### 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

Nina Rodriguez, (915) 212-1561

**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. PZST22-00013, to allow for infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction on the property described as Lot 14, Block 47, Magoffin, 708 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: 708 South St. Vrain St. Applicant: Norma Judith Arrunada, PZST22-00013

### **BACKGROUND / DISCUSSION:**

The applicant is requesting a special permit for infill development with reductions to average lot width, front and side yard setbacks, and a 75% parking reduction to allow for quadraplex use. City Plan Commission recommended 5-0 to approve the proposed special permit on February 23, 2023. As of March 20, 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. PZST22-00013, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTIONS TO AVERAGE LOT WIDTH, FRONT AND SIDE YARD SETBACKS, AND A 75% PARKING REDUCTION ON THE PROPERTY DESCRIBED AS LOT 14, BLOCK 47, MAGOFFIN, 708 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,** the Norma Judith Arrunada, has applied for a Special Permit under Section 20.10.280 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; 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 14, Block 47, Magoffin, 708 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,

### PZST22-00013

4. That if at any time the Applicant fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST22-00013, shall be subject to termination; construction 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:**

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

Joyce Garcia

Joyce Garcia Assistant Attorney

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 <u>27</u><sup>74</sup> day of <u>MARCH</u> 2023.

Norma Judith Arrunada

(Signature)

Norma Judith Arruñada/ Quner (Name/Title)

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### ACKNOWLEDGMENT

THE STATE OF TEXAS

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COUNTY OF EL PASO

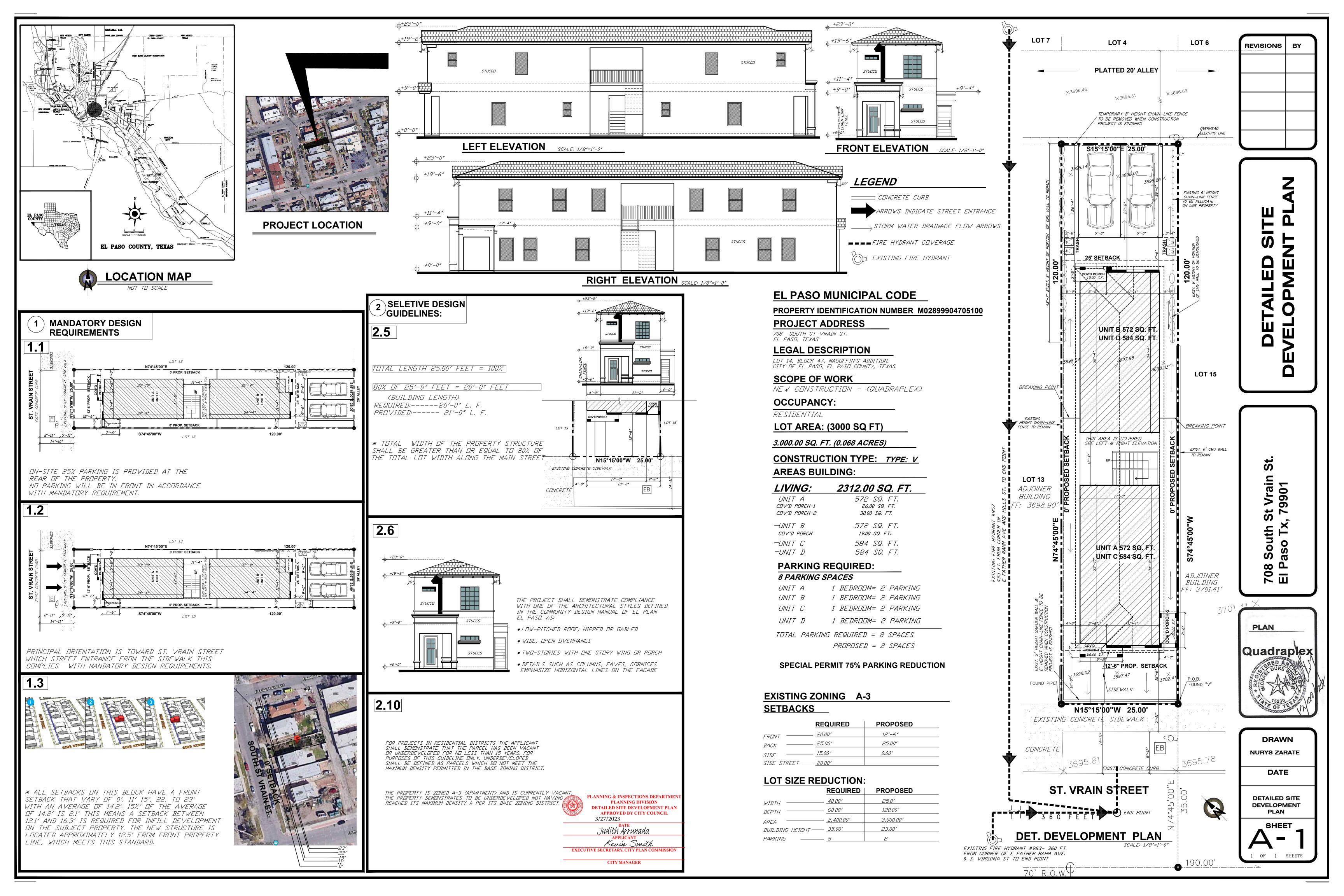
This instrument is acknowledged before me on this The day of MARCH, 2023, by NORMA JUSTHARRINATA for Norma
Judith Arrunada as Applicant. (Seal) GRACIELA E. CADENA NOTARY PUBLIC NOTARY ID#: 221646-2 In and for the State of Texas My commission expires OCTOBER 27, 2023 OCTOBER 27, 2023 OCTOBER 27, 2023
My Commission Expires:

