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:

Philip Five

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

Clerk Dept. Rev.3.20250114

ORDINANCE NO.

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST24-00012, TO ALLOW FOR A PROFESSIONAL OFFICE USE AND 100% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS BEING THE EAST 30 FEET OF THE WEST 60 FEET OF LOTS 1, 2, AND 3, BLOCK 273, CAMPBELL ADDITION, 509 RIO GRANDE AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.260 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the Anthony Mendez and Jessica Mendez has applied for a Special Permit under Section 20.04.260 of the El Paso City Code to allow for a Professional office 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-2 (Apartment) District:

Being the East 30 feet of the West 60 feet of Lots 1, 2, and 3, Block 273, Campbell Addition, 509 Rio Grande Avenue, 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 Section 20.04.320 of the El Paso City Code to allow for a professional office use 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-2 (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 "B**" 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. PZST24-00012, 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.

ADOPTED this _____ day of ______, 2025.

THE CITY OF EL PASO

ATTEST:

Renard U. Johnson Mayor

Laura D. Prine City Clerk

APPROVED AS TO FORM:

ssel T. Abeln

Russell T. Abeln Assistant Attorney

APPROVED AS TO CONTENT:

Philip Eine

Philip F. Etiwe, Director Planning & Inspections Department

AGREEMENT

Anthony Mendez and Jessica Mendez, the Applicants 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 A-2 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

| EXECUTED this _ | 9tH | _day of _ | JUNE | , 2025. | | |
|-----------------|-----|-----------|---------------------|-------------------|---------------------|-------------|
| | | | Anthon | y Mendez | the MI | |
| | | | (Signatu | ure) | - My | _ |
| | | | (Name/ | Antitom Title) | MENDEZ/0 |) WNER |
| | | | Jessica (Signate | mina | Minda 11 and Com | |
| | | | (Name/ | | (Inde/ Uni | <u>le</u> r |

ACKNOWLEDGMENT

| THE STATE OF TEXAS) | |
|--|--|
|) | |
| | COUNTY OF EL PASO) |
| of This instrument is Mendez and Jessica Mendez as A | acknowledged before me on this $\frac{\gamma h}{for Anthony}$ day 2025, by $1000000000000000000000000000000000000$ |
| (Seal) YVONNE BARRAZA BELTRAN My Notary ID # 124439401 Expires May 16, 2027 | Notary Puplic, State of Texas Signature |
| My Commission Expires: 5.110220 | Printed or Typed Name |
| | |

ORDINANCE NO. HQ25-4997|Trans#612177|P&I 509 Rio Grande RTA

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PZST24-00012

509 East Rio Grande Drive METES AND BOUNDS

Metes and bounds description of a parcel of land being the East 30 feet of the West 60 feet of Lots 1,2 and 3, Block 273, Campbell Addition, City of El Paso, El Paso County, Texas, recorded in volume 2, page 68, El Paso County records and better described by metes and bounds as follows:

Commencing at the center line intersection of Florence St (70 feet ROW) and East Rio Grande Avenue (70 feet ROW); Thence along the center line of East Rio Grande Avenue South 90 degrees 00 minutes 00 seconds West a distance of 95.00 feet to a point; Thence leaving said center line Due North a distance of 35.00 feet to a point on the north ROW line of East Rio Grande Avenue, said point also being the point of beginning of these metes and bounds;

Thence along said North ROW line of East Rio Grande Ave. Due West a distance of 30.00 feet to a point;

Thence Due North a distance of 78.00 feet to a point on the boundary line between Lots 3 and 4, Block 273, Campbell Addition, City Of El Paso, El Paso County, Texas;

Thence along said boundary line between Lots 3 and 4, Due East, a distance of 30.00 feet to a point;

Thence Due South a distance of 78.00 feet to the point of beginning of this description. Said parcel of land contains 2,340 square feet or 0.0537 acres of land more or less.

Enrique A. Rey RPLS TX 3505

El Paso, Texas - Friday, July 19, 2024







allow for the use of professional office in the A-2 (Apartment) zone district and 100% parking reduction None None received as of May 15, 2025

RELATED APPLICATIONS: PUBLIC INPUT:

SUMMARY OF REQUEST: The applicant is requesting a special permit to allow for the use of a professional office in the A-2 (Apartment) zone district in accordance with the El Paso City Code Section 20.04.320 Special Permit and 100% parking reduction.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends APPROVAL of the special permit and detailed site development plan requests for the use of a professional office in A-2 (Apartment) zone district and parking reduction. The proposed development meets all the requirements of El Paso City Code Section 20.04.320 – Special Permit and Section 20.04.150 – Detailed Site Development Plan. Furthermore, the proposed development is in accordance with both the G-2 Traditional Neighborhood (Walkable) Future Land Use Designation and Plan El Paso, the City's adopted Comprehensive Plan.



