

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

AGENDA DATE: October 24, 2023
PUBLIC HEARING DATE: November 21, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Nina Rodriguez, (915) 212-1561

DISTRICT(S) AFFECTED: District 1

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

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance granting special permit No. PZST23-00010, to allow for a planned residential development on the property described as a portion of Lot 10 and 11, Block 4, Silverwood Subdivision and Tract 18A-1-A, Upper Valley Subdivision, 223 Silverwood Way, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.470 of the El Paso City Code. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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

Subject Property: 223 Silverwood Way
Applicant: Scott Lychwick, PZST23-00010

BACKGROUND / DISCUSSION:

The applicant is requesting a special permit for planned residential development with reductions to lot dimensional standards and setbacks to allow for three (3) single family lots. City Plan Commission recommended 7-0 to approve the proposed special permit on July 27, 2023. As of October 10, 2023, the Planning Division has received two (2) in-person comments and one (1) email in support, and two (2) emails in opposition to the special permit request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST23-00010, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 10 AND 11, BLOCK 4, SILVERWOOD SUBDIVISION AND TRACT 18A-1-A, UPPER VALLEY SUBDIVISION, 223 SILVERWOOD WAY, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.470 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, SCOTT LYCHWICK, has applied for a Special Permit under Section 20.10.470 of the El Paso City Code to allow for a Planned Residential Development with reductions to lot dimensional standards and setback requirements; 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 R-1 (Residential) District:
A portion of Lot 10 and 11, Block 4, Silverwood Subdivision and Tract 18A-1-A, Upper Valley Subdivision, 223 Silverwood Way, 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 Planned Residential Development with reductions to lot dimensional standards and setback requirements 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 R-1 (Residential) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as **Exhibit "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. PZST23-00010, 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 _____, 20__.

THE CITY OF EL PASO:

ATTEST:

Oscar Leoser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Russell Abeln

Russell T. Abeln
Senior Assistant Attorney

Philip Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

AGREEMENT

SCOTT LYCHWICK, the Applicant 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 **R-1 (Residential) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 2 day of October, 2023

SCOTT LYCHWICK

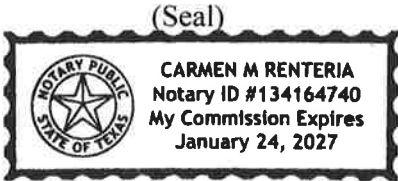
Scott Lychwick
(Signature)

OWNER
(Name/Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 2 day of October, 2023 by Scott Lychwick as Owner.



Carmen Renteria
Notary Public, State of Texas
Signature

Carmen Renteria
Printed or Typed Name

My Commission Expires:
Jan. 24, 2027

EXHIBIT "A"

METES AND BOUNDS

PROPERTY DESCRIPTION: The parcel of land herein being described is portion of Lot 10 and 11, Block 4, SILVERWOOD SUBDIVISION and Tract 18A-1-A, UPPER VALLEY SUBDIVISION, City of El Paso, El Paso County, Texas and being more particularly described as follows:

Commencing at an existing city monument lying on the centerline intersection of Country Club Place (50 foot public right-of-way) and Camino Real Avenue (50 foot public right-of-way), thence South 79°08'18" East, a distance of 923.95 feet to a point lying on the easterly right-of-way line of Montoya Lateral (40 foot public right-of-way) said point also being the "TRUE POINT OF BEGINNING" of this metes and bounds description.

THENCE, South 63°19'00" East, a distance of 140.80 feet to a point for a boundary corner;

THENCE, South 89°15'00" East, a distance of 94.76 feet to a point for a boundary corner;

THENCE, South 45°02'00" East, a distance of 182.75 feet to a point for a boundary corner lying on the westerly right-of-way line of Silverwood Way (40 foot public right-of-way);

THENCE, South 50°09'00" West, along said right-of-way line, a distance of 236.03 feet to a point for a boundary corner also being the northeasterly boundary corner of El Paso Country Club, Tract 18-A-1 2, Block 4, UPPER VALLEY SURVEYS;

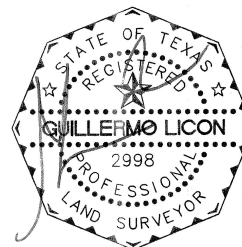
THENCE, North 52°08'00" West, leaving said right-of-way line, a distance of 175.71 feet to a boundary corner;

THENCE, North 78°40'49" West, a distance of 97.94 feet to a point for a boundary corner lying on the easterly right-of-way line of Montoya Lateral (40 foot public right-of-way);


THENCE, North 16°53'00" East, along said right-of-way line, a distance of 227.59 feet back to the "TRUE POINT OF BEGINNING" of this property description.

