

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

AGENDA DATE: October 11, 2022
PUBLIC HEARING DATE: November 8, 2022

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Luis Zamora , (915) 212-1552

DISTRICT(S) AFFECTED: District 8

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 Lots 1 and 2, Block 6, Highland Park, 1837 Grandview Avenue, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office), and imposing a condition. 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: 1837 Grandview Ave.
Applicant: Marcela V. De Panetta, PZRZ21-00033

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone a split-zoned lot to have the property under one zoning district and to allow a proposed lodging house. City Plan Commission recommended unanimously 5-0 to approve the proposed rezoning on August 11, 2022. As of October 4, 2022, the Planning Division has received two (2) letters in support 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 LOTS 1 AND 2, BLOCK 6, HIGHLAND PARK, 1837 GRANDVIEW AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE), AND IMPOSING A CONDITION. 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, that the zoning of Lots 1 and 2, Block 6, Highland Park, 1837 Grandview Avenue, located in the City of El Paso, El Paso County, Texas, be changed from **R-5 (Residential)** to **A-O (Apartment/Office)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased intensity of use generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

A Detailed Site Development Plan shall be reviewed and approved by the City Plan Commission prior to issuance of building permits.

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:

ATTEST:

Oscar Leeser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Russell T. Abeln
Assistant City Attorney



Philip F. Etiwe, Director
Planning & Inspections Department

1837 Grandview Avenue

City Plan Commission — August 11, 2022 **REVISED**

REZONING



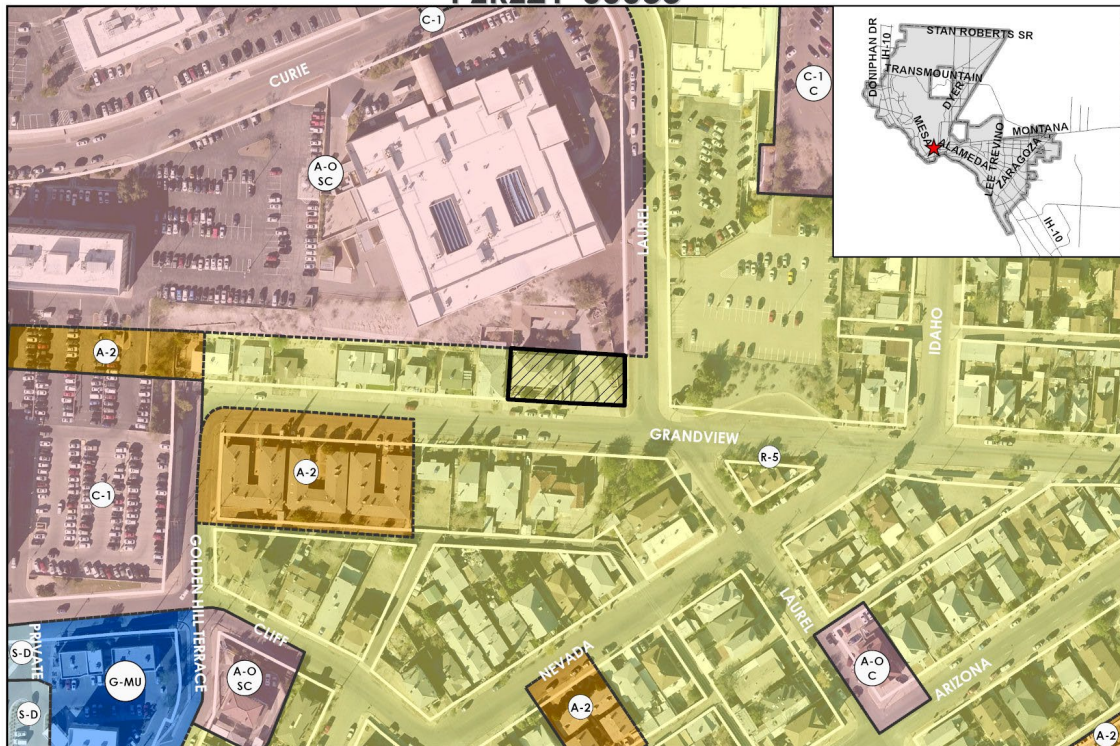
CASE NUMBER: PZRZ21-00033
CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: Marcela V. De Panetta
REPRESENTATIVE: LievArch – Carlos Lievanos
LOCATION: 1837 Grandview Ave. (District 8)
PROPERTY AREA: 0.24 acres
REQUEST: Rezone from R-5 (Residential) to A-O (Apartment/Office) and Approval of a Detailed Site Development Plan
RELATED APPLICATIONS: PZCR22-00001 (Condition Release)
PUBLIC INPUT: Two (2) letters in support received as of August 8, 2022

