

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

**DEPARTMENT:** Planning and Inspections Department, Planning Division

**AGENDA DATE:** Introduction: April 4, 2017  
Public Hearing: May 2, 2017

**CONTACT PERSON/PHONE:** Larry Nichols, (915) 212-1550, nicholslf@elpasotexas.gov  
Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance granting Special Permit No. PZST16-00024, to allow for Infill Development with reduced rear yard setback, and increased density, and parking reduction on the property described as a portion of Lot 36, Block 32, Vista Del Sol Unit Six Replat B, 1709 Lomaland 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: 1709 Lomaland Drive. Property Owner: Guillermo Martinez. PZST16-00024 (**District 7**)

**BACKGROUND / DISCUSSION:**

On March 9, 2017, the CPC reviewed and recommended approval of the special permit request.

**PRIOR COUNCIL ACTION:**

There is no prior City Council action on this special permit application.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (7-0).

\*\*\*\*\*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. PZST16-00024, TO ALLOW FOR INFILL DEVELOPMENT WITH REDUCED REAR YARD SETBACK, INCREASED DENSITY, AND PARKING REDUCTION ON THE PROPERTY DESCRIBED AS A PORTION OF LOT 36, BLOCK 32, VISTA DEL SOL UNIT SIX REPLAT B, 1709 LOMALAND 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, Guillermo Martinez, has applied for a Special Permit for infill development under Section 20.10.280 of the El Paso City Code for reduced rear yard setback, increased density, and parking reduction.

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 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-2 (Apartment)** Zone District:

*A portion of Lot 36, Block 32, Vista Del Sol Unit Six Replat B, City of El Paso, El Paso County, Texas and as more particularly described by metes and bounds on the attached Exhibit "A"; and,*

2. That the City Council hereby grants a Special Permit for an infill development under Section 20.10.280 of the El Paso City Code to allow a reduction in the rear yard setbacks, increased density, and parking reduction; 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 "B" and incorporated herein by reference for all purposes; and,

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

17-1007-1928 / 646550  
1709 Lomaland Drive  
KMN

PZST16-00024

4. That, if at any time the Owners fail to comply with any of the requirements of this Ordinance, Special Permit No. PZST16-00024 shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases; and,
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 \_\_\_\_\_, 2017.

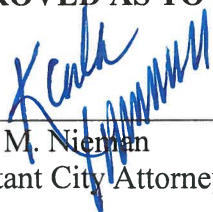
**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Oscar Leeser  
Mayor

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

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

 For: \_\_\_\_\_  
Larry E. Nichols, Director  
Planning and Inspections Department

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

17-1007-1928 / 646550  
1709 Lomaland Drive  
KMN

**PZST16-00024**

## AGREEMENT

Guillermo Martinez, 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.

EXECUTED this 27 day of March, 2017.

Guillermo Martinez:

By: Guillermo Martinez (owner)  
(name/title)

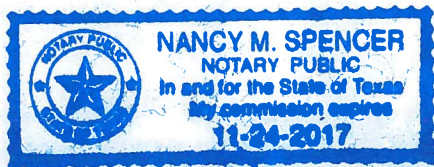
[Signature]  
(signature)

## ACKNOWLEDGMENT

THE STATE OF TEXAS )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 27th day of March, 2017, by Guillermo Martinez, as Owner.

My Commission Expires:



Nancy M Spencer  
Notary Public, State of Texas

Notary's Printed or Typed Name:

Nancy M Spencer



**Boundary Description of a portion of Lot 36, Block 32,  
Vista Del Sol Unit Six, Replat "B"  
An Addition to the City of El Paso, El Paso County, Texas**

EXHIBIT "A"

A boundary description of 0.163 acre or 7,109 square feet parcel or tract of land being a portion of lot 36, block 32, Vista Del Sol Unit Six, Replat "B" and lying within the corporate limits of the City of El Paso, Texas. The said subdivision is of record in Volume 0055, Page 0047 found in the El Paso County Clerk's Office Plat Records located in the City of El Paso, El Paso County, Texas.

This description conforms to the plat of Vista Del Sol Unit Six, Replat "B" plat.