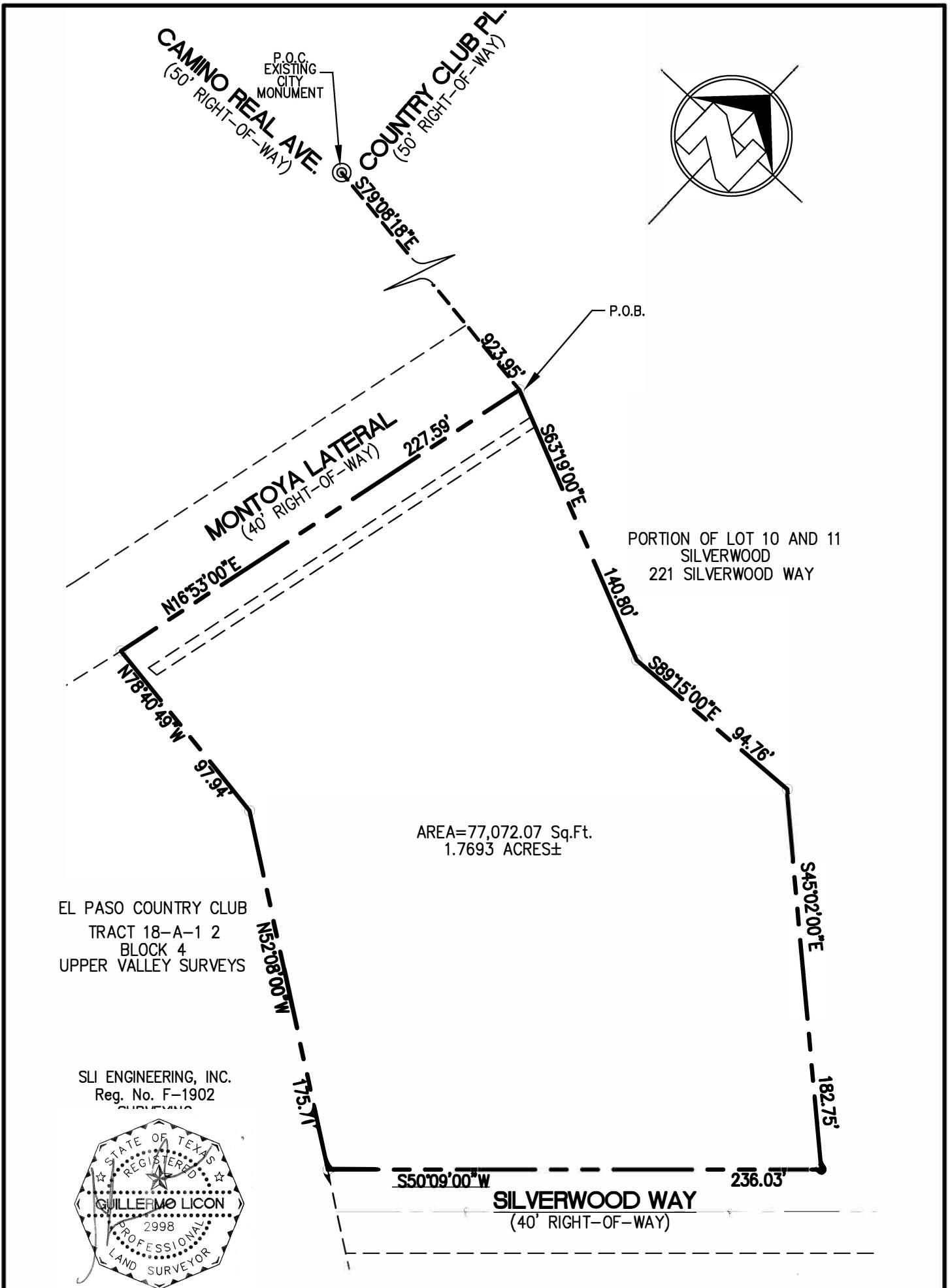
Said parcel of land containing 77,072.07 Sq. Ft. (1.7693 Acres) of land, more or less.

SLI ENGINEERING, INC.
Reg. No. F-1902
SURVEYING
Req. No. 100120-00



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This map and survey are being provided solely for the use of all parties listed in the certification and their assigns and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon MAY 24, 2023.

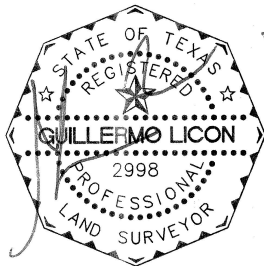
METES AND BOUNDS		
 SLI ENGINEERING, INC. <small>CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS 6600 WESTWIND DRIVE EL PASO, TEXAS (915) 584-4457</small>	<p align="center">LEGAL DESCRIPTION</p> <p>PORTION OF LOT 10 AND 11, BLOCK 4, SILVERWOOD SUBDIVISION AND TRACT 18A-1-A, UPPER VALLEY SUBDIVISION.</p>	<p align="center">CERTIFICATION</p> <p>I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY AND IMPROVEMENT SURVEY WAS PERFORMED UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</p> <p align="right"><i>Guillermo Licon</i></p>
<p>JOB #: 09-22-4872 DRAWN BY: CV CK BY: GH/ET DATE: 05/24/2023 SCALE: 1"=60'</p>	<p>CITY OF EL PASO, EL PASO COUNTY, TEXAS.</p> <hr/> <p align="center">PLAT REFERENCE</p> <p>VOLUME <u> x </u> PAGE <u> xx </u></p>	<p align="center">GUILLERMO LICON, R.P.L.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS LICENSE NO. 2998</p> <p>DATE: <u> 05-05-2023 </u></p>



AREA=77,072.07 Sq.Ft.
1.7693 ACRES±

EL PASO COUNTRY CLUB
TRACT 18-A-1 2
BLOCK 4
UPPER VALLEY SURVEYS

SLI ENGINEERING, INC.
Reg. No. F-1902



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PLAT OF SURVEY

CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
6600 WESTWIND DRIVE
EL PASO, TEXAS
(915) 584-4457

SLI ENGINEERING, INC.

LEGAL DESCRIPTION
PORTION OF LOT 10 AND 11, BLOCK 4,
SILVERWOOD SUBDIVISION AND TRACT
18A-1-A, UPPER VALLEY SUBDIVISION.

CERTIFICATION
I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY
AND IMPROVEMENT SURVEY WAS PERFORMED UNDER MY
SUPERVISION AND IS TRUE AND CORRECT TO THE BEST
OF MY KNOWLEDGE AND BELIEF.

JOB #: 09-22-4872
DRAWN BY: CV CK BY: GH/ET
DATE: 05/24/2023 SCALE: 1"=60'

CITY OF EL PASO, EL PASO COUNTY, TEXAS.
PLAT REFERENCE
VOLUME x PAGE xx

GUILLERMO LICON, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS LICENSE NO. 2998
DATE: 05-05-2023

223 Silverwood Way



City Plan Commission — July 27, 2023 **REVISED**

CASE NUMBER: PZST23-00010
CASE MANAGER: Nina Rodriguez, (915) 212-1561, RodriguezNA@elpasotexas.gov
PROPERTY OWNER: Scott Lychwick
REPRESENTATIVE: Georges Halloul, SLI Engineering, Inc.
LOCATION: 223 Silverwood Way (District 1)
PROPERTY AREA: 1.77 acres
EXISTING ZONING: R-1 (Residential)
REQUEST: Special Permit to allow for a planned residential development with reductions to lot dimensional standards and setback requirements in the R-1 (Residential) zone district and approval of detailed site development plan

RELATED APPLICATIONS: SUSU22-00098
PUBLIC INPUT: Two (2) in person comments in support and one (1) email in support, and two (2) emails in opposition received as of July 28, 2023

SUMMARY OF REQUEST: The applicant is requesting a special permit to allow for planned residential development with reductions of the average lot width, cumulative front and rear yard setbacks, and cumulative side yard setbacks for single-family lots in a R-1 (Residential) zone district.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the special permit for planned residential development with reductions to average lot width, cumulative front and rear yard setbacks, and cumulative side yard setbacks for single family lots in the R-1 (Residential) zone district. The proposal meets all the requirements of El Paso City Code Sections 20.10.470 – Planned Residential Development, 20.04.320 – Special Permit, and 20.04.150 – Detailed Site Development Plan. The proposed development is consistent with both the G-3, Post-War Future Land Use Designation and with *Plan El Paso*, the City's adopted Comprehensive Plan.

