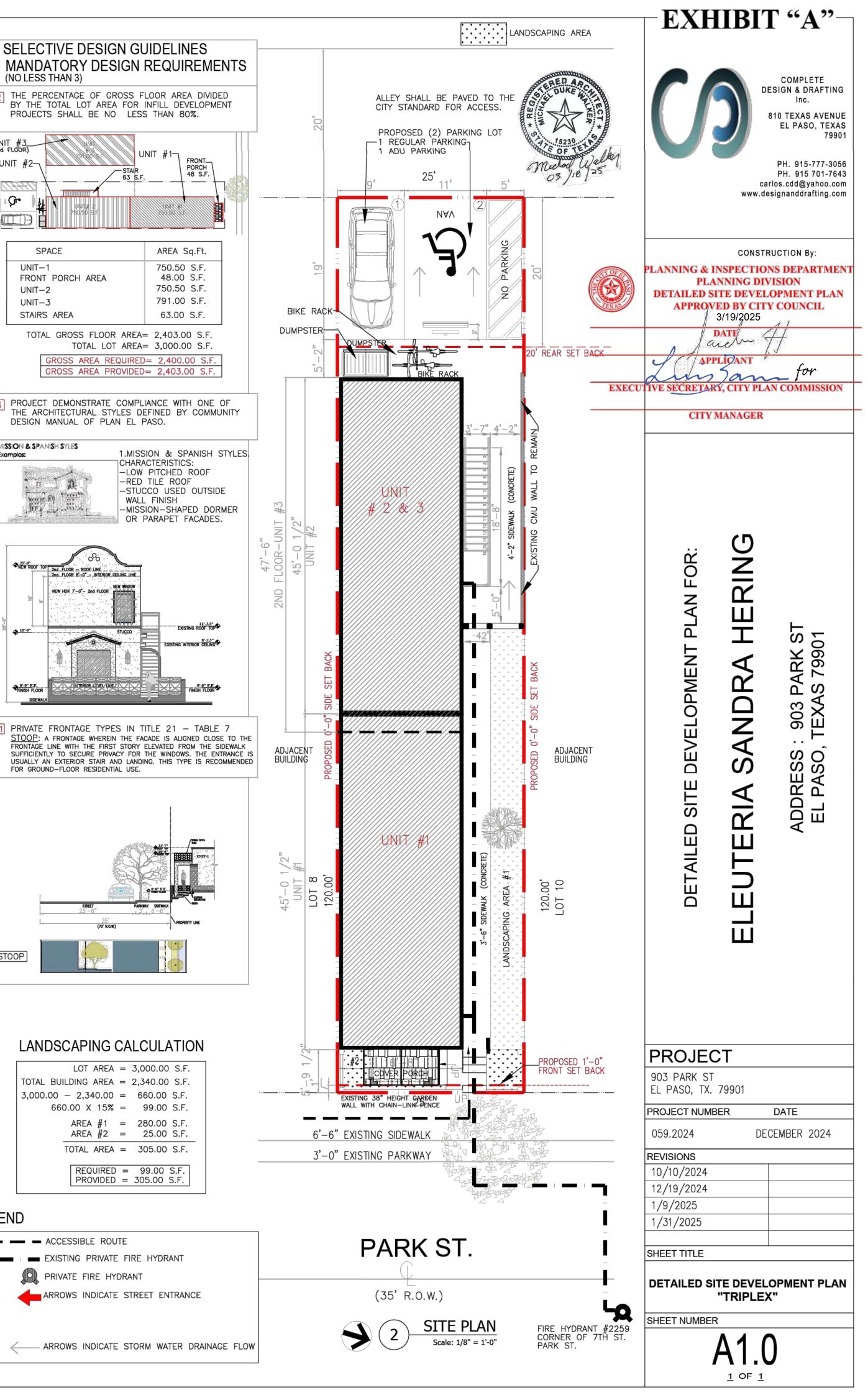
ORDINANCE NO. HO25-4623|Trans#606199|P&I