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-5 (Residential) to A-O (Apartment/Office) and approval of a Detailed Site Development Plan to allow the use of lodging house.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL WITH A CONDITION** of the request. The proposed development is in keeping with the policies of the G-3 Post-war Future Land Use designation of *Plan El Paso*, the City's adopted Comprehensive Plan. The condition is the following:

- A Detailed Site Development Plan shall be reviewed and approved by the City Plan Commission prior to issuance of building permits.

PZRZ21-00033



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. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



Subject Property

0 40 80 160 240 320 Feet



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from R-5 (Residential) to A-O (Apartment/Office) to allow the use of lodging house. The rezoning will serve to clean up the zoning on the subject property as it is currently split-zoned R-5 (Residential) and A-O (Apartment/Office). In addition, the applicant is requesting approval of a Detailed Site Development Plan, which shows the layout of the existing structures located within the property and are to remain, and it shall fulfill the requirements of an approved detailed site development plan per condition. The lodging house consists of a 4,788 square-foot two-story building containing eight (8) bedrooms, a 1,602 square foot existing garage and utility room located at the rear, and provides the minimum required parking of six (6) spaces and three (3) bicycle spaces. Main access is through Grandview Avenue.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The existing development is consistent with the neighboring properties. Property to the north is zoned A-O (Apartment/Office) and property to the east across Laurel Street zoned R-5 (Residential) both consisting of medical offices. Properties to the west and south are zoned R-5 (Residential) and consist of single-family dwellings. The nearest school is Armendariz Elementary School (0.35 miles) and the nearest park is Tom Lea Lower Park (0.80 miles).

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 use is consistent with the Future Land Use designation and is compatible with surrounding development.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>A-O (Apartment/Office): 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 will serve to clean up the subject property to match the zoning district directly abutting to the north and place it under one zoning district. The use of lodging house is permitted in the A-O (Apartment/Office) zoning district and serves as a transition from single-family dwelling uses to the existing medical office uses to the north and east.</p>
<p>Preferred Development Locations: 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. The property being rezoned is located at the corner of Grandview Avenue and Laurel Street. Furthermore, the proposed zoning district is the same as the abutting property to the north.</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 subject property is not located within any historic districts, other special designations, or areas with adopted study area plans.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	By denial of the request, the property will continue as a split-zoned lot and the only uses allowed on the property would be those permitted per the most restrictive zoning district.
Natural Environment: Anticipated effects on the natural environment.	There are no anticipated effects on the natural environment. The subject property does not involve greenfield or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	The area is stable with no rezoning happening in the last 10 years, besides the subject property previous rezoning.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The subject property seems to have been combined with another in the past, which created a split-zoned lot. The proposed rezoning will serve to clean up the zoning.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Main access to the property is through Grandview Avenue, which is classified as a Local Street per the El Paso Major Thoroughfare Plan (MTP) and is adequate to serve the development. There are existing sidewalks along the property and there is nearby bus service about 0.13 miles away to the north and south to serve the development.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: The Planning Division recommends that a condition be imposed requiring a Detailed Site Development Plan to be approved by City Plan Commission (CPC) to match an existing condition on the northern portion of property.

PUBLIC COMMENT: The property falls within the Central El Paso Community Organization, El Paso Central Business Association, Golden Hills Neighborhood Association, and Sunrise Civic Association, which were notified of the request by the applicant. As required, public notice was provided to all property owners within 300 feet of subject property on June 30, 2022. The Planning Division has received two (2) letters in support to the request (attachment 5) as of August 8, 2022.

RELATED APPLICATIONS: A Condition Release application (PZCR22-00001) is being processed in conjunction with this rezoning to remove a previous condition restricting uses on the subject property.

