

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

AGENDA DATE: November 22, 2022
PUBLIC HEARING DATE: December 13, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Andrew Salloum, (915) 212-1603

DISTRICT(S) AFFECTED: District 2

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

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance changing the zoning of Lot 2, Block 1, Jeff's Subdivision, 8835 Neptune Street, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-2 (Apartment). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed rezoning 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: 8835 Neptune Street
Applicant: George R. and Avaavau T. Buckingham - PZRZ22-00029

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from R-4 (Residential) to A-2 (Apartment) to allow for a triplex. City Plan Commission recommended 5-0 to approve the proposed rezoning on October 6, 2022. As of November 14, 2022, the Planning Division has not received communication in support or opposition to the 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? YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 1, JEFF'S SUBDIVISION, 8835 NEPTUNE STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2 (APARTMENT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of **Lot 2, Block 1, Jeff's Subdivision, 8835 Neptune Street**, located in the City of El Paso, El Paso County, Texas, be changed from **R-4 (Residential)** to **A-2 (Apartment)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this ____ day of _____, 2022.


THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

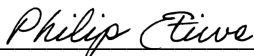
Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

8835 Neptune Street



City Plan Commission — October 6, 2022

CASE NUMBER:	PZRZ22-00029
CASE MANAGER:	Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER:	George R. and Avaavau T. Buckingham
REPRESENTATIVE:	George R. and Avaavau T. Buckingham
LOCATION:	8835 Neptune Street (District 2)
PROPERTY AREA:	0.38 acres
REQUEST:	Rezone from R-4 (Residential) to A-2 (Apartment)
RELATED APPLICATIONS:	None
PUBLIC INPUT:	Received one email in support as of September 29, 2022

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-4 (Residential) to A-2 (Apartment) to allow for a triplex.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed zoning district is compatible with the residential uses in the surrounding area and consistent with *Plan El Paso*, the City's Comprehensive Plan and the G-3, Post-War future land use designation.