The Basis of Bearings are based on those bearing depicted on the plat of Vista Del Sol Unit Six along the monument line in Monte Sur Drive (60.00 feet wide right-of-way) of record in Volume 0035, Pages 0009 and 009A found in the El Paso County Clerk's Office Plat Records located in the City of El Paso, Texas. The parcel or tract of land is being more particularly described as follows:

Commencing, for reference, at a City of El Paso monument lying at the monument line intersection of Pintoresco Drive (60.00 feet wide right-of-way) and Monte Sur Drive (60.00 feet wide right-of-way) from which another City of El Paso monument lying at the monument line intersection of Monte Sur Drive and Montenegro Drive (60.00 feet wide right-of-way) bears along the monument line in Monte Sur Drive, South 82°01'22" East, a distance of 279.89 feet (280.00 feet plat call);

Thence, leaving said Monte Sur Drive monument line, N 56°20' 45" East, a distance of 315.56 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set on the westerly 90.00 feet wide right-of-way line of Lomaland Drive for the southeast corner of the tract or parcel of land being described and for the Point of Beginning.

Thence, South 89°32'00" West, a distance of 57.90 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set on the corner.

Thence, South 02°55'36" West, a distance of 11.83 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set on the corner.

Thence, South 88°49'50" West, a distance of 50.62 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set for the southwest corner.

Thence, North 0°28'00" West, a distance of 68.05 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set for a corner.

Thence, North 89°32'00" East, a distance of 75.95 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set for a corner.



**Boundary Description of a portion of Lot 36, Block 32,****Vista Del Sol Unit Six, Replat "B"****An Addition to the City of El Paso, El Paso County, Texas**

Thence, North 0°0'00" East, a distance of 11.42 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set for a corner.

Thence, North 89°32'00" East, a distance of 33.95 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set for a corner along the westerly right-of-way line of Lomaland Drive.

Thence, along said Lomaland Drive right of way line South 0°28'00" East, a distance of 11.42 feet to a half inch reinforcement bar with a cap stamped G-3ng TX RPLS #5679 set for a corner at a point of curvature.

Thence, with the said westerly right-of-way line a distance of 55.63 feet along a radial arc of a curve to the right, with an interior angle of 01°36'15" having a radius of 1987.02 feet and with a long chord that bears South 00°20'07" West, a chord distance of 55.63 feet to the Point of Beginning and containing 0.163 acre or 7109 square feet of land more or less.

This field note description follows a plat of survey of equal date.

I, James D. Whitaker, a Registered Professional Land Surveyor, certify this field note description and accompanying survey plat is a representation of the facts found at the time of a ground survey performed by me or under my supervision on the date shown herein.



This February 16, 2016

James D Whitaker, RPLS  
Registration Number: 5679

This boundary description was prepared  
For the benefit of Guillermo R. Martinez.

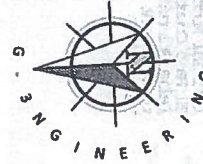
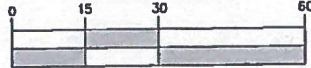


LINE TABLE		
L-1	S 02°55'36" W	11.83'
L-2	N 00°00'00" E	11.42'
L-3	N 89°32'00" E	33.95'
L-4	S 00°28'00" E	11.42'

