

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

AGENDA DATE: July 7, 2021
PUBLIC HEARING DATE: August 3, 2021

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

DISTRICT(S) AFFECTED: District 8

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

SUBGOAL: 3.1 Provide business friendly permitting and inspection processes
3.2 Improve the visual impression of the community

SUBJECT:

An Ordinance changing the zoning of the property described as a portion of Tract 10-2, A.F. Miller Survey No. 211, 125 Belvidere Street, City of El Paso, El Paso County, Texas from R-3 (Residential) and A-O (Apartment/Office) to S-D (Special Development), pursuant to Section 20.04.360, and approving a detailed site development plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for front and rear yard setback reductions as permitted in the S-D (Special Development) zone district. 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: 125 Belvidere Street
Applicant: City of El Paso, PZRZ21-00008

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from R-3 (Residential) and A-O (Apartment/Office) to S-D (Special Development) to allow for library additions with front and rear yard setback reductions. City Plan Commission recommended 5-0 to approve the proposed rezoning on June 17, 2021. As of June 25, 2021, the Planning Division has not received any communication in support or opposition to the rezoning 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 THE PROPERTY DESCRIBED AS A PORTION OF TRACT 10-2, A.F. MILLER SURVEY NO. 211, 125 BELVIDERE STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) AND A-O (APARTMENT/OFFICE) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR FRONT AND REAR YARD SETBACK REDUCTIONS AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, City of El Paso, (Owner) has applied for a rezoning of property from **R-3 (Residential) and A-O (Apartment/Office)** to **S-D (Special Development)** per Section 20.04.360 of the El Paso City Code; and,

WHEREAS, Owner has also applied for approval of a detailed site development plan pursuant to Sections 20.04.150 and 20.10.360 of the El Paso City Code for front and rear yard setback reductions, which requires approval from both City Plan Commission and City Council; and,

WHEREAS, a public hearing was held for the rezoning and detailed site plan requests at a City Plan Commission meeting; and,

WHEREAS, City Plan Commission has recommended approval of the subject rezoning and detailed site development plan; and,

WHEREAS, the rezoning and detailed site development plan 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 the El Paso City Code.

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

1. Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of A portion of Tract 10-W, A.F. Miller Survey No. 211, 125 Belvidere Street, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached **Exhibit “A”**, be changed from **R-3 (Residential) and A-O (Apartment/Office)** to **S-D (Special Development)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

3. Pursuant to the requirements of the El Paso City Code, the City Council hereby approves the detailed site development plan submitted by the Owner, to reduce front and rear yard setbacks as permitted under the **S-D (Special Development)** district regulations of 20.04.150 and 20.10.360.

4. A copy of the approved detailed site development plan, signed by the Owner, the City Manager, and the Secretary of the City Plan Commission, is attached hereto, as **Exhibit “B”** and incorporated herein by reference for all purposes.

5. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **S-D (Special Development)** District regulations.

6. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in **the S-D (Special Development)** district. 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.

7. The approval of this detailed site development plan shall automatically be void if construction on the property is not started in accordance with the attached plan Exhibit "B" within four (4) years from the date hereof.

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

ADOPTED this _____ day of _____, 2021.

THE CITY OF EL PASO

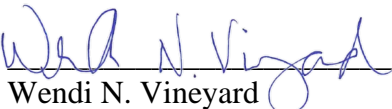
ATTEST:

Oscar Leeser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Wendi N. Vineyard
Assistant City Attorney



Philip Etiwe, Director
Planning & Inspections Department

AGREEMENT

By execution hereof, City of El Paso ("Owner"), 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 S-D (Special Development) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this ____ day of _____, 2021

OWNER: City of El Paso

By: _____

(Print name & Title)

ACKNOWLEDGEMENT

THE STATE OF TEXAS)

)

CO UNTY OF EL PASO)

This instrument is acknowledged before me on this ____ day of _____, 2021, by _____, in his legal capacity on behalf of City of El Paso.

