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

AGENDA DATE: November 12, 2024
PUBLIC HEARING DATE: December 3, 2024

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

Andrew Salloum, (915) 212-1603

DISTRICT(S) AFFECTED: District 2

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

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance granting Special Permit No. PZST23-00015, to allow for Infill Development with reductions to minimum lot area and minimum average lot width on the property described as Lot 2, Block 5, Mountain View, 5004 Catskill Avenue, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being 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: 5004 Catskill

Applicant: Jaime Gallo, PZST23-00015

BACKGROUND / DISCUSSION:

The applicant is requesting a special permit and detailed site development plan approval for infill development with reductions to minimum lot area and minimum average lot width requirements for the proposed use of a duplex in the R-4 (Residential) district. City Plan Commission recommended 8-0 to approve the proposed special permit on July 25, 2024. As of October 21, 2024, the Planning Division has not received communication in support or opposition to the request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division **SECONDARY DEPARTMENT:** N/A

DEPARTMENT HEAD:

Philip Eiwe

ORDINANCE NO.	

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST23-00015, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTIONS TO MINIMUM LOT AREA AND MINIMUM AVERAGE LOT WIDTH ON THE PROPERTY DESCRIBED AS LOT 2, BLOCK 5, MOUNTAIN VIEW, 5004 CATSKILL AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.10.280 INFILL DEVELOPMENT OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Jaime Gallo, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City Code for a duplex use with reductions to minimum lot area and minimum average lot width; and,

WHEREAS, a report was made to 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 Sections 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-4 (Residential) Zone District:

Lot 2, Block 5, Mountain View, 5004 Catskill Avenue, City of El Paso, El Paso County, Texas; and,

- 2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a duplex use with reductions to minimum lot area and minimum average lot width; and,
- 3. That this Special Permit is issued subject to the development standards in the R-4 (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

ORDINANCE: HQ24-3163|Trans#549966|P&I 5004 Catskill- PZSTZ23-00015 RTA Exhibit "A" and incorporated herein by reference for all purposes; and,

- 4. That if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST23-00015 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
- 5. That the Owners 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 of the City Plan Commission before building permits are issued.

ADOPTED this	day of	, 2024.
		THE CITY OF EL PASO
ATTEST:		Oscar Leeser Mayor
Laura D. Prine City Clerk		
APPROVED AS TO FORM:		APPROVED AS TO CONTENT:
Leus Limtrick		Philip (Fine.
Jesus A. Quintanilla Assistant City Attorney		Philip Tiwe Philip F. Etiwe, Director Planning & Inspections Department

ORDINANCE: HQ24-3163|Trans#549966|P&I 5004 Catskill- PZSTZ23-00015 RTA

AGREEMENT

Jaime Gallo, referred to in the above Ordinance, hereby agree 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-4 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 10 day of SUPTEMBER, 2024.

Jaime Gallo:

By: DAJAG. Cac (name/title)

(signature)

