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ORDINANCE NO. 019567_____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST23-00002, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCTIONS TO LOT DEPTH, AREA, AND SETBACKS STANDARDS ON THE PROPERTY DESCRIBED AS LOTS 31 & 32, BLOCK 130, EAST EL PASO ADDITION, 1408 & 1410 N. GRAMA 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, Juan and Olga G. Martinez, have applied for a Special Permit under Section 20.10.280 of the El Paso City Code to allow for infill development with reductions to lot depth, area, and setbacks standards; 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:

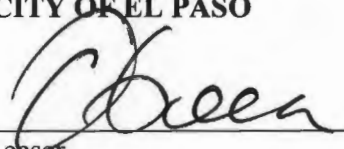
1. That the property described as follows, is in an R-5 (Residential) District: Lots 31 & 32, Block 130, East El Paso Addition, 1408 & 1410 N. Grama Street, City of El Paso, El Paso County, Texas.
2. That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code to allow for infill development with reductions to lot depth, area, and setbacks standards 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 R-5 (Residential) District regulations and is subject to the approved Detailed Site Development Plan signed by the Applicant, the City Manager and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as **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. PZST23-00002, 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.


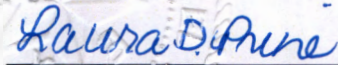
ADOPTED this 21 day of November, 2023.

THE CITY OF EL PASO



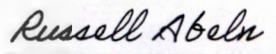
Oscar Lesser
Mayor

ATTEST:

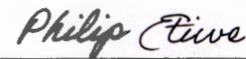
Laura D. Pine
City Clerk

APPROVED AS TO FORM:



Russell Abeln
Senior Assistant Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

AGREEMENT

Juan and Olga G. Martinez, the Applicants referred to in the above Ordinance, hereby agree to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to the same Ordinance, and in accordance with the standards identified in the **R-5 (Residential) District** regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 10th day of October, 2023.

Juan and Olga G. Martinez

Juan Martinez
(Signature)

Olga Martinez
(Signature)

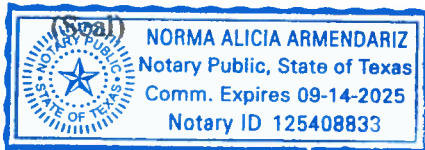
Owners
(Name/Title)

ACKNOWLEDGMENT

THE STATE OF TEXAS)

COUNTY OF EL PASO)

This instrument is acknowledged before me on this 10th day of October, 2023,
by Norma Armendariz for Juan and Olga G. Martinez as Applicant.



Norma A Armendariz
Notary Public, State of Texas
Signature

Norma A Armendariz
Printed or Typed Name

My Commission Expires:

9/14/2025

(Exhibit "A" on the following page)

ORDINANCE NO. _____

HQ 23-1357 [Tran # _____] P&I
General Special Use Permit

PZST23-00002

1408 & 1410 N. Grama Street

City Plan Commission — July 27, 2023



CASE NUMBER:	PZST23-00002 REVISED
CASE MANAGER:	Saul J. G. Pina, (915) 212-1612, PinaSJ@elpasotexas.gov
PROPERTY OWNER:	Juan & Olga G. Martinez
REPRESENTATIVE:	Enrique Ayala
LOCATION:	1408 & 1410 N. Grama St. (District 2)
PROPERTY AREA:	0.16 acres
REQUEST:	Special Permit and Detailed Site Development Plan approval for infill development with reductions to lot depth, area, and setbacks standards for two (2) duplexes in the R-5 (Residential) zone district
RELATED APPLICATIONS:	None
PUBLIC INPUT:	None received as of July 20, 2023

SUMMARY OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval for infill development with reductions to lot depth, lot area, and setback standards for two (2) duplexes in the R-5 (Residential) zone district.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the special permit and detailed site development plan requests for infill development with requested reductions. The proposed development meets all the requirements of El Paso City Code Section 20.04.320 – Special Permit, Section 20.04.150 – Detailed Site Development Plan, and Section 20.10.280 – 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.



Figure A. Detailed Site Development Plan Superimposed on Aerial Imagery. The subject property will be split into two parcels: Parcel 1 and parcel 2.

