

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

**DEPARTMENT:** Planning and Inspections Department, Planning Division  
**AGENDA DATE:** Introduction: December 22, 2015  
Public Hearing: January 12, 2016

**CONTACT PERSON/PHONE:** Larry F. Nichols, (915) 212-1550, [NicholsLF@elpasotexas.gov](mailto:NicholsLF@elpasotexas.gov)  
Adriana Martinez, (915) 212-1611, [MartinezAD@elpasotexas.gov](mailto:MartinezAD@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An Ordinance granting Special Permit No. PZST15-00037, to allow for infill development with a reduction in lot area and lot width on the property described as Lot 9, Block 13, A Revised Map of Sahara Subdivision , 5632 Saluki Drive, 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 for in Chapter 20.24 of the El Paso City Code. Subject Property: 5632 Saluki Drive. Property Owner: Ricardo Benavente Jr. PZST15-00037 (**District 4**)

**BACKGROUND / DISCUSSION:**

The request is for a special permit to allow for a reduction in lot area and lot width to allow for a new two-family dwelling (duplex). The City Plan Commission (CPC), on November 19, 2015, voted 5-0 to recommend **approval**. There are no zoning conditions currently imposed on this property.

**PRIOR COUNCIL ACTION:**

No prior City Council Action

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (5-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:**

Larry F. Nichols  
Director, Planning and Inspections Department

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE GRANTING SPECIAL PERMIT NO. PZST15-00037, TO ALLOW FOR INFILL DEVELOPMENT WITH A REDUCTION IN LOT AREA AND LOT WIDTH ON THE PROPERTY DESCRIBED AS LOT 9, BLOCK 13, A REVISED MAP OF SAHARA SUBDIVISION, 5632 SALUKI DRIVE, 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 FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.**

**WHEREAS**, Ricardo Benavente Jr., has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City for a reduction in lot area and lot width; and,

**WHEREAS**, a report was made to 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 Sections 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 R-4 (Residential) Zone District:

*Lot 9, Block 13, A Revised Map of Sahara Subdivision, 5632 Saluki Drive, City of El Paso, El Paso County, Texas; and,*

2. That the City Council hereby grants a Special Permit under Sections 20.04.320 of the El Paso City Code, to allow an infill development for a reduction in lot area and lot width; and,
3. That this Special Permit is issued subject to the development standards in the R-4 (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 incorporated herein by reference for all purposes; and,
4. That if at any time the Owner fails to comply with any of the requirements of this Ordinance, Special Permit No. PZST15-00037 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,

**ORDINANCE NO. \_\_\_\_\_**

**PZST15-00037**

5. That the Owner 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 of the City Plan Commission before building permits are issued.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

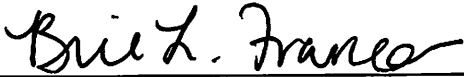
**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Oscar Leaser  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Brie L. Franco  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Larry F. Nichols, Director  
Planning & Inspections Department

**ORDINANCE NO.** \_\_\_\_\_

**PZST15-00037**

## AGREEMENT

Ricardo Benavente Jr., 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 R-4 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

**EXECUTED** this \_\_\_\_\_ day of \_\_\_\_\_, 201\_.

**OWNER:**

**Ricardo Benavente Jr.**

## ACKNOWLEDGMENT

**THE STATE OF TEXAS     )**  
**COUNTY OF EL PASO     )**

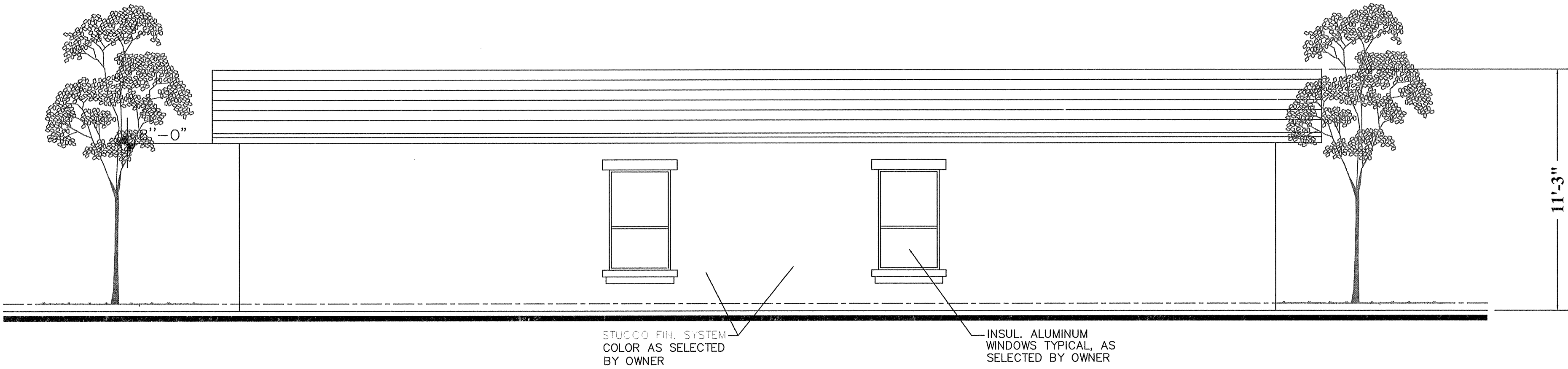
This instrument is acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_,  
201\_, by Ricardo Benavente Jr., as Owner.