ACKNOWLEDGMENT

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this _____ day of

ORES 191764842 ON 10-18-2220 ON 10-18-220 ON 10-18-20 ON 1

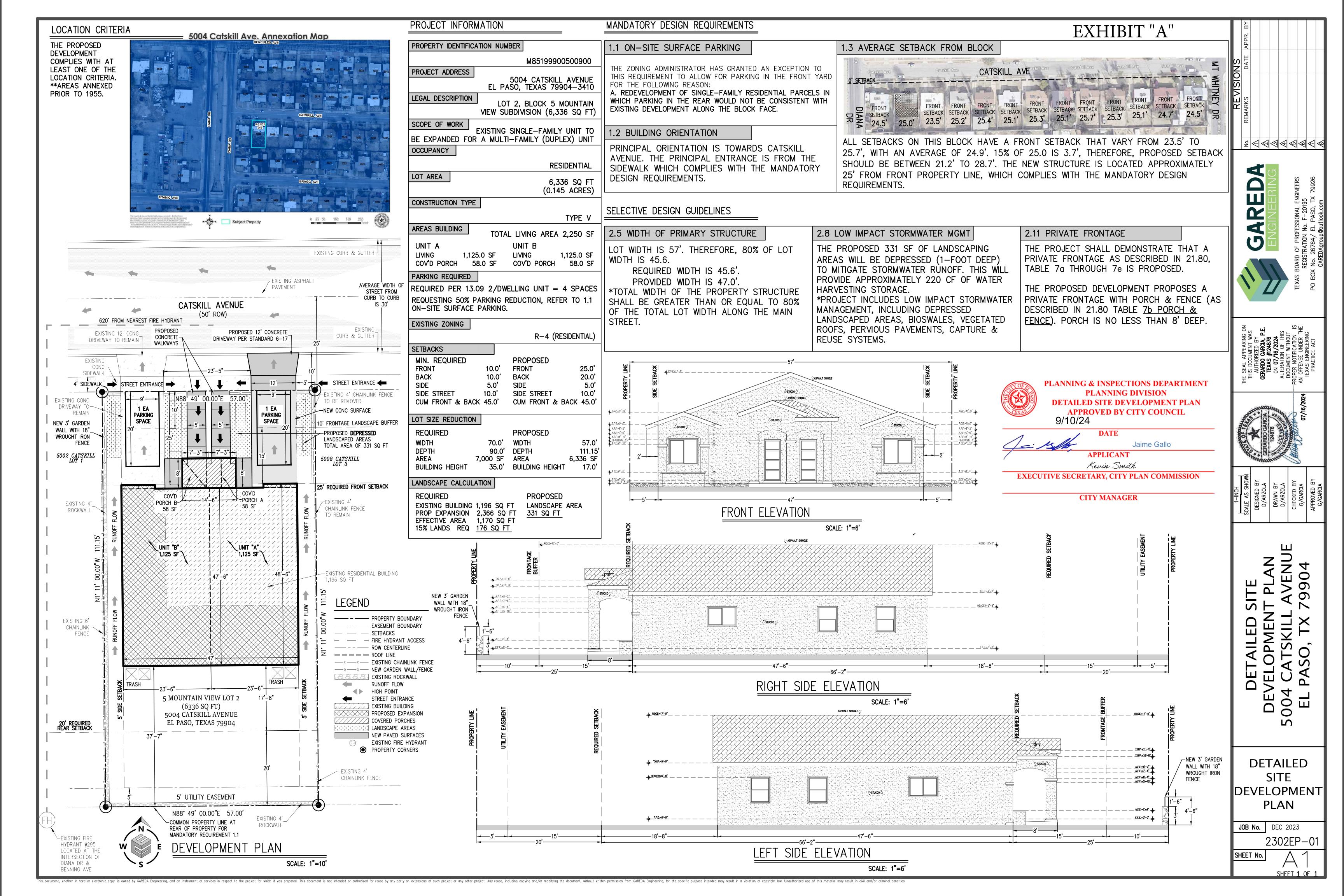
My Commission Expires: 10 ° 18° 2020

Notary Public, State of Texas

Notary's Printed or Typed Name:

Vessica Nozava Flores.

as Owner.



5004 Catskill

City Plan Commission — July 25, 2024

CASE NUMBER: PZST23-00015

CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov

PROPERTY OWNER: Jaime Gallo **REPRESENTATIVE:** Gerardo Garcia

LOCATION: 5004 Catskill Ave. (District 2)

PROPERTY AREA: 0.15 acres

EXISTING ZONING: R-4 (Residential)

REQUEST: Special Permit for Infill Development with Reductions to Minimum Lot

Area and Minimum Average Lot Width Requirements for Duplex Use in the R-4 (Residential) District and Approval of a Detailed Site

Development Plan

RELATED APPLICATIONS: None

PUBLIC INPUT: None received as of July 18, 2024

SUMMARY OF REQUEST: The applicant is requesting a special permit for an infill development with reductions to minimum lot area and minimum average lot width requirements for the use of a duplex in a R-4 (Residential) zone district and approval of a detailed site development plan.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the special permit for infill development with reductions to minimum lot area and minimum average lot width requirements for the use of a duplex in the R-4 (Residential) zone district. The proposal meets all the requirements of El Paso City Code Sections 20.04.320 – Special Permit, 20.04.150 – Detailed Site Development Plan, and 20.10.280 – Infill Development. The proposed development is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan.

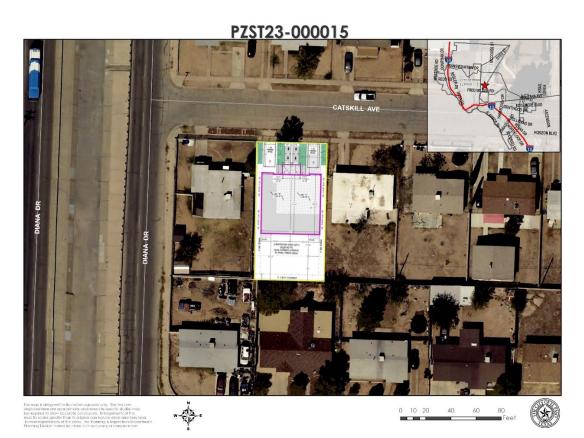


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval for infill development with reductions to minimum lot area and minimum average lot width requirements for the proposed use of a duplex in the R-4 (Residential) district. The applicant is proposing to convert the existing single-family dwelling into a duplex. The detailed site development plan shows a 2,250 square-foot, one-story duplex with a maximum height of 17 feet. The table below provides a detailed summary of the requested lot requirement modifications. The detailed site development plan complies with all other applicable standards. Vehicular access to the subject property is from Catskill Avenue.