Special Permit 903 Park Ordinance RTA

PZST24-00016

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903 Park City Plan Commission — January 30, 2025

| PZST24-00016 |
|---|
| Andrew Salloum, (915) 212-1603, <u>SalloumAM@elpasotexas.gov</u> |
| Eleuteria Sandra Hering |
| Vanessa Duran |
| 903 Park St. (District 8) |
| 0.07 acres |
| Special permit and Detailed Site Development Plan approval for infill development with reductions to average lot width, front, rear, and side yard setbacks, and a 75% parking reduction for a triplex in the A-3 (Apartment) zone district. |
| None |
| None received as of January 23, 2025 |
| |

SUMMARY OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval for an infill development with reductions to average lot width, front, rear, and side yard setbacks, and a 75% parking reduction for triplex use in the A-3 (Apartment) zone district.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the special permit and detailed site development plan request for infill development. The proposal meets all the requirements of El Paso City Code Section 20.04.320 – Special Permit Approvals, Section 20.04.150 – Detailed Site Development Plan Procedures, and Section 20.10.28 – Infill Development. Furthermore, the proposed development is in accordance with both the G-2 Traditional Neighborhood Future Land Use Designation and *Plan El Paso*, the City's adopted Comprehensive Plan.



PZST24-00016

Figure A. Detailed Site Development Plan Superimposed on Aerial Imagery

DESCRIPTION OF REQUEST: The applicant is requesting review and approval of a special permit and detailed site development plan for infill development with reductions to the required average lot width, front, rear and side yard setbacks, and a 75% parking reduction for a proposed use of a triplex in the A-3 (Apartment) zone district. The subject property is currently used a single-family. The applicant is proposing an addition to the existing single-family dwelling converting into a triplex. The detailed site development plan shows three (3) units, 2,403 square feet in size and integrated into a two-story building with a maximum height of twenty-eight feet (28'). The applicant is requesting the following reductions:

| Density/Dimensional Standard A-3 (Apartment) Zone District - Other Permitted Uses (Triplex) | Required | Proposed |
|--|---------------|-----------|
| Lot area | 2,400 sq. ft. | No change |
| Lot width | 40 ft. | 25 ft. |
| Lot depth | 60 ft. | No change |
| Front yard setback | 1.1 ft.* | 1 ft |
| Rear yard setback | 25 ft. | 20 Ft. |
| Side yard setback | 15 ft. | 0 ft. |

* Average required per Infill Development guidelines (±15% deviation) Note: Bold indicates requested reductions

In addition to the above request, the applicant is requesting a 75% parking reduction from the required six (6) parking spaces to two (2) parking spaces. A parking study was submitted as required (see Attachment 5), which shows one hundred three (103) on-street parking spaces within 300 feet of the subject property. The average available is 56 spaces. Aside from the reductions requested, the detailed site development plan demonstrates compliance with all applicable standards per the El Paso City Code. Pedestrian access to the subject property is provided from Park Street, with vehicular access through an alleyway connecting Seventh Avenue and Olivas V. Aoy Avenue.

| COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EI Paso City | | |
|--|--|--|
| Code 20.10.280) | | |
| Criteria | Does the Request Comply? | |
| Location Criteria: An infill development may be located | Yes. The subject property is part of the Magoffin | |
| on any parcel of land, which meets at least one of the location criteria. | Subdivision, which was platted in 1898. This satisfies Mandatory Requirement 20.10.280.B.3 of El Paso City Code. | |
| Mandatory Design Requirement 1.1: Where on-site | Yes. The subject property can be accessible through an | |
| surface parking is proposed, it shall be located at the rear of the property and when possible accessed via | alleyway located at the rear of the property. The principal building will screen the proposed parking from | |
| alleyway; or at the side of the property and screened in | view and will permit compliance with such | |
| accordance with Section 21.50. 070.F5 of the El Paso | requirement. | |
| City Code. | | |
| Mandatory Design Requirement 1.2: Buildings shall be | Yes. The proposed development shows the building | |
| placed on the parcels such that the principal | oriented towards Park Street, with pedestrian access | |
| orientation is toward the main street and the principal | along that same street. Main entrance to the principal | |
| entrance is from the sidewalk. | building will be from the sidewalk of the same street. | |
| Mandatory Design Requirement 1.3: For proposals | Yes. All of the properties along the block have average | |
| abutting existing residential development the front | one-foot (1') front setback, which does match the | |
| setback shall not deviate from the average front | proposed setback. | |
| setback of lots within the same block as the proposed | | |
| development by more than 15%. | Vac The proposed double proposed for a real is no | |
| Selective Design Requirement 2.2: The percentage of gross floor area divided by the total lot area for infill | Yes. The proposed development's gross floor area is no less than 80% of the total lot area. | |
| development projects shall be no less than eighty | | |
| percent. | | |
| Selective Design Requirement 2.6: The project shall | Yes. The proposed development complies with the | |
| demonstrate compliance with one of the architectural | architectural component requirement as defined in the | |

| COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EI Paso City | | |
|---|---|--|
| Code 20.10.280) | | |
| styles defined in the Community Design Manual of <i>Plan El Paso</i> | Community Design Manual of <i>Plan El Paso</i> . The two- story structure will be constructed in a Spanish Style, feature. | |
| Selective Design Requirement 2.11: For projects in residential districts the applicant shall demonstrate that a private frontage as described in 21.80, Table 7a through 7e is proposed. | Yes. The proposed development proposes a porch and fence private frontage. Table7b – Porch & Fence: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep. | |

| 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 reductions requested, the detailed site development plan demonstrates compliance with all applicable standards per the El Paso City Code. |
| 2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies. | Yes. The request complies with the recommendations of <i>Plan El Paso</i> and the G-2, Traditional Neighborhood Land Use designation. The proposed development will integrate with existing buildings, supplementing uses previously not existing and permitting accessibility through the front and back. |
| 3. Adequately served by and will not impose an undue burden upon public improvements. | Yes. The subject property fronts Park Street, a local street, as classified on the City of El Paso's Major Thoroughfare Plan (MTP). No reviewing departments had adverse comments, and the existing infrastructure is deemed appropriate to support the proposed 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. No impact is anticipated from the approval of the proposed special permit and detailed site development plan. Per the City Departments' review comments, the proposed development will not impose a risk to neighboring properties. |
| 5. The design of the proposed development mitigates substantial environmental problems. | Yes. Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance. The proposed development demonstrates adequate stormwater management. |
| 6. The proposed development provides adequate landscaping and/or screening where needed. | Yes. Due to the zoning and proposed use, landscaping will not be required. The proposed development will provide screening where needed. |
| 7. The proposed development is compatible with adjacent structures and uses. | Yes. The proposed use and building configuration is compatible with other properties in the immediate area. |
| 8. The proposed development is not materially detrimental to the property adjacent to the site. | Yes. The proposed redevelopment is similar in intensity and scale to surrounding development and is not socioeconomically or physically detrimental to neighboring properties. |