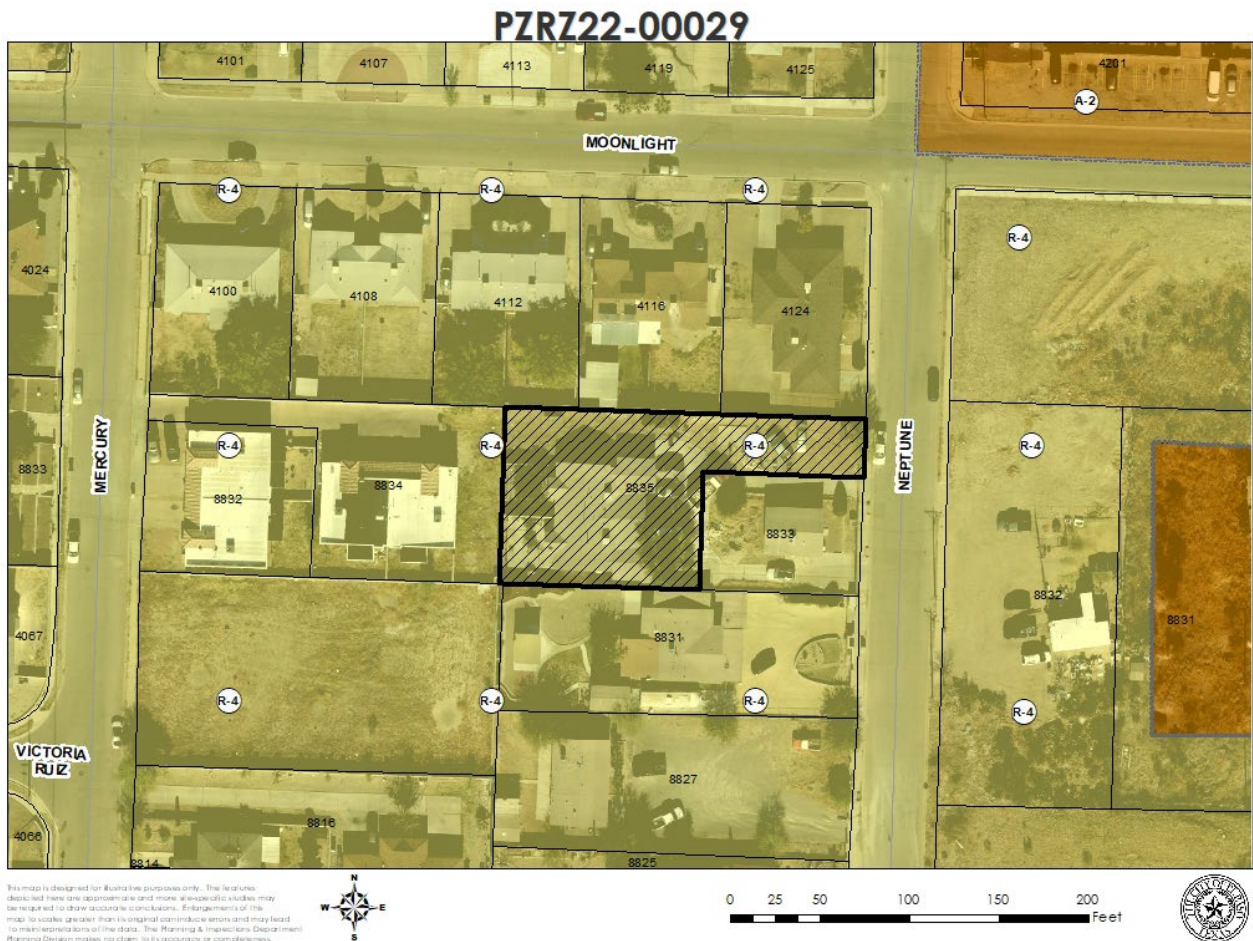


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from R-4 (Residential) to A-2 (Apartment) to allow for a triplex. There is an existing duplex on the property and the applicant proposes an additional unit to make it a triplex. Triplex use is not permitted in the R-4 (Residential) district. The subject property is 0.38 acres in size. The conceptual plan shows a 2,736 square-foot existing duplex which is proposed to be expanded for a triplex. Access to the subject property is provided from Neptune Street.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed use of triplex and the A-2 (Apartment) district are compatible with nearby R-4 (Residential) and A-2 (Apartment) districts consisting of single-family dwellings, duplexes, and multi-family dwellings and meet the established character of the neighborhood surrounding the subject property. The closest school is Canyon Hills Middle School located 0.48 miles away and the closest park is Sunrise Park located 0.37 miles away.

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>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.</p>	<p>Yes. The proposed development is compatible with the future land use designation. The proposed development would increase the available housing stock in the area.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>A-2 (Apartment) District: 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.</p>	<p>Yes. The proposed zoning district is compatible with the surrounding R-4 (Residential) and A-2 (Apartment) zone districts consisting of single-family dwellings, duplexes, and multi-family dwellings and providing different housing options.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p>Yes. Proposed development will have access to the Neptune Street which is designated as local as per El Paso’s Major Thoroughfare Plan (MTP). The classification of this road is appropriate for the proposed development. It is also a block away from Gateway South Boulevard, classified as a Major Arterial per El Paso’s MTP.</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
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 proposed development 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 requested rezoning.	The proposed development is not anticipated to pose any adverse effects on the community. The proposed development is compatible with development immediately surrounding the subject property.
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 and the proposed development is compatible with R-4 (Residential) and A-2 (Apartment) zone districts and uses of the surrounding properties.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None. The proposed development is within an older, stable area of the city. The established neighborhood is comprised of single-family dwellings, duplexes, and multi-family dwellings.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The proposed development will have access to Neptune which is designated as local street as per El Paso's MTP. The classification of this road is appropriate for the proposed development. The existing infrastructure and services are adequate to serve the proposed redevelopment. Sidewalks are consistently present near the subject property. The closest bus stop is Hercules Avenue located 0.68 miles.