**My Commission Expires:**

Notary Public, State of Texas  
Notary's Printed or Typed Name:

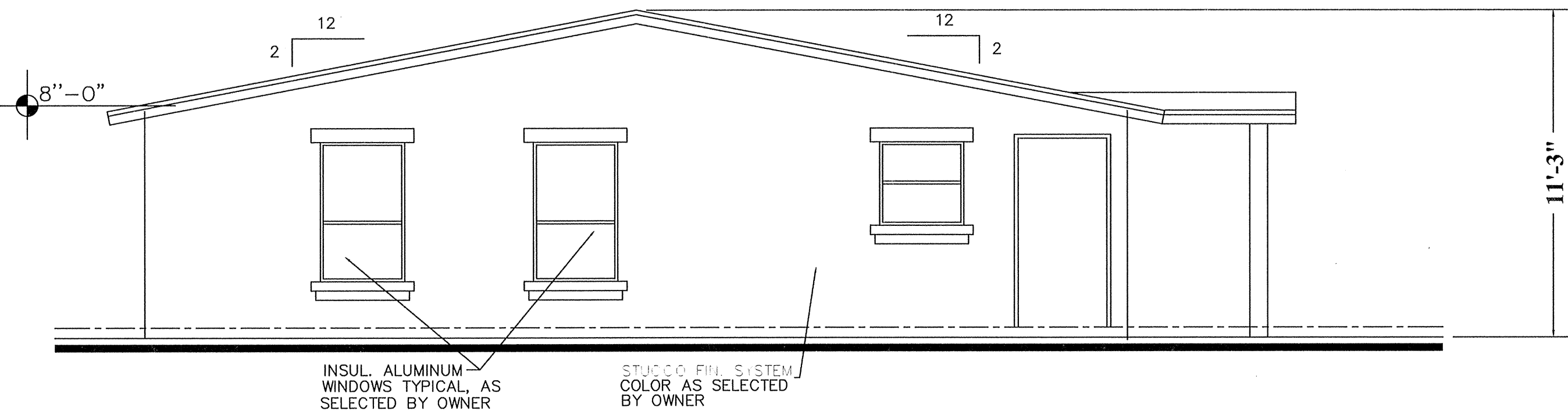
**ORDINANCE NO.** \_\_\_\_\_

**PZST15-00037**



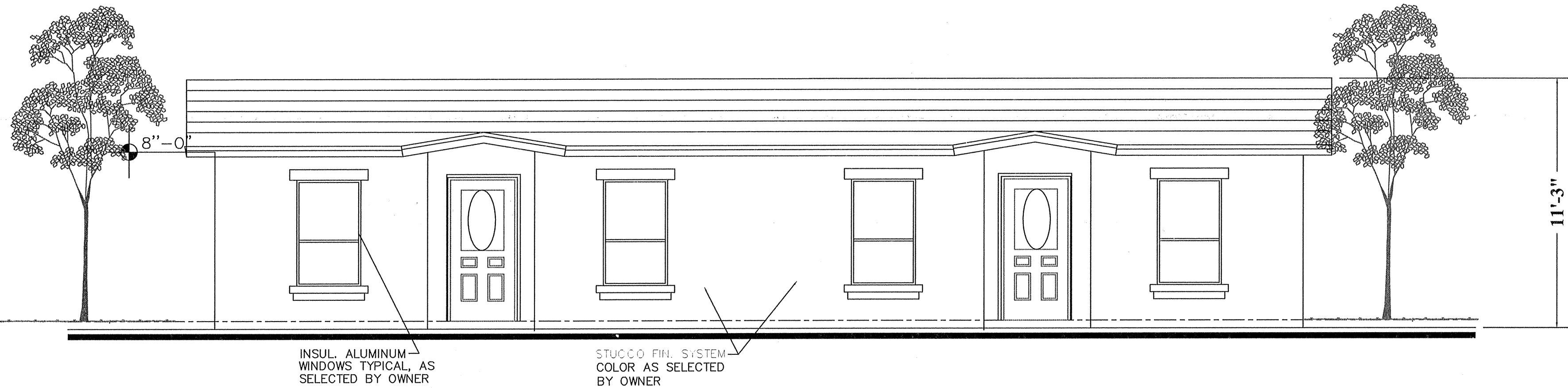
REAR ELEVATION

SCALE: 1/4" = 1' - 0"