The following table summarizes the requested reductions:

R-4 (Residential) Zone District - Use		
Density/Dimensional Standard	Required	Proposed
Lot Area (min.)	7,000 square feet	6,336 square feet
Lot Width (average min.)	70 feet	57 feet
Lot Depth (min.)	90 feet	111.2 feet
Front Yard Setback (min.)	10 feet	25 feet
Rear Yard Setback (min.)	10 feet	20 feet
Cumulative Front & Rear Yard Setback (min.)	45 feet	45 feet
Side Yard Setback (min.)	5 feet	5 feet
Height (max.)	35 feet	17 feet

Note: bold indicated requested reductions

COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EL PASO CITY	
CODE SECTION 20.10.280)	
Criteria	Does the Request Comply?
Location Criteria: An infill development may be located on any parcel of land which meets at least one of the location criteria.	Yes. The subject property is part of the Mountain View Subdivision, which was platted in 1953. This satisfies Mandatory Requirement 20.10.280.B.3 of the El Paso City Code - "Any parcel of land annexed prior to 1955."
Mandatory Design Requirement 1.1: Where on-site surface parking is proposed, it shall be located at the rear of the property and when possible accessed via alleyway; or at the side of the property and screened in accordance with Section 21.50.070.F.5. Mandatory Design Requirement 1.2: Buildings shall be placed on the parcels such that the principal orientation is toward the main street and the principal entrance is from the sidewalk.	Yes. The applicant has been granted an exception to Section 20.10.280 (C)(1.i.1.e) as redevelopment of single family residential parcels in which parking in the rear would not be consistent with existing development along the block face. Yes. The proposed development is oriented towards Catskill Avenue (main street), with pedestrian access from the same street.
Mandatory Design Requirement 1.3: For proposals abutting existing residential development the front setback shall not deviate from the average front setback of lots within the same block as the proposed development by more than 15%. Selective Design Requirement 2.5: The total width of the primary structure shall be greater than or equal to 80% of the total lot width along the main street. For the purposes of this calculation, any necessary vehicular access driveway shall be subtracted from the total lot	Yes. The subject property is located in an R-4 (Residential) district, abutting other existing residential developments with an average setback of 24.9 feet for all lots within the same block. The proposed 25-foot front setback is within the deviation of 15% of the average setback requirement. Yes. The total width of the proposed building is 57 feet, which is greater than 80% of the lot width of 45.6 feet.
width. Selective Design Requirement 2.8: The project includes low impact storm water management including, but not limited to, depressed landscaped areas, bioswales,	Yes. The proposed development will have recessed landscaping to retain stormwater runoff.

COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EL PASO CITY	
CODE SECTION 20.10.280)	
vegetated roofs, pervious pavements, capture and	
reuse systems.	
Selective Design Requirement 2.11: For projects in residential districts the applicant shall demonstrate that a private frontage as described in 21.80, Table 7a through 7e is proposed.	Yes. The proposed development proposes a porch and fence private frontage. Table7b. Porch & Fence: a planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch permitted to Encroach. A fence at the Frontage Line maintains street spatial definition. Porches shall be no less than 8 feet deep.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (El Paso City Code 20.04.320.D)	
Criteria	Does the Request Comply?
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. Furthers Plan El Paso and applicable neighborhood	Yes. Aside from the required minimum lot area and minimum average lot width reductions requested, the detailed site development plan demonstrates compliance with all applicable standards per the El Paso City Code. Yes. The request is in accordance with the
plans or policies.	recommendations of <i>Plan El Paso</i> and the G-3, Post-war Future Land Use Designation.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property fronts Catskill Avenue, a local street as classified on the City of El Paso's Major Thoroughfare Plan (MTP). Vehicular and pedestrian access is provided from Catskill Avenue, which is 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 duplex development.
5. The design of the proposed development mitigates substantial environmental problems.	N/A. 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 proposed development complies with landscaping requirements of the El Paso City Code.
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 development is similar in use and intensity to adjacent properties. No impact on adjacent properties is anticipated.