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

PUBLIC COMMENT: The subject property lies within the boundaries of Sunrise Neighborhood Association which was notified of the rezoning application. Public notices were mailed to property owners within 300 feet of the subject property on September 22, 2022. As of September 29, 2022, the Planning Division has received one email in support of the request from Sunrise Neighborhood Association and no communication in opposition to the 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 rezoning 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 rezoning 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 rezoning 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:

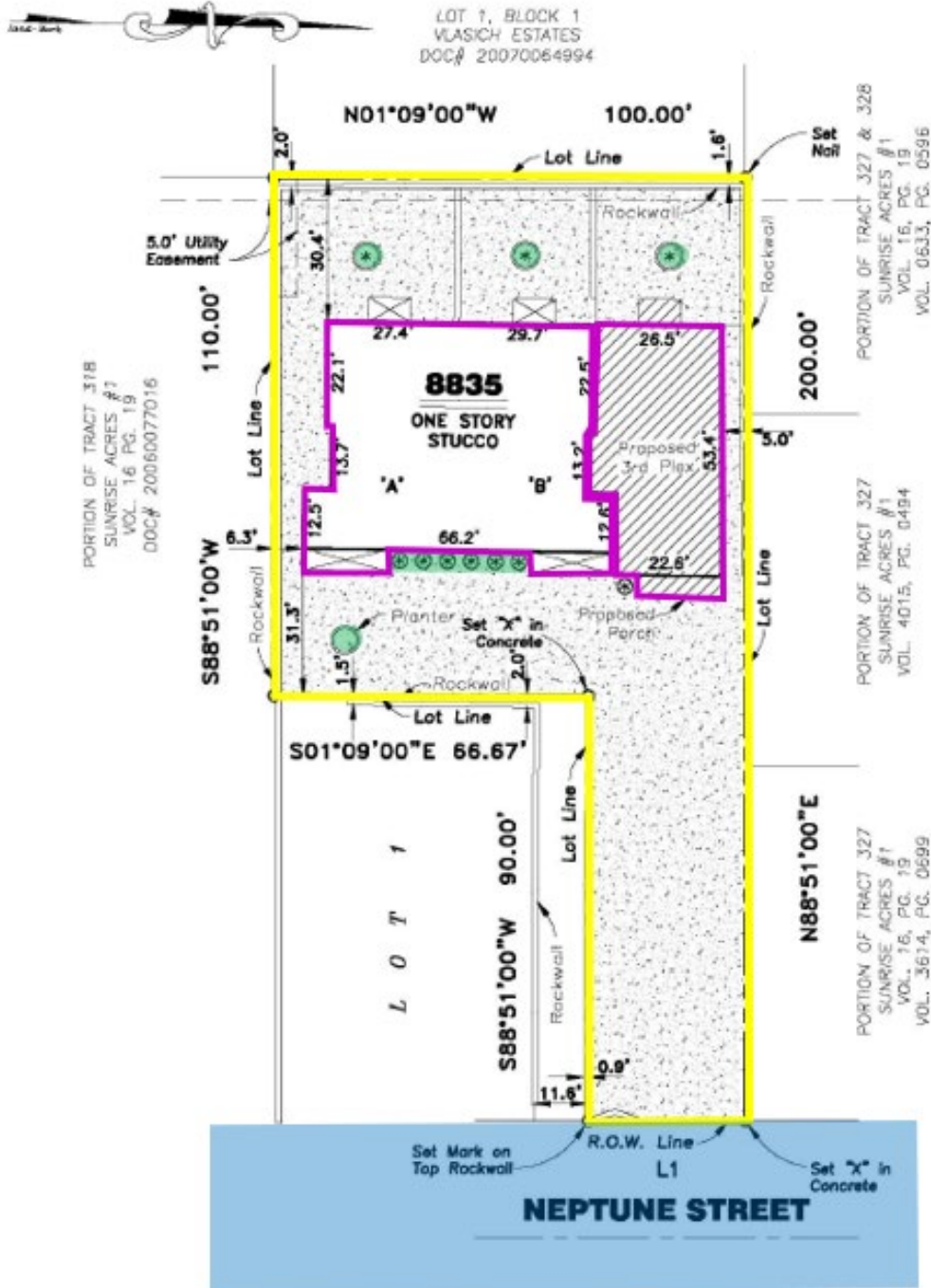
1. Future Land Use Map
2. Conceptual Site Plan
3. Department Comments
4. Neighborhood Notification Boundary Map
5. Email in Support

ATTACHMENT 1



PZR22-00029

ATTACHMENT 2



Note:
1. Proposed building will be one story and similar to the other two plexes.

