

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

AGENDA DATE: March 28, 2023

PUBLIC HEARING DATE: April 25, 2023

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 Lots 9, 10, and 11, Block 3, Hughes Subdivision, 5649 Beacon Avenue, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to A-O (Apartment/Office). 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: 5649 Beacon Avenue

Applicant: Brian Eduardo Acosta Gonzalez, PZRZ21-00028

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from M-1 (Light Manufacturing) to A-O (Apartment/Office) to allow a triplex use that includes an existing single-family dwelling. City Plan Commission recommended 6-0 to approve the proposed rezoning on March 9, 2023. As of March 21, 2023, the Planning Division has not received any communication in support or opposition to the rezoning request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? X 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 9, 10, AND 11, BLOCK 3, HUGHES SUBDIVISION, 5649 BEACON AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT MANUFACTURING) TO A-O (APARTMENT/OFFICE). 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, the zoning of **Lots 9, 10 and 11, Block 3, Hughes Subdivision, 5649 Beacon Avenue**, located in the City of El Paso, El Paso County, Texas, be changed from **M-1 (Light Manufacturing)** 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.

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 _____, 2023.


THE CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:


Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

5649 Beacon Avenue

City Plan Commission — March 9, 2023

REZONING



CASE NUMBER: PZRZ21-00028
CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: Brian Eduardo Acosta Gonzalez
REPRESENTATIVE: Lorena Armenta
LOCATION: 5649 Beacon (District 2)
PROPERTY AREA: 0.19 acres
REQUEST: Rezone from M-1 (Light Manufacturing) to A-O (Apartment/Office)
RELATED APPLICATIONS: None
PUBLIC INPUT: One (1) call and two (2) emails of inquiry as of March 2, 2023

SUMMARY OF REQUEST: Applicant requests to rezone the subject property from M-1 (Light Manufacturing) to A-O (Apartment/Office) to allow a proposed triplex use.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed development is in keeping with the character of its neighborhood and the policies of the G-2 Traditional Neighborhood (Walkable) designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