RIGHT SIDE ELEVATION (LEFT SIDE SIMILAR)

SCALE: 1/4" = 1' - 0"

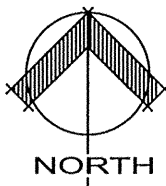
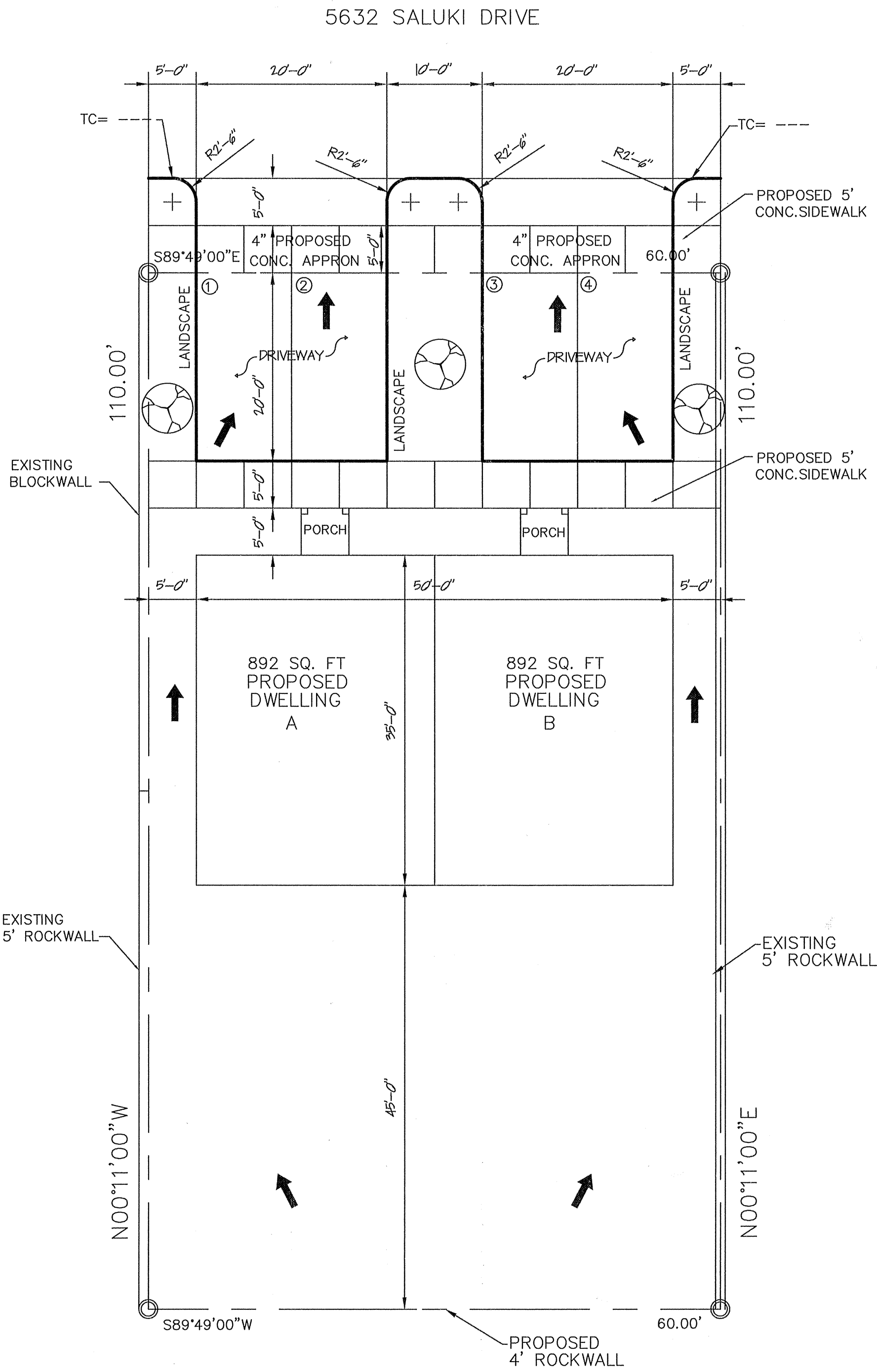


FRONT ELEVATION

SCALE: 1/4" = 1' - 0"