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:

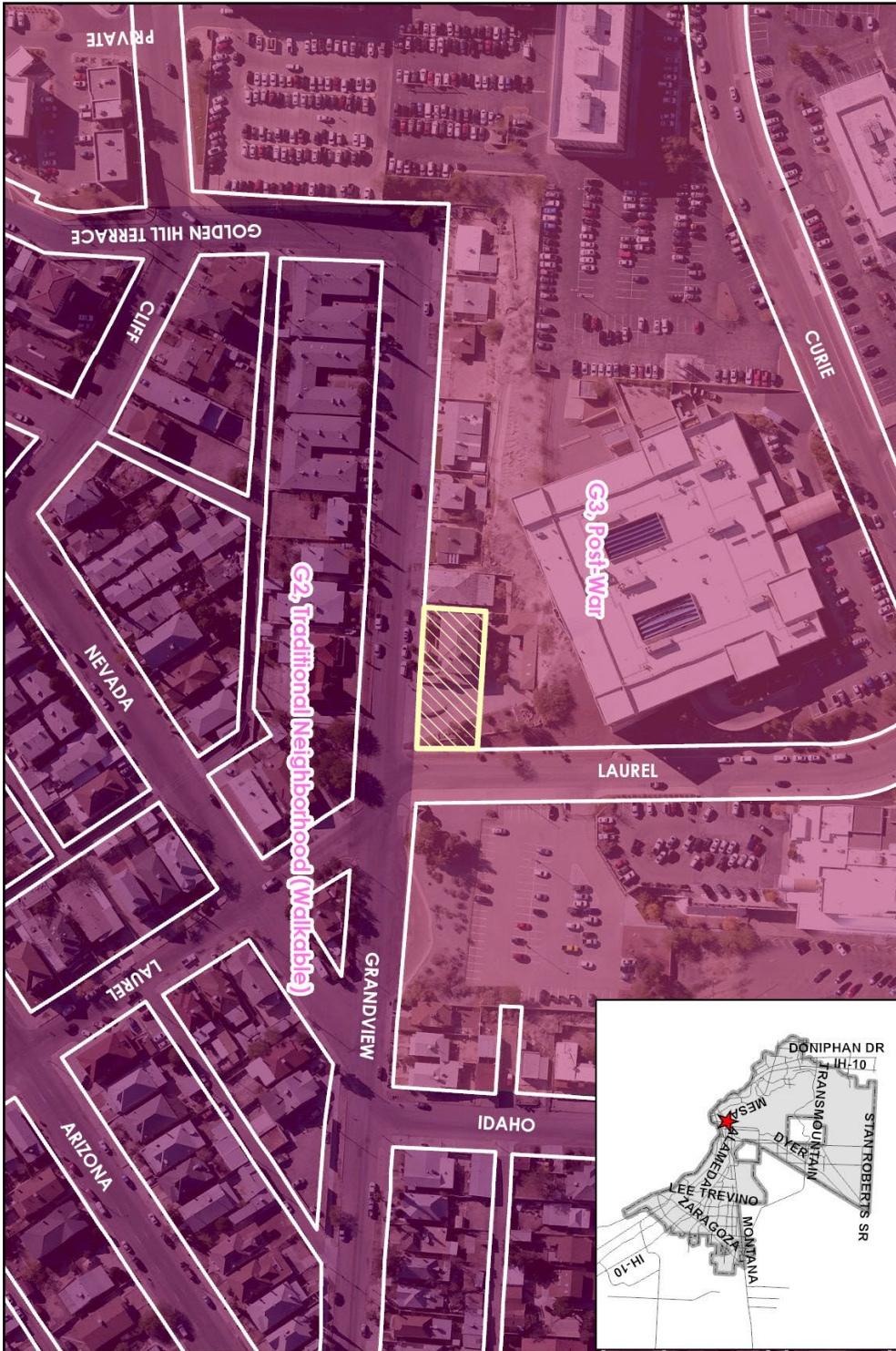
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval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

