

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

AGENDA DATE: November 8, 2022
PUBLIC HEARING DATE: December 6, 2022

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

DISTRICT(S) AFFECTED: District 2

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

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An ordinance changing the zoning of the South 27 feet of Lots 30, 31, and 32, in Block 100, East El Paso, 1112 N. San Marcial Street, City of El Paso, El Paso County, Texas from R-5 (Residential) to G-MU (General Mixed Use), and approving a master zoning plan. 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: 1112 N. San Marcial Street
Applicant: Buck Money Johnston and Brian Campbell Bosworth, PZRZ22-00022

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone property to allow proposed mix uses of retail and residential. City Plan Commission recommended unanimously 5-0 to approve the proposed rezoning on October 6, 2022. As of November 1, 2022, the Planning Division has received two (2) emails 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 THE SOUTH 27 FEET OF LOTS 30, 31, AND 32, IN BLOCK 100, EAST EL PASO, 1112 N. SAN MARCIAL STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO G-MU (GENERAL MIXED USE), AND APPROVING A MASTER ZONING PLAN. 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 the South 27 feet of Lots 30, 31, and 32, in Block 100, East El Paso, 1112 N. San Marcial 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-5 (Residential) to G-MU (General Mixed Use)** and approving a Master Zoning Plan, as defined in Section 20.06.020, such land uses allowed as being reflected in the Master Zoning Plan attached as **Exhibit “B”** and the Master Zoning Report attached as **Exhibit “C”** incorporated herein for all purposes, and that the zoning map of the City of El Paso be revised accordingly.

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

ADOPTED this _____ day of _____, 2022.

THE CITY OF EL PASO


ATTEST:

Oscar Leoser
Mayor

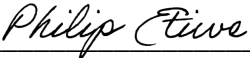
Laura D. Prine, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Joyce Garcia
Assistant City Attorney



Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibits on the following pages)

ORDINANCE NO. _____

PZRZ22-00022

Calderon Engineering

3031 Trawood Drive
El Paso, Texas 79936
(915) 855-7552
Fax: 855-8350
calderonengineering@elpbizclass.com

June 23, 2022

METES & BOUNDS DESCRIPTION

Description of a parcel of land being the South 27 feet of Lots 30, 31, and 32, in Block 100, East El Paso Addition, City of El Paso, El Paso County, Texas, as filed and recorded in Volume 1, Page 51, Deed Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows;

Beginning at a found chiseled cross marking the Southwest corner of Lot 32, the Northwest corner of a 20 foot wide alley and being located on the East right-of-way line of N. San Marcial Street all in Block 100, East El Paso Addition;

Thence North 00°00'00" West along the East right-of-way line of N. San Marcial Street, and along the West boundary of Lot 32 a distance of 27.00 feet to a found chiseled cross;

Thence North 90°00'00" East a distance of 75.00 feet to a point being the intersection of two walls of an existing garage and being located on the common lot line between Lots 29 Lot 30;

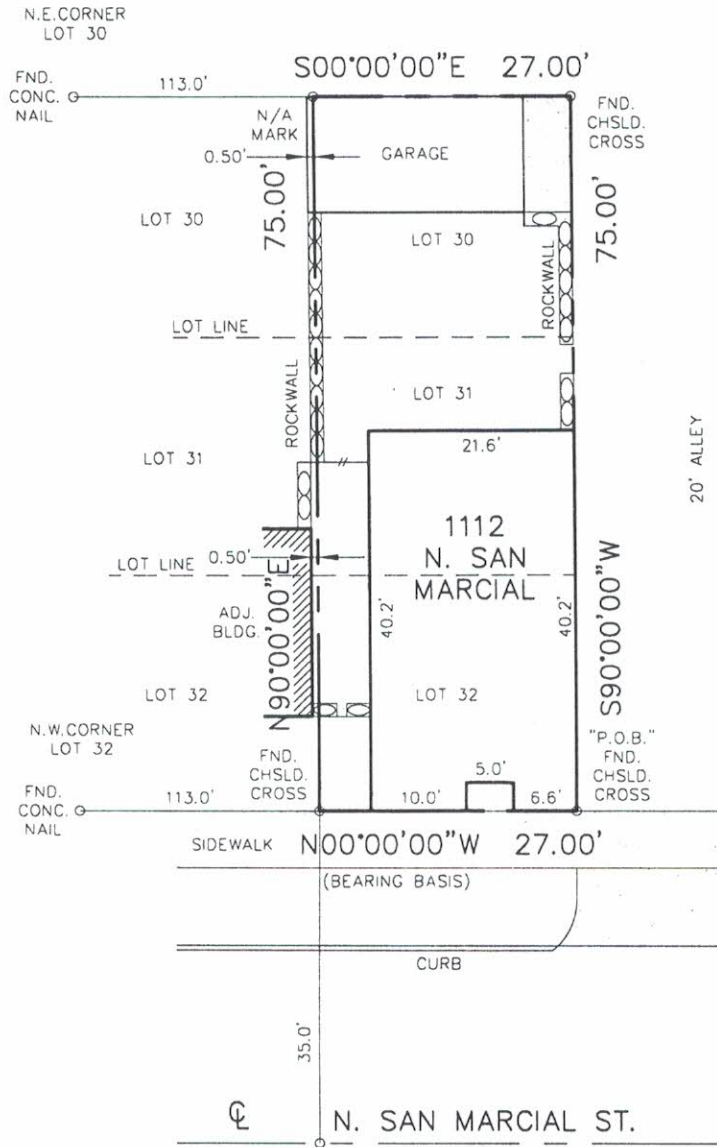
Thence South 00°00'00" East along the common lot line between Lots 29 and 30 a distance of 27.00 feet to a found chiseled cross marking the Southeast corner of Lot 30 and the Southwest corner of Lot 29;

Thence South 90°00'00" West along the South boundary of Lots 30, 31, and 32, a distance of 75.00 feet to a found chiseled marking the "Point of Beginning" and containing in all 2,025.00 square feet of 0.47 acres of land more or less. A plat of survey dated June 23rd, 2022 is a part of its description and attached hereto.



Manuel Calderon
Calderon Engineering
Registered Professional Land Surveyor No. 2564
Registered Professional Engineer No. 42333
Texas Registered Engineering Firm No. F-3788
Texas Licensed Surveying Firm No. 100200-00

SV-C6
1112 N. San Marcial



CERTIFICATION

I hereby certify that the foregoing Boundary and Improvement Survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Manuel Calderon

Manuel Calderon
 Registered Professional Land Surveyor No. 2564
 Texas Surveying Firm Reg. No. 100200-00
 Texas Registered Engineering Firm No. F-3788