NOTES:

- 1.- DUPLEX 1,784 SQ. FT.
- 2.- TWO ON SITE PARKING SPACES PROVIDED FOR EACH DWELLING
- 3.- 390 SQ. FT. PROVIDED FOR LANDSCAPE
- 4.- STREET TREES EVERY 30' ALONG THE PARKWAY



SITE PLAN

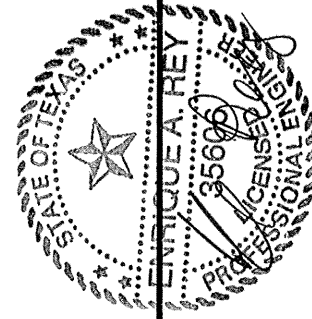
LEGAL DESCRIPTION

LOT 9, BLOCK 13  
A REVISED MAP OF SAHARA SUBDIVISION  
CITY OF EL PASO, EL PASO COUNTY, TEXAS

Scale: 1" = 10.0'

RESIDENCE TO BE BUILT BY:

MR. DANIEL ALDERETE



PLAN NO:

1

PREPARED AUGUST 2015  
BY: C.L.A. (3)  
REVISED  
REVISED

SITE PLAN

## **MEMORANDUM**

**DATE:** December 15, 2015

**TO:** The Honorable Mayor and City Council  
Tommy Gonzalez, City Manager

**FROM:** Adriana Martinez, City Planner

**SUBJECT: PZST15-00037**

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The City Plan Commission (CPC), on November 19, 2015, voted 5-0 to recommend **approval** of a special permit to allow for a reduction in lot area and lot width to allow for a new two-family dwelling (duplex).

The CPC found that the special permit is in conformance with Plan El Paso. The CPC also determined that the special permit protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the special permit will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There were no communications in support or opposition to the special permit request.

**Property Owner:** Ricardo Benavente Jr.

**Representative:** Ricardo Benavente Jr.

**Attachment:**  
Staff Report



## ***City of El Paso – City Plan Commission Staff Report***

**Case No:** PZST15-00037  
**Application Type:** Special Permit and Detailed Site Development Plan Review  
**CPC Hearing Date:** November 19, 2015  
**Staff Planner:** Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov  
**Location:** 5632 Saluki Drive  
**Legal Description:** Lot 9, Block 13, A Revised Map of Sahara Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 0.152 acres  
**Rep District:** 4  
**Existing Zoning:** R-4 (Residential)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** Infill Development / Lot Area and Lot Width Reduction  
**Proposed Use:** Dwelling, two-family (duplex)  
**Property Owner:** Ricardo Benavente Jr.  
**Representative:** Ricardo Benavente Jr.

### **SURROUNDING ZONING AND LAND USE**

**North:** R-4/sp (Residential /special permit) / Church  
**South:** R-4 (Residential) / Single-family Dwelling  
**East:** R-4 (Residential) / Single-family Dwelling  
**West:** R-4 (Residential) / Single-family Dwelling

**PLAN EL PASO DESIGNATION:** G-3, Post-War (Northeast Planning Area)

**NEAREST PARK:** Dolphin Park (2,460 feet)

**NEAREST SCHOOL:** Dolphin Terrace Elementary School (2,345 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

There are no Registered Neighborhood Associations in this area per the City of El Paso's Department of Community and Human Services – Neighborhood Services Division.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 21, 2015. The Planning Division has not received any communications in support or opposition to the special permit request.

### **APPLICATION DESCRIPTION**

The request is for a special permit and detailed site plan approval to allow for infill development to permit a reduction in lot area from the required 7,000 sq. ft. to 6708.7 sq. ft. and lot width from the required 70 feet to 60 feet. The proposed use is a two-family dwelling (duplex). All other density and dimension standards are being met. The proposed development provides the four parking spaces required for the two-family dwellings (duplex). Access to the property is proposed from Saluki Drive.

### **Planning and Inspections Department – Planning Division Recommendation**

The Planning Division recommends **approval** of the request, and acceptance of the detailed site development plan, as the proposed development is consistent with the surrounding single-family residential

development. Additionally, the proposed development is compliant with the G-3 Post-War land use designation in the Plan El Paso Northeast Planning Area. Further, the property meets the requirements of Sections 20.04.320, Special Permit Approvals, 20.10.280, Infill Development, and 20.04.150 Detailed Site Development Plan.

### **Plan El Paso-Future Land Use Map Designation**

All applications for special permit shall demonstrate compliance with the following criteria:

G-3 – Post War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. 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.