(Exhibit "A" on the following page)

ORDINANCE NO. HQ 23-438 | Tran # 487914 | Planning & Inspections Dept. 708 South St. Vrain St. JG

10-27-2023

**PZST22-00013** 



## 708 South St. Vrain Street

City Plan Commission — February 23, 2023

CASE NUMBER: CASE MANAGER: PROPERTY OWNER: REPRESENTATIVE: LOCATION: PROPERTY AREA: EXISTING ZONING: REQUEST:	PZST22-00013 Nina Rodriguez, (915) 212-1561, <u>RodriguezNA@elpasotexas.gov</u> Norma Judith Arrunada Norma Judith Arrunada 708 South St. Vrain Street (District 8) 0.07 acres A-3 (Apartment) 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 16, 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'S 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 Sections 20.04.320 – Special Permit, 20.04.150 – Detailed Site Development Plan, and 20.10.28 – Infill Development. The proposed development is consistent with both the G-2 Traditional Neighborhood Future Land Use Designation and with *Plan El Paso*, the City's adopted Comprehensive Plan.



Figure A. Detailed Site Development Plan Superimposed on Aerial Imagery

### PZST22-00013

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**DESCRIPTION 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 a proposed quadraplex use in the A-3 (Apartment) district. The subject property is vacant. The detailed site development plan shows a 2,312 square-foot, two-story quadraplex reaching a maximum height of twenty-three feet (23'). The applicant is a requesting the following reductions: from the required average lot width of forty feet (40') to twenty-five feet (25'), from the required front yard setback of twenty feet (20') to twelve and a half feet (12.5'), and from the required side yard setbacks of fifteen feet (15') to zero feet (0'). The applicant is also requesting 75% parking reduction from eight (8) parking spaces to (2) parking spaces. A parking study was submitted as required (see Attachment 3), which shows sixty-two (62) on-street parking spaces within 300 feet of the subject property. The highest count shows forty-two (42) spaces occupied and forty-two (42) vacant spaces. Aside from the required reductions, the detailed site development plan demonstrates compliance with all other applicable standards. Vehicular access to the subject property is proposed from Father Rahm Avenue and Sixth Avenue via the rear alley, while providing pedestrian access from the front sidewalk along St. Vrain Street.

