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

AGENDA DATE: April 11, 2023 PUBLIC HEARING DATE: May 9, 2023

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

Saul Pina, (915) 212-1612

**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 granting Special Permit No. PZST22-00014, to allow for an infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction on the property described as Lot 17, Block 36, Magoffin, 916 South St. Vrain Street, 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 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: 916 South St. Vrain Street Applicant: Norma Judith Arrunada, PZST22-00014

### **BACKGROUND / DISCUSSION:**

The applicant is requesting a special permit for an infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction for a quadraplex use in the A-3 (Apartment) zone district. City Plan Commission recommended 5-0 to approve the special permit on February 23, 2023. As of April 4, 2023, the Planning Division has not received any communication in support or opposition to the special permit request. See attached staff report for additional information.

### PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? <u>X</u> YES <u>NO</u>

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

**DEPARTMENT HEAD:** 

Kevin Smith for Philip Etiwe

### ORDINANCE NO.

### AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST22-00014, TO ALLOW FOR AN INFILL DEVELOPMENT WITH REDUCTIONS TO AVERAGE LOT WIDTH, FRONT AND SIDE YARD SETBACKS, AND A 75% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOT 17, BLOCK 36, MAGOFFIN, 916 SOUTH ST. VRAIN STREET, 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 IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

**WHEREAS,** Norma Judith Arrunada, has applied for a Special Permit under Section 20.10.280 of the El Paso City Code to allow for an infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction for a quadraplex; and,

WHEREAS, a report was made by the City Plan Commission, and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

**WHEREAS,** the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval; and

**WHEREAS,** the City Council of the City of El Paso finds that the application conforms to all requirements of Section 20.04.320 of the El Paso City Code.

## NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the property described as follows is in an A-3 (Apartment) District:

Lot 17, Block 36, Magoffin, 916 South St. Vrain Street, City of El Paso, El Paso County, Texas; and,

2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code to allow for infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction for a quadraplex on the property described in Paragraph 1 of this Ordinance; and,

3. That this Special Permit is issued subject to the development standards in the A-3 (Apartment) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as **Exhibit "A"** and is incorporated herein by reference for all purposes; and,

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST22-00014, shall be subject to termination; construction

### PZST22-00014

or occupancy shall be discontinued; and the Applicant shall be subject to the penalty provisions of Chapter 20.24 and any other legal or equitable remedy; and,

5. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary to the City Plan Commission before building permits are issued.

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_\_, 2023.

THE CITY OF EL PASO

ATTEST:

Oscar Leeser Mayor

Laura D. Prine City Clerk

**APPROVED AS TO FORM:** 

Joyce Garcia Assistant Attorney

### **APPROVED AS TO CONTENT:**

Kevin Smith for

Philip F. Etiwe, Director Planning & Inspections Department

### AGREEMENT

Norma Judith Arrunada, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the A-3 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this \_\_\_\_\_\_ day of \_\_\_\_\_\_ MARCH , 2023.

Norma Judith Arrunada

(Signature)

Norma Judith Arrunada Jowner (Name/Title)

### ACKNOWLEDGMENT

THE STATE OF TEXAS ) )

COUNTY OF EL PASO )	714
This instrument is acknown is acknown with the second seco	nowledged before me on this $\frac{27}{day}$ of Norma
Judith Arrunada as Applicant.	The second second second
(Seal)	Matula Cadina
GRACIELA E. CADENA	Notary Public, State of Texas