The purpose of the R-4 (Residential) district is intended to provide low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations, permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

### **ANALYSIS**

To grant the special permit to allow for infill development, the applicant must comply with the following standards, per Section 20.10.280, Infill Development:

A. Location Criteria. An infill development may be designated for any property on which at least two of the following factors are present: the property is wholly or partially located within a designated tax increment financing district, or the property is wholly or partially located within a designated state or federal enterprise zone, or the property is wholly or partially located within an empowerment zone, or the property is wholly or partially located within a designated redevelopment area pursuant to Chapter 20.14 of this title, or the property is located within a designated historic district, or the property is within an older neighborhood of the city. An older neighborhood of the city defined as a legally recorded and developed subdivision for at least thirty years. Where an infill development is able to satisfy only one of the preceding factors, an applicant shall be allowed to make a formal request to city council to waive the two factor requirement prior to the submission of a special use permit application for the property. In all instances where a waiver is requested and authorized by city council, at least one location factor shall be met. For purposes of this section, any property with a historic designation shall be subject to the requirements and review provisions of Chapter 20.20 (Historic Designations) of this title, and shall not be waived by any provision of this section.

*The property is in a state enterprise zone, and was platted in 1950 (Attachment 5), fulfilling the two-criterion requirement.*

B. Use Regulations. Unless the ordinance designating the infill development provides otherwise, a proposed infill development may be approved for any use permitted in the base-zoning district in which it is located. However, the ordinance designating an infill development overlay may provide a list of principal uses, accessory uses and prohibited uses pursuant to a specific area plan adopted by the city council.

*Two-family dwellings (duplex) are a permissible use in the R-4 (residential) zone district.*

C. Setback Provisions. The side, front and rear setback requirements of the base-zoning district on which it is located may be reduced up to one hundred percent for an infill development as approved by city council. Buildings should be designed to relate to and take advantage of any existing site attributes, and shall be a consideration for reduction of the setback requirements.



<b>Dimensional Standards Required and Proposed</b>		
Dimension	Required	Proposed
Lot Area	7,000 sq. ft.	6,708.7 sq. ft.
Lot Width	70'	60'

D. Parking. The minimum parking requirements enumerated in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall be automatically reduced by fifty percent for any use within a designated infill development.

*The proposed development provides the four parking spaces required of two-family dwellings (duplex).*

E. Design. Unless otherwise approved by city council, any construction permitted pursuant to this section shall be designed to consistently relate to the massing and character of the surrounding properties. Consistency of massing and character shall be determined as shown on the site plan with typical elevations and proposed construction materials, that the proposed construction is compatible with the overall design features and building development of the neighborhood within which the proposed infill development is located. Design features include, but shall not be limited to, building height, architectural style, building materials, landscape and setbacks.

*The proposed development is consistent with the G-3 Post-War growth sector.*

#### **COMMENTS:**

##### **Planning and Inspections Department – Planning Division – Transportation**

No objections to the special permit and detailed site development plan.

Note:

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

##### **TXDOT**

Not on a state roadway.

##### **Planning and Inspections Department - Land Development**

No objections to requested special permit.

##### **Planning and Inspections Department – Plan Review**

No objections to requested special permit.

##### **Planning and Inspections Department - Landscaping**

No objections.

##### **El Paso Fire Department**

No objections.

##### **El Paso Police Department**

No objections.

##### **Sun Metro**

Sun Metro does not oppose this request.

Note: Recommend constructions sidewalks.

**El Paso Water Utilities**

EPWU does not object to this request.

**EPWU-PSB Comments****Water:**

1. There is an existing 8-inch diameter water main that extends along Saluki Ave. located approximately 8 feet north of the right-of-way centerline. This main is available for service.
2. Previous water pressure from fire hydrant #5405 located approximately 60 feet north east of the subject property along Saluki Ave yielded a static pressure of 100 (psi), a residual pressure of 88 (psi), and a discharge of 1300 gallons per minute.
3. 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

**Sewer:**

4. There is an existing 8-inch diameter sewer main that extends along the Saluki Ave located approximately 5 feet south the right of way centerline. This main is available for service.