Density/Dimensional Standard A-3 (Apartment) zone district – Other Permitted Uses (Quadraplex)	Required	Proposed
Lot area	2,400 sq. ft.	No change
Lot width (average)	40 ft.	25 ft.
Lot depth	60 ft.	No change
Front yard setback	20 ft.	12.5 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 (EL PASO CITY CODE SECTION 20.10.280)

CODE SECTION 20.10.2007	
Criteria	Does the Request Comply?
Location Criteria: An infill development may be located	Yes. The subject property is part of the Magoffin
on any parcel of land which meets at least one of the	Subdivision, which was platted in 1898 according to El
location criteria.	Paso County records. This satisfies Mandatory
	Requirement 20.10.28.B.3 of the El Paso City Code.
Mandatory Design Requirement 1.1: Where on-site	Yes. Parking is proposed at the rear of the subject
surface parking is proposed, it shall be located at the	property with access from the existing alley in
rear of the property and when possible accessed via	accordance with Section 20.10.280.i of the El Paso City
alleyway; or at the side of the property and screened in	Code.
accordance with Section 21.50.070.F5.	
Mandatory Design Requirement 1.2: Buildings shall be	Yes. The proposed development is oriented towards St.
placed on the parcels such that the principal	Vrain Street (main street), with pedestrian access from
orientation is toward the main street and the principal	the same street.
entrance is from the sidewalk.	
Mandatory Design Requirement 1.3: For proposals	Yes. The subject property is located in an A-3
abutting existing residential development the front	(Apartment) district, abutting other existing residential
setback shall not deviate from the average front	developments with an average setback of 14.2 feet for
setback of lots within the same block as the proposed	all lots within the same block. The proposed 12.5-foot
development by more than 15%.	front setback is within the deviation of 15% of the
	average setback requirement.
Selective Design Requirement 2.5: The total width of	Yes. The total width of the proposed building is 21 feet,
the primary structure shall be greater than or equal to	which is greater than 80% of the lot width of 25 feet.
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	
width.	

# COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (EL PASO CITY CODE SECTION 20.10.280)

CODE 02011011 201201200)	
Selective Design Requirement 2.6: The project shall	Yes. The proposed development demonstrates
demonstrate compliance with one of the architectural	compliance with the craftsman and prairie architectural
styles defined in the Community Design Manual of Plan	styles as defined in the Community Design Manual of
El Paso.	Plan El Paso.
Selective Design Requirement 2.10: For projects in	Yes. A single-family dwelling was present on the
residential districts, the applicant shall demonstrate	subject property in 2008 and was between 2009 and
that the parcel has been vacant or underdeveloped for	2010 according to GIS aerial imagery. The property has
no less than 15 years. For purposes of this guideline	since remained vacant. While the subject property did
only, underdeveloped shall be defined as parcels which	have a single-family dwelling within the last fifteen
do not meet the maximum density permitted in the	years, the property has been underdeveloped as it has
base zoning district.	never reached its maximum density as per its base A-3
	(Apartment) zoning district.