# LEGEND

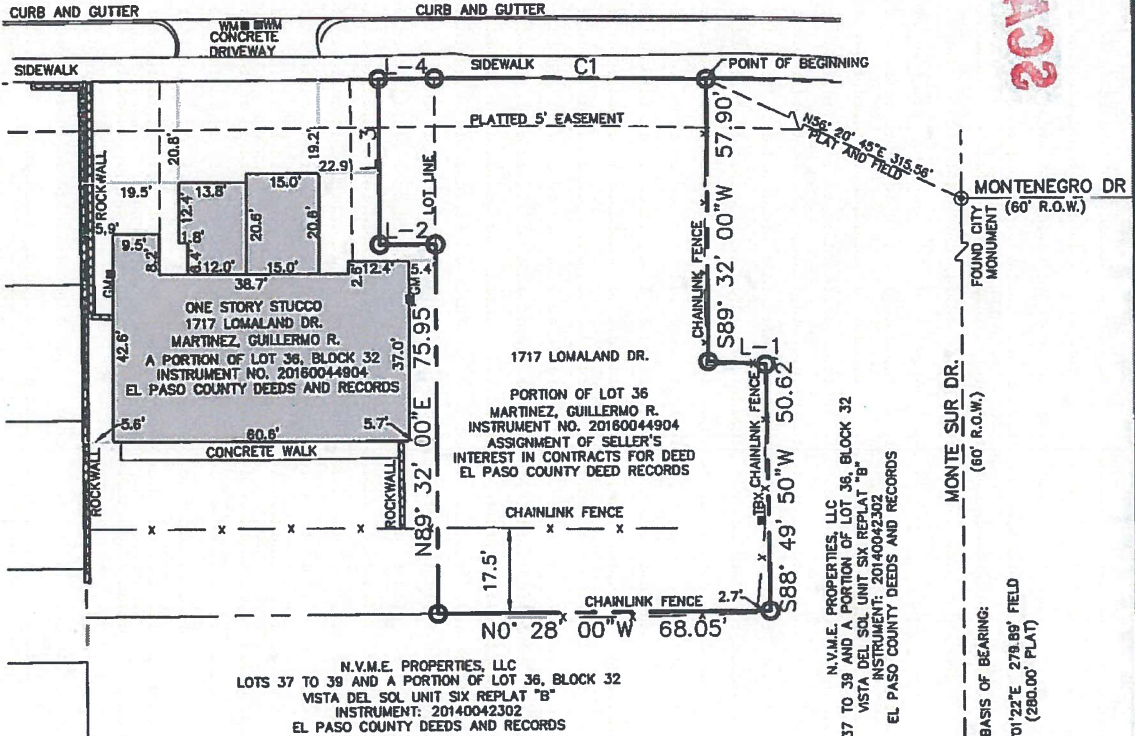
- WM WATER METER
- GM GAS METER
- TBX TELEPHONE PEDESTAL

## GRAPHIC SCALE



## LOMALAND DR

(90' R.O.W.)



Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	55.63	1987.02	01° 36' 15"	S00° 20' 07" W	55.63'

### NOTES:

- THE BASIS OF BEARING CONFORM TO THOSE BEARINGS FOUND ON A PLAT FOR VISTA DEL SOL UNIT SIX AS FILED IN VOLUME 0035, PAGE 0009 AND AS RATIFIED IN VOLUME 1247, PAGE 0085, FOUND IN THE EL PASO COUNTY CLERK'S OFFICE LOCATED IN THE CITY OF EL PASO, TEXAS, EL PASO COUNTY TEXAS.
- VISIBLE UTILITIES WHERE LOCATED AND ARE SHOWN HEREIN WHETHER PUBLIC OR PRIVATE.
- THIS SURVEY WAS PERFORMED FOR THE BENEFIT OF GUILLERMO R. MARTINEZ.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- THIS PROPERTY LIES WITHIN FLOOD HAZARD ZONE "C", AS DESIGNATED BY THE F.I.R.M. FLOOD INSURANCE RATE MAP, CITY OF EL PASO, FEBRUARY 16, 2006, COMMUNITY No. 480214, PANEL NUMBER 0042 C
- THIS PLAT OF SURVEY CONFORMS TO THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING GENERAL RULES AND PROCEDURES CITED IN 663.13 THROUGH 663.21.
- LAND SURVEYING IS UNDER THE JURISDICTION OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING. COMPLAINTS REGARDING SURVEYING SERVICES MAY BE ADDRESSED TO: 12100 PARK 35 CIRCLE, BUILDING A, SUITE 156, MC-230, AUSTIN, TEXAS 78753, PHONE (512) 239-5263.

- SET HALF INCH REINFORCING BAR WITH A PLASTIC CAP STAMPED TX 5679 G-3NG, LLC UNLESS OTHERWISE SHOWN

Field 01/26/17 Book \_002 Pg. \_062



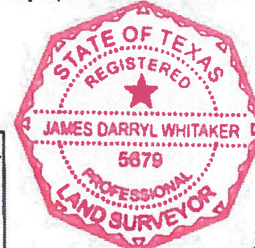
G-3 ENGINEERING, LLC  
1901 ARIZONA, SUITE 205  
EL PASO, TX 79902  
(915) 209-5141  
INFO@G-3NG.COM

## BOUNDARY AND IMPROVEMENT SURVEY

BEING A PORTION OF LOT 36, BLOCK 32,  
VISTA DEL SOL UNIT SIX AN ADDITION TO  
THE CITY OF EL PASO, EL PASO COUNTY,  
TEXAS.  
CONTAINING  
0.163 ACRE OR 7109 sq.ft. OF LAND  
MORE OR LESS.  
MARTINEZ, GUILLERMO R.

**POOR QUALITY ORIGINAL  
BEST AVAILABLE IMAGE**

I, James D Whitaker, a Registered Professional Land Surveyor, certify this plat is a correct representation of the facts found at the time of a ground survey performed by me or under my supervision on the date shown herein.