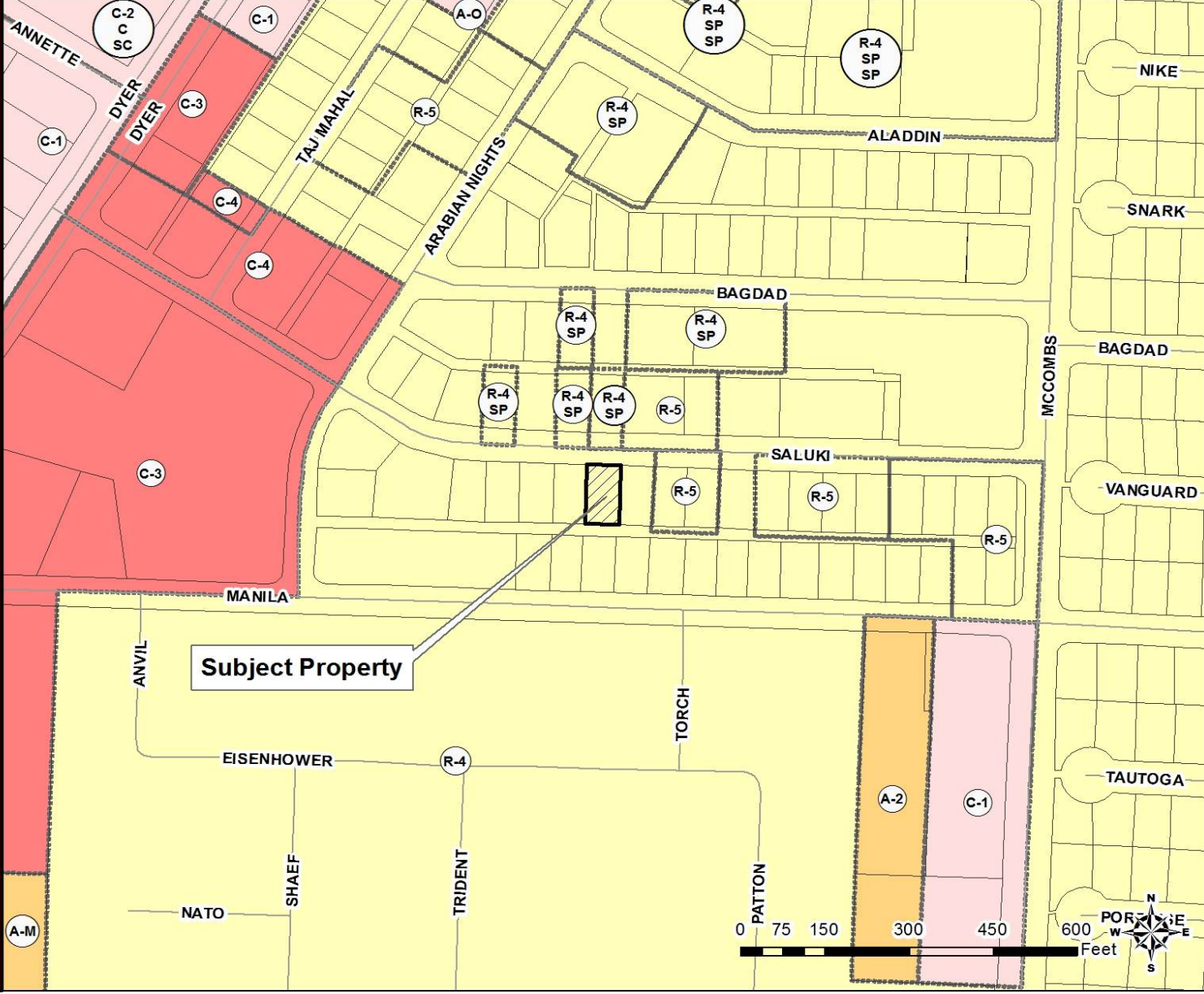
**General:**

5. EPWU requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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.