E-Mail: CalderonEngineering@elpbizclass.com

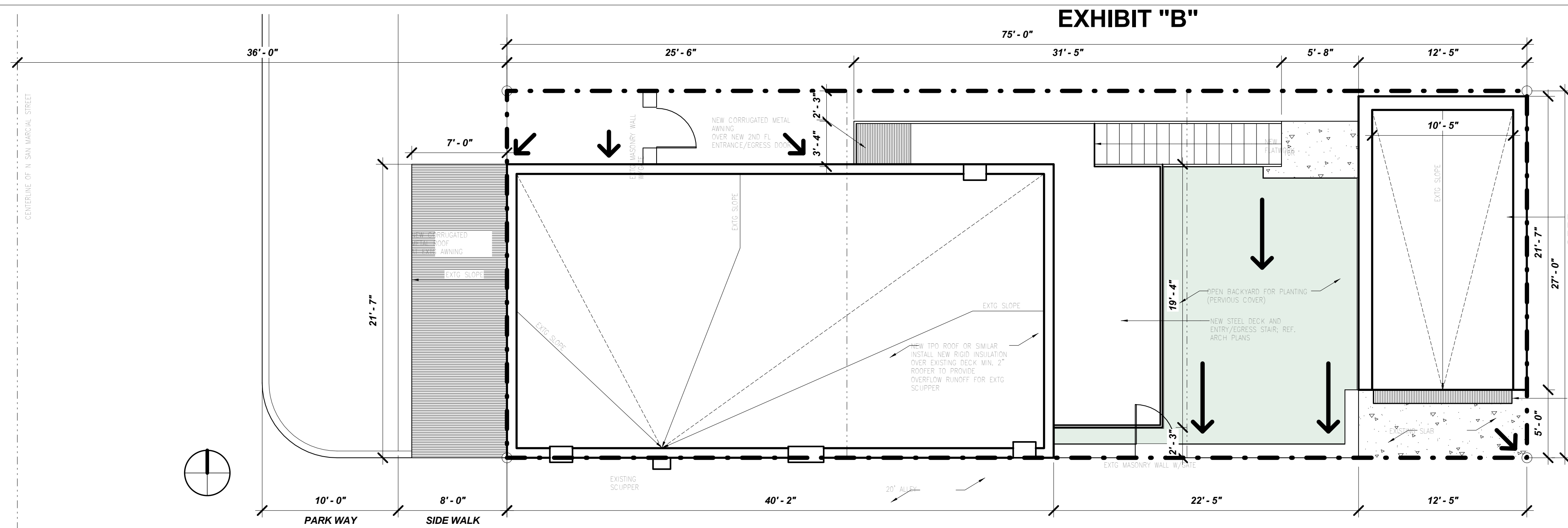
Volume 1 Page 51 Job No. 0622-209

1112 N. SAN MARCIAL ST.
 THE SOUTH 27 FEET OF LOTS 30, 31
 AND 32 IN BLOCK 100,
 EAST EL PASO ADDITION, CITY OF EL PASO,
 EL PASO COUNTY, TEXAS, AND BEING MORE
 PARTICULARLY DESCRIBED BY METES AND
 BOUNDS ATTACHED HERETO.

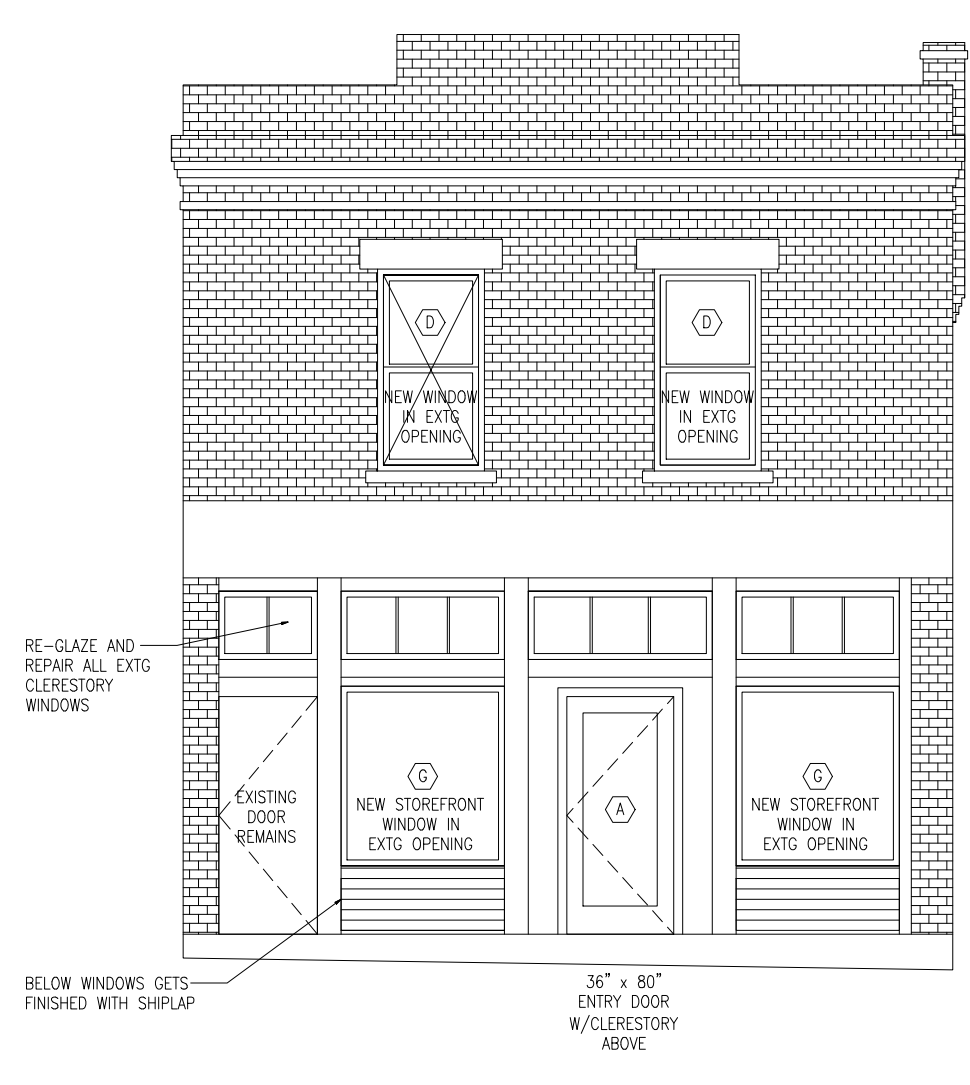
Field BD Office AP-C3 Date 06/23/22 Scale 1"=20'