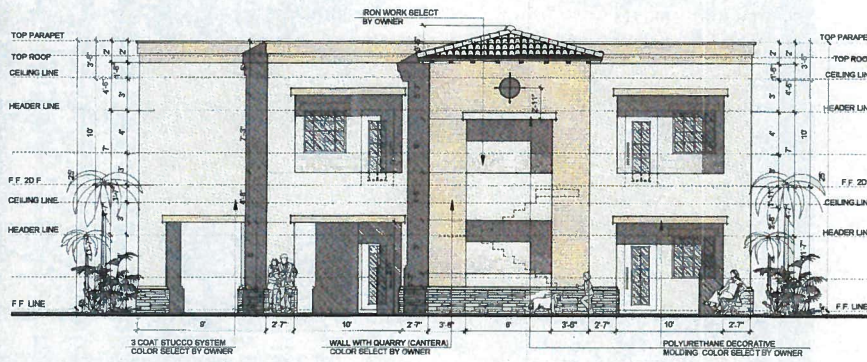


James D Whitaker, R.P.L.S.  
Texas Registration Number: 5679

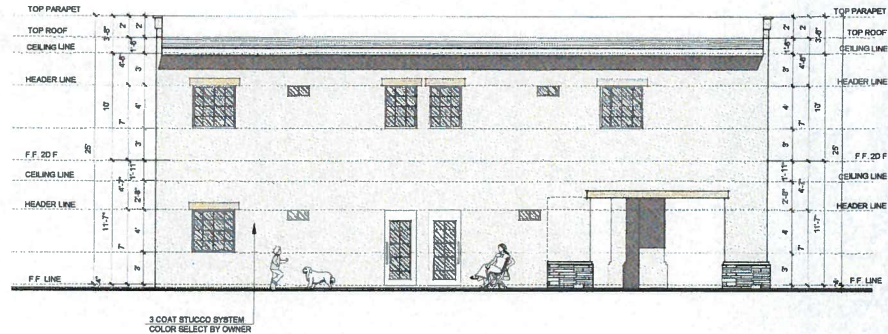






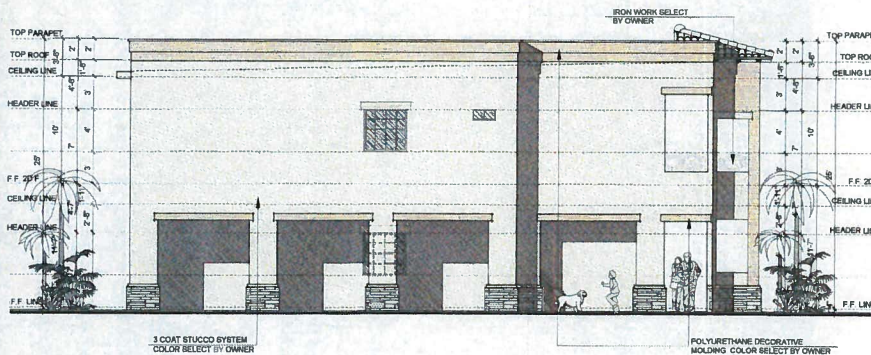


3 FRONT ELEVATION  
SCALE: 3/16"=1'-0"

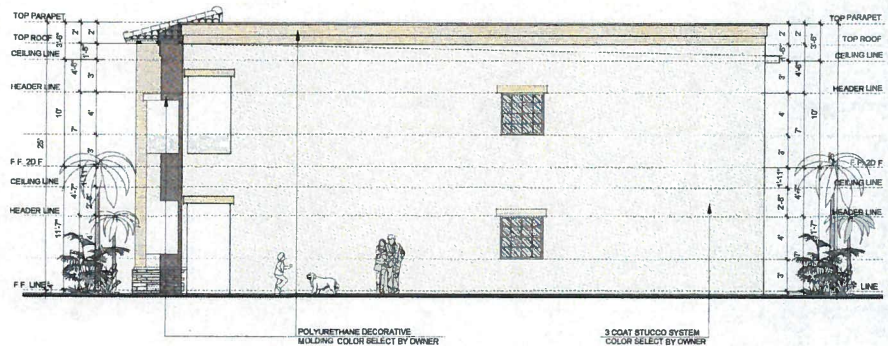


5 REAR ELEVATION  
SCALE: 3/16"=1'-0"

\*THIS IMAGE IS REPRESENTATIVE AND THE DESIGN MAY VARY IN THE PROCESS OF CONSTRUCTION OF THE PROJECT



4 LEFT ELEVATION  
SCALE: 3/16"=1'-0"



6 RIGHT ELEVATION  
SCALE: 3/16"=1'-0"

This document, whether in hard copy or digital format, is issued by the Engineer and is intended to be used for the project for which it was prepared. It is not to be used for any other project or purpose without the written consent of the Engineer. The Engineer shall not be responsible for any errors or omissions in this document. The user of this document shall be responsible for its proper use and for any errors or omissions in this document. The user of this document shall be responsible for its proper use and for any errors or omissions in this document.