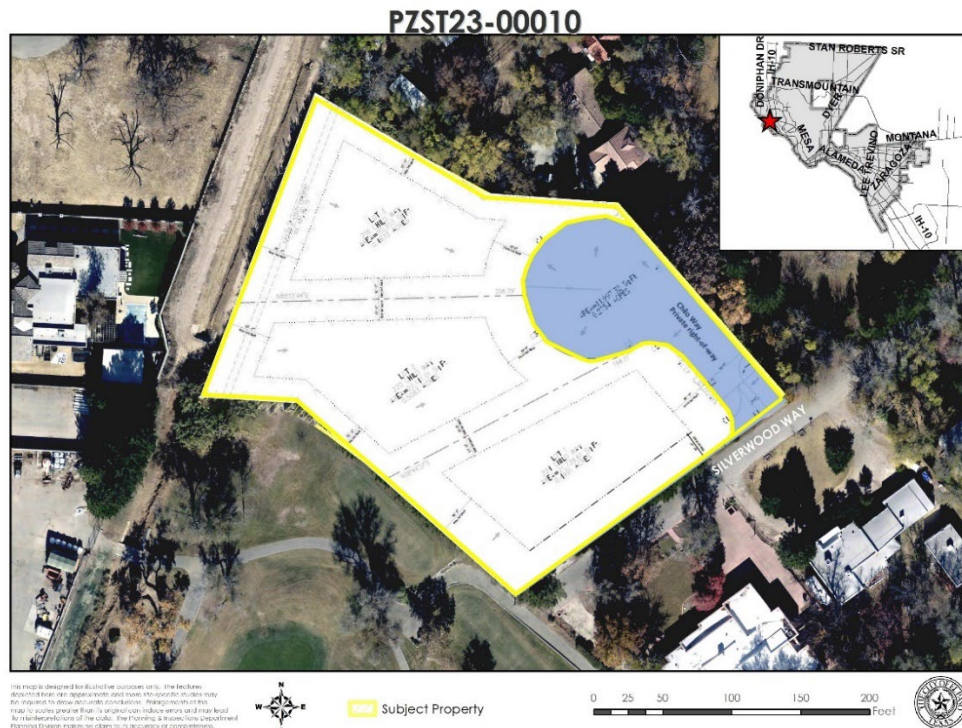


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special permit to allow for planned residential development with reductions to average lot width, cumulative front and rear yard setbacks, and cumulative side setbacks in the R-1 (Residential) zone district to allow for single-family residential lots per El Paso City Code Section 20.10.470 – Planned Residential Development. The subject property is currently vacant. The detailed site development plan shows three (3) single-family dwelling lots ranging in size from 20,353 square feet to 22,141 square feet. The table below provides a detailed summary of the requested reduction modifications. The detailed site development plan complies with all other density and dimensional standards. Access to the subject property is provided from Silverwood Way, while the individual lots are proposed to have access from proposed private right-of-way street, Chilo Way.

R-1 (District) Zone District - Use		
Density/Dimensional Standard	Required	Proposed
LOT 1		
Lot Area (min.)	20,000 Sq. Ft.	21,739.61 Sq. Ft.
Lot Width (average min.)	125 Feet	103 Feet 4 Inches
Lot Depth (min.)	150 Feet	210 Feet 5 Inches
Front Yard Setback (min.)	30 Feet	30 Feet
Rear Yard Setback (min.)	30 Feet	30 Feet
Cumulative Front & Rear Yard Setback (min.)	100 Feet	60 Feet
Side Yard Setback (min.)	15 Feet	15 Feet
Side Street Yard Setback (min.)	20 Feet	20 Feet
Cumulative Side Yard Setback (min.)	40 Feet	35 Feet
Height (max.)	35 Feet	20 Feet
LOT 2		
Lot Area (min.)	20,000 Sq. Ft.	22,141.01 Sq. Ft.
Lot Width (average min.)	125 Feet	90 Feet 5 Inches
Lot Depth (min.)	150 Feet	244 Feet 9 Inches
Front Yard Setback (min.)	30 Feet	30 Feet
Rear Yard Setback (min.)	30 Feet	30 Feet
Cumulative Front & Rear Yard Setback (min.)	100 Feet	60 Feet
Side Yard Setback (min.)	15 Feet	15 Feet
Cumulative Side Yard Setback (min.)	40 Feet	30 Feet
Height (max.)	35 Feet	20 Feet
LOT 3		
Lot Area (min.)	20,000 Sq. Ft.	20,353 Sq. Ft.
Lot Width (average min.)	125 Feet	99 Feet 7 Inches
Lot Depth (min.)	150 Feet	187 Feet
Front Yard Setback (min.)	30 Feet	30 Feet
Rear Yard Setback (min.)	30 Feet	30 Feet
Cumulative Front & Rear Yard Setback (min.)	100 Feet	60 Feet
Side Yard Setback (min.)	15 Feet	15 Feet
Cumulative Side Yard Setback (min.)	40 Feet	30 Feet
Height (max.)	35 Feet	20 Feet

Note: bold indicates requested reductions

COMPLIANCE WITH SPECIAL PERMIT FOR PLANNED RESIDENTIAL DEVELOPMENT STANDARDS (EL PASO CITY CODE SECTION 20.10.470)

