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

AGENDA DATE: August 17, 2021

PUBLIC HEARING DATE: September 14, 2021

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

David Samaniego, (915) 212-1608

DISTRICT(S) AFFECTED: District 7

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

SUBGOAL: 3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

SUBJECT:

An ordinance granting Special Permit No. PZST21-00005 to allow for a professional office on the property described as Lot 7, Block 111C, Vista Del Sol Unit 20 Replat "B", City of El Paso, El Paso County, Texas, pursuant to Section 20.04.320 of the El Paso City Code. The penalty 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: 11061 Vista Del Sol Drive Applicant: Samuel Zermeno PZST21-00005

BACKGROUND / DISCUSSION:

The applicant is requesting a special permit and detailed site development plan approval to allow for a professional office in the A-2 (Apartment) zone district. The City Plan Commission recommended 5-0 to approve the proposed special permit on June 17, 2021. As of August 9, 2021, staff has received one email in support of 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>N</u> O			
PRIMARY DEPARTMENT: Planning & Inspections, Planning Division SECONDARY DEPARTMENT: N/A			

DEPARTMENT HEAD:			
Philip Tiwe			
(If Department Head Summary Form is initiated by Purchasing, client			

department should sign also)

ORDINANCE NO.	
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AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST21-00005 TO ALLOW FOR A PROFESSIONAL OFFICE ON THE PROPERTY DESCRIBED AS LOT 7, BLOCK 111C, VISTA DEL SOL UNIT 20 REPLAT "B", CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.320 OF THE EL PASO CITY CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Samuel Zermeno has applied for a Special Permit under Section 20.04.320 of the El Paso City Code to allow for a Professional office; 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 a A-2 (Apartment) District: Lot 7, Block 111C, Vista Del Sol Unit 20 Replat "B", 11061 Vista Del Sol Drive;, City of El Paso, El Paso County, Texas; and,
- That the City Council hereby grants a Special Permit under Section 20.04.320 of the El Paso City Code to allow for Professional office 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-2 (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. PZST21-00005, 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 Ordinance. Such Agreement shall be sign Executive Secretary to the City Plan Comm	an Agreement incorporating the requirements of this and filed with the Zoning Administrator and the dission before building permits are issued.
ADOPTED this day of	, 2021.
	THE CITY OF EL PASO
ATTEST:	Oscar Leeser Mayor
Laura D. Prine City Clerk	=-
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Wendi Vineyard Assistant Attorney	Philip Ctive Philip F. Etiwe, Director Planning & Inspections Department

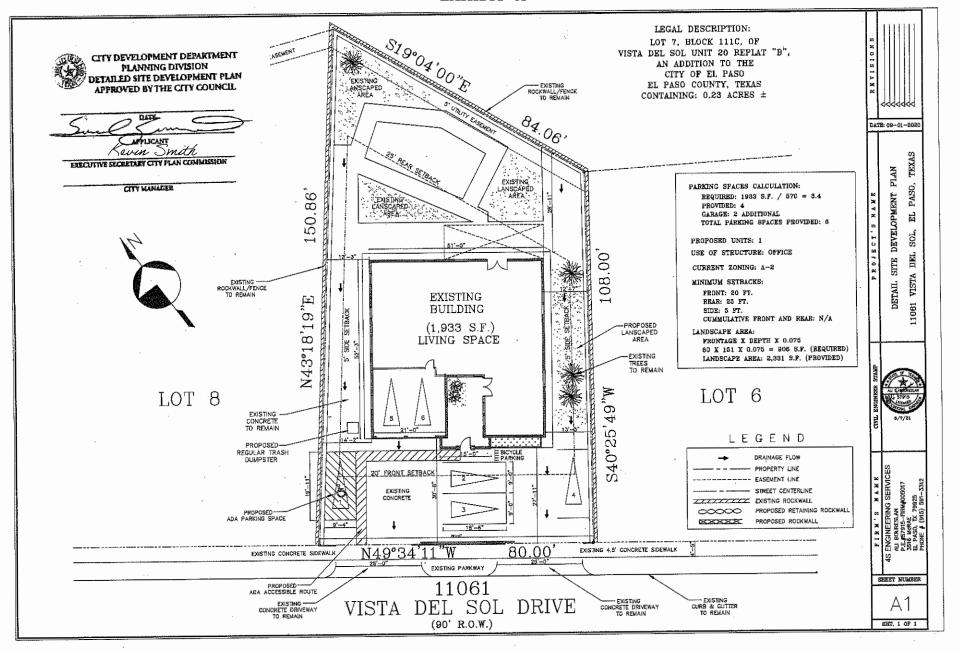
AGREEMENT

Samuel Zermeno, 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-2 (Apartment) District regulations, and subject to all other requirements set forth in this Ordinance.