My Commission Expires:

Notary Public, State of Texas

EXHIBIT A

A portion of Tract 10-W
A.F. Miller Survey No. 211
City of El Paso, El Paso County, Texas
March 11, 2021

METES AND BOUNDS DESCRIPTION 125 Belvidere Street

FIELD NOTE DESCRIPTION a portion of Tract 10-W, A.F. Miller Survey No. 211, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a set $\frac{1}{2}$ rebar at the westerly right-of-way line of Belvidere Street (90' R.O.W.) same being the common boundary corner of Lot 1, Block 7, Coronado Terrace Addition and Tract 10-W, A.F. Miller Survey No. 211 and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, along the westerly right-of-way line of Belvidere Street, 100.51 feet along the arc of a curve to the right whose radius is 1211.24 feet, whose interior angle is $04^{\circ}45'16''$, whose chord bears South $03^{\circ}22'22''$ East, a distance of 100.48 feet to a set $\frac{1}{2}$ rebar for corner

THENCE, continuing along the westerly right-of-way of Belvidere Street, South $05^{\circ}45'00''$ East, a distance of 168.19 feet to a chiseled "X" for corner at the common boundary corner of Tracts 10-S and 10-W;

THENCE, leaving said westerly right-of-way line of Belvidere Street and along the common boundary line of said Tracts, South $84^{\circ}15'00''$ West, a distance of 113.23 feet to a set $\frac{1}{2}$ rebar for corner at the common boundary corner of Tracts 6, 10-S and 10-W;

THENCE, along the common boundary line of Tracts 6 and 10-W, North $00^{\circ}00'00''$ West, a distance of 90.56 feet to a found $\frac{5}{8}$ rebar for corner at the common boundary corner of Tracts 6 and 10-W;

THENCE, along the common boundary line of Tracts 6 and 10-W, North $90^{\circ}00'00''$ East, a distance of 11.01 feet to a point for corner at the common boundary corner of Tracts 6, 10-M and 10-W;

THENCE, along the common boundary line of Tracts 10-M and 10-W, North $11^{\circ}28'00''$ East, a distance of 118.70 feet to a point for corner along the common boundary line of Tracts 6, 10-M and 10-W;

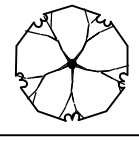
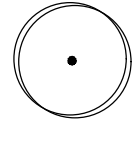
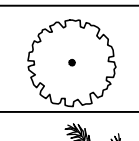
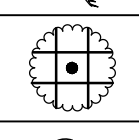
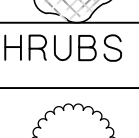
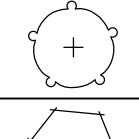



THENCE, continuing along the common boundary line of Tracts 10-M and 10-W, North $07^{\circ}14'00''$ West, a distance of 92.96 feet to a point for corner at the common boundary corner of Tracts 10-M, 10-W and Lot 1, Block 7;

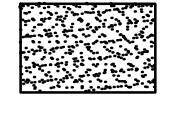
THENCE, along said common boundary line of Lot 1, Block 7 and Tract 10-W, South $77^{\circ}16'00''$ East, a distance of 91.26 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 27,526.33 square feet or 0.6319 acres of land more or less.

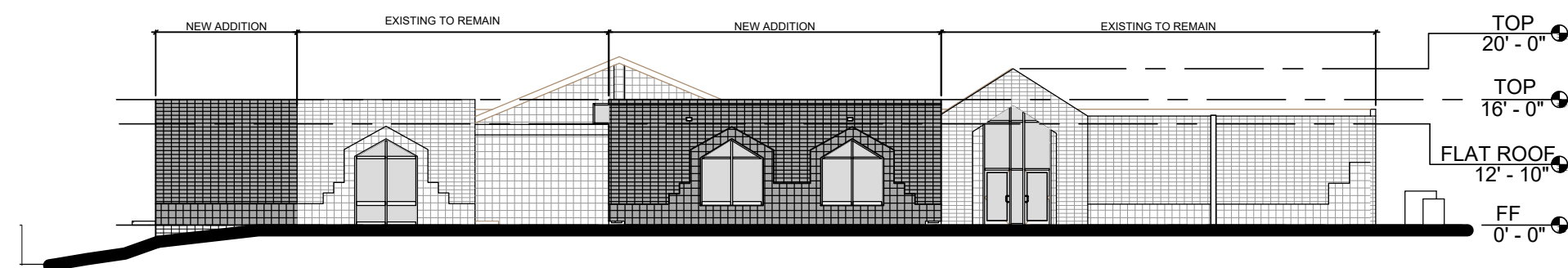
CAD Consulting Co.
1790 Lee Trevino Drive. Suite 309
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2021\21-0823_125 Belvidere Street.wpd