Criteria	Does the Request Comply?
<p>A. A planned residential development shall occupy at least the minimum site area established in the district regulations. City Council may approve a special permit for a planned residential development with general lot sizes and setbacks below the minimum of the underlying zoning district. The proposed development shall additionally meet the following requirements necessary to protect the public health, safety and general welfare of the community and in order to foster the attractiveness of a residential development and its surrounding neighborhoods:</p>	<p>Yes. There is no minimum district area for the R-1 (Residential) District. The applicant is requesting reductions to lot dimensional standards and setback requirements for single-family dwellings.</p>
<p>1. Evaluation Criteria.</p> <p>a. Proposed buildings shall be sited harmoniously to the terrain and to other buildings in the vicinity that have a visual relationship to the proposed buildings. For purposes of this subsection, harmoniously shall not be deemed to require that the same architecture or same type of building materials be uniformly used.</p>	<p>Yes. The attached detailed site plan shows the layout of the lots as irregular shaped lots with access provided from a proposed cul-de-sac. These are similar in nature to the adjacent residential lots directly behind the subject property along Amen Corner Drive that are also irregular shaped lots that are accessed from a cul-de-sac.</p>
<p>b. With respect to vehicular and pedestrian circulation and parking, special attention shall be given to the location and number of access points to public streets, width of interior drives and access points, relationship of vehicular and pedestrian traffic, and the arrangement of parking areas that are safe and convenient.</p>	<p>Yes. Each lot contains one access point onto a street for each house with frontage onto that street, the low residential density of the existing development will help to reduce the potential for vehicular/pedestrian conflicts.</p>
<p>2. General Requirements.</p> <p>a. Private streets and gates shall be permitted within a planned residential development and shall conform to the design standards enumerated in Title 19 (Subdivisions) of this Code.</p>	<p>Yes. The proposed private street, Chilo Way, was approved with condition under Silverwood Subdivision Replat A by the City Plan Commission on May 4, 2023. The condition being approval of this special permit for a planned residential development.</p>
<p>b. The minimum site area for a planned residential development shall be one acre, within which only residential uses of the base-zoning district shall be permitted. Extensions to a planned residential development from a common boundary shall be permitted in increments of less than one acre, provided that the owners of at least seventy-five percent of the land within the original planned residential development are in agreement and are included as joint applicants to the request for special permit.</p>	<p>Yes. The site area for this development is approximately 1.77 acres.</p>
<p>c. The minimum area requirement of the base-zoning district may be reduced by no more than twenty-five percent for lots within a planned residential development, provided,</p>	<p>Yes. The applicant is not requesting to reduce the minimum district area.</p>

COMPLIANCE WITH SPECIAL PERMIT FOR PLANNED RESIDENTIAL DEVELOPMENT STANDARDS (EL PASO CITY CODE SECTION 20.10.470)	
<p>however, that the maximum density permitted by the base-zoning district shall apply in all cases except as otherwise approved by any applicable special permit granted pursuant to Chapter 20.04 (Administrative Provisions).</p>	
<p>d. The setback requirements of the base-zoning district shall not apply to a planned residential development, except as follows:</p> <ul style="list-style-type: none"> i. The distance between buildings shall be a minimum of ten feet except as otherwise permitted in this title; ii. The length of the driveway shall not be less than twenty feet as measured from the face of the garage or carport to the dwelling side of the sidewalk, or to the property line where there is no sidewalk. 	<p>Yes. The proposed setbacks comply with this requirement.</p>
<p>e. The perimeter of the planned residential development shall be designed to insure compatibility with adjacent existing or potential development by provision of compatible uses and structures.</p>	<p>Yes. The planned residential development is part of a larger semi-rural area and is compatible with the larger neighborhood.</p>
<p>f. No building shall exceed the height requirements of the base-zoning district.</p>	<p>Yes. The maximum height requirement in a R-1 (Residential) zone district is thirty-five feet (35') and the proposed project sets maximum height to twenty feet (20').</p>
<p>g. Consideration in the site plan review and evaluation process shall include the following:</p> <ul style="list-style-type: none"> i. The nature and character of the development and adequacy of the buffer between proposed improvements on the site and adjacent property; ii. The adequacy of utilities, access, drainage and other necessary supporting facilities that have been or will be provided; iii. The adequacy of the design, location and arrangement of driveways and parking spaces so as to provide for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments. 	<p>Yes. No adverse comments were received from other reviewing departments. The location and arrangement of the development is in character with the existing area. The plat for this subdivision and its requested waivers has already been approved by the City Plan Commission conditionally on the approval of this special permit.</p>
<p>h. A planned residential development shall be an architecturally integrated subdivision, whether unified by similar use and density, design, building materials, or open space and streetscape elements.</p>	<p>Yes. The use and density of the subject property will match that of surrounding properties. The proposed single-family use will match that of the area.</p>

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (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 proposed reductions to lot dimensional standards and setback requirements comply with the Planned Residential Development standards.
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-3 designation.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property fronts Silverwood Way, a local street as classified on the City of El Paso's Major Thoroughfare Plan (MTP). The planned residential development is proposed to have access from a proposed private street, Chilo Way. These streets are adequate to support the proposed development.
4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development.	Yes. There are no anticipated adverse or negative impacts on adjacent properties from the proposed planned residential development.
5. The design of the proposed development mitigates substantial environmental problems.	Yes. There are no known environmental problems in the area that require mitigation.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The development will comply with landscaping ordinance requirements.
7. The proposed development is compatible with adjacent structures and uses.	Yes. The proposed development is compatible with other existing uses and building configurations 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.

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?
<p>Future Land Use Map: Proposed special permit 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>	Yes. The subject property and its proposed use of single-family dwelling lots meet the intent of the G-3 Future Land Use Map designation as the proposed residential development increases the housing stock of the area.