Signature <u>GRACERA E CASENA</u> Printed or Typed Name

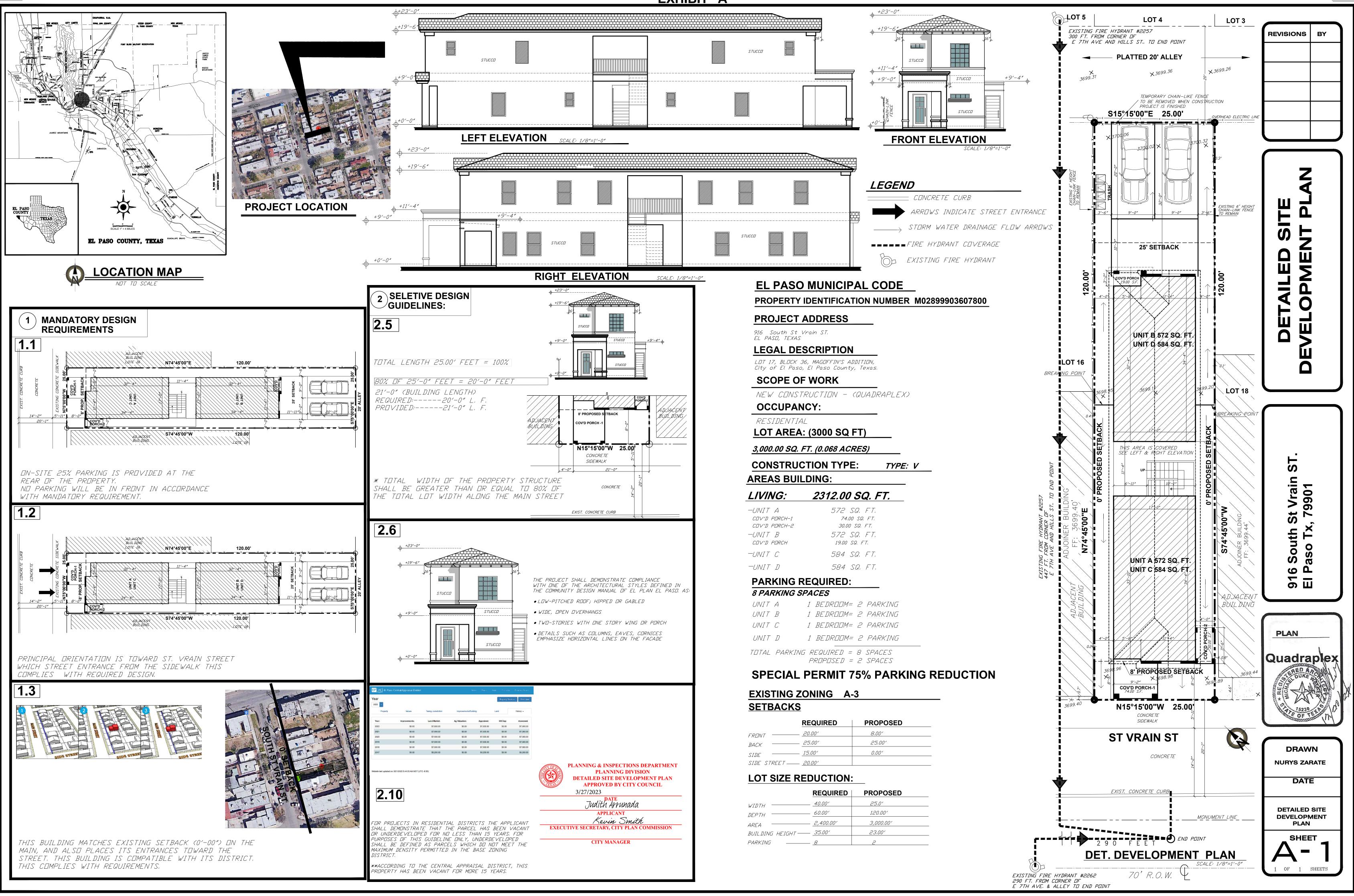
My Commission Expires: 10.27-2023

(Exhibit "A" on the following page)

**ORDINANCE NO.** HQ 23-504 | Tran #488805 | Planning & Inspections Department 916 South St. Vrain Street- General Special Use Permit JG

NOTARY ID#: 221646-2 in and for the State of Texas My commission expires **ÓCTOBER 27, 2023** 

PZST22-00014



# EXHIBIT "A"

### 916 South St. Vrain Street

City Plan Commission — February 9, 2023

CASE NUMBER: CASE MANAGER: PROPERTY OWNER: REPRESENTATIVE:	<b>PZST22-00014</b> Saul Pina, (915) 212-1612, <u>PinaSJ@elpasotexas.gov</u> Norma Judith Arrunada Norma Judith Arrunada
LOCATION: PROPERTY AREA: REQUEST:	916 South St. Vrain St. (District 8) 0.07 acres Special permit and Detailed Site Development Plan approval for infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction for a quadraplex
RELATED APPLICATIONS: PUBLIC INPUT:	in the A-3 (Apartment) zone district. None None received as of February 2, 2023

SUMMARY OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval for an infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction for quadraplex use in the A-3 (Apartment) zone district.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends APPROVAL of the special permit and detailed site development plan request for infill development. The proposal meets all the requirements of El Paso City Code Section 20.04.320 - Special Permit Approvals, Section 20.04.150 - Detailed Site Development Plan Procedures, and Section 20.10.28 – Infill Development. Furthermore, the proposed development is in accordance with both the G-2 Traditional Neighborhood Future Land Use Designation and Plan El Paso, the City's adopted Comprehensive Plan.