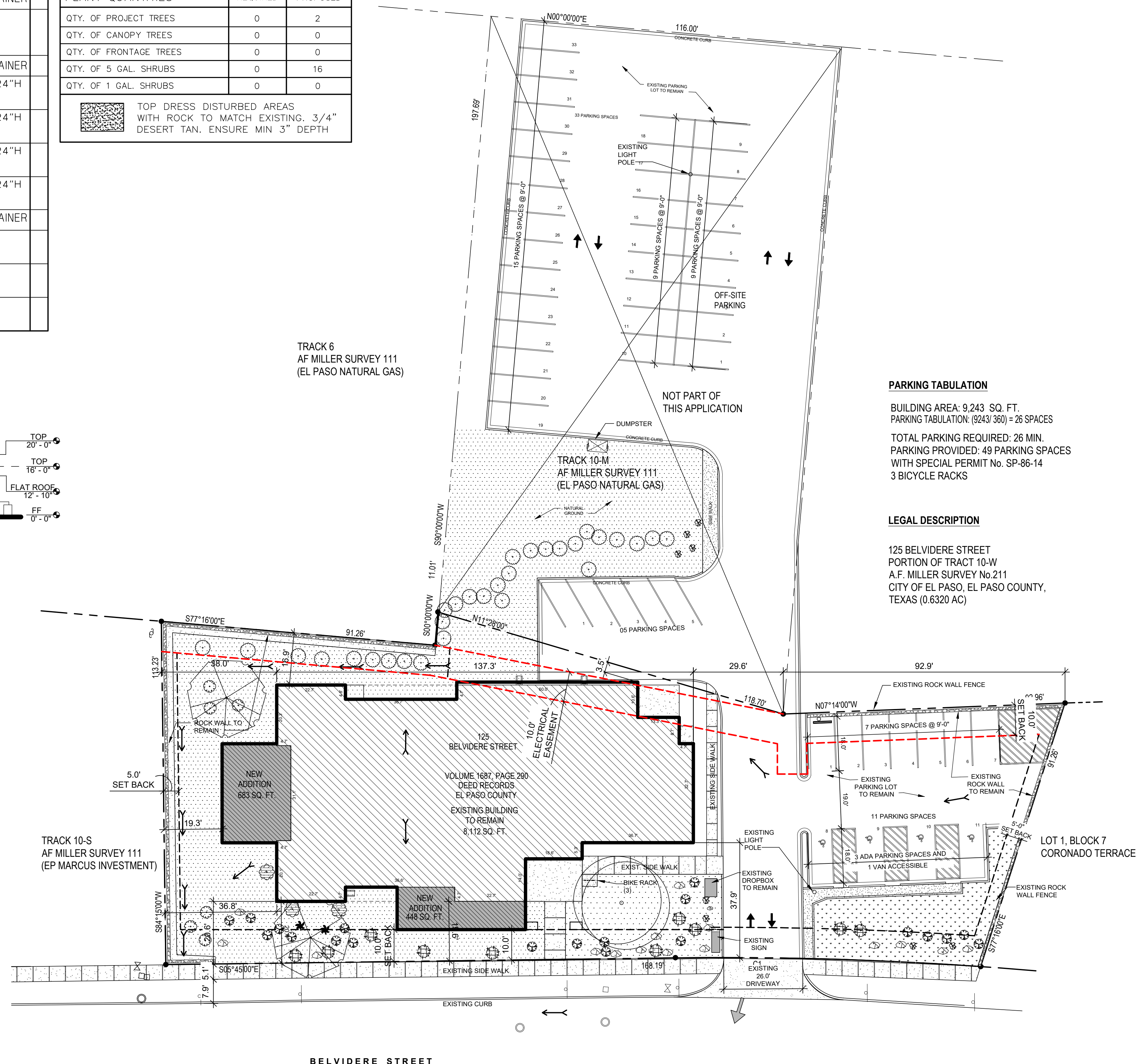
EXHIBIT B

PLANT_SCHEDULE				
TREES	QTY	COMMON / BOTANICAL NAME	SIZE	CONTAINER
	2	Desert Museum Palo Verde / Parkinsonia x Desert Museum	B & B	2"Gal
EXISTING TO REMAIN	QTY	COMMON / BOTANICAL NAME	SIZE	CONTAINER
	1	Thornless Chilean Mesquite / Prosopis chilensis Thornless	---	
SHRUBS	QTY	COMMON / BOTANICAL NAME	SIZE	CONTAINER
	6	Barometerbush / Leucophyllum langmaniae Lynn s Legacy	5 gal	18"-24"H
	2	Brakelights Red Yucca / Hesperaloe parviflora Brakelights TM	5 gal	18"-24"H
	5	Purple Lantana / Lantana montevidensis Purple	5 gal	18"-24"H
	3	Yellow Bells / Tecoma x Sunrise	5 gal	18"-24"H
EXISTING SHRUBS TO REMAIN	QTY	COMMON / BOTANICAL NAME	SIZE	CONTAINER
	30	Oleander / Nerium indicum	---	
	8	Soft Leaf Yucca Multi-Trunk / Yucca recurvifolia	---	
	20	Texas Sotol / Dasylirion texanum	---	

LANDSCAPE ORDINANCE		
LANDSCAPE AREA REQUIRED:		
ADDITION UNDER 1,00 SQ. FT.	N/A	
SITE HAS EXISTING LANDSCAPE AREAS. NO NEW AREAS ARE BEING ADDED		
PLANT QUANTITIES	REQUIRED	PROPOSED
QTY. OF PROJECT TREES	0	2
QTY. OF CANOPY TREES	0	0
QTY. OF FRONTAGE TREES	0	0
QTY. OF 5 GAL. SHRUBS	0	16
QTY. OF 1 GAL. SHRUBS	0	0
 TOP DRESS DISTURBED AREAS WITH ROCK TO MATCH EXISTING. 3/4" DESERT TAN. ENSURE MIN 3" DEPTH		



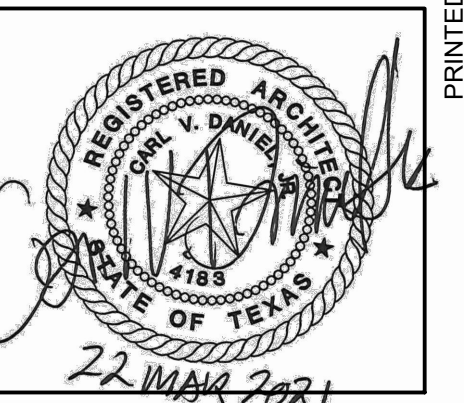
FRONT EXTERIOR ELEVATION 2
SCALE: 1" = 20'-0"