**Attachments**

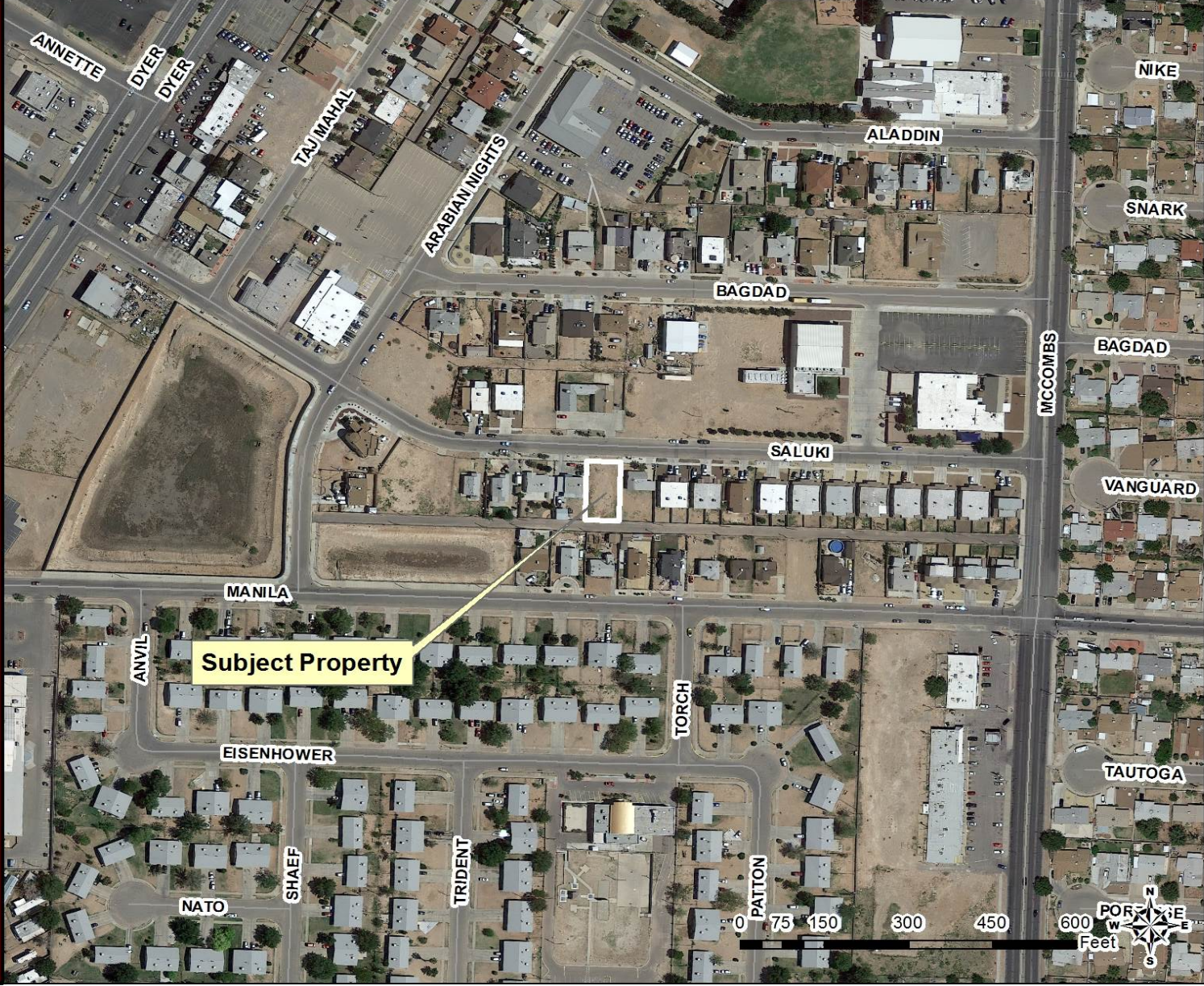
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Plat of Sahara Subdivision