ATTACHMENT 1

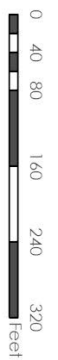
PZR21-00033



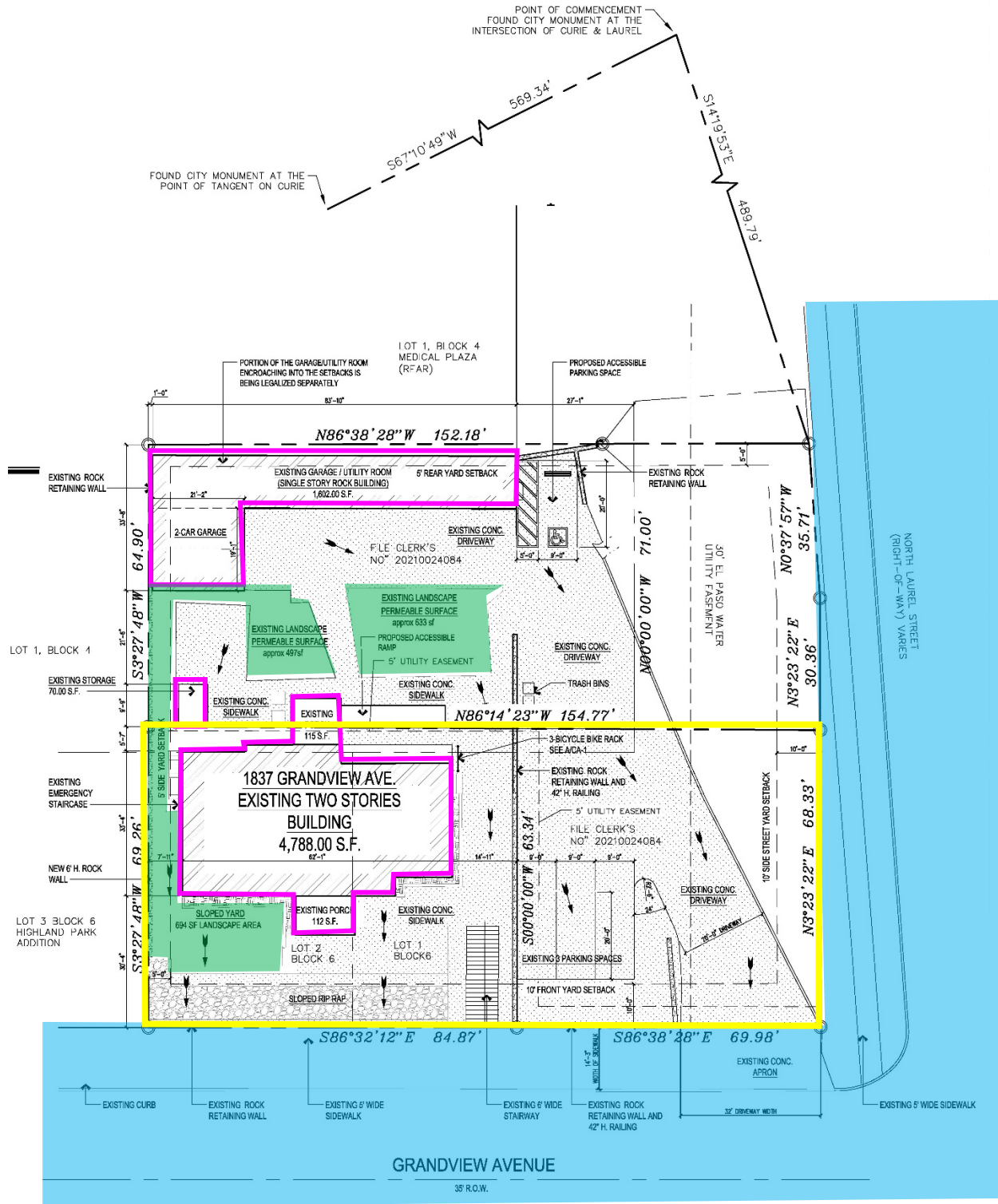
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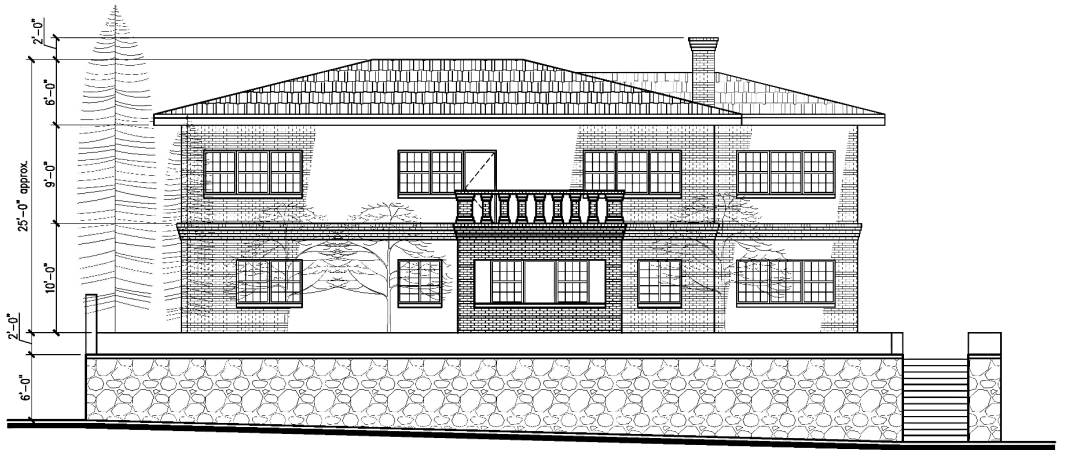
 Subject Property