CALDERON ENGINEERING

3031 TRAWOOD DR.
 EL PASO, TEXAS 79936 (915) 855-7552
 E-Mail: CalderonEngineering@elpbizclass.com



1 SITE PLAN
3/16" = 1'-0"



2 FRONT ELEVATION
3/16" = 1'-0"

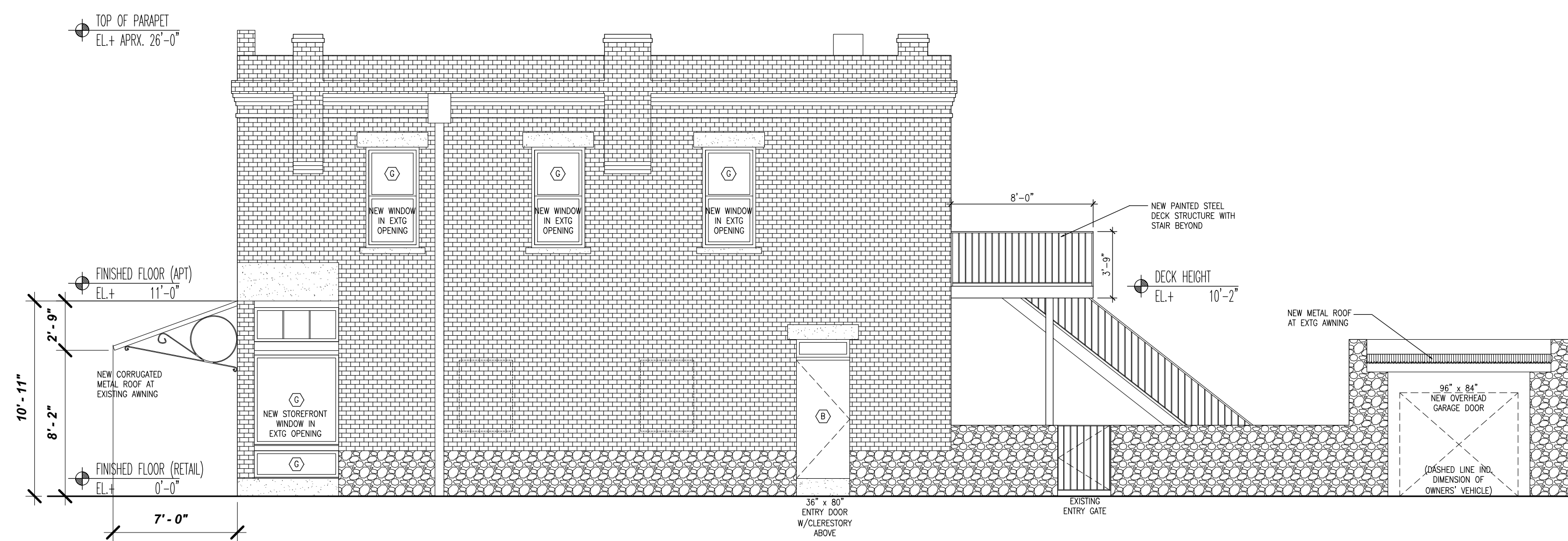
PLANNING & INSPECTIONS DEPARTMENT
PLANNING DIVISION
MASTER ZONING PLAN
APPROVED BY CITY COUNCIL
10-21-2022

DATE: *10/21/2022*

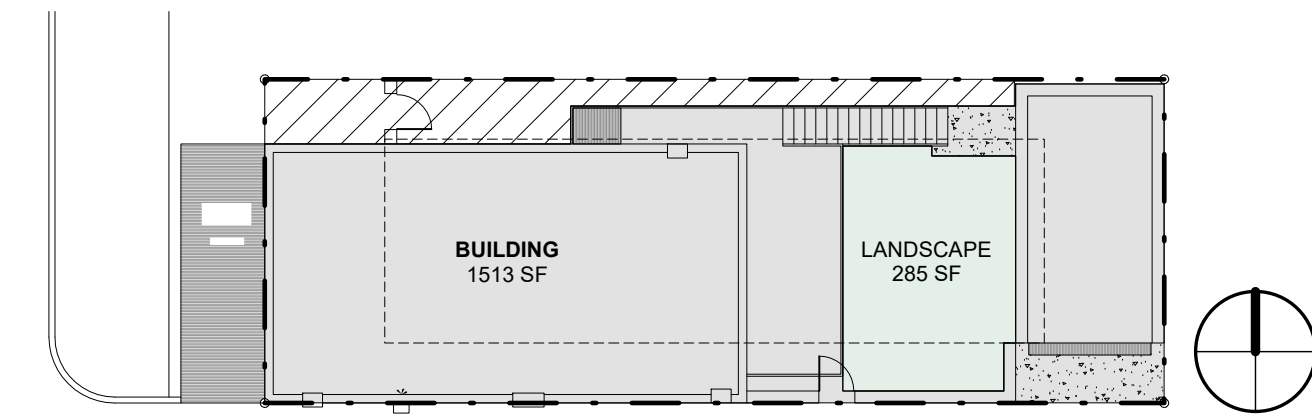
APPLICANT: *Paul de...*

FOR EXECUTIVE SECRETARY, CITY PLAN COMMISSION

CITY MANAGER



3 SOUTH ELEVATION
3/16" = 1'-0"



Area	Area	Percentage
TOTAL PROPERTY AREA	2025 SQ. FT	100%
LANDSCAPE AREA	285 SQ. FT	15%
BUILDING AREA	1513 SQ. FT	74%
PARKING LOT	2 SPACES	N/A
SIDEWALKS	EXISTING	N/A
REAR ACCESS SIDEWALK	220 SQ. FT	11%

4 SPACE AREAS TABULATION
1/16" = 1'-0"

root
ARCHITECTS
(915) 307-0574
311 MONTANA - STE A2-100
EL PASO, TX 79902

REGISTERED ARCHITECT
STATE OF TEXAS
22919

10.03.2022

GENERAL NOTES

- DOCUMENTS PROVIDED IN THIS PACKAGE ARE REPRESENTATIVE OF A COMPLETE DRAWING SET UNDER NO CIRCUMSTANCES
- ALL SUB-CONTRACTORS SHALL RECEIVE A COMPLETE SET OF CONSTRUCTION DOCUMENTS AND SPECIFICATIONS AND SHALL BE RESPONSIBLE FOR THEIR COMPLETE SCOPE OF WORK REGARDLESS OF WHERE IN THE DOCUMENT SET THE DESCRIPTION OF WORK APPEARS. ANY WORK PERFORMED WILL MEET ALL CURRENT CODE REQUIREMENTS. NO EXCEPTIONS WILL BE ALLOWED.
- THE CONTRACTOR SHALL REQUIRE ALL INSTALLERS TO VERIFY THAT SUBSTRATES, STARTING POINTS, ETC. CONFORM WITH THE INTENT OF THE CONTRACT DOCUMENTS. INSTALLERS SHALL REPORT IN WRITING ANY DISCREPANCIES WHICH AFFECT THE WORK. ALLOWING SUFFICIENT TIME TO ENABLE THE GENERAL CONTRACTOR TO DETERMINE AND EXECUTE CORRECTIVE MEASURES REQUIRED, BUT NO LATER THAN ONE WEEK PRIOR TO THE SCHEDULED START OF THE WORK.
- DIMENSIONS ARE TO FACE OF STUDS UNLESS NOTED OTHERWISE
- REFER TO FINISH SECTIONS AND ELEVATIONS FOR ALL PLATE HEIGHTS.
- REFER TO WINDOW SCHEDULE FOR HEAD AND SILL HEIGHTS. WINDOW SELECTION AS PER OWNER. SELECTED WINDOWS MUST MEET ENERGY CODE REQUIREMENTS. REFER TO WINDOW SCHEDULE FOR SIZES.
- REFER TO DOOR SCHEDULE FOR HEAD HEIGHTS.
- ALL EXTERIOR ELECT. OUTLETS AND OUTLETS LOCATED WITHIN 6'-0" OF KITCHEN SINK, AND BATH VANITIES TO BE GROUND FAULT CIRCUIT INTERRUPTER (GFCI)
- COORDINATE AC/FURNACE AND WATER HEATER LOCATIONS IN FIELD WITH OWNER AND ARCHITECT PRIOR TO INSTALLATION.
- ALL VENTS, EXHAUST, FANS AND APPLIANCES THAT REQUIRE VENTING TO BE VENTED TO OUTSIDE IN ACCORDANCE WITH ALL APPLICABLE CODES.
- SMOKE ALARMS SHALL BE HARD WIRED IN SERIES WITH BATTERY BACKUP POWER IN ACCORDANCE WITH APPLICABLE CODE.
- VERIFY OUTLETS/SWITCH LOCATIONS IN FIELD WITH OWNER AND ARCHITECT
- TREATED SOLE PLATE WITH 1/2" BOLT @ 4" O.C. BOLT MUST EXTEND AT LEAST 7" INTO CONG. ALL SILL PLATE LUMBER AND ANY LUMBER IN CONTACT WITH CONCRETE OR CMU BLOCKING TO BE MOISTURE TREATED.
- ALL INTERIOR WALLS TO BE CONSTRUCTED OUT OF 5/8" MTL STUD @ 16" O.C. U.N.O. WALLS TO RECEIVE SOUND INSULATION AND 4" METAL COVE BASE U.N.O.
- ALL EXTERIOR WALLS TO BE CONSTRUCTED OUT OF 6" METAL STUD @ 16" O.C. WITH BATT OR SPRAY FOAM INSULATION, U.N.O.
- REFER TO FINISH PLAN FOR ALL FINISH SCHEDULES.
- ENSURE EGRESS REQUIREMENTS ARE MET PER CODE.
- COORDINATE HOSE BIB LOCATIONS IN FIELD W/ OWNER AND ARCHITECT.
- CONTRACTOR TO PROVIDE MOCK UP FOR APPROVAL OF ALL EXTERIOR FINISH MATERIALS AND FENESTRATION PRIOR TO CONSTRUCTION.
- CONTRACTOR TO FIELD VERIFY ALL EXISTING UNDERGROUND UTILITIES PRIOR TO CONSTRUCTION.
- ANY DISCREPANCIES NOTED IN PLANS MUST BE REPORTED TO THE ARCHITECT IN WRITING PRIOR TO CONSTRUCTION.
- CONTRACTOR AND ALL SUB CONTRACTORS ARE RESPONSIBLE FOR NOTIFICATION OF ANY DISCREPANCY, REGARDLESS OF WHERE THEY MAY APPEAR IN THE CONSTRUCTION DOCUMENT SET.