DESCRIPTION OF REQUEST: The applicant is requesting review and approval of a special permit and detailed site development plan for infill development with reductions to lot depth, lot area, and setback standards for two (2) duplexes in the R-5 (Residential) zone district. The subject property is proposed to be split into two (2) lots, with an existing 3,611 square-foot duplex on one lot and a proposed 3,389 square-foot duplex on the other lot. The detailed site development plan shows the existing duplex with a maximum height of 14 feet and the proposed duplex with a maximum height of 12 feet, respectively. Each of the duplexes will require four (4) parking spaces to meet parking requirements. An automatic 50% parking reduction will be applied to account for the remaining parking spaces due to the proposed development having only two (2) vehicular spaces next to each of the duplexes. The detailed site development plan demonstrates compliance with all applicable standards for detailed site development plan and infill development per the El Paso City Code. Pedestrian and vehicular access to the subject property is provided from both Grama Street and Bisbee Avenue. The following table summarizes the requested reductions:

Density/Dimensional Standard R-5 (Residential) Zone District – Two-family Dwelling (Duplex)	Minimum Required	Proposed Reductions for Parcel 1	Proposed Reductions for Parcel 2
Lot area	6,000 sq. ft.	3,610 sq. ft.	3,389 sq. ft.
Lot depth	90 ft.	50 ft.	50 ft.
Front yard setback	10 ft.	2.5 ft.	5 ft.
Rear yard setback	10 ft.	0 ft.	5 ft.
Cumulative Front and Rear setback	45 ft.	2.5 ft.	10 ft.
Side yard setback (Left)	15 ft.	5 ft.	No change
Side yard setback (Right)	15 ft.	4.9 ft.	N/A
Side street yard setback	10 ft.	N/A	5 ft.

Note: Bold indicates requested reductions

COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (El Paso City Code 20.10.280)	
Criteria	Does the Request Comply?
Location Criteria: An infill development may be located on any parcel of land, which meets at least one of the location criteria.	Yes. The subject property is part of the East El Paso Addition Subdivision, which has been platted for more than 25 years.
Mandatory Design Requirement 1.1: Where on-site surface parking is proposed, it shall be located at the rear of the property and when possible accessed via alleyway; or at the side of the property and screened in accordance with Section 21.50.070.F.5 of the El Paso City Code.	Yes. An exception has been granted per El Paso City Code 20.10.280(C)(1.i.1.d) to allow parking to be located on the side of the property.
Mandatory Design Requirement 1.2: Buildings shall be placed on the parcels such that the principal orientation is toward the main street and the principal entrance is from the sidewalk.	Yes. The existing and proposed developments show both duplexes oriented towards Grama Street, with pedestrian access provided along that same street.
Mandatory Design Requirement 1.3: For proposals abutting existing residential development the front setback shall not deviate from the average front setback of lots within the same block as the proposed development by more than 15%.	Yes. The existing and proposed development has an average setback of 6.15 feet which does not deviate from this requirement.
Selective Design Requirement 2.5: 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 calculation any necessary vehicular access driveway shall be subtracted from the total lot width.	Yes. The proposed development complies with said requirement.

COMPLIANCE WITH SPECIAL PERMIT FOR INFILL DEVELOPMENT STANDARDS (El Paso City Code 20.10.280)	
Selective Design Requirement 2.6: 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 existing and proposed development demonstrate pueblo and craftsman architectural styles, which have design features that are in character with the surrounding residential dwellings.
Selective Design Requirement 2.8: The project includes low impact storm water management, including but not limited to depressed landscaped areas, bioswales, vegetated roofs, pervious pavements, capture and reuse systems.	Yes. The proposed development will have landscaping to retain stormwater runoff.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (El 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. The detailed site development plan demonstrates compliance with all other 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 development.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The subject property fronts Grama Street, a local street, as classified on the City of El Paso's Major Thoroughfare Plan (MTP), and is appropriate to support the existing and proposed duplexes.
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. 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.
6. The proposed development provides adequate landscaping and/or screening where needed.	Yes. The proposed development will provide landscaping for low impact design. Vehicular parking will be located in-between the two duplexes, providing screening from view.
7. The proposed development is compatible with adjacent structures and uses.	Yes. The existing and proposed duplexes are similar in character to the surrounding dwellings.
8. The proposed development is not materially detrimental to the property adjacent to the site.	Yes. The proposed redevelopment is similar in intensity and scale to surrounding development and is not socioeconomically or physically detrimental to neighboring properties.