COMPLIANCE WITH PLAN EL PASO GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with Plan El Paso, consider the following factors:	
Criteria	Does the Request Comply?
Future Land Use Map: Proposed zone change is	Yes. The subject property and proposed duplex meet
compatible with the Future Land Use designation for	the intent of the G-3 Future Land Use Map designation
the property:	as the use supplements the housing stock of the area,
G-3, Post-War: This sector applies to transitional	which is appropriate for the land use designation.
neighborhoods typically developed from the 1950s	

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:
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.	
Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site: R-4 (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.	Yes. The proposed use of a duplex is permitted by right in the R-4 (Residential) district and is compatible with surrounding properties.
THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AT THE FOLLOWING FACTORS:	ND SURROUNDING PROPERTY, AFTER EVALUATING
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	The proposed development is not within any historic districts or study area plan boundaries.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the request.	There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	The area is stable as there have not been any rezoning cases in the area within the last 10 years.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed development will keep the existing zoning district. The subject property resides in an older, stable area of the city and introduce the use of duplexes in an area comprised of single-family properties.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts on Catskill Avenue, a local street as designated in the City of El Paso's Major Thoroughfare Plan (MTP). Vehicular access to the subject property is proposed from Catskill Avenue, while pedestrian access is also provided from the sidewalk along Catskill Avenue. There are existing sidewalks along Catskill Avenue. The existing infrastructure and services are adequate to serve the proposed development. There are four (4) different bus stops located within a five-minute walking distance (0.25 mile) from the subject property. The closest bus stop is located approximately 0.09 miles away on the southwest corner of Diana Drive and Titanic Avenue.

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

PUBLIC COMMENT: The subject property lies within Mountain View Neighborhood Association which was notified of the special permit application. Property owners within 300 feet of the subject property were notified of the special permit request on July 10, 2024. As of July 18, 2024, the Planning Division has not received communication in support or opposition to the request.

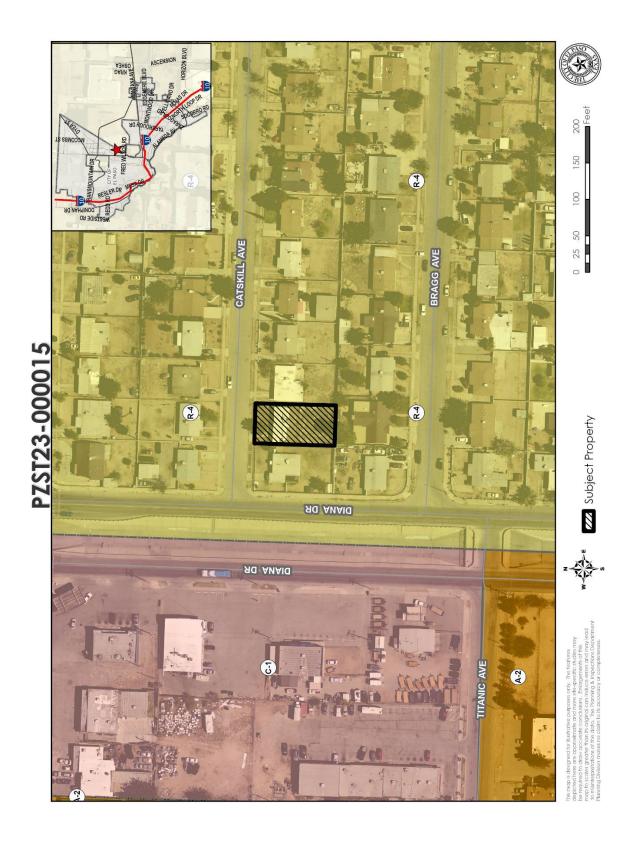
RELATED APPLICATIONS: None.