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 is in accordance with the recommendations of Plan El Paso and the G-2, Traditional Neighborhood (Walkable) land use designation. The proposed development will increase housing stock of the area.
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). Vehicular access to the subject property is proposed from the rear alley. The applicant is requesting reduction from the minimum requirement of eight (8) parking spaces to two (2) parking spaces. A parking study was conducted for this application, which found that there is sufficient on- street parking available to serve 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. There are no anticipated adverse or negative impacts on adjacent properties from the proposed quadraplex 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 municipal 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 <i>Plan El Paso</i> , consider the following factors:		
Criteria	Does the Request Comply?	
Future Land Use Map: Proposed zone change is	Yes. The proposed quadraplex development is	
compatible with the Future Land Use designation for	compatible with the goals of the G-2, Traditional	
the property:	Neighborhood (Walkable) future land use designation.	
G-2, Traditional Neighborhood (Walkable): This	The proposed development respects the intent of a	
sector includes the remainder of Central El Paso as	walkable neighborhood by orienting the façade of the	
it existing through World War II. Blocks are small	proposed building toward St. Vrain Street (main street),	
and usually have rear alleys; buildings directly	providing pedestrian access from the sidewalk and	
faced streets; schools, parks, and small shops are	restricting vehicular access to the rear from the alley	
integrated with residential areas. This sector is	abutting the subject property. The proposed	
well-suited for use of the SmartCode as a	development will increase housing stock of the area.	
replacement for current zoning when planned in		
conjunction with specific neighborhood plans or		
identified in the Comprehensive Plan.	Ver The prepared development of supdampion was in	
<b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:	Yes. The proposed development of quadraplex use is	
<u>A-3 (Apartment) District</u> : The purpose of these	permitted by right in the A-3 (Apartment) district and is	
districts is to promote and preserve residential	compatible with surrounding properties.	
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.		
	ND SURROUNDING PROPERTY, AFTER EVALUATING THE	
FOLLOWING FACTORS: Historic District or Special Designations & Study Area	The proposed development is within the Segundo	
Plans: Any historic district or other special designations	Barrio Historic District. This federal designation does	
that may be applicable. Any adopted small areas plans,	not impact the request nor requires further review	
including land-use maps in those plans.	and/or approval.	
<b>Potential Adverse Effects:</b> Potential adverse effects	There are no anticipated adverse impacts.	
that might be caused by approval or denial of the	·····	
requested rezoning.		
Natural Environment: Anticipated effects on the	The subject property does not involve green field or	
natural environment.	environmentally sensitive land or arroyo disturbance.	
<b>Stability:</b> Whether the area is stable or in transition.	The area is stable and the proposed development is compatible with the existing apartment zoning and uses of the surrounding property.	
Socioeconomic & Physical Conditions: Any changed	The proposed development will keep the existing	
social, economic, or physical conditions that make the	zoning district. Due to property located in one of the	
existing zoning no longer suitable for the property.	oldest areas of the City, the 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 local street as designated in the City of El Paso's Major Thoroughfare Plan (MTP). Vehicular access to the subject property is proposed from Father Rahm Avenue and Sixth Avenue via the rear alley, while providing pedestrian access from the front sidewalk along St. Vrain Street. A parking study was conducted for this application, which found that there is sufficient on-street parking available to serve the proposed use. There is also a bus stop approximately 0.10 miles away located at the intersection of South St. Vrain St. and East Seventh Ave. The existing infrastructure and services are adequate to serve the proposed development.

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

**PUBLIC COMMENT:** The subject property lies within the boundaries of the El Paso Central Business Association, Southside Neighborhood Association, and Sunrise Civic Group all of which were notified of the special permit application. Property owners within 300 feet of the subject property were notified of the rezone request on January 27, 2023 by the City of El Paso Planning and Inspections Department. As of February 16, 2023, the Planning Division has not received communication in support or opposition to the request.

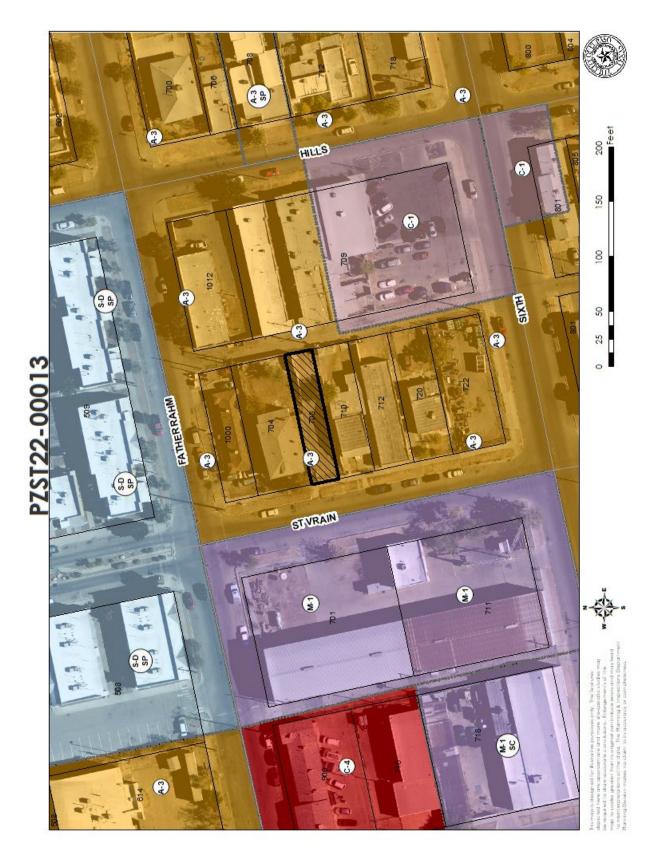
### **RELATED APPLICATIONS:** None.