BELVIDERE STREET

THIS EXHIBIT IS PREPARED FOR REZONING APPLICATION PURPOSES.
EXISTING ZONING A-O/R3
PROPOSED ZONING SD

DETAILED SITE DEVELOPMENT PLAN 1
SCALE: 1" = 20'-0"



WESTSIDE BRANCH LIBRARY RENOVATIONS
125 BELVIDERE ST., EL PASO, TX. 79912



NO.	DATE	REVISION
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SHEET:
DETAILED SITE DEVELOPMENT PLAN

125 Belvidere Street

City Plan Commission — June 17, 2021

REZONING



CASE NUMBER: PZRZ21-00008
CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER: City of El Paso
REPRESENTATIVE: City of El Paso
LOCATION: 125 Belvidere Street (District 8)
PROPERTY AREA: 0.632 acres
REQUEST: Rezone from R-3 (Residential) and A-O (Apartment/Office) to S-D (Special Development) and setback reductions
RELATED APPLICATIONS: None
PUBLIC INPUT: None

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from R-3 (Residential) and A-O (Apartment/Office) to S-D (Special Development) to allow for library additions with setback reductions.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the request. The recommendation is based on the compatibility of the proposed zoning district with the surrounding residential and light commercial districts in the immediate area. It is also based on the consistency of the request with *Plan El Paso*, the City's adopted Comprehensive Plan.