ACKNOWLEDGMENT

THE STATE OF TEXAS)	
COUNTY OF EL PASO)	, , , , , , , , , , , , , , , , , , ,
This instrument is ack	nowledged before me on this day of for Samuel
Zermeno as Applicant. (Seal)	Notary Public, State of Texas
	Signature Tasusita Tacasas Printed or Typed Name
My Commission Expires:	Timed of Typed Name
0919119099	JESUSITA ZACARIAS Notary Public, State of Texas Comm. Expires 02-21-2022

EXHIBIT "A"



11061 Vista Del Sol Dr,

City Plan Commission — June 17, 2021 - REVISED

CASE NUMBER: PZST21-00005

CASE MANAGER: David Samaniego, 915-212-1608, <u>SamaniegoDC@elpasotexas.gov</u>

PROPERTY OWNER: Samuel Zermeno **REPRESENTATIVE:** Samuel Zermeno

LOCATION: 11061 Vista Del Sol Dr. (District 7)

PROPERTY AREA: 0.23 acres
EXISTING ZONING: A-2 (Apartment)

REQUEST: Special Permit to allow for a professional office in the A-2

(Apartment) zone district

RELATED APPLICATIONS: None

PUBLIC INPUT: No support or opposition received

SUMMARY OF REQUEST: The applicant is requesting a special permit and the approval of a detailed site development plan to allow for a professional office in an A-2 (Apartment) zone district.

SUMMARY OF RECOMMENDATION: Planning recommends **APPROVAL** of the special permit request and detailed site development plan as it complies with El Paso City Code Sections 20.04.260 and 20.04.320 – Special Permit, and 20.04.150, Detailed Site Development Plan. Further, the special permit request meets the intent of the G4, Suburban (Walkable) land use designation of *Plan El Paso*, the City of El Paso's Comprehensive Plan in the Eastside Planning area.

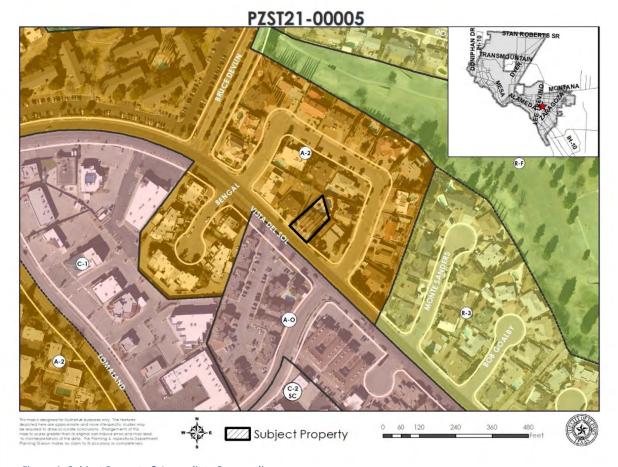


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting a special permit and detailed site development plan approval to allow for a professional office in the A-2 (Apartment) zone district. The property is located at 11061 Vista Del Sol Drive within the Eastside Planning Area. The detailed site development plan shows an existing 1,933 square-foot home, with a maximum height of 18-feet, proposed to be converted into a professional office. A professional office is a permitted use in the A-2 (Apartment) zone district with an approved Special Permit. The development requires a minimum of three (3) parking spaces and the applicant is providing four (4) parking spaces and a bicycle rack – three (3) spaces. The detailed site development plan complies with all other density and dimensional standards. Access to the subject property is proposed from Vista Del Sol Drive.