| COMPLIANCE WITH PLAN EL PASO GOALS & POLICIES – When evaluating whether a | | |
|--|--|--|
| proposed special permit is in accordance with <i>Plan El Paso</i> , consider the following factors: | | |
| 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-2, Traditional Neighborhood:</u> 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. | Yes, the proposed development meets the intent of the G-2, Traditional Neighborhood Future Land Use designation. The proposed development will integrate with nearby single-family and multi-family dwellings, and it will incorporate existing pedestrian access through Park Street and proposed vehicular access through the alleyway. The principal building will be connected by a fronting sidewalk and will have rear parking screened from view. | |
| Compatibility with Surroundings: The proposed use is compatible with those surrounding the site: <u>A-3 (Apartment) District:</u> The purpose of this districts is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low-density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities. | Yes. The subject property is A-3 (Apartment) and is situated in an area comprising of a mixture of housing types. Some existing uses that are permissible in an A- 3 (Apartment) zone district range from single-family dwellings to apartments (5 or more units). The proposed development will have a use of triplex and will support residential dwelling density, previously not available. | |
| | ND SURROUNDING PROPERTY, AFTER EVALUATING THE | |
| FOLLOWING FACTORS: | The property development is within the Convert | |
| Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small area plans, including land-use maps in those plans. Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning. | The proposed development is within the Segundo Barrio Historic District. This federal designation does not impact the request, nor requires further review and/or approval. The proposed development is not anticipated to pose any adverse effects on the community. | |
| Natural Environment: Anticipated effects on the natural environment. | The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance. | |
| Stability: Whether the area is stable or in transition. | The area is stable, with no rezoning 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. | Existing zoning will not be changed. Due to the property being located in one of the oldest areas of the City, the existing lot dimensions and parking requirements do not match with requirements of the A-3 (Apartment) zoning district, requiring reductions. | |

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts Park Street, a street designated as local per the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate for the proposed development. Pedestrian access is provided though an existing five-foot (5') sidewalk while vehicular access is proposed through an alleyway located at the back and connecting Seventh Avenue and Olivas V. Aoy Avenue. The applicant will be responsible for alleyway improvements to provide for parking and accessibility to the site. There are seven (7) different bus stops located within a five-minute walking distance (0.25 mile) from the subject property. The closest bus stop is located approximately 0.06 miles away on the northwest corner of Seventh Avenue and Tays Street.

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

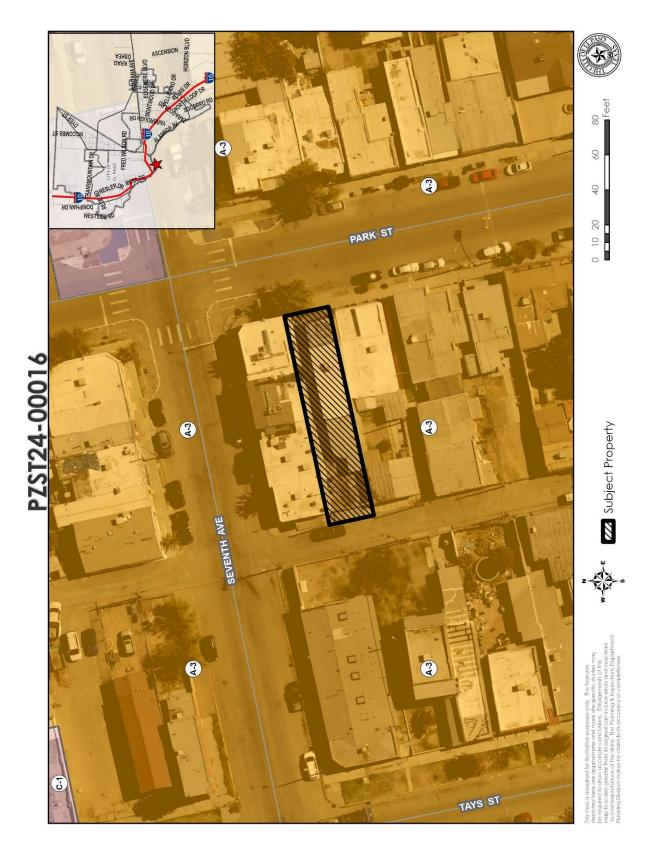
PUBLIC COMMENT: The subject property lies within El Paso Central Business Association, and Southside Neighborhood Association, all of which were notified of the special permit application. Notices were sent to property owners within 300 feet of the subject property on January 16, 2025. As of January 23, 2025, the Planning Division has not received any communication in support or opposition to the special permit request.