ATTACHMENT 2

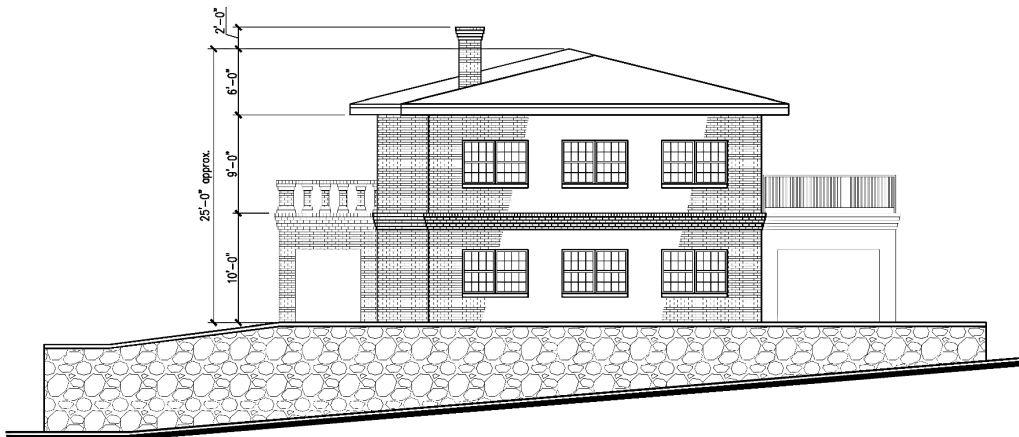


1 SITE PLAN
SCALE: 1/16"=1'



2 SOUTH ELEVATION
 1/8" = 1'-0"

EXI
 RE



3 EAST ELEVATION
 1/8" = 1'-0"

LOT 1, BL

EXI
 70

EXI
 EM
 STI

NE
 WA

LOT 3 B
 HIGH-LAN
 ADDITION

ATTACHMENT 3

Planning and Inspections Department - Planning Division

1. Recommend approval with conditions to match existing on northern portion of the property. The condition is that a Detailed Site Development Plan shall be reviewed and approved by the City Plan Commission prior to issuance of building permits.
2. Recommend approval of the detailed site development plan submitted with this application to fulfill the condition requiring a Detailed Site Development Plan by City Plan Commission.
3. Include a note on site plan that the current building and porch encroachments into the existing easement have been registered as legal nonconforming.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval. No objections to proposed rezoning. 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 objection to request.

Fire Department

Recommend approval. Check maximum number of occupants (A1, A2 or A3 Categories). Life safety systems would be required.

Note: To be complied prior to issuance of Certificate of Occupancy

Police Department

No comments received.

Environmental Services

No comments received.

Streets and Maintenance Department

TIA not required for this application.

Sun Metro

No comments received.

El Paso Water

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

Water:

There is an existing 4-inch diameter water main that extends along the north side of Grandview Ave. approximately 19-feet south of and parallel to the northern right-of-way line of Grandview Ave. This water main is available for service.