2. ☉ = Proposed Planters

LINE	DIRECTION	DISTANCE
L1	S01°09'00"E	33.33'

ATTACHMENT 3

Planning and Inspections Department - Planning Division

Staff recommends approval of the rezoning request.

Planning and Inspections Department – Plan Review & Landscaping Division

The generalized site plan is not being reviewed for conformance due to conceptual nature. No objections to proposed rezoning.

Note: At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code.

Planning and Inspections Department – Land Development

No objections to proposed rezoning.

Fire Department

Fire access drive from Neptune needs to be 20' wide to provide for proper hose reach coverage or show secondary street for hose reach access. An alley may not be used for "official" fire access declaration.

Note: Applicant to coordinate with Fire Department at time of building permits.

Environment Services

No comments received.

Streets and Maintenance Department

No TIA required; no objections.

Sun Metro

No comments received.

El Paso Water

Water:

There is an existing 8-inch diameter water main extending along Neptune St., located approximately 15-foot west of the east right-of-way line. This main is available for service.

Previous water pressure from fire hydrant #6498, located 353-feet north of the intersection of Neptune St. and the Hallmark Ct. has yielded a static pressure of 73 (psi), a residual pressure of 70 (psi), and a discharge of 1,300 (gpm).

Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along Neptune St., located approximately 20-feet east of the west right-of-way line. This main is available for service.

General:

Service to be provided at the entrance of panhandle lots. The Owner is to provide the locations for the water services outside of the driveways. No vehicular traffic is allowed over the water meter boxes.

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 Engineering

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.