5 PROJECT LOCATION

LEGEND

→ DRAINAGE

- - - PROPERTY LINE

LEGAL DESCRIPTION

GEOGRAPHIC ID: E01499910008600

ADDRESS: 1112 N SAN MARCIAL ST, EL PASO, TX

LEGAL DESCRIPTION: 100 EAST EL PASO S 27 FT OF 30 TO 32 (2025 SQ FT)

AREA: 0.05 ACRES

ZONING

ZONE: R-5

GMU 0' SETBACKS

PROPOSED USES
1ST FLOOR: Retail
2ND FLOOR: Residential

LANDSCAPE CALCULATIONS

TOTAL SITE 2025 SF

TOTAL BUILDING 1513 SF

2025 SF - 1513 SF = 512 SF X .15 = 76.8 SF REQUIRED

285 SF PROVIDED

SQ. FOOTAGE

1ST FLOOR 868 SF

2ND FLOOR 1095 SF

OF BEDROOMS 1 BR - 140 SF

PARKING CALCULATION

EXISTING STRUCTURE 1,513 SF

PARKING REQUIRED: 1/576 SF

1,513 SF/576 = 2.6 REQUIRED

1 GARAGE SPACE PROVIDED

1112 San Marcial Parking Calculations

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Spaces Available	22	22	22	22	22	22	22
Spaces Taken 8:00 am	6	7	7	6	6	5	3
Spaces Taken 12:00 pm	3	8	7	8	9	7	3
Spaces Taken 4:00 pm	2	4	3	5	9	8	2
Spaces Taken 8:00 pm	3	3	3	3	3	3	3
Average	3.5	5.5	5	5.5	6.75	5.75	2.75

*NO PHASING, ANTICIPATED COMPLETION DATE: SPRING 2023

SAN MARCIAL ST

1112 SAN MARCIAL ST,
EL PASO, TX 79903

DATE 10.03.2022

REVISIONS LOG

SHEET TITLE

MASTER ZONING PLAN

SHEET NUMBER

AS.100

EXHIBIT "C"



PLANNING & INSPECTIONS DEPARTMENT
PLANNING DIVISION
MASTER ZONING PLAN
APPROVED BY CITY COUNCIL
10-21-2022

MASTER ZONING PLAN REPORT

1112 N San Marcial
100 East El Paso S 27 Ft of 30 to 32 (2025 sq ft)
0.05 acres

One dwelling unit at 1095 sq ft with one bedroom at 140 sq ft
Non-residential land use for grocery/retail store 868 sq ft
Five Points Neighborhood

DATE 10-21-2022
APPLICANT Brian Bennett
for EXECUTIVE SECRETARY, CITY PLAN COMMISSION
CITY MANAGER

Intent

The building was built in 1912 as a grocery store for the Five Points neighborhood. The current owners want to restore the building to its original intent of retail use on the first floor while providing an apartment on the top floor. The building will follow a historically preserved development plan that seeks flexibility due to its unique design characteristics. The renovated/restored building will follow the City of El Paso Comprehensive Plan by providing more creative aesthetically desirable design and land use.

As early as 1914, the building housed the Benton & Bixler Grocery store.

Proposed Permitted Uses

First floor: grocery, retail, art gallery
Second floor: residence

Objectives of the Rezoning to General Mixed Use

Restore, upgrade and preserve the existing structure to its original intent of a residence and retail store.

Maximum building height:

26' or the existing height. There is no plan to extend the height of the building.

Minimum and maximum coverage:

60%

Characteristics

Description: The renovation will preserve the current two story building built in 1912 consisting of two floors: one upstairs apartment and the original retail/grocery store space below.

The two story brick structure is a version of Federal style mercantile building of the early 1900s. It is a free-standing building centrally located in the neighborhood of the Five Points area of El Paso.

Each floor has original hardwood floors. The first floor store front has large pane, front and alley facing windows which have been replaced with wood panels. The original awning has been lowered and replaced with asphalt tiles. Under the lowered sheetrock ceiling is the original pressed tin ceiling from approximately the time of the grocery store, 1914.

The property includes a 272 sq ft single car garage made of entirely of rock and similar to other rock structures in El Paso from the period.

Access

All entry for apartment and proposed retail will be through front of the building on San Marcial.

Setbacks

0' setbacks throughout are proposed which is consistent with existing structure and garage on three sides.

Density

Density will remain with the two, original, existing units: main building and garage.

Landscaping

LANDSCAPE CALCULATIONS	
TOTAL SITE	2025 SF
TOTAL BUILDING	1513 SF
2025 SF - 1513 SF = 512 SF X .15 = 76.8 SF REQUIRED	
285 SF PROVIDED	

Native southwestern, desert plants and trees will be planted EVERYWHERE possible. The owners will ask permission to remove concrete between San Marcial (street) and city sidewalk to do additional plantings. This is consistent with most streets in El Paso.

Parking

1112 San Marcial Parking Calculations							
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Spaces Available	22	22	22	22	22	22	22
Spaces Taken 8:00 am	6	7	7	6	6	5	3
Spaces Taken 12:00 pm	3	8	7	8	9	7	3
Spaces Taken 4:00 pm	2	4	3	5	9	8	2
Spaces Taken 8:00 pm	3	3	3	3	3	3	3
Average	3.5	5.5	5	5.5	6.75	5.75	2.75

The garage will provide one parking space. Please see Traffic Impact Analysis

Trash

Small trash receptacles will be placed inside the yard on concrete padding. If a dumpster is needed, it can be place in an alley niche near the garage opening. It's where it was located when the owners purchased the building. The owners are avid recyclers so it is their intent to keep garbage and at a minimal.

Floor Area Ratio

Total construction for the project is 2235 sq ft for a total floor area of 1.0. This includes the restoration of the garage.

Special Privilege

Canopy/awning over ROW (sidewalk on San Marcial) will be addressed and permission sought.