PZRZ21-00008

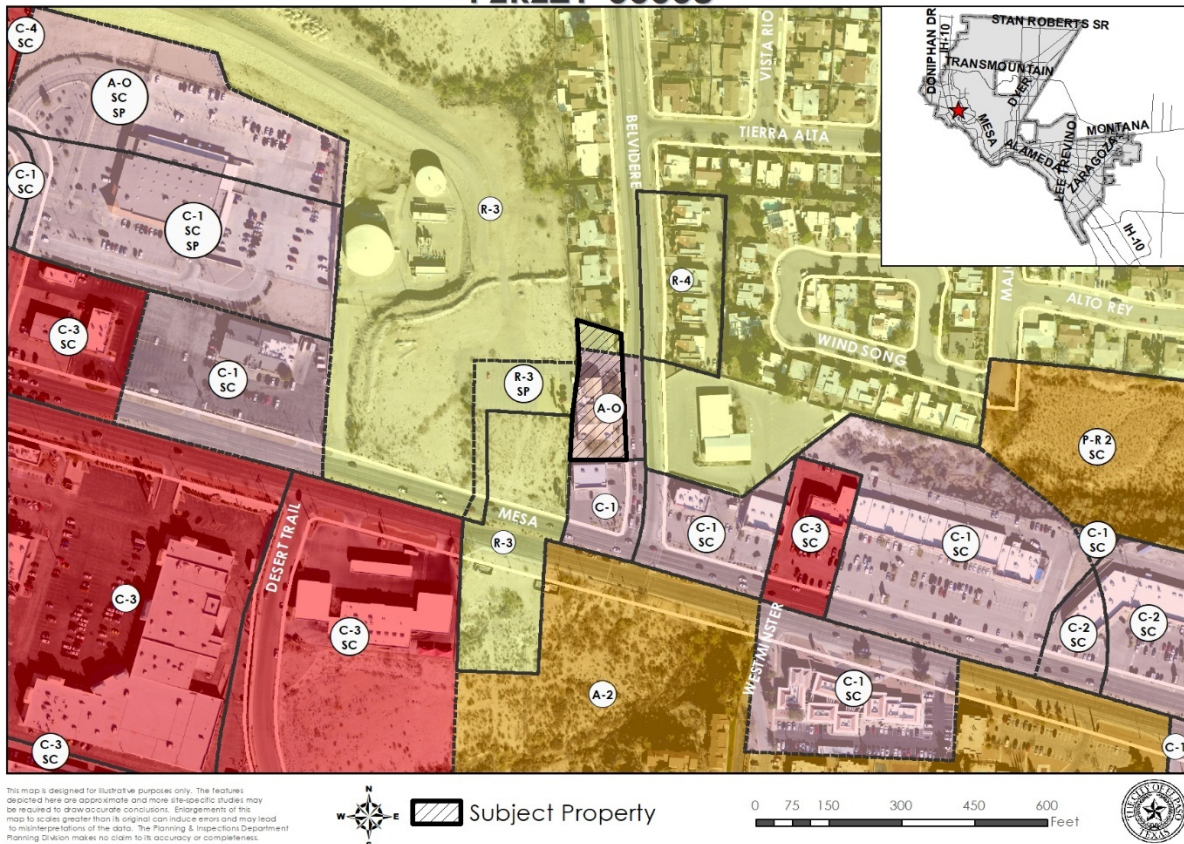


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from R-3 (Residential) and A-O (Apartment/Office) to S-D (Special Development) to allow for library additions with setback reductions to the Westside Branch Library. The detailed site development plan shows two new 683 square-foot and 448 square-foot additions to the existing 8,112 square-foot library. The applicant is requesting the following reductions: from the minimum required 20 feet front yard setback to 10 ft. and from the minimum required 10 feet rear yard setback to 3.5 ft. The portion of existing structure is encroaching into the rear yard setback and a new addition will be encroaching into the front yard setback, therefore necessitating a setback reduction request. The detailed site development plan complies with all other density and dimensional standards. The development requires a maximum of thirty (30) parking spaces. The applicant is providing forty-nine (49) parking spaces including thirty-eight (38) parking spaces on the granted special permit parcel to the west of the subject property to allow for parking lot to serve to the existing library. The new additions comply with Title 18.46 of the Landscaping Ordinance. Access to the subject property is proposed from Belvidere Street.