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:	
<p>Compatibility with Surroundings: The proposed or existing zoning district is compatible with those surrounding the site:</p> <p>R-1 (Residential) District: The purpose of the district is to promote and preserve residential development within the City to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the district will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.</p>	<p>Yes. single-family dwelling lots are permitted in the R-1 (Residential) district and the proposed development will maintain a low single-family density.</p>
THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>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.</p>	<p>N/A.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the request.</p>	<p>There are no anticipated adverse impacts.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>The area is stable and the proposed residential development is compatible with the existing zoning and uses of the surrounding properties.</p>
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.</p>	<p>The proposed development will keep the existing zoning district. The subject property resides in an older, stable area of the city already comprised of single-family properties.</p>

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts Silverwood Way, a local street as classified on the City of El Paso's Major Thoroughfare Plan (MTP). The planned residential development is proposed to have access from a proposed private street, Chilo Way. These streets are adequate to support the proposed development. There are no existing or proposed sidewalks on the subject property. The City Plan Commission approved a request to waive sidewalks. The closest bus stop is located approximately 3.5 miles from the subject property at the northwest corner of Country Club Road and Camino de la Vista Drive.

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

PUBLIC COMMENT: The subject property lies within the boundaries of the Love Road Neighborhood Association, and Upper Valley Neighborhood Association all of which were notified of the special permit application. Property owners within 300 feet of the subject property were notified of the special permit request on July 12, 2023 by the City of El Paso Planning and Inspections Department. As of July 28, 2023, the Planning Division received two (2) in-person comments in support of the request, one email (1) in support to the request, two (2) emails in opposition to the request, and one (1) phone call of inquiry.

RELATED APPLICATIONS: This application is related to a resubdivision combination case, Silverwood Subdivision Replat "A" (SUSU22-00098). The proposed subdivision case along with its requested waivers were approved with the condition that the current special permit for planned residential development case is approved.

CITY PLAN COMMISSION OPTIONS:

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

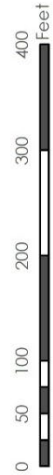
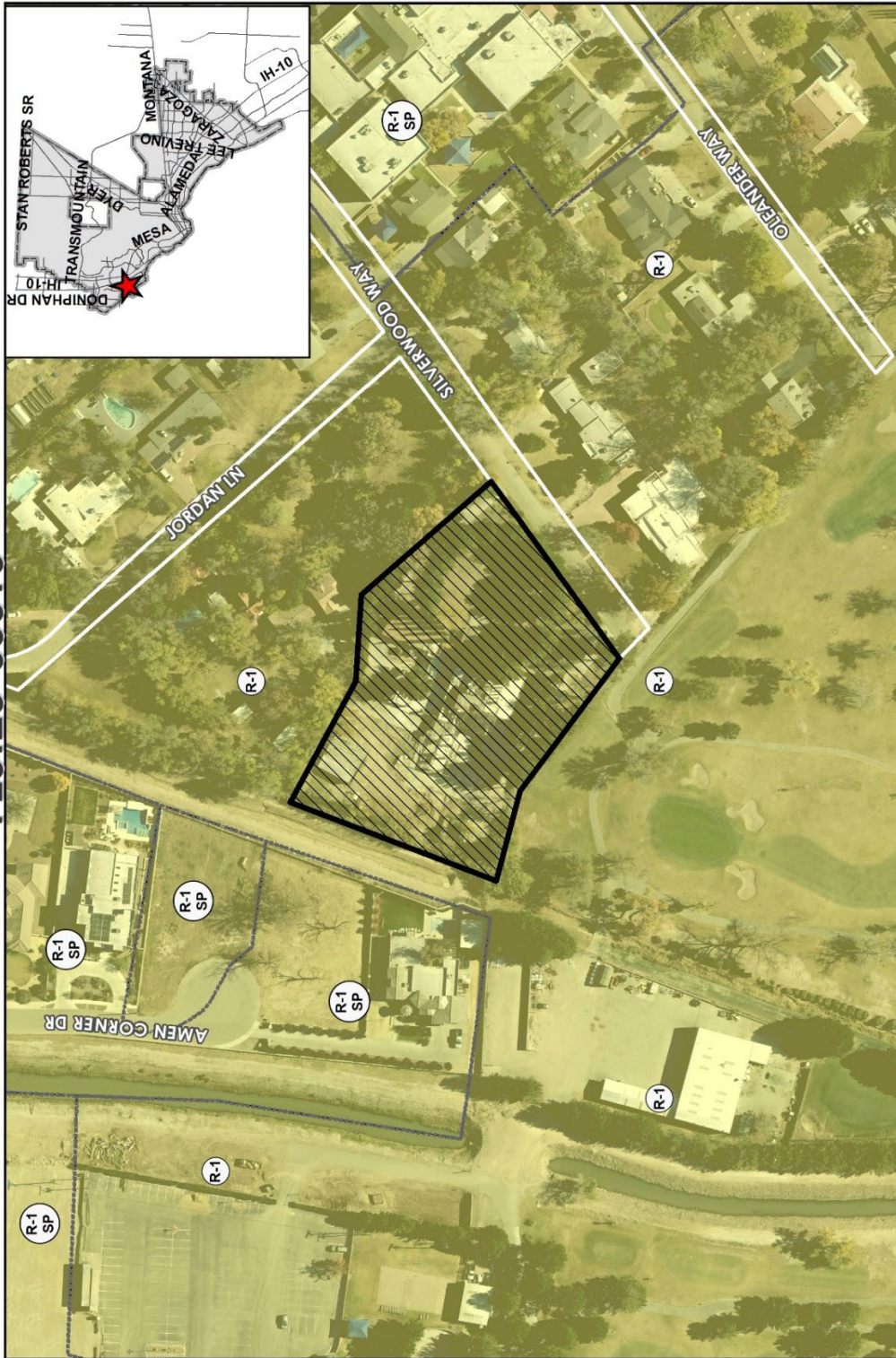
1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**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

ATTACHMENTS:

1. Zoning Map
2. Detailed Site Development Plan
3. Department Comments
4. Neighborhood Notification Boundary Map
5. Email in Support of Special Permit
6. **Emails in Opposition to the request**