Figure A. Detailed Site Development Plan Superimposed on Aerial Imagery.

DESCRIPTION OF REQUEST: The applicant is requesting a special permit to allow for the use of a professional office in the A-2 (Apartment) zone district in accordance with the El Paso City Code Section 20.04.320 – Special Permit. The detailed site development plan shows an existing non-conforming professional office building of approximately 1,387 square feet. The development requires a minimum of three (3) vehicular parking spaces and three (3) bicycle spaces. Three (3) bicycle spaces are provided. The applicant is also requesting a 100% parking reduction consisting of three parking spaces. A parking study was submitted as required (see Attachment 4), which shows one hundred twenty-five (125) on-street parking spaces within 300 ft. of the subject property. The average available is seventy-three (73) spaces. Access to the subject property is provided from Rio Grande Avenue.

CASE HISTORY: On June 8, 2020, Zoning Board of Adjustment approved of the special exception request of the front, rear, and side setback encroachments for the existing structure on the subject property. Additionally, the property is registered as legal non-conforming for the average lot width, lot depth, and lot area requirements.

| COMPLIANCE WITH SPECIAL PERMIT REQUIRE | MENTS (El 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. 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 (Walkable) Land Use designation. The proposed development will integrate with residential, apartment, and office development along Rio Grande Avenue and surrounding development. |
| 3. Adequately served by and will not impose an undue burden upon public improvements. | Yes. The subject property fronts Rio Grande Avenue a minor arterial, as classified on the City of El Paso's Major Thoroughfare Plan (MTP), and is appropriate for a professional office use. Adequately served by and will not impose an undue burden upon public improvements. |
| 4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development. | No impact is anticipated from the approval of the proposed special permit and detailed site development plan. The proposed development will adhere to zoning requirements and will not impose a risk to neighboring properties. |
| 5. The design of the proposed development mitigates substantial environmental problems. | Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance. |
| 6. The proposed development provides adequate landscaping and/or screening where needed. | Yes. The proposed development does not require landscaping per Section 18.46 of the El Paso City Code due to the existing structure built. |
| 7. The proposed development is compatible with adjacent structures and uses. | Yes. The proposed development is compatible with other residential uses and structures. The principal building will maintain its façade and be converted for the use of professional office. |
| 8. The proposed development is not materially detrimental to the property adjacent to the site. | Yes. The proposed redevelopment in similar in intensity and scale to surrounding development. |

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (20.14.070) – EXISTING DEVELOPMENT: Up to 100% parking reduction for a use involving an existing structure located within an older neighborhood of the City that is proposed through the rehabilitation, alteration or expansion of the existing structure(s). The applicant shall satisfactorily demonstrate compliance with all of the following conditions:

| Criteria | Does the Request Comply? |
|--|---|
| 1. That the structure(s) is located in an older neighborhood of the City that has been legally subdivided and developed for at least thirty years. | Yes. The subject property lies within the Campbell Addition, platted in 1894. |
| 2. That the structure(s) does not extend into an area within the property which was previously used to accommodate off-street parking. | Yes. The building has existed on the property with its current footprint since 1915, but an addition was built in 2021. The development does not have any off-street parking. |
| 3. That the off-street parking required for the proposed use of the structure(s) cannot be reasonably accommodated on the property due to the building coverage, whether due to the existing structure or due to a proposed expansion of the existing structure. | Yes. The subject property is entirely occupied by an existing structure. It is not feasible to accommodate the parking needed to serve the use on-site. |
| 4. That no vacant areas exist within three hundred feet of the property where the proposed use is to be located that can be reasonably developed to accommodate the off-street parking requirements. | Yes. The property owner does not own any parcels within 300 feet that can accommodate the necessary off-street parking. |

COMPLIANCE WITH *PLAN EL PASO* GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with *Plan El Paso*, 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 (Walkable)</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 SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan. | Yes. The proposed redevelopment is consistent with the Future Land Use designation and is compatible with surrounding development. |

| Yes. A professional office is consistent with single- |
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| family, multi-family dwellings, church, professional |
| office uses in the neighborhood. The professional office |
| is permitted via a special permit in the A-2 (Apartment) |
| zone district. |
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| ND SURROUNDING PROPERTY, AFTER EVALUATING THE |
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| The subject property is located within the Rio Grande |
| Avenue National Historic district, but not locally |
| designated and not subject to local review. |
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| The proposed facility is not anticipated to pose any |
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| adverse effects on the community. |
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| adverse effects on the community. The subject property does not involve |
| adverse effects on the community. The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance. |
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| adverse effects on the community. The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance. The area is stable, with no rezoning in the area within the last 10 years. |
| adverse effects on the community. The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance. The area is stable, with no rezoning in the area within the last 10 years. Existing zoning will not be changed. Due to the location |
| |