COMPLIANCE WITH <i>PLAN EL PASO</i> 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?

COMPLIANCE WITH <i>PLAN EL PASO</i> GOALS & POLICIES – When evaluating whether a proposed special permit is in accordance with <i>Plan El Paso</i>, consider the following factors:	
<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 Smart Code as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</p>	<p>Yes, the existing and proposed development meet the intent of the G-2, Traditional Neighborhood Future Land Use designation. The existing and proposed duplexes will integrate with nearby dwellings.</p>
<p>Compatibility with Surroundings: The proposed use is compatible with those surrounding the site:</p> <p>R-5 (Residential) District: The purpose of this district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.</p>	<p>Yes. The subject property is located in an R-5 (Residential) zone district and is situated in an area comprising of low-density housing types. The existing and proposed duplexes will be similar in character to other neighboring properties and support two-family housing types.</p>
THE PROPOSED PROJECT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>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.</p>	<p>The existing and proposed development is not located within a historic district or special designation area.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>The existing and proposed development is not anticipated to pose any adverse effects on the community.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>The area is stable, with no rezoning in the area within the last 10 years.</p>
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.</p>	<p>Existing zoning will not be changed. Due to the property being located in one of the oldest areas of the City, the existing lot dimensions and parking requirements do not comply with requirements of the R-5 (Residential) zoning district, requiring reductions in lot size, setbacks, and parking.</p>

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property fronts Grama Street, a street designated as local per the City of El Paso's Major Thoroughfare Plan (MTP) and is adequate for low density housing types in the area. Pedestrian access is provided through an existing five-foot (5') sidewalk while

vehicular access is proposed through the side of both properties. Additionally, bus route 35 runs along Copia Street and the closest route is 0.1 miles in proximity to the subject property.

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

PUBLIC COMMENT: The subject property lies within El Paso Central Business Association, Sunrise Civic Group, and Five Points Development 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 July 13, 2023. As of July 20, 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:

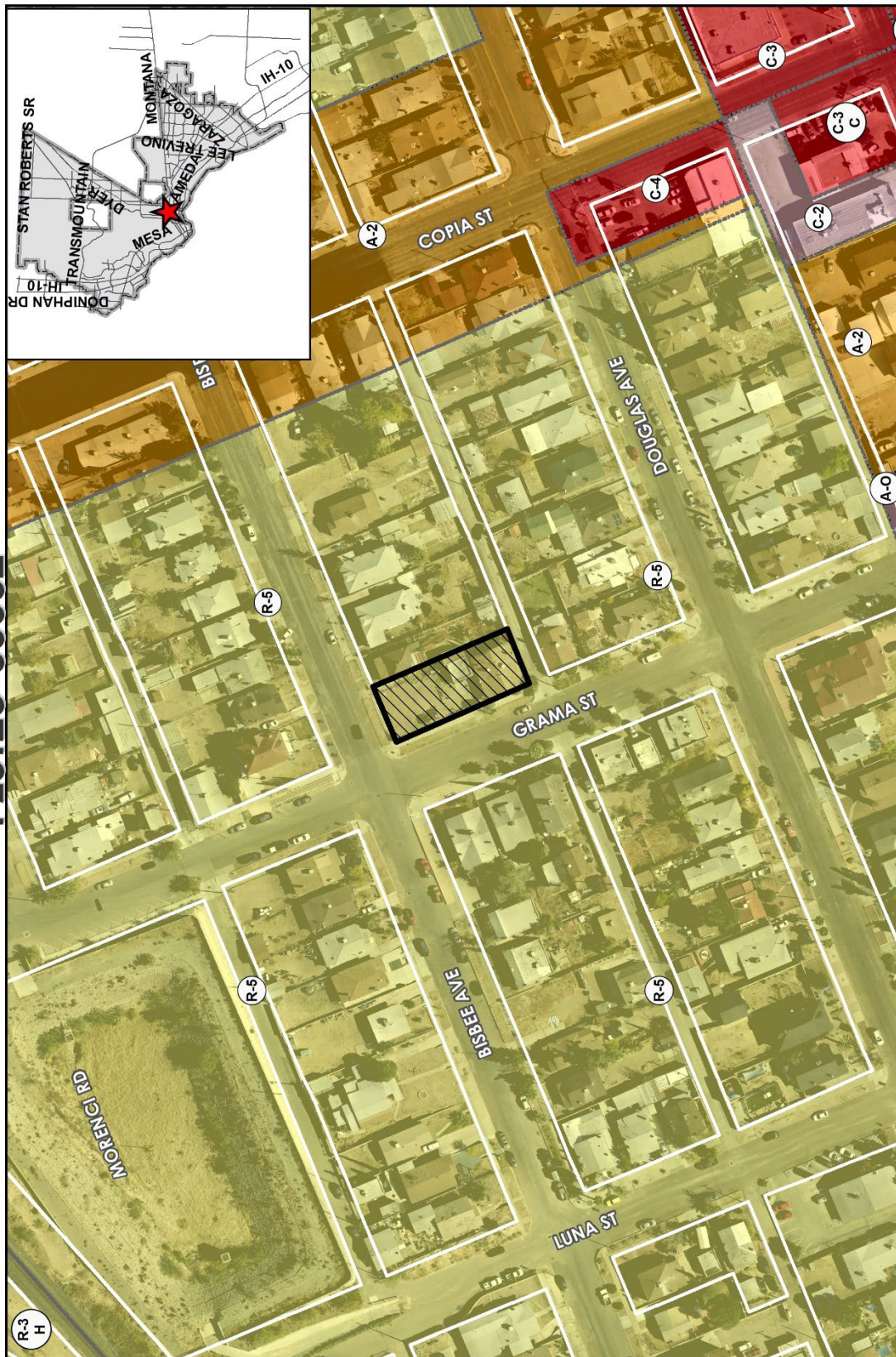
1. **Recommend Approval** of the special permit request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**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