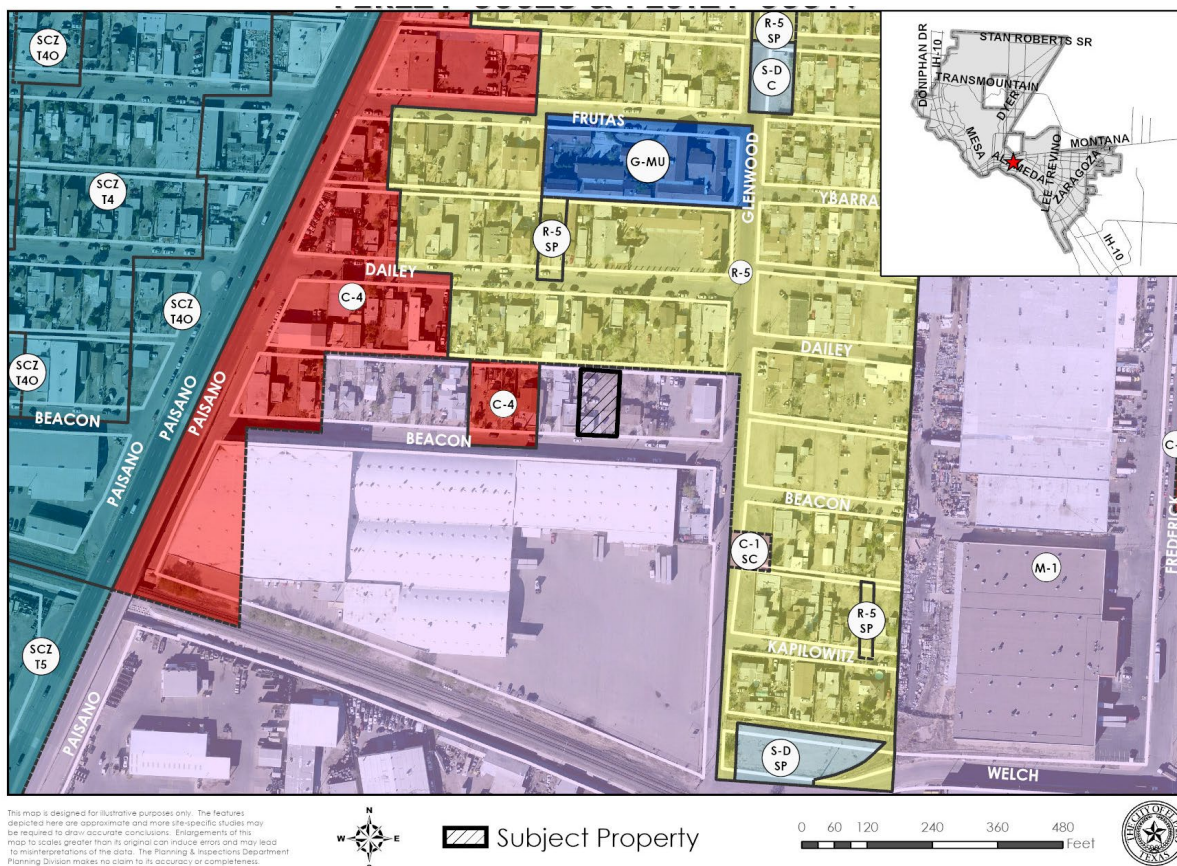


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: Applicant requests to rezone the subject property from M-1 (Light Manufacturing) to A-O (Apartment/Office) to allow a proposed triplex use. The conceptual site plan shows an existing 707 square-foot home to remain with the addition of two (2) new units of 700 square feet each. Six (6) parking spaces are proposed to be provided to meet the minimum requirement of two (2) parking spaces per unit. Access is provided from Beacon Avenue.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed A-O (Apartment/Office) zoning district and triplex use is compatible with the surrounding existing development. Adjacent properties to the north across the alley are zoned R-5 (Residential) and consist of single-family dwellings. Properties to the east are zoned M-1 (Light Manufacturing) and consist of single-family dwellings. The property to the south across Beacon Avenue is zoned M-1 (Light Manufacturing) and consist of a general warehouse use. Properties to the west are zoned M-1 (Light Manufacturing) and C-4 (Commercial) and consist mostly of single-family dwellings, multifamily, and light commercial uses. The closest park is San Juan Park (0.24 miles) and the closest school is Hawkins Elementary (0.23 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-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 use is in character with its current future land use designation. The proposed triplex will be integrated within an area comprised of single-family homes, commercial, and light industrial uses.</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>The proposed rezoning to A-O (Apartment/Office) is compatible with other zoning districts around the subject property and will assist in creating a buffer from higher intensity districts to lower intensity ones. In addition, the proposed use of triplex is in character with existing development in the vicinity.</p>
<p>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".</p>	<p>Yes. The subject property is within the G-2, Traditional Neighborhood Future Land Use designation of <i>Plan El Paso</i>, which considers it a Compact Urban area appropriate for higher density developments due to existing services and infrastructure serving the area.</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.	No adverse effects are anticipated.
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 zoning changes 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 subject property along with adjacent properties in the same block are zoned M-1 (Light Industrial) and C-4 (Commercial), but mainly consist of single-family dwellings that predate their current zoning.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is from Beacon Avenue, which is designated in the City of El Paso's Major Thoroughfare Plan as a Local road. The current road designation is appropriate to serve the proposed development, as well as existing City services and infrastructure. There are existing sidewalks on Beacon Avenue.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: There are no adverse comments from reviewing departments.