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property has access from Rio Grande Avenue, designated as a minor arterial under the City of El Paso's Major Thoroughfare Plan (MTP). The classification of this road is appropriate for the proposed redevelopment. Existing infrastructure and services are adequate to serve the proposed redevelopment. There are at least nine (9) bus stops within walkable distance (0.25 mile) of the subject property. The closest bus stop is 0.03 miles away along Rio Grande Avenue.

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

PUBLIC COMMENT: The subject property lies within the boundaries of Sunrise Civic Group, El Paso Central Business Association, Central El Paso Community Organization, Houston Park Neighborhood Association which were notified of the special permit application. Notices were sent to property owners within 300 feet of the subject property on May 8, 2025. As of May 15, 2025, the Planning Division has not received any communication in support or opposition to the special permit and detailed site development plan 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. Elevations
- 4. Parking Study
- 5. Department Comments
- 6. Neighborhood Notification Boundary Map









RIGHT ELEVATION SCALE: N.T.S.





Planning and Inspections Department – Planning Division

Staff recommends **APPROVAL** of the special permit and detailed site development plan requests for the use of a professional office in A-2 (Apartment) zone district and parking reduction. The proposed development meets all the requirements of El Paso City Code Section 20.04.320 – Special Permit and Section 20.04.150 – Detailed Site Development Plan.

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

No objections to special permit.

<u>Fire Department</u> No adverse comments.

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

Environment Services No comments received.

Streets and Maintenance Department Streets and Maintenance Traffic Engineering No objections to application.

Street Lights Department

Street Lights Department does not object to this request.

Street Lights Department requires that all projects that involves a roadway is to be evaluated for lighting requirements based on the City of El Paso Street Design Manual (SDM) and the Design Standards for Construction (DSC) according to City of El Paso Codes (cited below). While developing a project or construction area the existing street illumination system shall be protected and preserved. Complete survey for street illumination system shall be shown on plans. Any change on existing street illumination systems shall be coordinated with Street Lights Department. The applicant is responsible for any relocations or adjustments of a street light.

City of El Paso Codes to be followed: *Title 19 - 19.16.010 - Streetlighting. **18.18.190 – Submission contents. *** 19.02.040 Criteria for approval.

Sun Metro

Recommend Approval.

Be advised if any and all construction requires a Traffic Control Permit, please provide copy in order to prevent any disruption of Sun Metro transit services.

El Paso Water

EPWater-PSB does not object to this request.

Water:

There is an existing 12-inch diameter water main that extends along Fountain Dr., located approximately 15-feet west of the east right-of-way line. This main is available for service.

There is an existing 24-inch water transmission main that extends along Mesa St. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board (EPWater-PSB) Rules and Regulations. There is an existing 24-inch water transmission main that extends along Fountain Dr., located approximately 25-feet west of the east right-of-way line. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board to this main as per the El Paso Water - Public Service Board (EPWater-PSB) Rules and Regulations.

Previous water pressure reading from fire hydrant #2678, located on the southwest corner of Mesa St. and Camille Dr., has yielded a static pressure of 86 (psi), a residual pressure of 70 (psi), and a discharge of 992 (gpm). 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:

There is an existing 8-inch diameter sanitary sewer main that extends along Fountain Dr., located approximately 25-feet east of the west right-of-way line. This main is available for service.

There is an existing 12-inch diameter sanitary sewer main that extends along the alley east of the property, located approximately 14-feet east of the property. This main is available for service.

There is an existing 8-inch diameter sanitary sewer main that extends along Mesa St., located approximately 5-feet north of the right-of-way centerline. This main is available for service.

General:

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

EPWater-PSB 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:

EPWater-SW has reviewed the proposed plans and has no objections to this proposal.

•EPWater-SW recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavement) to reduce the amount of developed stormwater runoff.

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Texas Department of Transportation

No comments received.

<u>El Paso County Water Improvement District No. 1</u> No comments received.

<u>El Paso Electric Company</u> We have no comments for 6500 N. Mesa Street.

Texas Gas Service

Texas Gas Service has an existing service line that will be in conflict with building addition.

Please coordinate with TGS for relocation of the service before building.

911 District

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