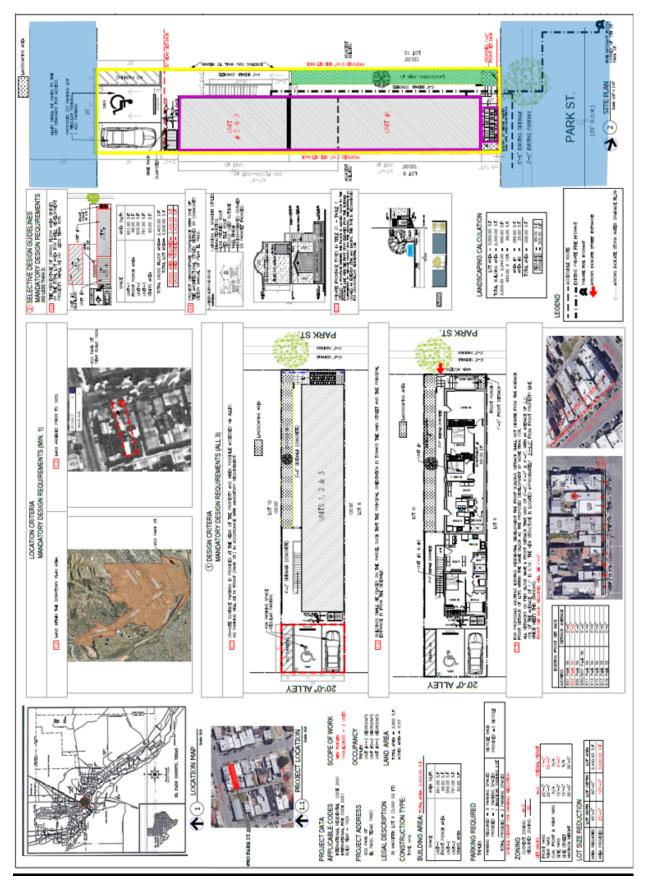
CITY PLAN COMMISSION OPTIONS:

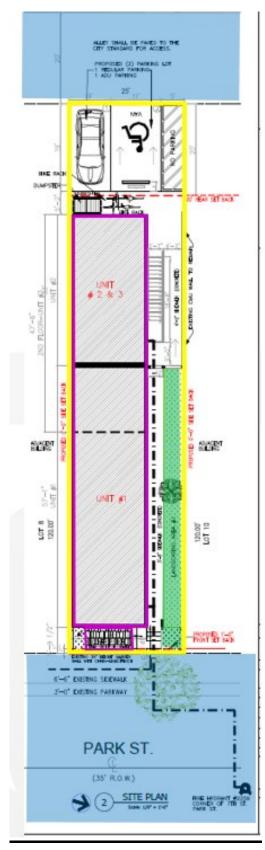
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

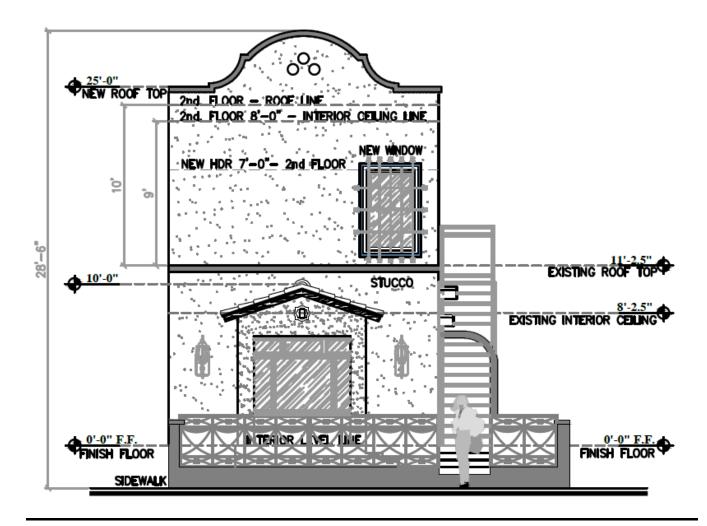
- 1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
- 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.