EPWater records indicate there is one 1-inch meter serving the subject property, 1837 Grandview Ave.

Previous water pressure from fire hydrant #5584 located at the southeast intersection of Golden Hill Terrace and Grandview Ave., has yielded a static pressure of 90 psi, a residual pressure of 64 psi, and a discharge of 1,210 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer, and relief valve, to be set for pressure as desired by the

customer. The 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 along the north side of Golden Hill Terrace approximately 20-feet south of parallel to the northern right-of-way line of Golden Hill Terrace. This sanitary sewer main is available for service.

There is an existing 8-inch diameter sanitary sewer main that extends along the east side of Laurel St. approximately 25-feet west of and parallel to the eastern right-of-way line of Laurel St. This sanitary sewer main is available for service.

General:

An application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd floor. 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:

No objections to this proposal.

Texas Department of Transportation

No comments received.

El Paso County Water Improvement District #1

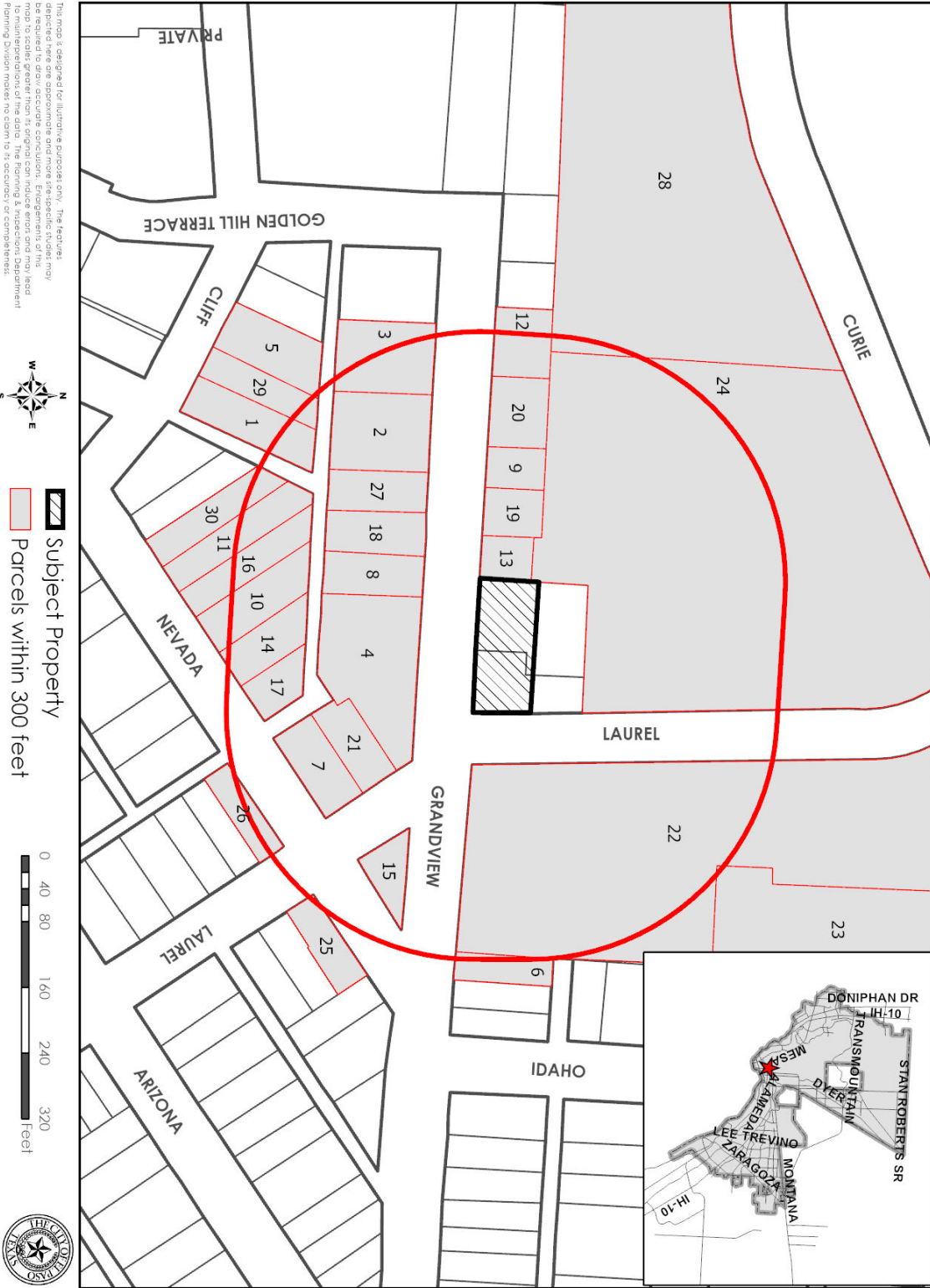
Not within the boundaries of EPCWID1.