Phasing

The project will be built in one phase in its entirety.

Relationship with Plan for El Paso

The restoration and development will enhance the neighborhood's economic and social vitality and will follow the overall City of El Paso's goals to revitalize historic buildings within the City.

1112 North San Marcial Street

City Plan Commission — October 6, 2022 **REVISED**



CASE NUMBER:	PZRZ22-00022
CASE MANAGER:	Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER:	Buck Money Johnston and Brian Campbell Bosworth
REPRESENTATIVE:	Buck Money Johnston and Brian Campbell Bosworth
LOCATION:	1112 N. San Marcial St. (District 2)
PROPERTY AREA:	0.46 acres
REQUEST:	Rezone from R-5 (Residential) to G-MU (General Mixed Use) and approval of a Master Zoning Plan
RELATED APPLICATIONS:	None
PUBLIC INPUT:	Two (2) emails in support received as of September 29, 2022

SUMMARY OF REQUEST: The applicant requests to rezone from R-5 (Residential) to G-MU (General Mixed Use) and approval of a Master Zoning Plan to allow a mixed-use development.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed development is in character with the surrounding neighborhood and is in keeping with the policies of the G-2, Traditional Neighborhood Future Land Use Designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

PZRZ22-00022



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone a 0.05-acre property from R-5 (Residential) to G-MU (General Mixed Use) and approval of a Master Zoning Plan to allow for a mixed-use development that will consist of proposed retail (868 square feet) and residential (1,095 square feet) spaces. The Master Zoning Plan illustrates the layout of existing structures within the subject property, which are to remain and demonstrate a maximum height of twenty-six feet (26'). Required parking for the proposed uses is a minimum of three (3) spaces, with one (1) space provided via a car garage and additional required parking being provided off-site and available on the street. Required setbacks are proposed to be set at zero feet (0') all around the property with a maximum height of thirty-five (35'). Access will be provided from San Marcial Street.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed mix uses of retail and residential are compatible with the surrounding neighborhood character. Surrounding properties to the west, north, and south consist of single-family dwellings zoned R-5 (Residential), with properties nearby to the south consisting of single-family dwellings, apartments, and a restaurant zoned A-2 (Apartment) and C-4 (Commercial). The nearest school is College, Career and Technology Academy Alternative (0.39 miles) and the nearest park is Triangle Park (0.24 miles).

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, 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-2, Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</p>	<p>Yes. The proposed mixed-use development will integrate commercial and residential uses in an area comprised of single-family dwellings, apartments, and commercial uses.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>G-MU (General Mixed Use): The purpose of this district is to accommodate, encourage and promote innovatively designed developments involving the combining and mixing of uses allowed in various zoning districts with appropriate regulations, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for large-scale developments that are able to function as individual neighborhoods or an integrated collection (two or more) of individual neighborhoods supported by civic, commercial and recreational uses; as small-scale developments requiring flexibility because of unique design characteristics; or as transitional areas between dissimilar land uses. It is intended that the district regulations permit flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.</p>	<p>Yes. The proposed zoning district is compatible with the adjacent R-5 (Residential), A-2 (Apartments), and C-4 (Commercial) zone districts surrounding the property, which consist of single-family dwellings, apartments, and commercial uses.</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:	
Preferred Development Locations: Property is designated G-1, G-2, O-7 or identified as being within a "Local Transfer Center", "RTS Stops" or "Future Compact Neighborhood". (Pages 1.33-.34)	Yes. The subject property is located within the G-2, Traditional Neighborhood (Walkable) future land use designation, which is a preferred location for higher density and mixed-use developments.
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.	There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	There are no anticipated effects to the natural environment.
Stability: Whether the area is stable or in transition.	The area is stable with no rezonings in the vicinity in 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.	None.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property will be from San Marcial Street, considered a Local street per the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate to support the proposed mixed of use. In addition, the property is in near proximity to Pershing Drive, classified as a Minor Arterial in the MTP, which is served by Sun Metro with a bus stop located 0.07 miles away. In addition, Sun Metro's Five Points Transit Terminal is located approximately 0.41 miles away from the subject property. Sidewalks are consistently present around the area, being suitable for higher densities, with nearby schools and parks available.

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

PUBLIC COMMENT: The subject property lies within the boundaries of 5 Points Neighborhood Association, El Paso Central Business Association, Five Points Development Association, and Sunrise Civic Group, which were notified by the applicant. The applicant also notified the office of District 2. Property owners within 300 feet of the subject property were notified of the rezoning request on September 21, 2022. The Planning Division has received two (2) emails in support to the request.

RELATED APPLICATIONS: None.

CITY PLAN COMMISSION OPTIONS:

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

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

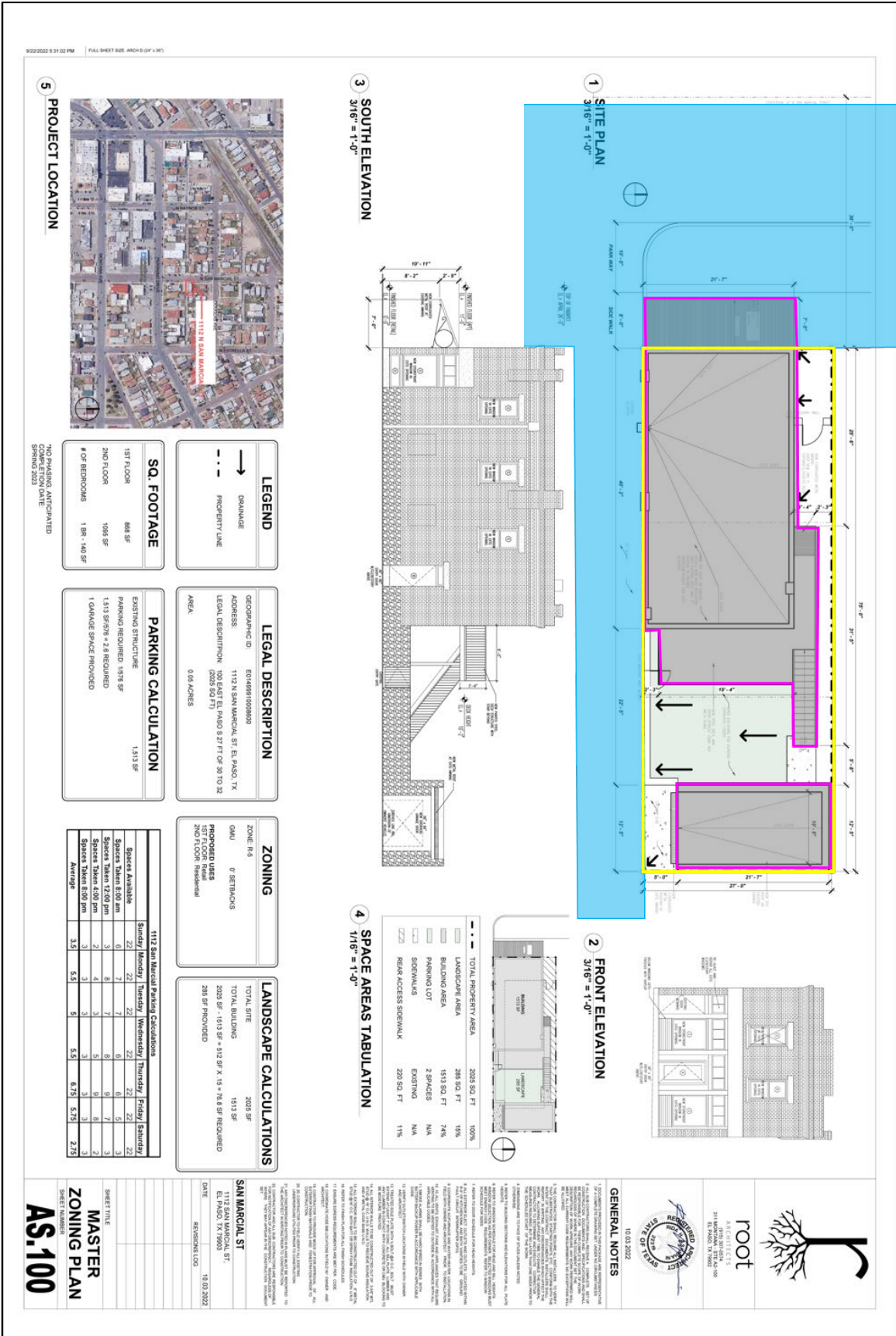
ATTACHMENTS:

1. Future Land Use Map
2. Master Zoning Plan
3. Master Zoning Plan Report
4. Department Comments
5. Neighborhood Notification Boundary Map
6. Email in support

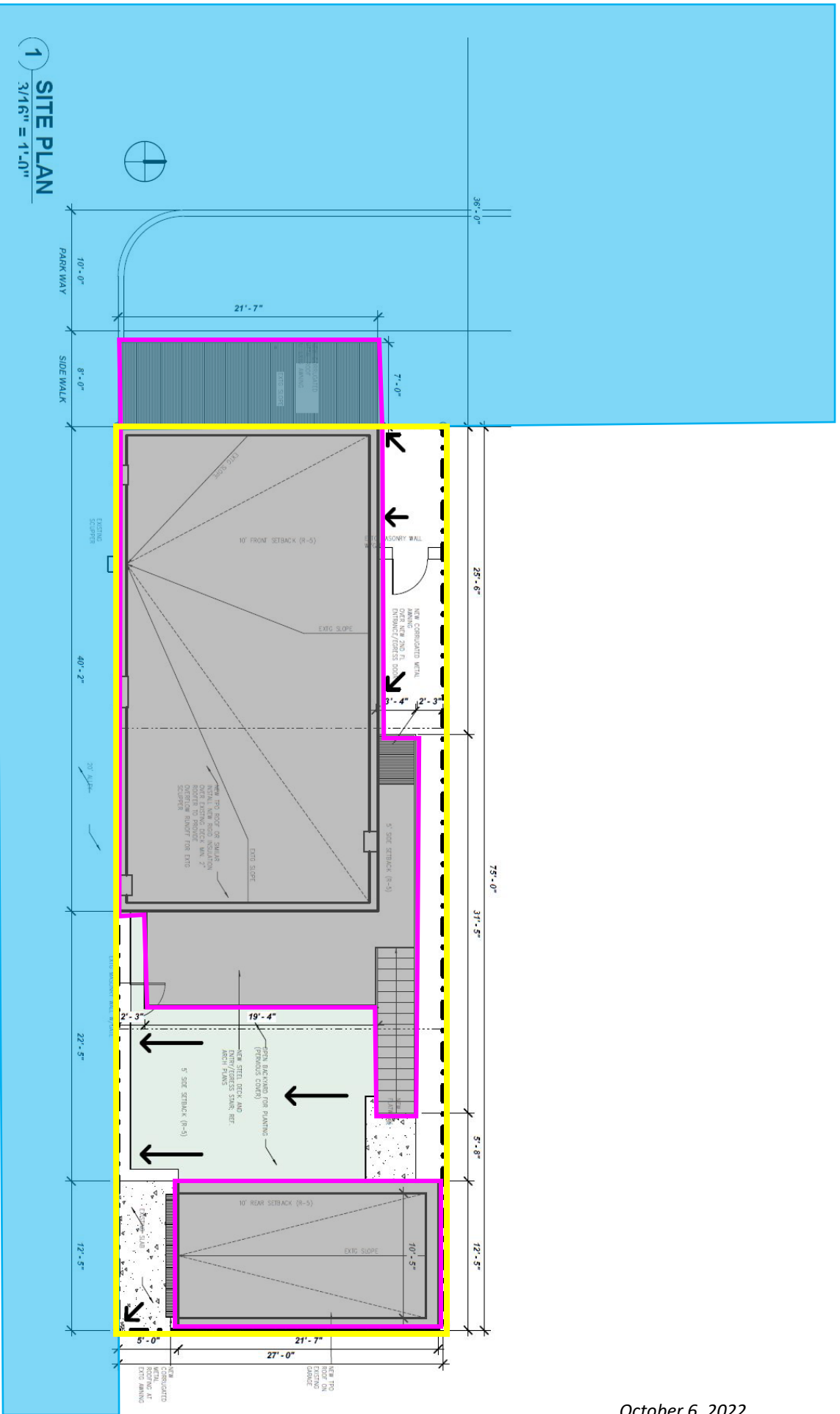
ATTACHMENT 1

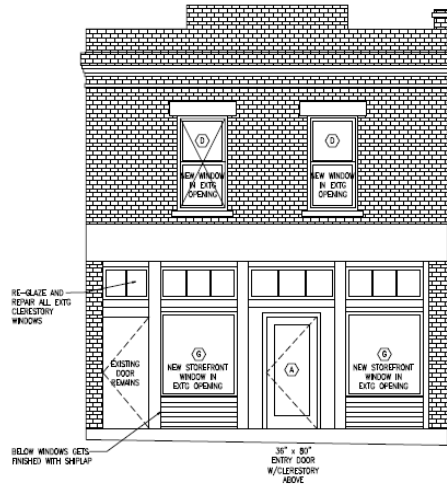


ATTACHMENT 2

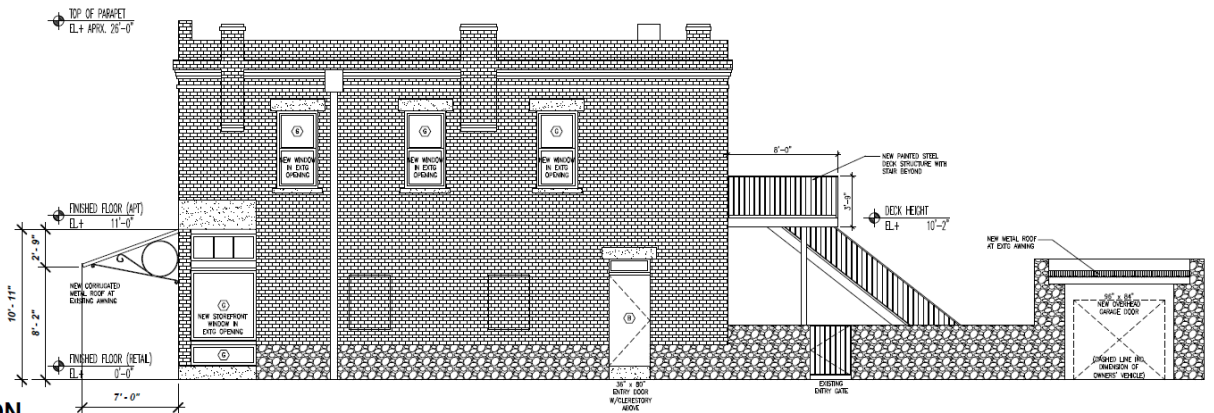


1 SITE PLAN
 $\frac{3/16"}{1"} = 1'-0"$





2 FRONT ELEVATION
 3/16" = 1'-0"



3 SOUTH ELEVATION
 3/16" = 1'-0"

ATTACHMENT 3

MASTER ZONING PLAN REPORT

1112 N San Marcial

100 East El Paso S 27 Ft of 30 to 32 (2025 sq ft)

0.05 acres

One dwelling unit at 1095 sq ft with one bedroom at 140 sq ft

Non-residential land use for grocery/retail store 868 sq ft

Five Points Neighborhood

Intent

The building was built in 1912 as a grocery store for the Five Points neighborhood. The current owners want to restore the building to its original intent of retail use on the first floor while providing an apartment on the top floor. The building will follow a historically preserved development plan that seeks flexibility due to its unique design characteristics. The renovated/restored building will follow the City of El Paso Comprehensive Plan by providing more creative aesthetically desirable design and land use.