COMPLIANCE WITH SPECIAL PERMIT REQUIREMENTS (I	EL PASO CITY CODE SECTION 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 existing development, as shown on the detailed site development plan, complies with all density and dimensional standards for the A-2 (Apartment) zone district. A professional office is a permitted use in the A-2 (Apartment) district with an approved Special Permit by City Council.
2. Furthers <i>Plan El Paso</i> and applicable neighborhood plans or policies.	Yes. No new construction is proposed. In addition, the request complies with the recommendations of <i>Plan El Paso</i> and the G4, Suburban (Walkable) land use designation.
3. Adequately served by and will not impose an undue burden upon public improvements.	Yes. The development meets the parking requirements for the intended use. Access to the subject property is from Vista Del Sol Dr a minor arterial road - adequate to serve a professional office.
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 adverse effects anticipated from the proposed special permit. The existing infrastructure will support the mix of uses for the surrounding properties. No new construction is being proposed on the subject property.
5. The design of the proposed development mitigates substantial environmental problems.	Yes. The 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 development will comply with landscaping ordinance requirement of Title 18.46 of the <i>El Paso City Code</i> .
7. The proposed development is compatible with adjacent structures and uses.	Yes. The existing building configuration is similar to other properties in the immediate area. The proposed use of "professional office" is compatible with the surrounding uses: single-family dwellings, duplexes, multi-family, and light-intensity commercial uses – all accessed via Vista Del Sol Dr.
8. The proposed development is not materially detrimental to the property adjacent to the site.	Yes. No new construction is proposed. There are no negative impacts anticipated from the proposed office use on the adjacent residential development.

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:		
-	-	
Criteria Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property: G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses. Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site: A-2 (Apartment) District: The purpose of	Does the Request Comply? Yes. The subject property is located in an area of low intensity commercial uses, along with a mix of multi-family, duplexes, detached, single-family dwellings, and professional office uses. Yes. A professional office is a permitted use in the A-2 (Apartment) zone district, subject to an approved special permit, and is in character with the surrounding area. The	
the district 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.	development will not result in an increase in density.	
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 areas plans, including land-use maps in those plans.	N/A. The property is not located within any historic districts or specially designated areas.	
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	No adverse effects are anticipated. The development configurations are already existing and are similar to other properties in the surrounding areas.	
Natural Environment: 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	The area is stable and the proposed	
transition.	development is compatible with the existing	
	A-2 (Apartment) zoning and uses of the	
	surrounding properties.	
Socioeconomic & Physical Conditions: Any	The proposed development is within an older,	
changed social, economic, or physical	stable area of the city comprised of single-	
conditions that make the existing zoning no	family dwellings, duplexes, multi-family	
longer suitable for the property.	housing, and light-intensity commercial uses.	

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is proposed from Vista Del Sol Drive, which is designated as a minor arterial street on the City of El Paso's Major Thoroughfare Plan. The minor arterial classification It is appropriate to serve commercial development. Access is served from Vista Del Sol Drive. Existing services and infrastructure are adequate to serve a professional office.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to proposed special permit. There were no adverse comments received. Applicant is responsible for obtaining all applicable permits and approvals prior to construction.

PUBLIC COMMENT: The subject property lies within the boundaries of the Eastside Civic Association. Public notices were mailed to all property owners within 300 feet of the subject property on June 2, 2021. As of June 10, 2021, the Planning Division has received no comment in support of or opposition to the special permit request.

RELATED APPLICATIONS: N/A

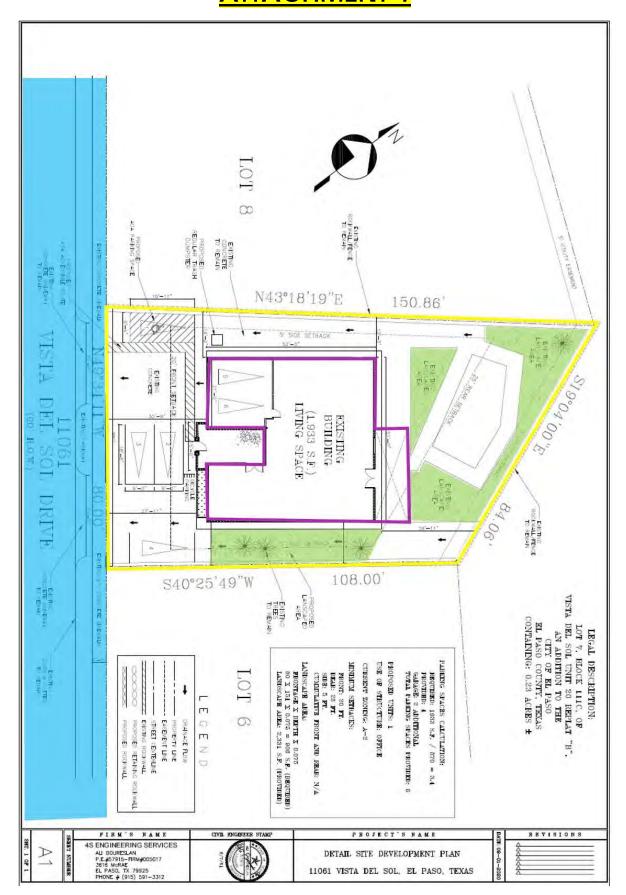
CITY PLAN COMMISSION OPTIONS:

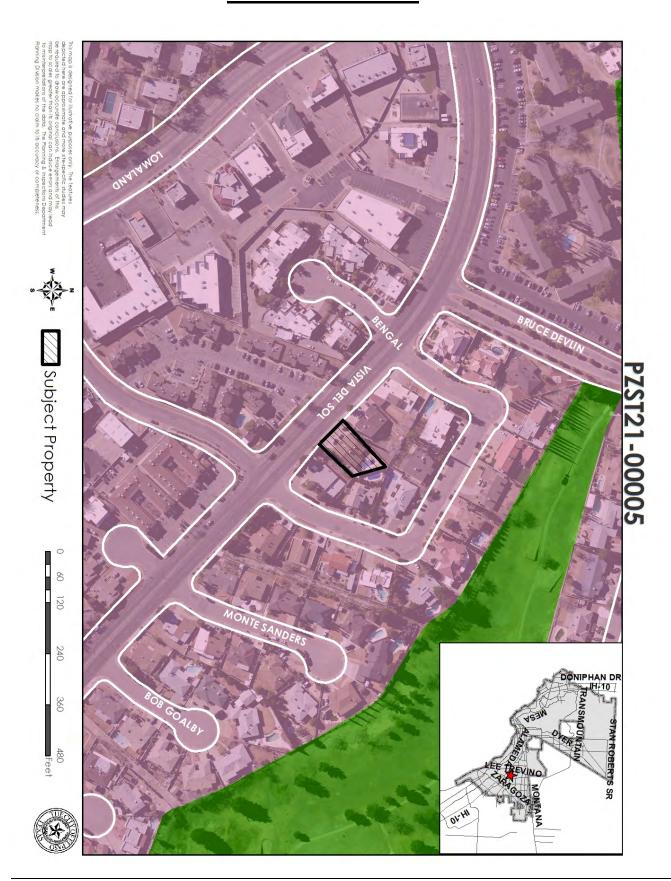
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

- 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. Detailed Site Plan
- 2. Future Land Use Map
- 3. Department Comments
- 4. Neighborhood Notification Boundary Map
- 5. Emails of Inquiry/Support





Planning and Inspections Department – Planning Division

Recommend approval of the special permit request.

Texas Department of Transportation

Subdivision is not abutting TxDOT right-of-way.

Planning and Inspections Department - Plan Review

No comments received.

<u>Planning and Inspections Department – Landscaping Division</u>

Revisions approved without conditions.

<u>Planning and Inspections Department – Land Development</u>

- 1. Dimension widths for proposed driveways. They must be between 25′– 35′ feet wide as per DSC 6-16.
- 2. Driveway aprons shall not encroach past property lines into abutting properties.

Fire Department

Recommend approval – no adverse comments.

Police Department

No comments received

Sun Metro

No comments received

El Paso Water

General:

No comments received.

Stormwater:

El Paso Water - SW has reviewed the case distribution described above and has no objections to the proposal.