ATTACHMENT 1

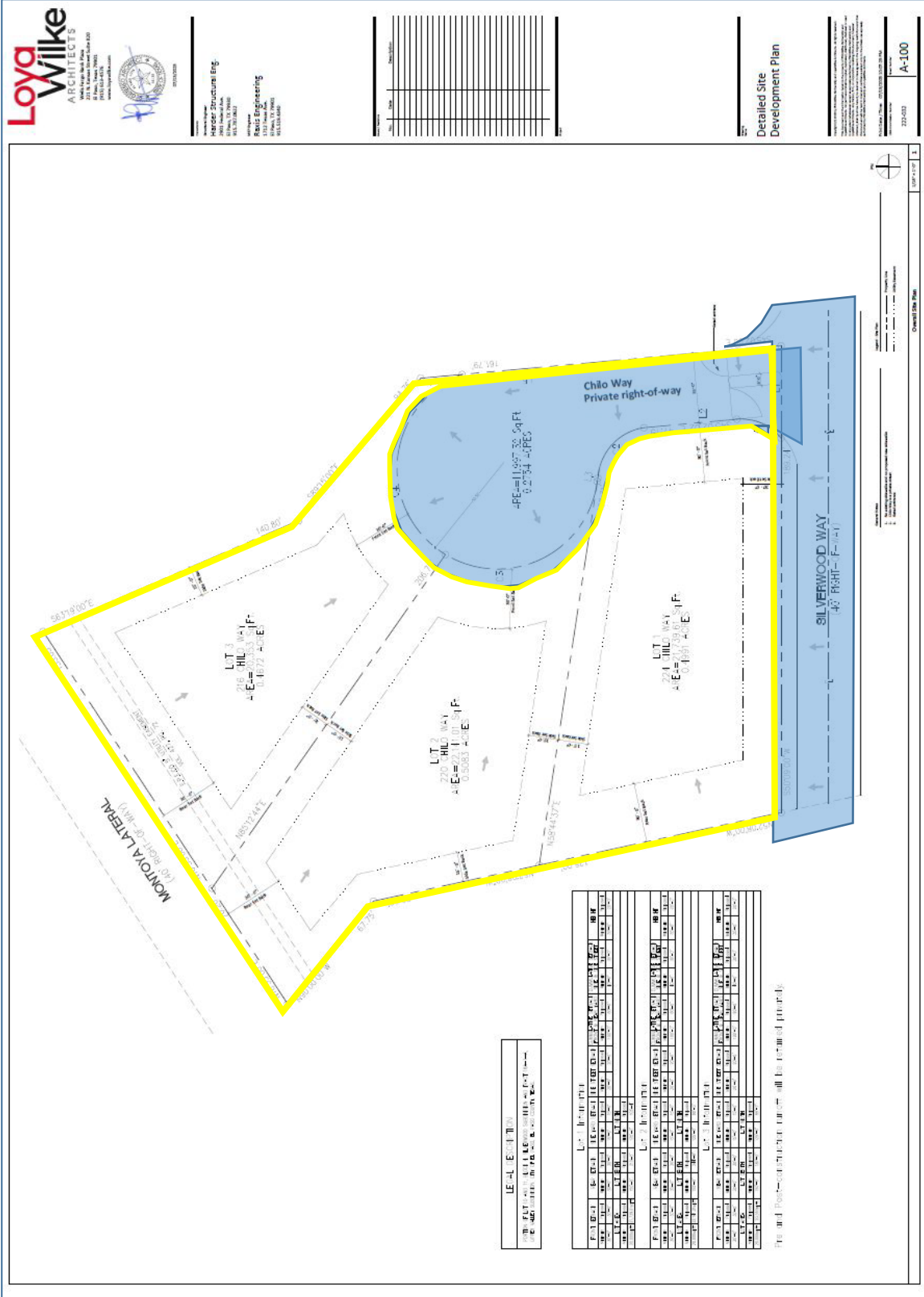
PZST23-00010



 Subject Property

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 nature are not intended to constitute a professional engineering or architectural service. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.

ATTACHMENT 2



ATTACHMENT 3

Planning and Inspections Department - Planning Division

Staff recommends approval.

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

Cul-de-sac and driveway on Silverwood way shall be according with DSC 3-16 requirements.

Note: to be addressed at permitting stage.

Fire Department

Recommend approval, no adverse comments.

Police Department

No comments received.

Environment Services

No comments received.

Streets and Maintenance Department

No objections.

Sun Metro

No comments received.

El Paso Water

The proposed private street (Chilo Way) is to be dedicated as full width Utility Easement to enable the construction, operation, maintenance, and repair of the water and sanitary sewer main extensions.

Water and sewer main extensions will be required along an easement within the future private street (Chilo Way) to provide service. Cost of the main extensions will be the responsibility of the owner. Water main shall be extended creating a looped water system. The lots will be graded such that sanitary sewer service to each lot can be provided via a gravity system.

EPWU-PSB Comments

There is an existing 6-inch diameter water main along Silverwood Wy., located approximately 7-feet south of the north right-of-way line. This main is available for main extension.

EPWater records indicate a vacant ¾-inch water service connection (inactive meter) serving the subject property. The address for this service is 223 Silverwood Wy.

Previous water pressure from fire hydrant #2817, located on Silverwood Wy. approximately 420-feet west of Jordan Ln., has yielded a static pressure of 76 (psi), a residual pressure of 68 (psi), and a discharge of 1,087 (gpm).

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main along Silverwood Wy., located approximately 27-feet south of the north right-of-way line. This main is available for main extension.

General

Separate water and sanitary sewer services will be required for each lot (within the limits of each lot).

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:

1. We did a CPC review on this property under Silverwood, Rplt. "A".
2. Each lot owner is responsible for maintaining adequate provisions to accommodate all runoff generated from his respective lot plus one-half the runoff generated from any street abutting his lot.
3. Any proposed ponding area, shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event. Label the pond as "Private".