As early as 1914, the building housed the Benton & Bixler Grocery store.

Proposed Permitted Uses

First floor: grocery, art gallery, other retail establishment (low-volume)

Second floor: Live-work flex unit/Single-family attached dwelling (atrium, patio, townhouse, condominium)

Objectives of the Rezoning to General Mixed Use

Restore, upgrade and preserve the existing structure to its original intent of a residence and retail store.

Maximum building height:

26' or the existing height. There is no plan to extend the height of the building.

Minimum and maximum coverage:

60%

Characteristics

Description: The renovation will preserve the current two story building built in 1912 consisting of two floors: one upstairs apartment and the original retail/grocery store space below.

The two story brick structure is a version of Federal style mercantile building of the early 1900s. It is a free-standing building centrally located in the neighborhood of the Five Points area of El Paso.

Each floor has original hardwood floors. The first floor store front has large pane, front and alley facing windows which have been replaced with wood panels. The original awning has been lowered and replaced with asphalt tiles. Under the lowered sheetrock ceiling is the original pressed tin ceiling from approximately the time of the grocery store, 1914.

The property includes a 272 sq ft single car garage made of entirely of rock and similar to other rock structures in El Paso from the period.

Access

All entry for apartment and proposed retail will be through front of the building on San Marcial.

Setbacks

0' setbacks throughout are proposed which is consistent with existing structure and garage on three sides.

Density

Density will remain with the two, original, existing units: main building and garage.

Landscaping

LANDSCAPE CALCULATIONS	
TOTAL SITE	2025 SF
TOTAL BUILDING	1513 SF
2025 SF - 1513 SF = 512 SF X .15 = 76.8 SF REQUIRED	
285 SF PROVIDED	

Native southwestern, desert plants and trees will be planted EVERYWHERE possible. The owners will ask permission to remove concrete between San Marcial (street) and city sidewalk to do additional plantings. This is consistent with most streets in El Paso.

Parking

1112 San Marcial Parking Calculations							
	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Spaces Available	22	22	22	22	22	22	22
Spaces Taken 8:00 am	6	7	7	6	6	5	3
Spaces Taken 12:00 pm	3	8	7	8	9	7	3
Spaces Taken 4:00 pm	2	4	3	5	9	8	2
Spaces Taken 8:00 pm	3	3	3	3	3	3	3
Average	3.5	5.5	5	5.5	6.75	5.75	2.75

The garage will provide one parking space. Please see Traffic Impact Analysis

Trash

Small trash receptacles will be placed inside the yard on concrete padding. If a dumpster is needed, it can be place in an alley niche near the garage opening. It's where it was located when the owners purchased the building. The owners are avid recyclers so it is their intent to keep garbage and at a minimal.

Floor Area Ratio

Total construction for the project is 2235 sq ft for a total floor area of 1.0. This includes the restoration of the garage.

Special Privilege

Canopy/awning over ROW (sidewalk on San Marcial) will be addressed and permission sought.

Phasing

The project will be built in one phase in its entirety.

Relationship with Plan for El Paso

The restoration and development will enhance the neighborhood's economic and social vitality and will follow the overall City of El Paso's goals to revitalize historic buildings within the City.

ATTACHMENT 4

Planning and Inspections Department - Planning Division

Recommend approval. Proposal is in character with the neighborhood.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval. No objections to proposed rezoning.

The generalized site plan is not being reviewed for conformance due to conceptual nature. 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

1. Show existing drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision.
2. The code encourages the use of nonstructural storm water management such as the preservation of greenspace, rainwater harvesting within parkways, landscaped areas, and other conservation efforts, to the maximum extent practicable.
3. Clarify how maintenance ramp is going to be fixed since it encroaches in the ROW and is not ADA compliant.

Fire Department

Recommend approval. No adverse comments.

Police Department

No comments received.

Environmental Services

No comments received.

Streets and Maintenance Department

1. This application does not meet the criteria to require a TIA per Section 19.18.010(B)(1) of the El Paso Code.
2. Sidewalks shall be a minimum of 5 feet wide within a public street right-of-way per Section 13.04.020(A)(13) of the El Paso Code. The existing ADA ramp is encroaching the sidewalk's minimum width requirement and obstructing the path of travel for pedestrians.

Sun Metro

No comments received.

El Paso Water

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

Water:

There is an existing 6-inch diameter water main that extends along the west side of San Marcial St. approximately 15-foot east of and parallel to the western right-of-way line of San Marcial St. This water main is available for service.

There is an existing 4-inch diameter water main that extends along the north side of alley north of Pershing Dr. approximately 5-feet south of and parallel to the northern right-of-way line of the alley. This water main is available for service.

Previous water pressure from fire hydrant #1945 located at the northwest intersection of San Marcial St. and Pershing Dr., has yielded a static pressure of 78 psi, a residual pressure of 76 psi, and a discharge of 581 gallons per minute.

EPWater records indicate an active ¾-inch water meter serving the subject property. The service address for this meter is 1112 San Marcial St.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that along the south side of alley north of Pershing Dr. approximately 5-feet north of and parallel to the southern right-of-way line of Pershing Dr. This sanitary sewer main is available for service.

General:

An application for additional 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 and at www.epwater.org. 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:

EPWater-SW has no objections to this proposal and appreciate the use of green space to retain some of the storm sewer runoff.

Texas Department of Transportation

No comments received.