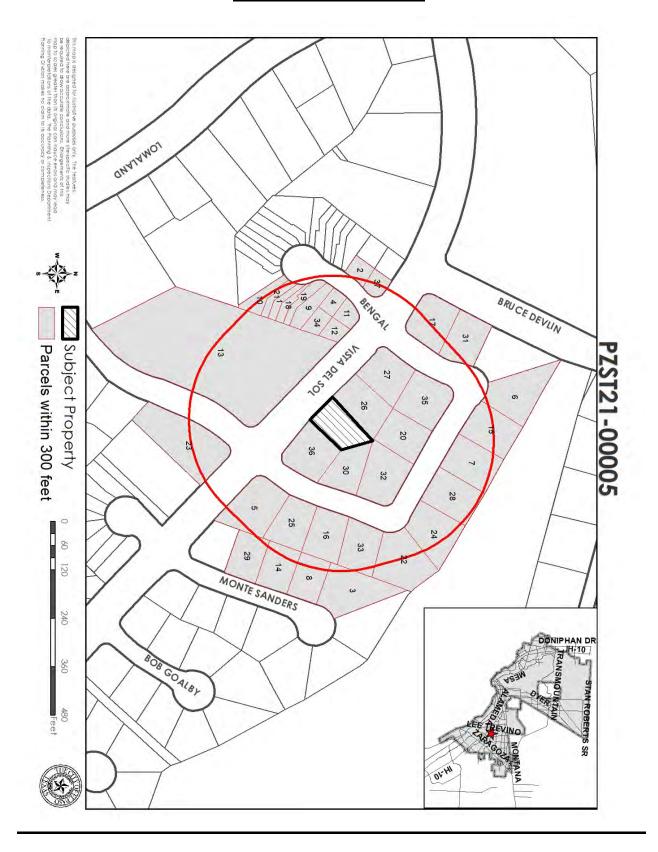
Streets and Maintenance

No comments – SAM.

<u>911</u>

No objection.

^{*}Comment shave been addressed on revised DSDP - Planning.





EL PASO VETERANS & RIDERS ASSOCIATION (EPVRA) 11705 Bunky Henry Lane El Paso, TX 79936-5560 915-790-3930 Email: epvra@yahoo.com

June 9, 2021

Planning and Inspections El Paso City Hall 300 N. Campbell El Paso, Texas 79901

Greetings,

This letter is in support of Mr. Sam Zermeno, Attorney At Law, being allowed to covert the house located at 11061 Vista Del Sol, El Paso, Texas 79936 from a residence into his office.

Mr. Zermeno has devoted countless hours in support of El Paso's Veterans, their families and the community. Not only has he and his dedicated staff personally helped distribute food, clothing and other necessities, he has allowed us to utilize his office to conduct meetings and briefings to local, state and other entities. He has done this at no cost. Much of the El Paso Veterans & Riders Association (EPVRA) successful operations have been coordinated at and through his office.

Mr. Zermeno is a Navy Veteran who loves his country and community and continues to support more than expected. His willingness to support us is truly and deeply appreciated.

The EPVRA is requesting that you please approve his request, not just for him, but on behalf of our Veterans and our community.

Should you have any questions please call me at 915-790-3930.

Sincerely,

Darrell G. Mond Darrell G. Mond President, EPVRA

Letter ID: SZ06092021



Phish Alert V2

♣ Get more

Madalyn M. Richardson 11057 Vista Del Sol Dr. El Paso, Texas 79935

Concerns are clients parking on my property, which I have had this issue before. Clients parking around Bengal Dr., which is a very quiet small street.

I agreed to Mr. Zermeno opening his office at 11061 Vista Del Sol Dr., which is next door to my property, on the condition that these conditions were met. Since months have passed, I wanted to know if his intentions remain the same.

I would like to know if Mr. Zermeno still plans to limit his clients to appointment only scheduling? Will his clients have available parking on the premises and will they be instructed to do so, if he does?

Thank you very much for your time, Madalyn M. Richardson



11061 Vista Del Sol Dr. Special Permit

PZST21-00005

Strategic Goal 3.

Promote the Visual Image of El Paso



PZST21-00005



This map is designed for illustrative purposes only. The features depicted here are approximate and more sife-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.