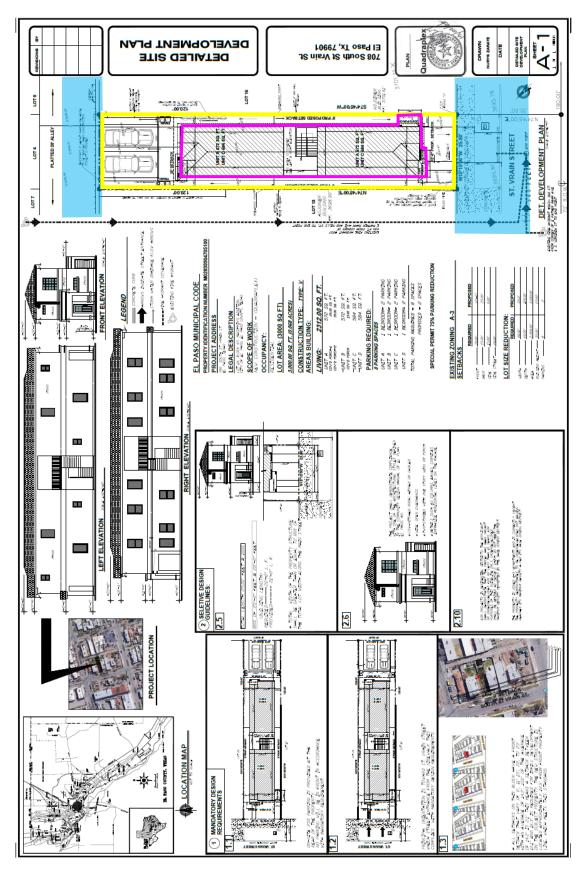
### **CITY PLAN COMMISSION OPTIONS:**

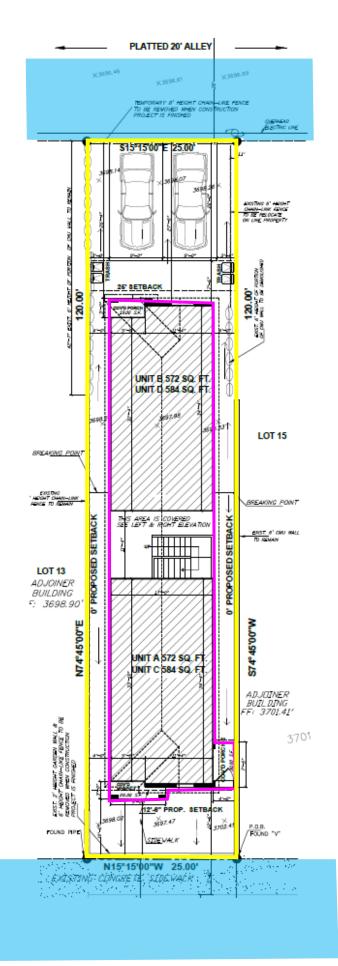
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

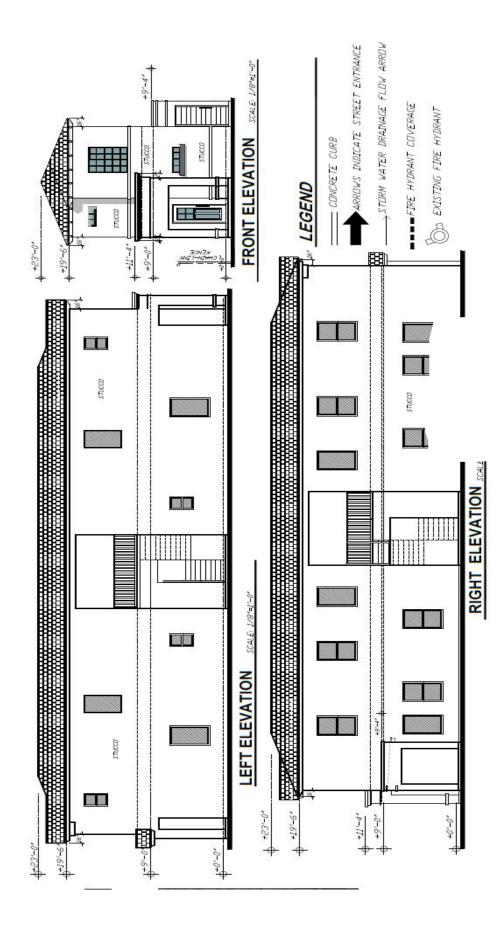
- 1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)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