PUBLIC COMMENT: The subject property lies within the El Paso Central Business Association, San Juan Neighborhood Improvement Association, and Sunrise Civic Group, which were informed of the rezoning requests. The applicant has been in contact with San Juan Neighborhood Improvement Association to discuss the proposed rezoning and met with them on February 22, 2023. Public notice was sent on January 12, 2023 to all property owners within 300 feet of the subject property. As of February 16, 2023, the Planning Division has received one (1) call and two (2) emails of inquiry from the same person with no communication in support or opposition to the rezoning 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. Conceptual Site Plan
3. Department Comments
4. Neighborhood Notification Boundary Map

ATTACHMENT 1



The site plan illustrates a residential property with the following features and dimensions:

- Property Dimensions:** The property is bounded by a 15' ALLEY to the north, a 5' SIDEWALK and 5' PARKWAY to the south, and a LOT LINE to the west. The east boundary is defined by a 5' CHAINLINK FENCE.
- Proposed 2-Unit Building:** Located in the center-left, this building consists of two units, each 700 SF. It is 35' wide and 24' deep. The assumed finished floor (F.F.) is +100.66, and the assumed finished ground (F.G.) is +100.00. It is surrounded by a 3' CONCRETE WALKWAY.
- Existing House:** Located in the bottom-left corner, this house is 707 SF, 27'-11" wide, and 25'-4" deep. It has a 16 SF PORCH and is surrounded by a 3' CONCRETE WALKWAY.
- Other Structures and Features:**
 - A 25 SF PORCH is located adjacent to the existing house.
 - A BIKE RACK is situated near the 25 SF PORCH.
 - A COM. DUMPSTER is located in the bottom-right corner.
 - A CHAINLINK FENCE runs along the north and east boundaries.
 - A 5' CHAINLINK FENCE runs along the east boundary.
- Setbacks and Easements:**
 - A 3' CONCRETE WALKWAY runs along the west LOT LINE.
 - A 4' CONCRETE WALKWAY runs along the south boundary of the proposed building.
 - A 3' CONCRETE WALKWAY runs along the south boundary of the existing house.
 - A 10'-8" setback is shown from the south boundary to the existing house.
 - A 6'-8" setback is shown from the south boundary to the proposed building.
 - A 24' setback is shown from the east boundary to the proposed building.
 - A 24' setback is shown from the east boundary to the existing house.
 - A 24' setback is shown from the east boundary to the COM. DUMPSTER.
- Orientation and Coordinates:** The property is oriented with North (N00°10'00"E) and South (S00°10'00"W) lines. The north-south line is labeled N00°10'00"E and S00°10'00"W. The east-west line is labeled S89°50'00"E and N89°50'00"W.

ATTACHMENT 3

Planning and Inspections Department - Planning Division

Recommend approval. The proposed development is in keeping with the character of its neighborhood and the policies of the G-2 Traditional Neighborhood (Walkable) designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

Planning and Inspections Department – Plan Review & Landscaping Division

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

Recommend approval.

1. As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, rainwater harvesting within landscaped areas, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

Sun Metro

No comments received.

Fire Department

Minimum fire lane width on the property needs to be 20', not 15'. If hose reach can be obtained (150' for non-sprinklered) where the vehicle stops driving straight in without turning, then it is not necessary for a 20' driveway (behind parking spaces) crossing perpendicular to the straight concrete driveway. The only drive to widen would be the one coming straight into the property.

Comments to be addressed at the permitting stage.

Streets and Maintenance Department

TIA not required.

Police Department

No comments received.

Environmental Services

No comments received.

El Paso Water

EPWater does not object to this request.

Water:

There is an existing 8-inch diameter water main extending along Beacon St. fronting the subject property. This main is located approximately 10.5-feet south of the northern right-of-way line of Beacon St. This water main is available for service.

Previous water pressure readings from fire hydrant # 276 located at the southwest corner of the intersection of Beacon St. and Glenwood Dr., have yielded a static pressure of 94 pounds per square inch, a residual pressure of 84 pounds per square inch, and a discharge flow of 1,482 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 extending along Beacon St. fronting the subject property. This main is located approximately 25.7-feet north of the southern right-of-way line of Beacon St. This sanitary sewer main is available for service.

General:

EPWU requires a new service application to provide additional 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 EPWU – 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:

As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

El Paso 911 District

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

Texas Department of Transportation

No comments received.

El Paso County Water Improvement District

No comments received.

ATTACHMENT 4