PZST22-00014

Figure A. Detailed Site Development Plan Superimposed on Aerial Imagery

**DESCRIPTION OF REQUEST:** The applicant is requesting review and approval of a special permit and detailed site development plan for an infill development with reductions to the required average lot width, front and side yard setbacks, and a 75% parking reduction for a proposed quadraplex use in the A-3 (Apartment) zone district. The subject property is vacant. The applicant is proposing to develop a 2,312 square-foot quadraplex on the subject property. The detailed site development plan shows four (4) units, averaging 578 square feet in size and integrated into a two-story building with a maximum height of twenty-three feet (23'). The applicant is requesting the following reductions: from the required average lot width of forty feet (40') to twenty-five feet (25'); a reduction in setbacks from the required twenty-foot (20') front setback to a zero-foot (0') setback and from the required fifteen-foot (15') side setbacks to zero-foot (0') setbacks; and a 75% parking reduction from the required eight (8) parking spaces to two (2) parking spaces. A parking study was submitted as required (see Attachment 3), which shows forty-five (45) on-street parking spaces within 300 feet of the subject property. The highest count shows thirty-two (32) spaces occupied and thirty (30) vacant spaces. Aside from the reductions requested, the detailed site development plan demonstrates compliance with all applicable standards per the El Paso City Code. Pedestrian access to the subject property is provided from St. Vrain Street, with vehicular access through an alleyway connecting Seventh Avenue and Olivas V. Aoy Avenue. The following table summarizes the reductions request:

Density/Dimensional Standard	Required	Proposed
A-3 (Apartment) Zone District - Other Permitted Uses (Quadraplex)		
Lot area	2,400 sq. ft.	No change
Lot width	40 ft.	25 ft.
Lot depth	60 ft.	No change
Front yard setback	20 ft.	8 ft
Rear yard setback	25 ft.	No change
Side yard setback	15 ft.	0 ft.

Note: Bold indicates requested reductions

## COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EI Paso City Code 20.10.280)

Criteria	Does the Request Comply?
<b>Location Criteria:</b> 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 Magoffin Subdivision, which was platted in 1898. This satisfies Mandatory Requirement 20.10.280.B.3 of El Paso City Code.
<b>Mandatory Design Requirement 1.1:</b> 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.F5 of the El Paso City Code.	Yes. The property is located in an apartment zone district where some of the lots have on-site parking on the front and accessible parking on the back. The subject property can be accessible through an alleyway located at the rear of the property. The principal building will screen the proposed parking from view and will permit compliance with such requirement.
<b>Mandatory Design Requirement 1.2:</b> 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 proposed development shows the building oriented towards St. Vrain Street, with pedestrian access along that same street. Main entrance to the principal building will be from the same street.
<b>Mandatory Design Requirement 1.3:</b> 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%.	Yes. All of the properties along the block have a zero- foot (0') front setback, which does match the proposed setback.
<b>Selective Design Requirement 2.5:</b> The total width of the primary structure is greater than 80% of the total lot width along the main street. For the purposes of this	Yes. To comply with this requirement, the total width of the property is 25 feet and the total width of the primary structure will be 21 feet. The ratio of these two

## COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EI Paso City Code 20.10.280)

Coue 20.10.200)	
calculation any necessary vehicular access driveway	measurements yields 0.84 or 84 percent, which is
shall be subtracted from the total lot width.	greater than the 80% lot width requirement.
<b>Selective Design Requirement 2.6:</b> The project shall demonstrate compliance with one of the architectural styles defined in the Community Design Manual of <i>Plan El Paso</i>	Yes. The proposed development complies with the architectural component requirement as defined in the Community Design Manual of <i>Plan El Paso</i> . The two-story structure will have a Prairie Style, feature a wing or porch, a low-pitched gabled roof, 16" wide roof overhangs, and other design details including columns, eaves, and cornices emphasizing horizontal lines along the façade.
<b>Selective Design Requirement 2.10:</b> For projects in residential districts, the applicant shall demonstrate that the parcel has been vacant or underdeveloped for no less than 15 years. For purposes of this guideline only, underdeveloped shall be defined as parcels, which do not meet the maximum density permitted in the base zoning district.	Yes. Per Central Appraisal District information, the subject property has remained vacant and underdeveloped for at least 15 years or more.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (EI Paso City Code 20.04.320.D)	
Criteria	Does the Request Comply?
1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located.	Yes. Aside from the reductions requested, the detailed site development plan demonstrates compliance with all applicable standards per the El Paso City Code.
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. The request complies with the recommendations of <i>Plan El Paso</i> and the G-2, Traditional Neighborhood Land Use designation. The proposed development will integrate with existing buildings, supplementing uses previously not existing and permitting accessibility through the front and back.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property fronts St. Vrain Street, a local street, as classified on the City of El Paso's Major Thoroughfare Plan (MTP). No reviewing departments had adverse comments, and the existing infrastructure is deemed appropriate to support the proposed use.
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. No impact is anticipated from the approval of the proposed special permit and detailed site development plan. Per the City Departments' review comments, the proposed development will not impose a risk to neighboring properties.
5. The design of the proposed development mitigates substantial environmental problems.	Yes. Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance. The proposed development demonstrates adequate storm water management.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. Due to the zoning and proposed use, landscaping will not be required. The proposed development will provide screening where needed.
7. The proposed development is compatible with adjacent structures and uses.	Yes. The proposed use and building configuration is compatible with other properties in the immediate area.

8. The proposed development is not materially	Yes. The proposed redevelopment is similar in intensity
detrimental to the property adjacent to the site.	and scale to surrounding development and is not
	socioeconomically or physically detrimental to
	neighboring properties.

COMPLIANCE WITH PLAN EL PASO GOALS & POLICIES – When evaluating whether a		
proposed special permit is in accordance with <i>Plan El Paso,</i> consider the following factors:		
Criteria	Does the Request Comply?	
<ul> <li>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</li> <li><u>G-2, Traditional Neighborhood:</u> 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 Smart Code as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</li> </ul>	Yes, the proposed development meets the intent of the G-2, Traditional Neighborhood Future Land Use designation. The proposed development will integrate with nearby single-family and multi-family dwellings, and it will incorporate existing pedestrian access through St. Vrain Street and proposed vehicular access through the alleyway. The principal building will be connected by a fronting sidewalk and will have rear parking screened from view.	
Compatibility with Surroundings: The proposed use is compatible with those surrounding the site: <u>A-3 (Apartment) District:</u> 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.	Yes. The subject property is A-3 (Apartment) and is situated in an area comprising of a mixture of housing types. Some existing uses that are permissible in an A- 3 (Apartment) zone district range from single-family dwellings to apartments (5 or more units). The proposed development will have a use of quadraplex and will support residential dwelling density, previously not available.	
THE PROPOSED PROJECT'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 area plans, including land-use maps in those plans.	The proposed development is within the Segundo Barrio Historic District. This federal designation does not impact the request, nor requires further review and/or approval.	
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development is not anticipated to pose any adverse effects on the community.	
<b>Natural Environment:</b> Anticipated effects on the natural environment.	The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.	

## 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:

Stability: Whether the area is stable or in transition.	The area is stable, with no rezoning in the area within
	the last 10 years.
Socioeconomic & Physical Conditions: Any changed	Existing zoning will not be changed. Due to the property
social, economic, or physical conditions that make the	being located in one of the oldest areas of the City, the
existing zoning no longer suitable for the property.	existing lot dimensions and parking requirements do
	not match with requirements of the A-3 (Apartment)
	zoning district, requiring reductions.

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** The subject property fronts St. Vrain Street, a street designated as local per the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate for the proposed development. Pedestrian access is provided though an existing five-foot (5') sidewalk while vehicular access is proposed through an alleyway located at the back and connecting Seventh Avenue and Olivas V. Aoy Avenue. The applicant will be responsible for alleyway improvements to provide for parking and accessibility to the site. Additionally, there is a bus route along Seventh Avenue, which will provide service to and from the site.