El Paso County 911 District

No comments/concerns regarding this zoning.

ATTACHMENT 4

PZR21-00033



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ATTACHMENT 5



Office of the Bishop

Diocese of El Paso Catholic Pastoral Center

January 28, 2022.

City Plan Commission
c/o Planning and Inspections Department – Planning Division,
1st Floor, City 3,
801 Texas Avenue,
El Paso TX 79901.

Dear City Plan Commission,

This letter is written in support of The Encuentro Project. The Encuentro Project invites small groups, usually numbering around 12 members to experience the unique aspects of the life of their Binational Community and on the process, they establish lasting bonds with our community. This project has 501c.3 status and is also a Texas non-profit corporation. I am pleased to offer this letter of support, and I encourage your consideration.

The property is located at 1837 Grandview Ave. El Paso, Texas 79902. The house originally served as a convent for the Sisters of St. Joseph of Concordia, Kansas. It had a special zoning exception as a convent. Once the house was sold, it lost that designation.

This designation will be of a great impact as it would certainly help make the point of the benefit of such a faith-based educational and experiential border immersion program. Also, because participants encounter El Paso leaders, learn about and visit key places in El Paso, shop and eat at restaurants.

In order for The Encuentro Project to continue their missionary work and provide various services, a change of zoning is required. I urge your support of their request for The Encuentro Project to continue providing much needed religious, humanitarian, educational and shelter for those in need amongst us.

Sincerely in Christ,

Most Reverend Mark J. Seitz, D.D.
Bishop of El Paso

499 St. Matthews Street • El Paso Texas 79907 • Ph. (915) 872-8419 • Fax (915) 872-8409



USA Central and Southern Province

February 2, 2022

City Planning Commission
c/o Planning and Inspections Department – Planning Division
1st Floor, City 3
801 Texas Avenue
El Paso, TX 79901

Dear City Planning Commission,

I am writing in support of the re-zoning proposal being submitted by the owners of the property located at 1837 Grandview Avenue, El Paso 79902. This property recently housed the Encuentro Project, a faith-based border immersion program founded by the Jesuits of Sacred Heart Parish. Since the Encuentro Project began, university students, high school students and parishioners principally from Jesuit institutions have participated in the Encuentro Project's unique educational program. Their evaluations of their experience have shown that participants have gained not only knowledge about the realities that migrants face at the border but increased compassion that has led to a desire to accompany migrants when they return to their homes. The students have not created any problems for the neighborhood and are always accompanied by adult chaperones.

The Grandview property is an ideal space for The Encuentro Project to welcome groups to the El Paso/Ciudad Juarez region for education, prayer, and community-building. The owners have generously made this space available for this specific purpose and have invested in making the building safe and comfortable for the groups. A change in zoning will allow the project to continue its important mission.

When the Sisters of St. Joseph of Concordia Kansas lived in the house the zoning provided for a special permit for a convent which expired when the sisters sold the house. While they were sad to leave their home and ministries in El Paso, they were pleased to sell it to the owners to be used for the Encuentro Project ministry. I hope that, like the Sisters, the City Planning Commission will also see the value of this ministry not only for the groups that use the property but for the border City of El Paso.

I urge you to support the re-zoning proposal for the 1837 Grandview property. Thank you for your consideration.

Sincerely in Christ,

Reverend Thomas P. Greene, SJ
Provincial
Jesuits of the US Central and Southern Province

4511 W. Pine Blvd. St. Louis, MO 63108 314 361.7765 Fax 314.758.7164 jesuitscentralsouthern.org