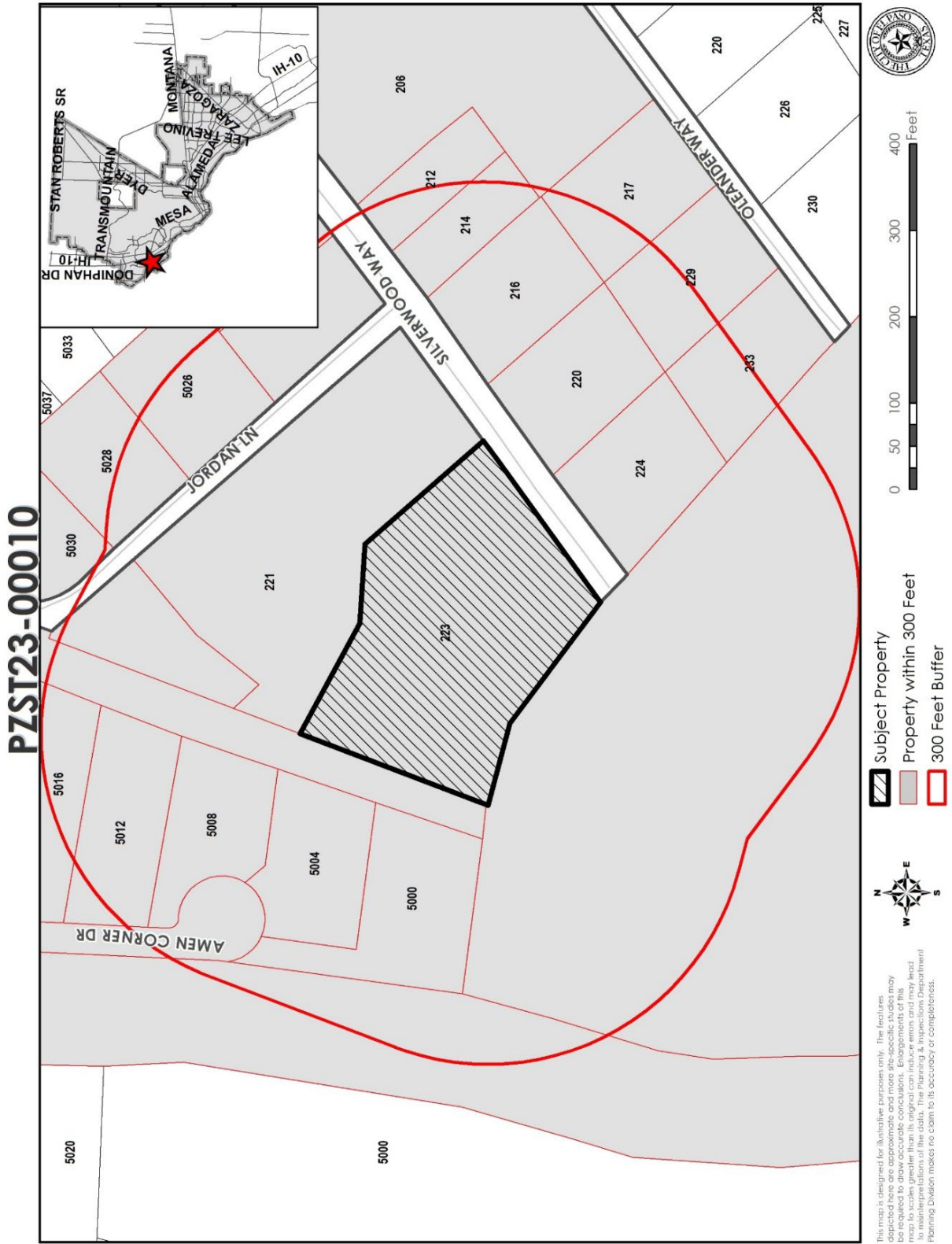
Texas Department of Transportation

No comments received.

El Paso County Water Improvement District #1

No comments received.

ATTACHMENT 4



ATTACHMENT 5

From: [Allison Dillard](#)
To: [Alma Ramsey](#); [dirk dillard](#); [ghalloul@sl-engineering.com](#)
Subject: Re: 223 Silverwood Waiver
Date: Thursday, April 13, 2023 8:19:59 PM

Howdy Alma and Mr. Halloul,

So happy to know whats going on. We plan on being at the meeting on the 20th. I am happy to know it will be 3 homes, and I'm in agreement that this is a good use for the space. We live across from the proposed cul-de-sac and this sounds like a good plan. We will support it and would like to be kept in the loop. Any more than 4 homes and we would be in opposition. Really appreciate the heads up!

Allison Dillard
220 silverwood way

On Thu, Apr 13, 2023 at 6:42 PM Alma Ramsey <alma@ditchgates.com> wrote:

Love Road Neighbors,

Please find attached a letter from George Halloul, SLI Engineering, regarding the development of the property at 223 Silverwood. Mr. Scott Lychwick purchased the property last year. I have been told indirectly that the plan is to develop the property with 3 single family homes.

I'm sure Mr. Halloul would be happy to address any questions or concerns you might have regarding the request for a waiver on the lot width.

Thank you.

Alma Ramsey on behalf of the Love Road Neighborhood Association

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575-404-3289

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ATTACHMENT 6

From: [Laurie Smith](#)
To: [Rodriguez, Nina A.](#)
Subject: Re: Silverwood Way lot
Date: Wednesday, July 26, 2023 8:37:24 PM
Attachments: [image001.png](#)

You don't often get email from ljsmith22@att.net. [Learn why this is important](#)

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Regarding Case PZST23-00010 - 223 Silverwood Way

Hi,

I did want to thank you for the time you spent explaining this case to me over the phone. I thought I try to go to the meeting tomorrow afternoon but it's not going to work out.

I did want to express my opinion and that of my family is that rather than make reductions to lot dimensional standards and setback requirements that the lot not be divided into more than two single-family dwelling lots.

Respectfully,
Laurie Smith
213 Silverwood Way

On Monday, July 10, 2023 at 01:18:35 PM MDT, Laurie Smith <ljsmith22@att.net> wrote:

No problem. I'll give you two, work 915-230-2675 or cell 915-356-0832.

On Monday, July 10, 2023 at 07:34:03 AM MDT, Rodriguez, Nina A. <rodriguezna@elpasotexas.gov> wrote:

Good Morning Ms. Smith,
Do you mind providing me with your phone number again?

Respectfully,
Nina Rodriguez

Nina Rodriguez | Senior Planner
Planning & Inspections | City of El Paso
801 Texas Ave. | El Paso, TX 79901
915-212-1561 | RodriguezNA@elpasotexas.gov
ElPasoTexas.gov | [Take Our Survey](#)



Planning & Inspections Department
City of El Paso

From: Laurie Smith <ljsmith22@att.net>
Sent: Friday, July 7, 2023 11:12 AM
To: Rodriguez, Nina A. <RodriguezNA@elpasotexas.gov>
Subject: Silverwood Way lot

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Hi,
Thank you for returning my call yesterday; unfortunately, it came after I had already left work but I appreciate you leaving a message with your email address to contact you.