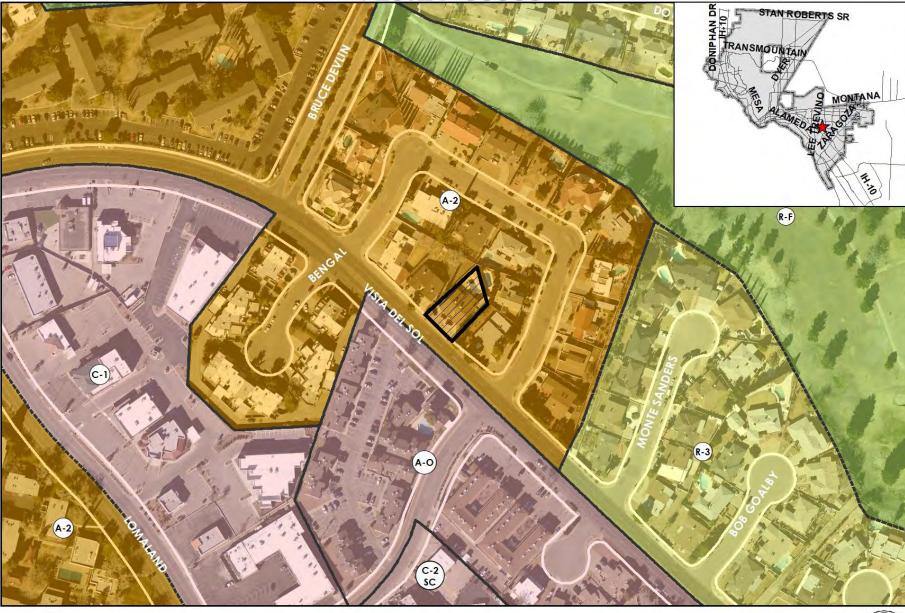




Aerial



PZST21-00005



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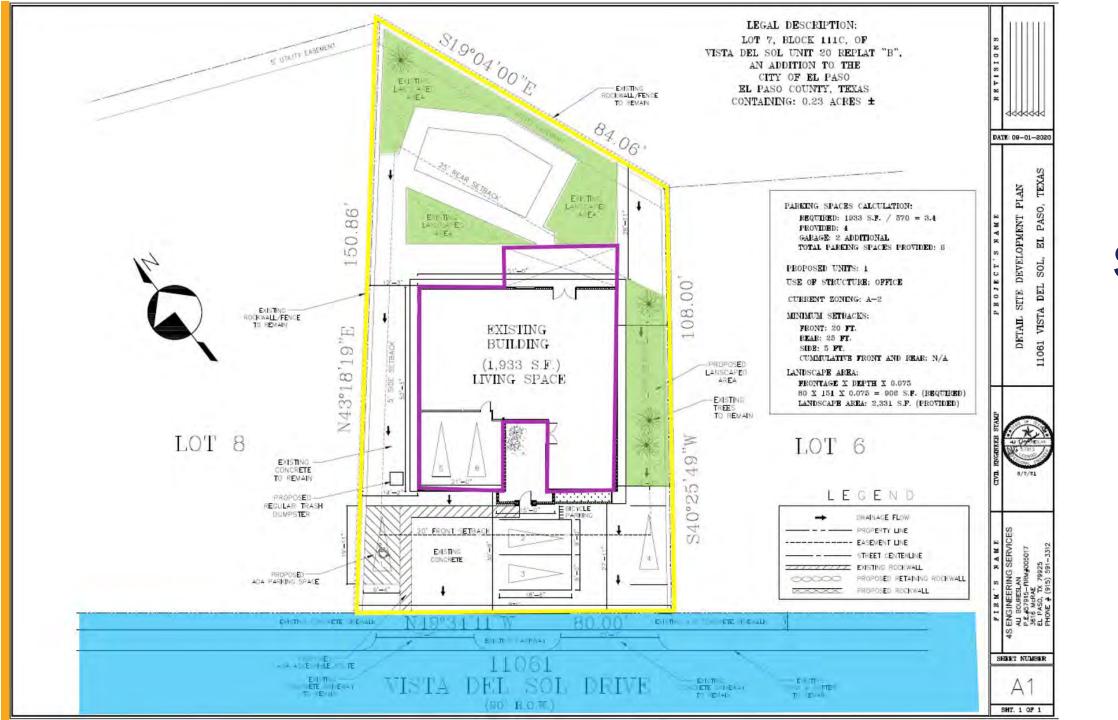






Existing Zoning







Detailed Site Plan







Elevations



PZST21-00005

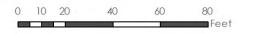




Aerial with Site Plan















Subject Property



Surrounding Development



W











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Public Input

 Public notices were mailed to property owners within 300 feet on June 2, 2021. As of June 17, 2021, the Planning Division has received one (1) email of inquiry and one (1) letter of support.







Recommendation

• Staff recommends approval of the special permit request and the approval of a detailed site development plan.

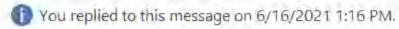




wed 6/16/2021 1:08 PM rbpromos@att.net

Case: PZST21-00005

To Samaniego, David C.



Madalyn M. Richardson 11057 Vista Del Sol Dr. El Paso, Texas 79935

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< 20.02.636 - Office, administrative and manager's.

20.02.638 - Office, business. >

20.02.638 - Office, business.











"Business office" means a facility or portion of a building in which the administrative activities, record keeping, clerical work and other similar affairs of a business, professional service, industry, or government are conducted. A business office shall include a psychologist's or psychiatrist's office.

(Ord. 16653 § 2 (part), 2007)

< 20.02.636 - Office, administrative and manager's.

20.02.638 - Office, business. >









Deliver exceptional services to support a high quality of life and place for our community

Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government

☆ Values

Integrity, Respect, Excellence, Accountability, People