El Paso County 911 District

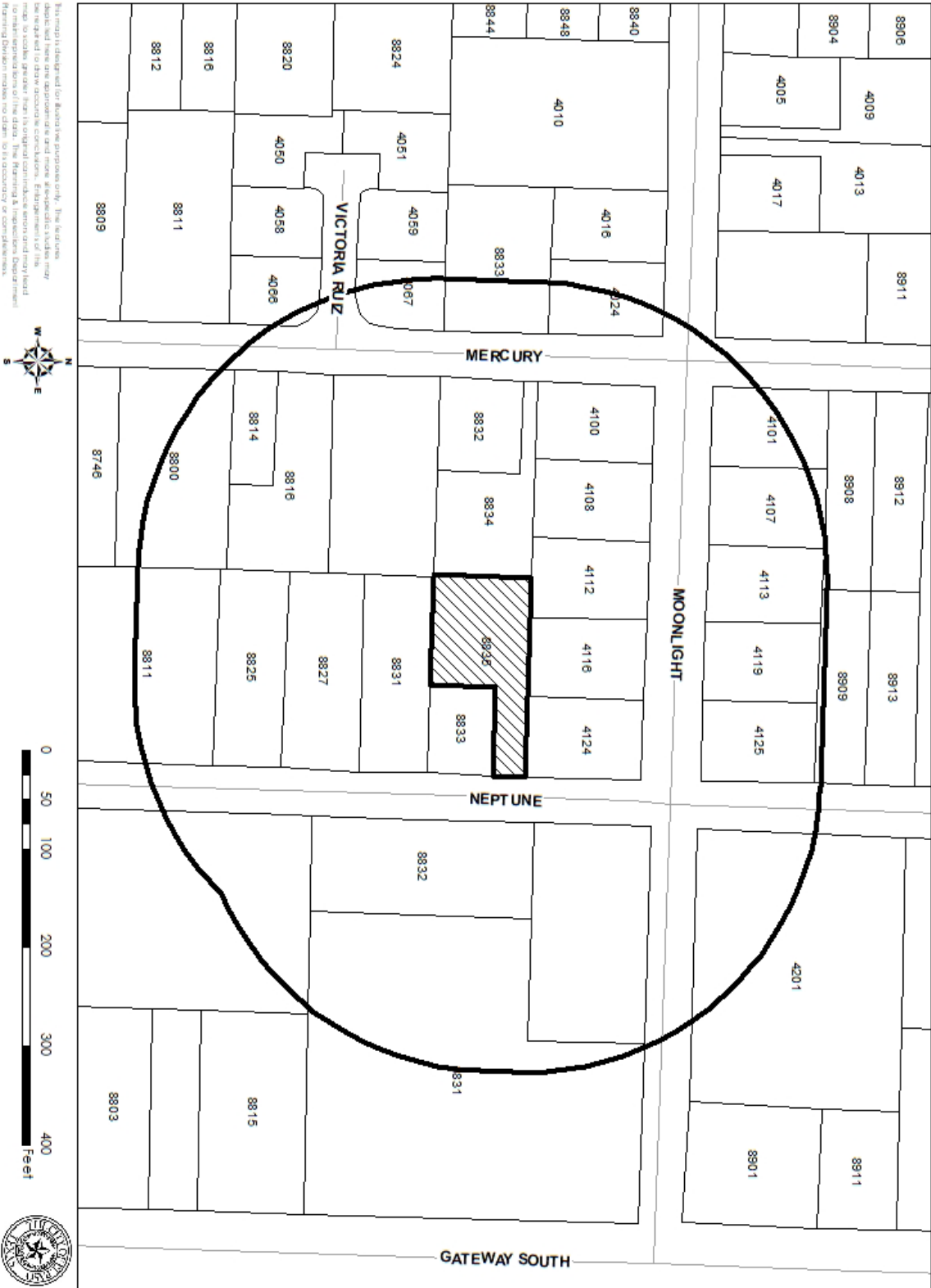
The 911 District has no comments/concerns regarding this zoning.

El Paso County Water Improvement District #1

The item is not within the boundaries of EPCWID1.

ATTACHMENT 4

PZR22-00029



This map is designed for limited use purposes only. The boundaries depicted here are approximate and more detailed information may be required to draw accurate conclusions. Employees of the City of Houston are not responsible for any errors or omissions that may appear here. The Planning & Inspection Department reserves the right to change the design of this map without notice.

ATTACHMENT 5

8/11/22, 5:13 PM

Gmail - 8835 Neptune St



GFE Buckingham LLC <gfebuckinghamllc@gmail.com>

8835 Neptune St

2 messages

GFE Buckingham LLC <gfebuckinghamllc@gmail.com>
To: Jose Gutierrez <Cptgutz@gmail.com>

Tue, Aug 9, 2022 at 8:34 AM

Sir,





We finally received the Site plan from the Surveyor which is the last piece of information that must be given to the association.
As mentioned in the prior meeting, we are only requesting to add a plex that will be less than 1,300 SQFT, hence the MOU signed by both my husband and myself. The intent behind this expansion is not just to fill out the space but also to provide housing for a family in need.
Please reply back to this email to acknowledge receipt and approval for this project so that we can move forward.
Hope to hear from you soon. Regards

Tiara Buckingham

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4 attachments

-  **32723-Site Plan-(8-2-22).pdf**
177K
-  **Neptune information for Neighborhood Association.pdf**
287K
-  **MOA - Neptune n Sunrise Association.pdf**
2277K
-  **Signed Pre-Applicatin and Meeting Notes.pdf**
577K

Jose Gutierrez <cptgutz@gmail.com>
To: GFE Buckingham LLC <gfebuckinghamllc@gmail.com>

Tue, Aug 9, 2022 at 4:52 PM

Yes, I approve.
Thank you for all you do.
[Quoted text hidden]

<https://mail.google.com/mail/u/0/?ik=8d55eb2109&view=pt&search=all&permthid=thread-a%3Ar2840361496227488231&simpl=msg-a%3Ar23099141...> 1/1