Just inquiring on the lot with sign posted regarding "Special Permit" and "Public Hearings scheduled". I believe the address is 223 Silverwood Way. I reside at 213.

Thank you in advance,
Laurie Smith

From: [Anne Rowe](#)
To: [Rodriguez, Nina A.](#)
Subject: Fwd: Protest - Silverwood Subdivision Replat A - Resubdivision Combination
Date: Thursday, July 27, 2023 2:16:11 PM
Attachments: [216 Silverwood Protest to Subdividing Lot .pdf](#)

You don't often get email from annecrowe@gmail.com. [Learn why this is important](#)

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Did you read my April letter?

----- Forwarded message -----

From: Anne Rowe <annecrowe@gmail.com>
Date: Thu, Apr 13, 2023 at 4:08 PM
Subject: Protest - Silverwood Subdivision Replat A - Resubdivision Combination
To: <NaranjoJC@elpasotexas.gov>

Dear Mr. Naranjo,

Attached please find my objection to the request to subdivide the property 1.75 acres in size on Silverwood Way to be considered at meeting on April 20, 2023.

Best regards,
Anne Rowe

--

Anne C. Rowe
J.D., Licensed in Texas and New Mexico
Mailing Address: P.O. Box 801302
Dallas, Texas 75380

Physical Address: Law Office of Wendel A. Withrow
1925 East Beltline, Suite 552
Carrollton Texas 75006

AnneWCRowe@gmail.com

(972) 416-4533

(972) 416-2500 MAIN NUMBER

(972) 417-0685 [Fax]

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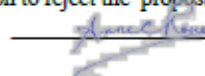
Anne Worcester Coleman Rowe
5723 Charlestown Drive
Dallas, Texas 75230
AnneWCRowe@gmail.com

VIA CMRRR and Email
Juan C. Naranjo, Planner
City of El Paso Plan Commission
Planning and Inspections Department
801 Texas Avenue
El Paso, Texas 79901
NaranjoJC@elbasotexas.gov

April 13, 2023

Re: Zoning request Silverwood Way and Meeting April 20, 2023

1. I am the sole owner of 216 Silverwood Way, El Paso Texas 79922.
2. I am in receipt of a Notice dated March 29, 2023 entitled "City Plan Commission Public Notice" [CPCPN] which provides no details as to the "resubdivide a property that is approximately 1.75 acres in size". The Meeting Date is shown to be April 20, 2023 at 1:30 p.m.
3. I am opposed to the subdividing of the property at the end of Silverwood Way described in the March 29, 2023 City Plan Commission Public Notice [CPCPN] as "Being a replat of Lot 10 and 1A, Silverwood Subdivision, City of El Paso, El Paso County and a Portion of Tract 18ALA Block 4, Upper Valley Surveys, El Paso County, Texas." and Case: SUSU22-00098 – Silverwood Subdivision Replat A- Resubdivision Combination; Owner: "Valley Chile Properties, LLC".
4. I request to attend the April 20, 2023 at 1:30 PM MDT remotely by zoom or telephone. This meeting is scheduled during a workday and I cannot attend in person. I request a detailed proposal of the subdivision request be sent to me at AnneWCRowe@gmail.com.
5. My family has owned 216 Silverwood Way since 1958. 216 Silverwood is across the street and down by one lot from the lot in question. 216 Silverwood is the home I grew up in. My property should be within 200 feet of the subject property so that this written opposition should be considered a "legal protest" pursuant to the laws quoted in the CPCPN.
6. Silverwood dead ends into the El Paso Country Club golf course. The street is small both in width and length.
7. I am opposed to subdividing the property in question due to the increased strain on the roadway, diminished quality of life on Silverwood Way and Jordan Lane, and diminished property values for Silverwood Way and Jordan Lane.
8. The road is used extensively by children from St. Marks school, children from Silverwood homes and homes on the intersecting street of Jordan Way. The street is a haven for the neighbors who enjoy walking, biking, and quiet.
9. Increased traffic on Silverwood will pose a serious harm, strain, and disturbance to the neighborhood. The street already suffers from the abundance of vehicles in use by the current neighbors. One neighbor has five vehicles, one of which is parked regularly on Silverwood. This hampers mail delivery and garbage and recycle pickup as there is no place to turn around and the street is narrow.
10. If all new residences create 1-5 more vehicles per household there will be too much traffic for Silverwood specifically and the Upper Valley as well.
11. Traffic in the Upper Valley has exceeded the capacity of its roads due to over development of the area. Traffic from Silverwood is often stopped as the traffic on Love Road and Country Club Road are already beyond capacity at certain times of the day and week making it impossible to exit Silverwood Way or Jordan Lane at certain times of the day.
12. **The lot at the end of Silverwood should remain solely for one residence.**
13. It is suspected that VCP does not intend to personally reside at the property. It is suspected that VCP is a developer who has no concern or any vested interest in the quality of life along Silverwood but rather is simply interested in the maximum return on its investment which is maximized by building out the dirt to the maximum number of dwellings which the City of El Paso will allow crammed onto the property. Their goals seem to be solely financial, with no regard or concern about the degradation to the neighborhood and the associated property values or preservation of the Upper Valley.
14. The opportunity for Valley Chile Properties to contact neighbors and to develop the property with preservationist and neighborhood values has been squandered and is past. The aerial photo included with the CPCPN is misleading in that it shows the lot before VCP bulldozed the entire lot felling dozens of huge, beautiful Afghan pines and Italian Cypress trees which created shade and rendering the site simply a building site(s) of vacant dirt.
15. In a time of Climate Change globally and in the Southwest in particular, this street already suffers from diminished irrigation and the entire removal of all trees which were irreplaceable from VCP property indicated early in VCP ownership that its owners / members / planners are not concerned for the beauty of the neighborhood, or maintaining qualities which help mitigate heat and water needs, or even simply maintaining the atmosphere and desirability of the Upper Valley and Silverwood Way in particular.
16. I oppose this subdivision request and ask the El Paso City Plan Commission to reject the proposal / application to subdivide the property at the end of Silverwood Way.



Anne C. Rowe