ATTACHMENTS:

1. Zoning Map
2. Detailed Site Plan
3. Detailed Site Plan (Enlarged)
4. Elevations
5. Department Comments
6. Neighborhood Notification Boundary Map

ATTACHMENT 1

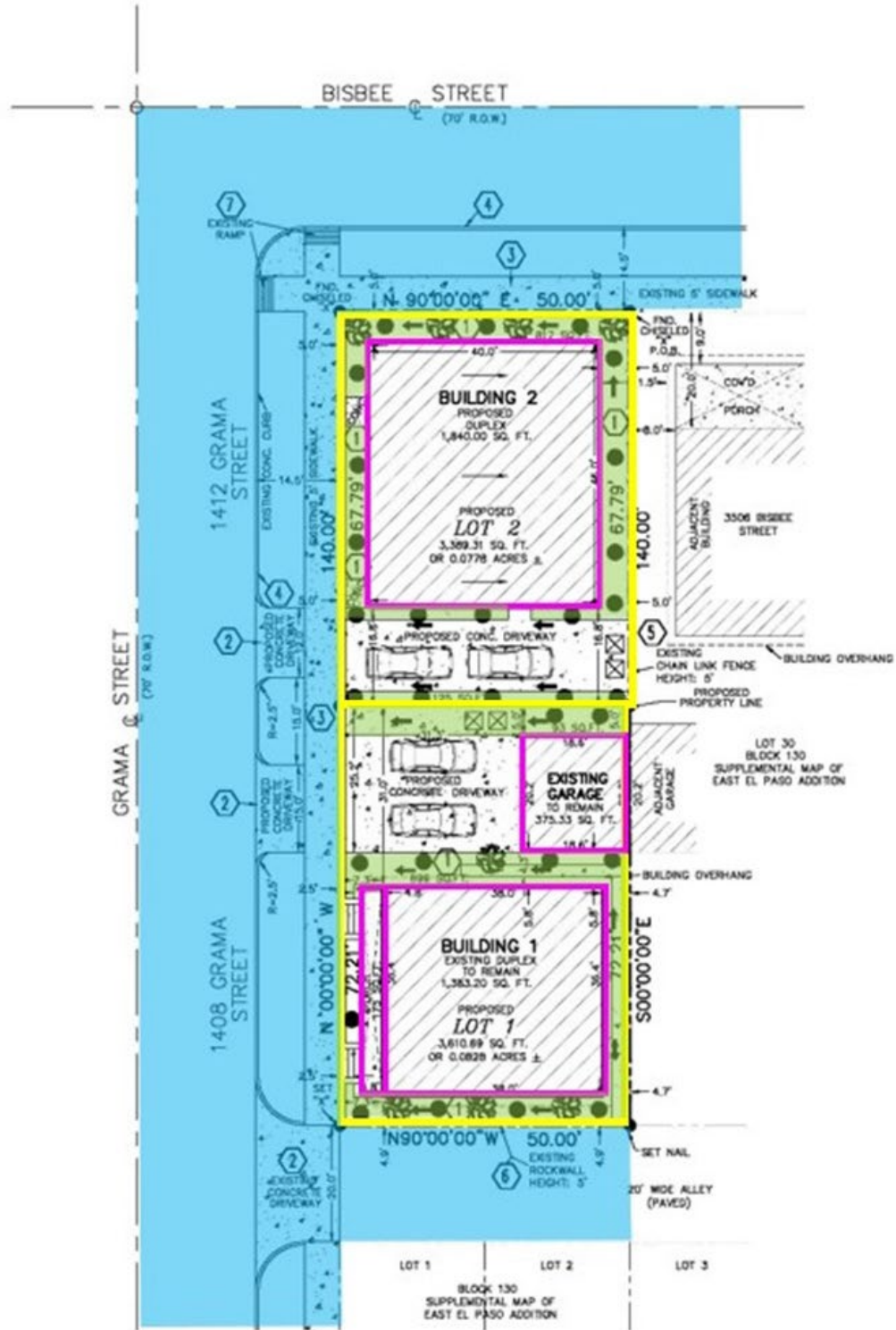
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