PZST15-00037





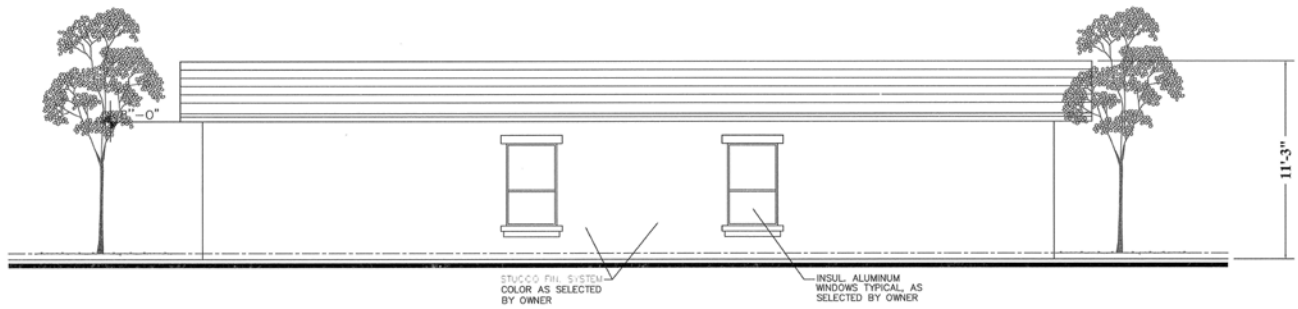
PZST15-00037



5632 Saluki Drive

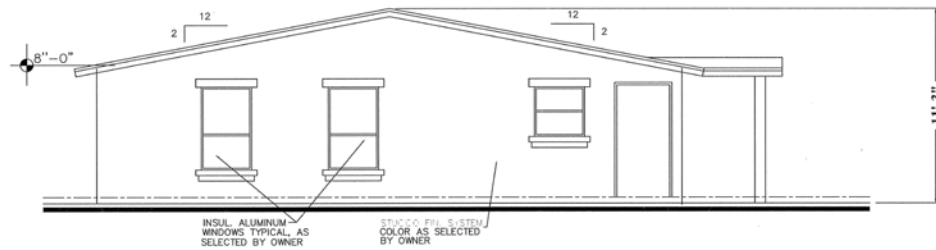


## ATTACHMENT 4: ELEVATIONS



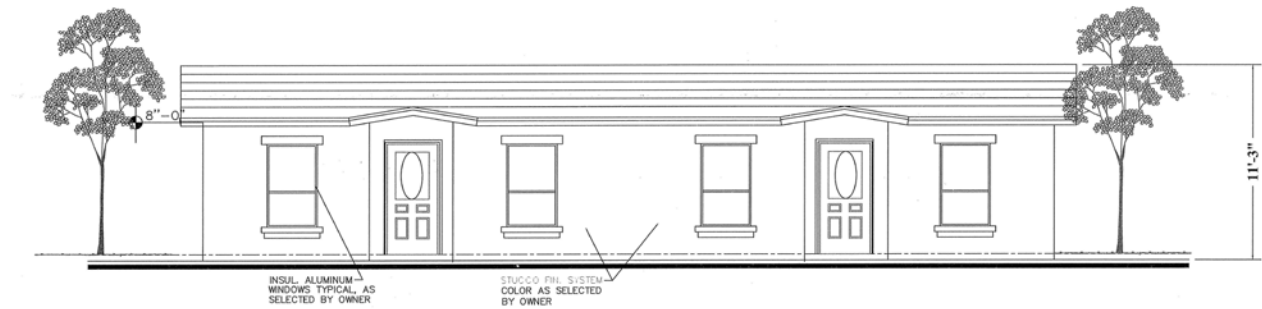
**REAR ELEVATION**

SCALE: 1/4" = 1' - 0"



**RIGHT SIDE ELEVATION (LEFT SIDE SIMILAR)**

SCALE: 1/4" = 1' - 0"





S-033-41-10

SAHARA  
MAP OF SAHARA  
**SAHARA SUBDIVISION**

A SUBDIVISION OF A PORTION OF SEC. 38, BLOCK 81  
TOWNSHIP 1  
T1P RY, IN EL PASO COUNTY, TEXAS  
SCALE 1"=100'

**CITY TAX OFFICE**  
EL PASO, TEXAS

STATE OF TEXAS  
COUNTY OF EL PASO

We, ANDREW SOUDA and wife CLARA MARIE SOUDA, hereby present this map and dedicate to the use of the public the streets, avenues, alleys, and easements for utilities and drainage as herein laid down and described.

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_ A.D. 1950.

ANDREW SOUDA

CLARA MARIE SOUDA

STATE OF TEXAS  
COUNTY OF EL PASO

Before me the undersigned authority, on this day personally appeared ANDREW SOUDA and wife CLARA MARIE SOUDA, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me they executed the same for the purposes and consideration therein expressed, and the said CLARA MARIE SOUDA, wife of ANDREW SOUDA, being then fully explained in her rights by the said ANDREW SOUDA, voluntarily hereunto fully explained in her rights by the said ANDREW SOUDA, acknowledging each under the purpose and consideration therein expressed, and she did so acknowledge it.

Given under my hand and seal of office, this \_\_\_\_\_ day of \_\_\_\_\_ 1950.

Notary Public in and for El Paso County, Texas.

My commission expires: \_\_\_\_\_

Approved by County Adm. Officer \_\_\_\_\_

Approved and ordered Filed by Commissioners Court of the County of El Paso, Texas this \_\_\_\_\_ day of \_\_\_\_\_ 1950.

County Judge \_\_\_\_\_

Filed and recorded in the office of the County Clerk of El Paso County, Texas this \_\_\_\_\_ day of \_\_\_\_\_ 1950, in volume \_\_\_\_\_ of the Deeds Record on page \_\_\_\_\_.

County Clerk \_\_\_\_\_

**CITY TAX OFFICE**  
EL PASO, TEXAS

The map illustrates the Sahara Subdivision, located in Block 81, Section 38, Township 1 North, Range 1 West, El Paso County, Texas. The subdivision is bounded by Eagle Lane to the north, McCombs Avenue to the east, and Berry Lane to the south. It features several streets including Bagdad Avenue, Saluki Avenue, Arabian Avenue, and Manila Drive. The lots are numbered and color-coded (yellow, green, blue, red) to indicate different ownership or zoning categories. A large area in the center is labeled 'SAHARA' and contains numerous small lots. To the west of the main subdivision is a larger lot labeled 'BLOCK 4'. The map also shows surrounding areas like 'BAGDAD' and 'SALUKI'.

Prepared by and under the supervision of  
M.T. Kennedy, Registered Professional Engineer No. 8373

O. PAUL LANCE  
CONSULTING ENGINEER  
PASO, TEXAS

Revised Nov. 22, 1950