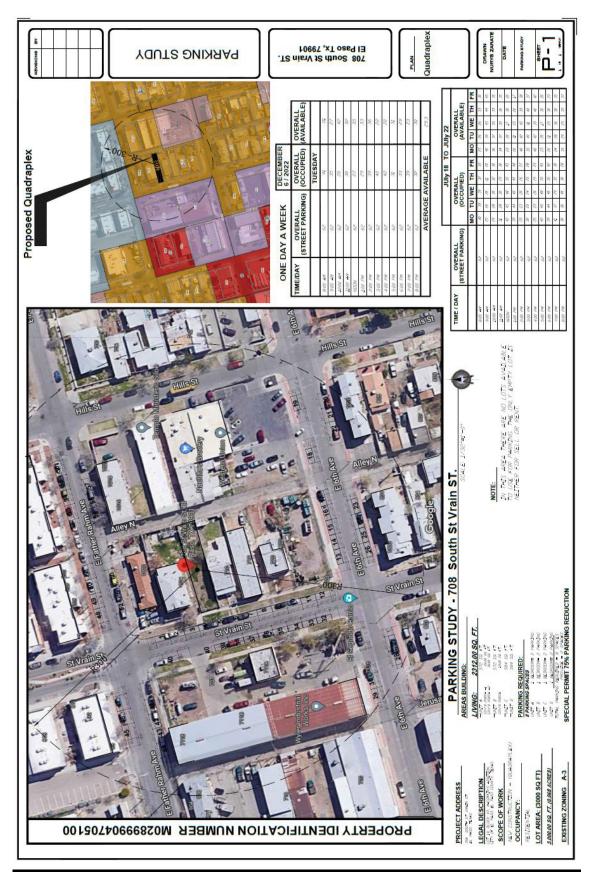
- 1. Zoning Map
- 2. Detailed Site Development Plan
- 3. Parking study
- 4. Department Comments
- 5. Neighborhood Notification Boundary Map











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

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 Sections 20.04.320 – Special Permit, 20.04.150 – Detailed Site Development Plan, and 20.10.28 – Infill Development. The proposed development is consistent with both the G-2 Traditional Neighborhood Future Land Use Designation and with Plan El Paso, the City's adopted Comprehensive Plan.

#### Planning and Inspections Department – Land Development

No objections to proposed rezoning.

- 1. Show proposed 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. Show roof gutter runoff discharge locations.

Comments will be addressed at permitting stage.

#### Fire Department

Recommend approval with condition.

- 1. The site plan still does not show the hose reach distance. Please demonstrate that fire house of 150 feet reaches the most remote area of the farthest building from fire access.
- 2. The alley declared cannot be used for fire access when determining hose reach.
- 3. For Plan Review show that hose reach of 150' is reached to the most remote part of the farthest building from fire access.

Comments have been addressed.

#### Police Department/911 District

No comments received.

#### **Environmental Services**

No comments received.

#### **Streets and Maintenance Department**

No TIA required, no objections.

#### Sun Metro

Vehicle entrance to 708 South St. Vrain Street is situated within 1,000 feet of a mass transit route.

#### El Paso Water

EPWater does not object to this request.

#### **EPWU-PSB Comments**

There is an existing 4-inch diameter water main extending along an alley east of Saint Vrain St. and north of Sixth Ave. This main is located approximately 5-feet west of the eastern right-of-way line. This water main is available for service.

Previous water pressure readings from fire hydrant # 00957 located at the northeast corner of the intersection of Father Rahm Ave. and Hills St. have yielded a static pressure of 100 pounds per square inch, a residual pressure of 90 pounds per square inch, and a discharge flow of 1061 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.

### Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along the alley east of Saint Vrain St. and north of Sixth 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 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 received.

### El Paso County Water Improvement District 1

No comments received.