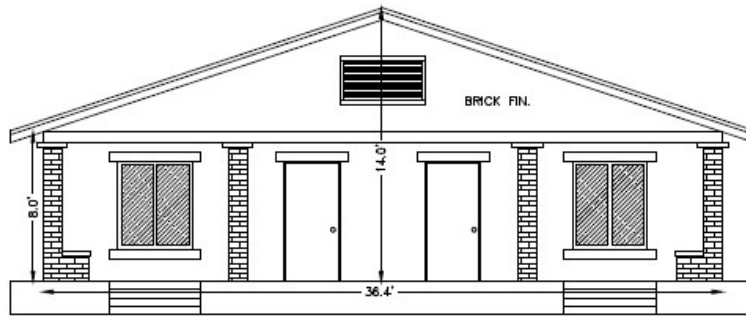
This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.

July 27, 2023

ATTACHMENT 3

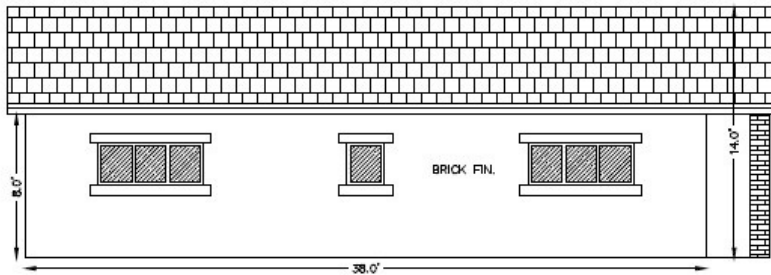


ATTACHMENT 4



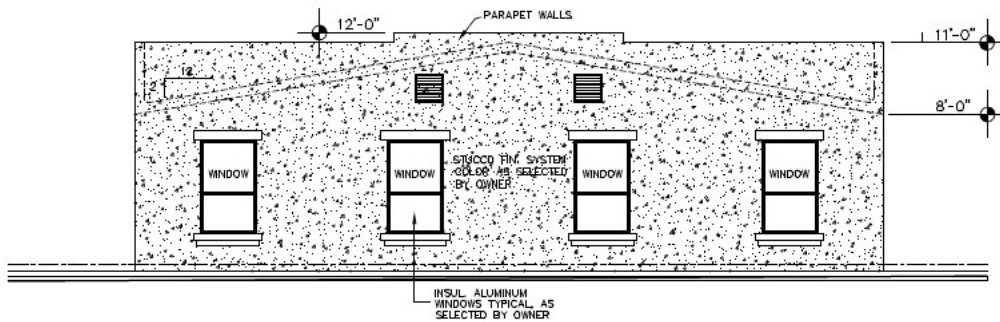
FRONT ELEVATION (BUILDING 1)