- 1. Zoning Map
- 2. Detailed Site Plan
- 3. Detailed Site Plan, Enlarged
- 4. Elevation
- 5. Parking Study
- 6. Department Comments
- 7. Neighborhood Notification Boundary Map

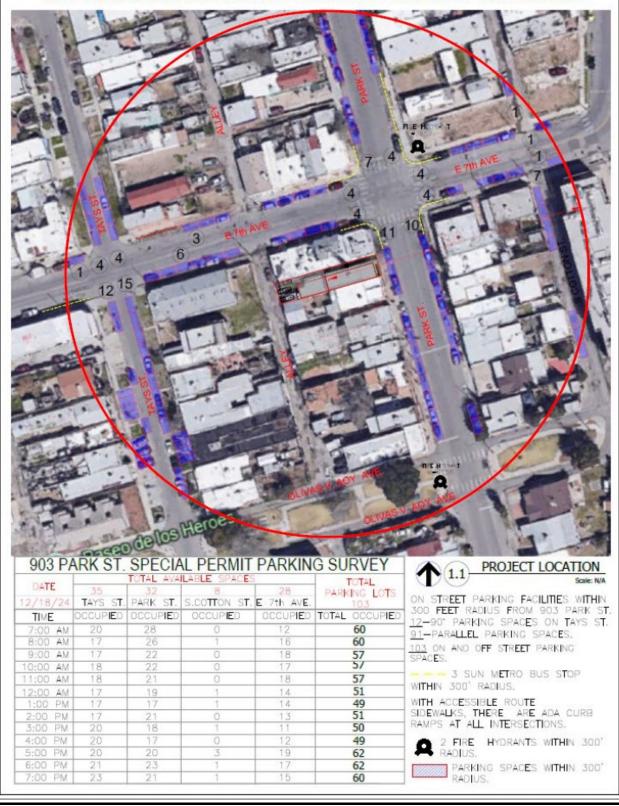








MAP PARKING AND OTHER FACILITIES W/300' RADIUS OF 903 PARK ST.



Planning and Inspections Department – Planning Division

Staff recommends approval of the special permit for an infill development and detailed site development plan per Section 20.04.320 – Special Permit Approvals, Section 20.04.150 – Detailed Site Development Plan Procedures, and Section 20.10.28 – Infill Development.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections to the proposed special permit.

At the time of submittal for building permits, the project will need to comply with all applicable municipal and building code requirements.

Planning and Inspections Department – Land Development

- 1. The property is in Segundo Barrio National Historic.
- 2. Alley is substandard, the alley has to comply with the city standards, since use it as an access to the proposed parking lot.

Note: the applicant added the note to the site plan "Alley shall be paved to the City standard for access".

Planning and Inspections Department – Historic Preservation Office

The property located at 903 Park Street is part of the Segundo Barrio National Register historic district but it has not been designated by the City of El Paso. Since the city does not recognize this site as historic, the Historic Preservation Office is not required to review any plans or proposals.

Fire Department

No adverse comments.

Police Department

No comments provided.

Environmental Services

No comments provided.

Streets and Maintenance Department

No objections to application.

Sun Metro

Applicant meets requirements to receive parking reduction letter from Sun Metro. Parking reduction letter available upon applicant's request.

El Paso Water

El Paso Water (EPWater) does not object to this request.

Water:

There is an existing 4-inch diameter water main extending along the alley between Park Street and Tays Street. This main is available for service.

EPWU records indicate one (1) 3/4-inch domestic service. The address for this service is 903 Park Street.

Previous water pressure from fire hydrant #2259, located at the northeast corner of Park Street and Seventh Street, has yielded a static pressure of 90 psi, a residual pressure of 74 psi, and a discharge of 2,632 gallons per minute. 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.

Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along the alley between Park Street and Tays Street. This main is available for service.

General:

EPWater requires a new service application to provide additional services 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:

As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

Texas Department of Transportation

No comments provided.

El Paso 9-1-1 District

The 911 District has no comments/concerns regarding this zoning.

El Paso County Water Improvement District #1

Not within the boundaries of EPCWID1.