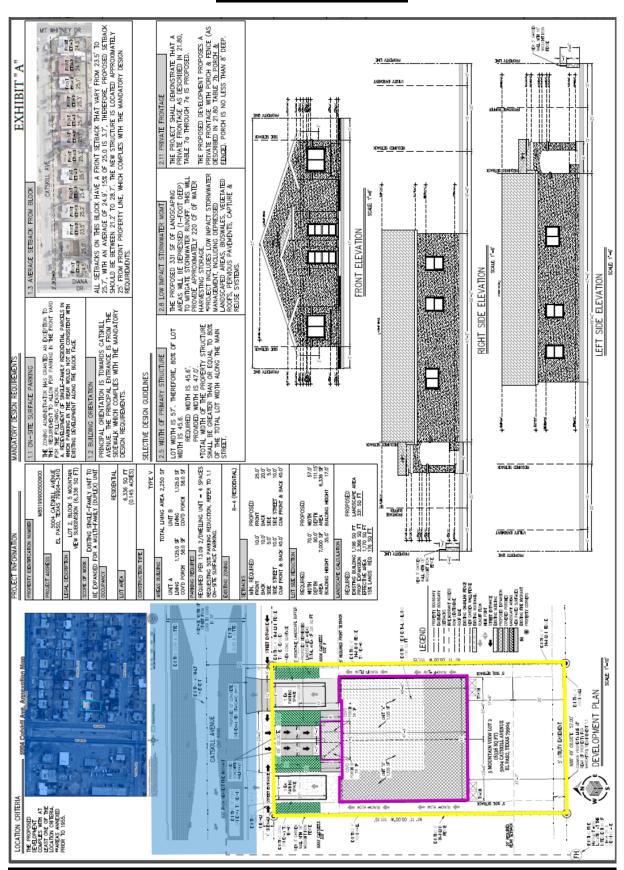
CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

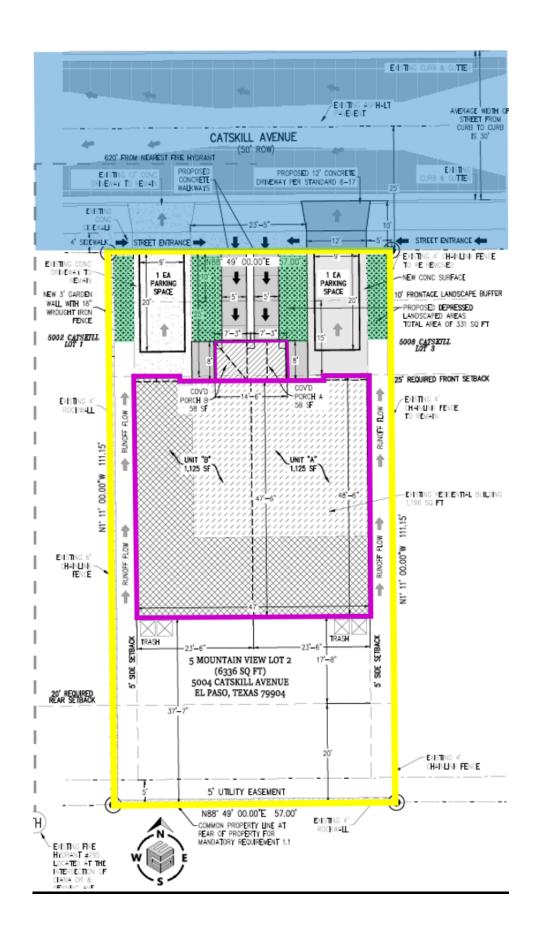
- 1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
- 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







Planning and Inspections Department - Planning Division

Staff recommends **APPROVAL** of the special permit for infill development with reductions to minimum lot area and minimum average lot width requirements for the use of a duplex in the R-4 (Residential) zone district. The proposal meets all the requirements of El Paso City Code Sections 20.04.320 – Special Permit, 20.04.150 – Detailed Site Development Plan, and 20.10.280 – Infill Development. The proposed development is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan.

Planning and Inspections Department - Plan Review & Landscaping Division

Recommend approval.

<u>Planning and Inspections Department – Land Development</u>

Recommend approval. No objection to the proposed special permit and site development plan.

Fire Department

We are OK with this case; however, it needs to comply and follow Fire Department requirements.

Police Department

No comments received.

Environment Services

No comments received.

Streets and Maintenance Department

No objections.

Sun Metro

No comments received.

El Paso Water

EPWater-PSB does not object to this request.

EPWU-PSB Comments

There is an existing 6-inch diameter water main that extends along the northside of Catskill Ave. This main is available for service.

There is an existing 4-inch diameter water main that extends along Brown St., located approximately 19-feet west of the east right-of-way line. This main is available for service.

Previous water pressure from fire hydrant #0479, located at the southeast corner of Catskill Ave and Mt. Whitney Dr., has yielded a static pressure of 108 (psi), a residual pressure of 100 (psi), and a discharge of 1,453 (gpm). The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer, and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

EPWater records indicate an active 3/4-inch water meter serving the subject property. The service address for this meter is 5004 Catskill Ave.

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main that extends along the southside of Catskill Ave. This main is available for service.

General

EPWater requires a new service application to provide additional services 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:

No comments received.

El Paso County 911 District

No comments received.

Texas Department of Transportation

No comments received.

El Paso County Water Improvement District No. 1

No comments received.

Texas Gas Service

Texas Gas Service does not have any comments.