NOT TO SCALE



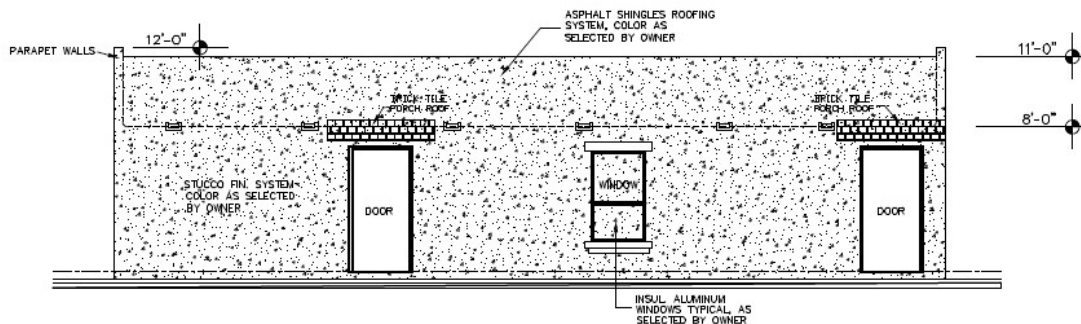
RIGHT SIDE ELEVATION (BUILDING 1 - LEFT SIDE SIMILAR)

NOT TO SCALE



REAR ELEVATION (BUILDING 2)

NOT TO SCALE



WEST ELEVATION (BUILDING 2 - EAST SIDE SIMILAR)

NOT TO SCALE

ATTACHMENT 5

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, Section 20.04.150 – Detailed Site Development Plan, and Section 20.10.28 – Infill Development.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval: No objections to the proposed special permit. At the time of submittal for building permits, the project will need to comply with all applicable municipal and building code requirements.

Planning and Inspections Department – Land Development

Recommend approval: Driveway width in residential area shall be 12' minimum to 24' maximum.

Fire Department

Recommend approval: Possible issues with driveways. Two of them are too close to the corner. Check with Streets Department.

Comment addressed. Driveway closest to Bisbee Avenue reconfigured. Reconfiguration to be reviewed during the building permit stage.

Police Department

No comments provided.

Environment Services

No comments provided.

Streets and Maintenance Department

No objections to the special permit request.

Sun Metro

No issues or exceptions with special permit application.

El Paso Water Utilities

EPWater does not object to this request.

Water:

There is an existing 6-inch diameter water main extending along the alley north of Douglas Ave. located approximately 4-feet south of the property. This water main is available for service.

There is an existing 48-inch diameter water main extending along the south side of Bisbee Ave. located approximately 35 feet north of the south right-of-way line. No direct service connections are allowed to these mains as per the El Paso Water – Public Service Board Rules and Regulations.

Previous water pressure readings from fire hydrant # 2784 located along Grama St. approximately 150-feet north of Bisbee Ave., have yielded a static pressure of 70 pounds per square inch, a residual pressure of 50 pounds per square inch, and a discharge flow of 475 gallons per minute.

EPWater records indicate two existing ¾-inch water meters serving the subject property. The addresses for these services are 1408 Grama St. and 1410 Grama St.

Sanitary Sewer:

There is an existing 6-inch diameter sanitary sewer main extending along the alley north of Douglas Ave. located approximately 10 feet south of the north right-of-way line. This sanitary sewer main is available for service.

There is an existing 8-inch sanitary sewer main that extends along Grama St., located approximately 14-feet west of the property. This 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:

EPWater-SW recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavement) to reduce the amount of developed stormwater runoff.

Texas Department of Transportation

No comments provided.

911 District

No comments or concerns regarding the zoning.

El Paso County Water Improvement District #1

No comments provided.

PZST23-00002