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

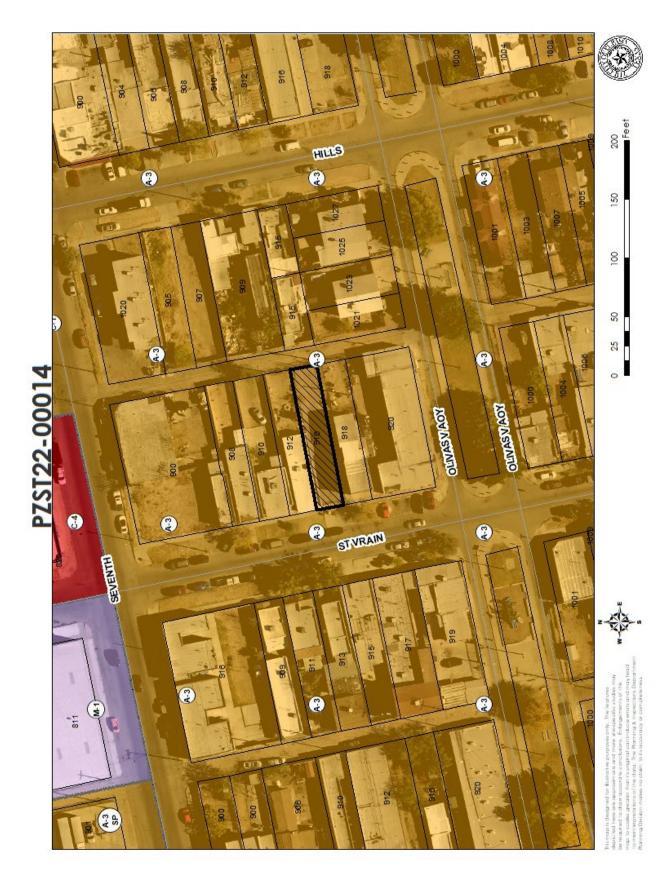
**PUBLIC COMMENT:** The subject property lies within El Paso Central Business Association, Southside Neighborhood Association, and Southside Neighborhood association, all of which were notified of the special permit application. Notices were sent to property owners within 300 feet of the subject property on January 27, 2023. As of February 2, 2023, the Planning Division has not received any communication in support or opposition to the special permit request.

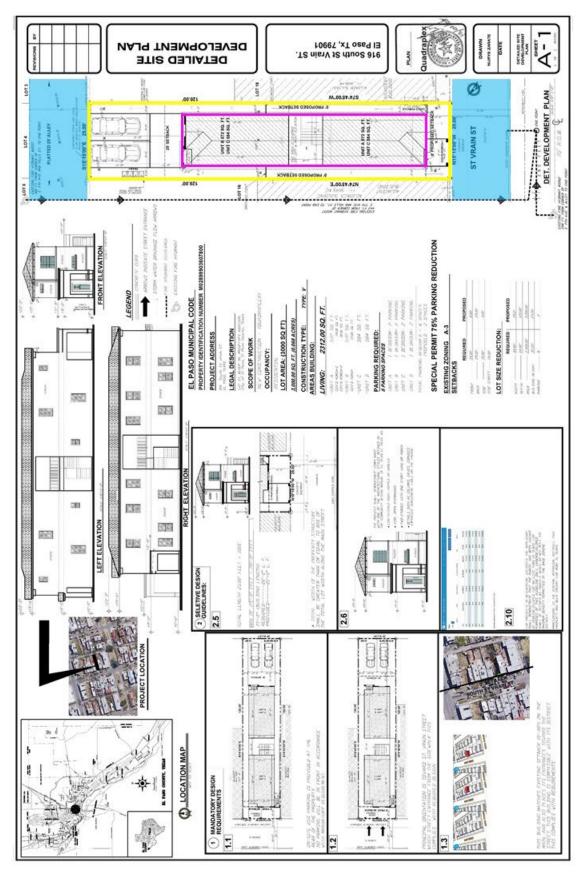
### CITY PLAN COMMISSION OPTIONS:

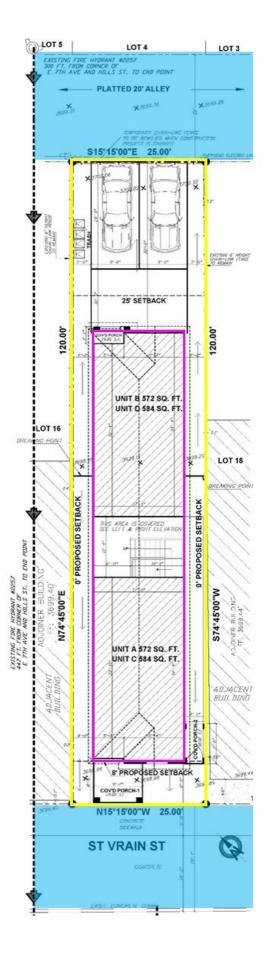
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

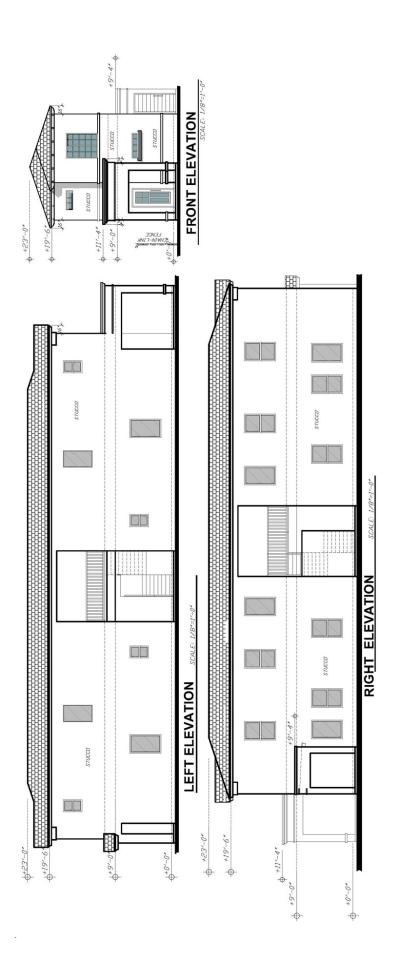
- 1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)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

- 1. Zoning Map
- 2. Detailed Site Plan
- 3. Parking Study
- 4. Department Comments
- 5. Neighborhood Notification Boundary Map











### Planning and Inspections Department – Planning Division

Staff recommends approval of the special permit for an infill development and detailed site development plan per Section 20.04.320 – Special Permit Approvals, Section 20.04.150 – Detailed Site Development Plan Procedures, and Section 20.10.28 – Infill Development.

#### Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval.

Landscape requirements only apply to commercial projects. Since this complex has less than 5 units, it is considered a residential project. No landscape and/or substitution is required.

### Planning and Inspections Department – Land Development

Recommend approval.

No objections to proposed special permit plan.

1. Show proposed drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all stormwater runoff within the subdivision. Show roof gutter runoff discharge locations.

#### Note: Comment addressed.

#### Fire Department

Recommend approval with condition.

1. Need to show that they meet the hose reach requirements of 150' from fire access. Note: the alley declared may not be used for fire access hose reach determinations. The lot tapering (fencing) to the vehicle parking area looks to be too narrow for hose reach

Note: Comment addressed.

#### **Police Department**

No comments provided.

#### **Environmental Services**

No comments provided.

### **Streets and Maintenance Department**

No TIA required; no objections.

#### Sun Metro

The vehicle entrance to the property is situated within 1000 feet of a mass transit route.

### El Paso Water

EPWater does not object to this request.

#### Water:

There is an existing 4-inch diameter water main extending along the east side of Saint Vrain St. and north of Eight Ave. This main is located approximately 4-feet west of the eastern right-of-way line. This water main is available for service.

Previous water pressure readings from fire hydrant # 02257 located at the northwest corner of the intersection of Seventh Ave. and Hills St. have yielded a static pressure of 94 pounds per square inch, a residual pressure of 80 pounds per square inch, and a discharge flow of 1446 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 Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

EPWater records indicate an existing ¾-inch water meter surviving the subject property. The address for this service is 912 S Saint Vrain St.

### Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along an alley east of Saint Vrain St. and north of Eight Ave. This main is located approximately 10-feet west of the eastern right-of-way line. This water main is available for service.

### General:

EPWater 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 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:

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.

### **Texas Department of Transportation**

No comments provided.

### 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.