PREVIOUS CASE HISTORY: On June 9, 2021, Open Space Advisory Board (OSAB) recommended approval of the rezoning request as the property lies within the Hillside Development Area.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed district is consistent with the surrounding neighborhood commercial districts in the immediate area, and meet the established character of the neighborhood surrounding the subject property. Furthermore, the proposed development meets the intent of the G-4, Suburban (Walkable) use designation of *Plan El Paso* in the Northwest planning area.

COMPLIANCE WITH PLAN EL PASO/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-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. 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 subject property and the proposed developments meet the intent of the G-4, Suburban (Walkable) Future Land Use designation of <i>Plan El Paso</i>. The existing development is adjacent to residential and neighborhood commercial zones and uses, and contributes to the residential and commercial uses provided to surrounding residential and commercial neighborhoods within the area of the existing residential and commercial lot and potentially reduces travel and infrastructure needs.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>S-D (Special Development) District: The purpose of this district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential</p>	<p>Yes, the proposed library addition use is consistent with residential and light commercial uses in the neighborhood. Commercial uses are common and appropriate in this sector. The surrounding properties are zoned R-3 and R-4 (Residential) to the north, east and west and C-1 (Neighborhood Commercial) to the south of the subject property along Belvidere Street. The surrounding area uses vary from residential uses, retails, restaurants, and church.</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.	
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.	Yes, the property is located on Belvidere Street which is classified as a minor arterial roadway on the City of El Paso's Major Thoroughfare Plan. The property is mid-block, but is the only property on its block of Belvidere Street with its present R-3 (Residential) and A-O (Apartment/Office).
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.	N/A. 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. No changes are proposed and the exiting development matches development immediately surrounding the subject property.
Natural Environment: Anticipated effects on the natural environment.	The proposed rezoning 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 the existing residential, neighborhood commercial zoning 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.	The proposed development is within a newer subdivision that is considered stable. The established neighborhood is comprised of residential uses, church, restaurant, and retail uses. There have been no recent rezoning requests for this area.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property borders Belvidere Street, which are designated a minor arterial as per the City of El Paso's Major Thoroughfare Plan. Access is proposed from Belvidere Street. It is adequate to serve the development.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to the proposed rezoning. There were no adverse comments received. Applicant is responsible for obtaining all applicable permits and approvals prior to construction.

PUBLIC COMMENT: There are no registered neighborhood association in the area of the subject property. Public notices were mailed to property owners within 300 feet on June 3, 2021. The Planning Division did not receive any communication in support or opposition to the rezoning request. As of June 11, 2021, the Planning Division has not received any communication in support or opposition to the rezoning 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:

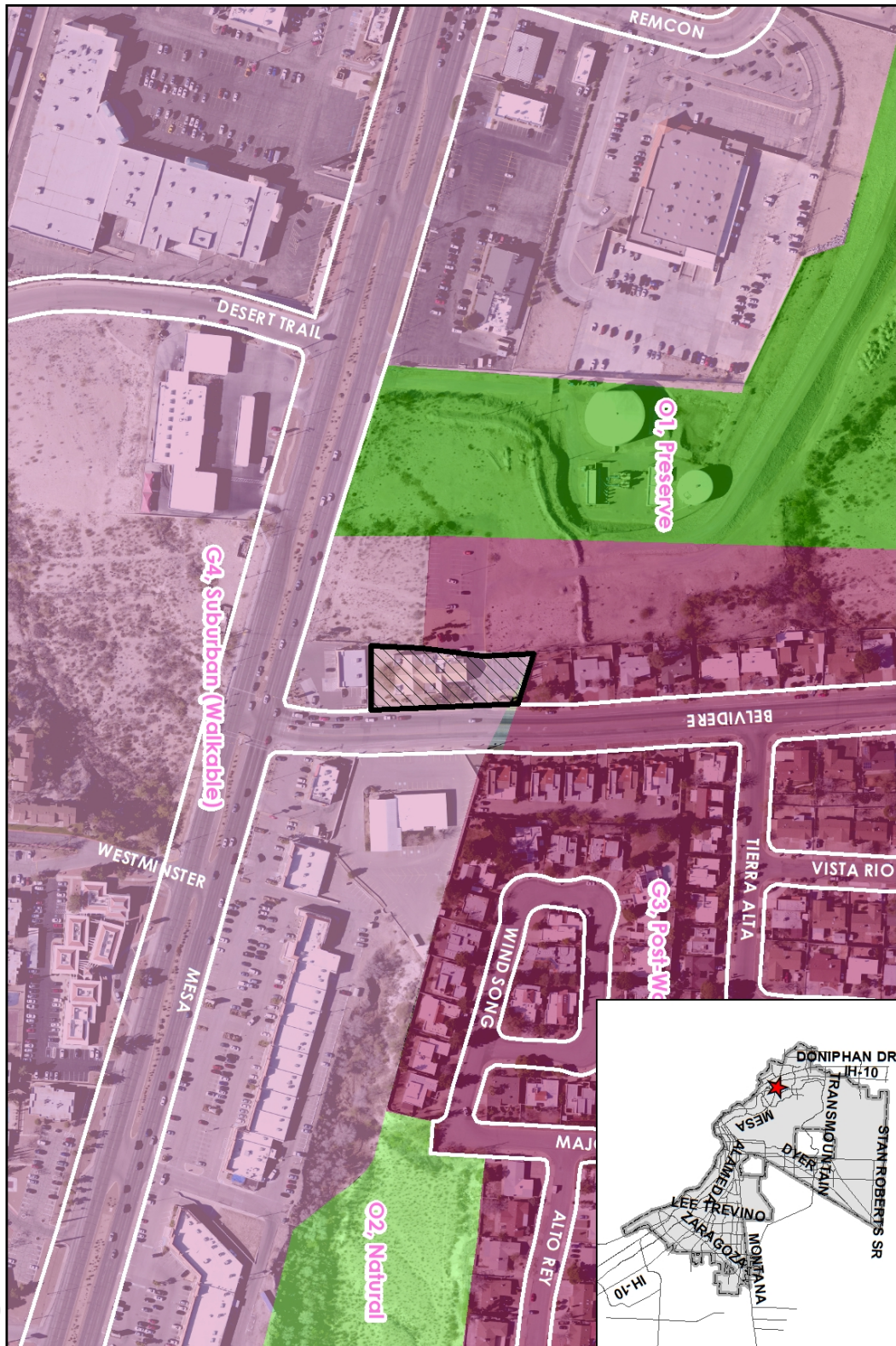
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
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. Department Comments
3. Neighborhood Notification Boundary Map
4. Detailed Site Plan

ATTACHMENT 1

PZR221-00008



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Engagements of this map to a greater extent is original and not intended to be used for planning purposes. Planning Division makes no claim to its accuracy or completeness.



Subject Property



ATTACHMENT 2

Planning and Inspections Department – Planning Division

Recommend approval of the rezoning request.

Planning and Inspections Department – Plan Review

Recommend approval.

Planning and Inspections Department – Landscaping Division

Recommend approval.

Planning and Inspections Department – Land Development

No objections to proposed rezoning.

Street and Maintenance Department

TIA not required. No additional comments.

Police Department

PD has no concerns with rezoning. However, I'd like to mention that this area is constantly targeted by the homeless. PD and Code have been here numerous times to clean up the area and trespass individuals. PD can offer suggestions to harden this area so that it is not attractive for the homeless population to set up residence.

Fire Department

Recommend approval.

Sun Metro

There is an existing bus stop adjacent to the subject property along Belvidere. Please coordinate with Sun Metro if any work is proposed within the bus stop area.

El Paso Water

No comments received.

El Paso Water – Stormwater Engineering

- If there is any addition or reconstruction, the developer shall be responsible for the additional stormwater runoff generated by this development, and must ensure that the historic runoff volume, peak and duration are maintained.
- 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 Water Improvement District #1

The item is not within the boundaries of EPCWID.

ATTACHMENT 3

PZR21-00008