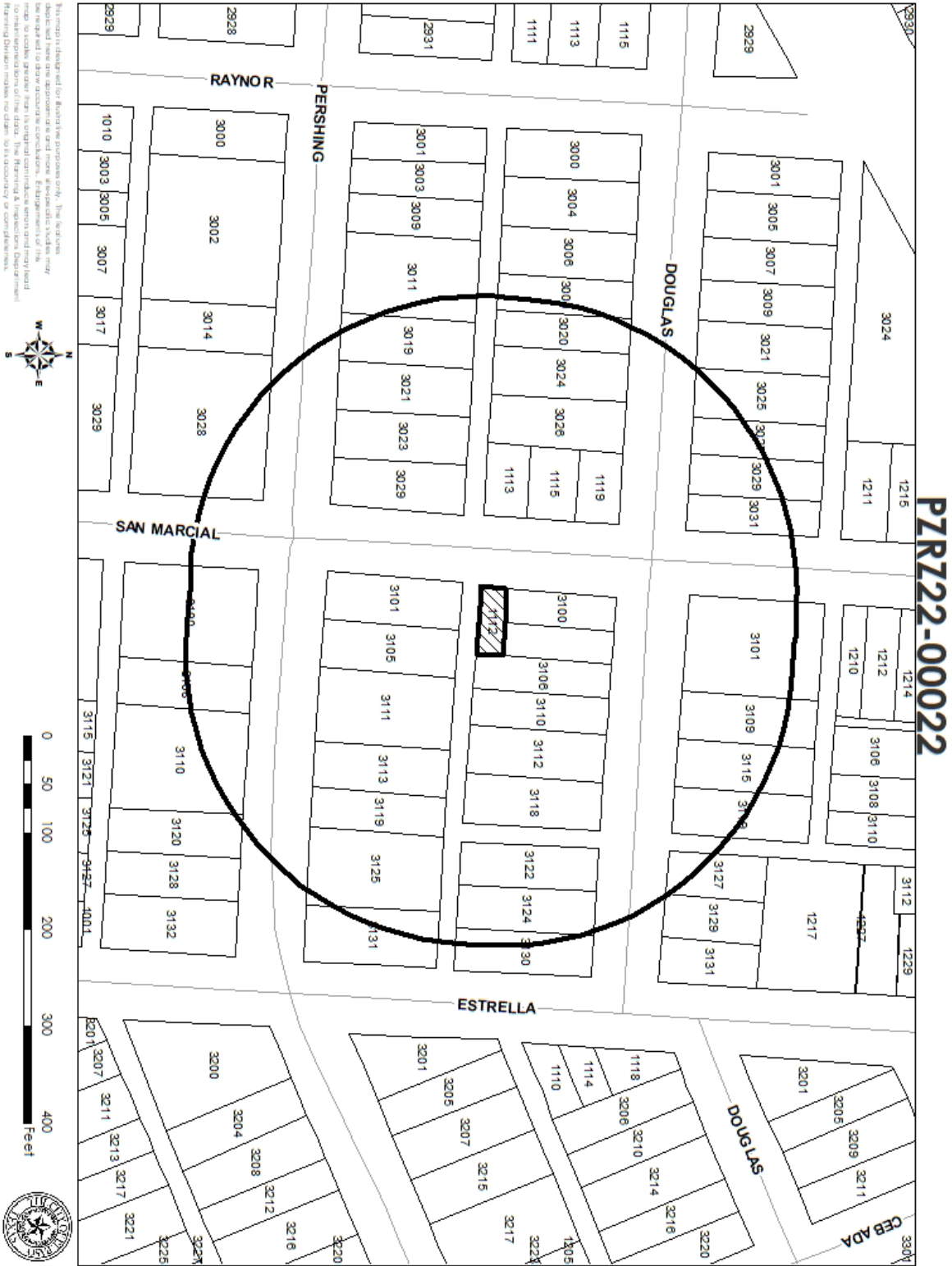
El Paso 9-1-1 District

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

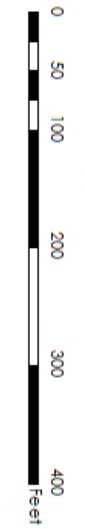
El Paso County Water Improvement District #1

Not within the boundaries of EPCWID1.

ATTACHMENT 5



This map is prepared for public information only. The accuracy depicted here is approximate and more accurate studies may be required to draw accurate conclusions. Reliance on this map to make a purchase or other legal action may lead to misinterpretation of the data. The Planning & Inspection Department reserves the right to amend or update this map without notice.



ATTACHMENT 6

From: [Buck Johnston](#)
To: [Zamora, Luis F.](#)
Subject: Fwd: 1112 N. San Marcial
Date: Tuesday, July 19, 2022 7:06:18 PM

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

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use **Phish Alert** or forward to SpamReport@elpasotexas.gov.

Dear Luis:

I spoke to the neighbor about the encroachment and it went very well. I was very frank about our plans and I promised to be a good neighbor.

Below is his email endorsing the rezoning and a-okay with the encroachment.

FYI: we are going to work to correct the encroachment issue.

Thank you so much.

I appreciate y'all.

buck.

Sent from Proton Mail for iOS

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

From: Otilia Moss <mosso62@yahoo.com>

Date: On Tue, Jul 19, 2022 at 7:54 PM

Subject: Fwd: 1112 N. San Marcial

To: chicabuck@protonmail.com <chicabuck@protonmail.com>

CC:

To Whom It May Concern:

I spoke with Ms. Buck Johnston yesterday evening (July 18th, 2022) regarding her plans to submit her property at 1112 N. San Marcial for rezoning and the issue of her garage encroaching 4 inches onto the property at 3106 Douglas Ave. I have no issues with the rezoning or the encroachment.

Sincerely,
Michael Moss
3106 Douglas Ave.
El Paso, Texas 79903

From: Buck Johnston <buck@bbgun.com>
Subject: Fwd: 1112 N San Marcial
Date: June 22, 2022 at 12:45 PM
To:



Begin forwarded message:

From: Rocketbuster <howdy@rocketbuster.com>
Subject: Re: 1112 N San Marcial
Date: May 25, 2022 at 12:59:37 PM CDT
To: Buck Johnston <buck@bbgun.com>

WONDROUS Being Buck,

Elizabeth here, I spoke with you earlier. Want to reply immediately to

Whoo Hoo!!! In Love with your project and so will Marty & Nevena be. They are both with clients this morning and I am excited to pass the word to them. I'm sure they will be in contact with you as soon as they can to express their joyousness at your arrival to the neighborhood

Happy Trails

Elizabeth at

MISSION CONTROL SPECIALIST
915-541-1300

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Instagram / rocketbusterboots

On Wed, May 25, 2022 at 11:23 AM Buck Johnston <buck@bbgun.com> wrote:

Dear Rocketbuster folks:

My name is Buck Johnston and I purchased the building at 1112 N San Marcial with my husband, Camp Bosworth. The legal description is:
100 East El Paso S 27 ft of 30 to 32.

We are reaching out to you and the Five Points Neighborhood Association. We met Marty years ago in Marfa, Texas. We own the old church building and have Wrong Marfa store and gallery. <http://www.wrongmarfa.com>
We are good friends with Evan Voyles and many other mutual friends.

We have completed some demolition of the building and have discovered a great deal about it. The building was built in 1912 and in 1914 became the Benton & Bixler Grocery Store. It was the local grocery store for the neighborhood. It has the original hardwood floors and pressed tin ceiling from the grocery store days. These discoveries have started a process to bring the building back to its original purpose and glory. We have fallen in love with it and are looking to do a historic restoration on it. In keeping with that idea, we are starting exploration of a General Mixed Use zoning for the property. Our idea is to live upstairs in the original apartment and have a store on the first floor. We have NO INTENTION of EVER having a bar or short term rental. We are not interested in anything disruptive, but we are interested in being good neighbors and good stewards of the community. We will even do a deed restriction prohibiting a bar from EVER being in that location because we feel very strongly the area does not need more bars and we care about the future of the neighborhood. Our plans are to do what we know: we want to do a store centered around artists' goods and a gallery.

We are reaching out to get your support and/or thoughts and answer any questions. We would be delighted to provide a tour of the building to you and any of the Association's members to address concerns or answer questions and to meet everyone.

We have reached out to Five Points Development Association, Manhattan Heights Neighborhood Association. We have nothing to hide and want to move forward in the most positive way.

Please feel to contact via email or by phone at 214-901-8552.

Thank you.
buck.

buck johnston
214-901-8552
buck johnston
<http://www.wrongmarfa.com>

432-729-1976
cell: 214-901-8552