**!!!CAUTION!!!**  
ALL UNDERGROUND UTILITIES SHALL BE FIELD VERIFIED BY CONTRACTOR PRIOR TO CONSTRUCTION.



G-3 ENGINEERING, LLC  
1901 ARIZONA, SUITE 205  
EL PASO, TX 79902  
(915) 346-5111 / 274-7605  
info@G-3eng.com

NEW BUILDING  
MARREM APARTMENTS

1709 LOMLAND DRIVE  
EL PASO, TEXAS 79935

Legal Description  
BORDERLY DESCRIPTION OF A PORTION OF LOT 26, BLOCK 22, VISTA DEL SOL UNIT 1 & REPLAT 17, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY TEXAS (7.9839 SQ FT)



The above referenced property is within Zone "C" (Explanation: Area of Minimal Flooding) according to the Federal Emergency Management Agency Flood Insurance Rate Map, as per Area Community Flood No. 480214 0000 B, dated October 15, 2015.

THIS SEAL APPEARED ON THIS DOCUMENT WAS EXAMINED BY Luis A. Collier, P.E., State of Texas, License No. 107264, dated October 15, 2015.



REVISIONS DATE BY  
SCALE  
HOR: VER:  
FILE NAME:  
DATE: 8/2016  
DRAWN BY: S.H.C.  
DESIGN BY: S.H.C.  
CHKD BY: J.G.  
APPD BY: L.A.C.

**A-1**  
ELEVATIONS AND  
SECTION VIEW PLAN  
2 OF 2

## MEMORANDUM

**DATE:** March 23, 2017

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZST16-00024

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The City Plan Commission (CPC), on March 9, 2017, voted 7-0 to recommend **approval** of the special permit application to allow for infill development with reduced rear yard setback and a 26% density bonus for a quadraplex on a 6,721 sq. ft. lot.

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 effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division received two phone calls in opposition to the special permit request.

**Property Owner:** Guillermo Martinez  
**Applicant:** Express Remodeling and Construction Company  
**Representative:** Salvador Hernandez

**Attachments:**  
Staff Report



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

**Case No:** PZST16-00024  
**Application Type:** Special Permit and Detailed Site Development Plan  
**CPC Hearing Date:** March 9, 2017  
**Staff Planner:** Andrew Salloum, (915) 212-1643, salloumam@elpasotexas.gov

**Location:** 1709 Lomaland Drive  
**Legal Description:** A portion of Lot 36, Block 32, Vista Del Sol Unit Six Replat B, City of El Paso, El Paso County, Texas  
**Acreage:** 0.163 acres  
**Rep District:** 7  
**Zoning:** A-2 (Apartment)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** Infill Development - to allow for rear setback reduction, increased density, and parking reduction  
**Proposed Use:** Quadraplex

**Property Owner:** Guillermo Martinez  
**Applicant:** Express Remodeling and Construction Company  
**Representative:** Salvador Hernandez

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

**North:** A-2 (Apartment) / Duplexes  
**South:** A-2 (Apartment) / Apartment  
**East:** A-2 (Apartment) / Apartment  
**West:** A-2 (Apartment) / Apartment

**PLAN EL PASO DESIGNATION:** G-4, Suburban (Walkable) (East Planning Area)  
**NEAREST PARK:** Reese McCord Park (2,170 feet)  
**NEAREST SCHOOL:** Vista Hills Elementary (2,154 feet)

### **NEIGHBORHOOD ASSOCIATION**

Eastside Civic Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 16, 2016. A re-notification was mailed out on February 22, 2017 due to the applicant increasing the size of the subject property. The Planning Division received two phone calls in opposition to the special permit request.

### **CASE HISTORY**

On January 5, 2017, The City Plan Commission postponed this case until March 9, 2017, so the applicant could resolve the parking issues. The applicant originally requested a 50% parking reduction and provided 4 on-site parking spaces. The applicant now is providing 6 on-site parking spaces which is 25% parking reduction.

### **APPLICATION DESCRIPTION**

The applicant is requesting a special permit for infill development and detailed site development plan review to reduce rear yard setback and a 26% density bonus for a quadraplex on a 6,721 sq. ft. lot. The detailed site



development plan shows a new 4,510.85 sq. ft. quadraplex. The applicant is also requesting the following reduction: the required 25 ft. rear yard setback to 10 ft. (see the table on page 3). The site plan shows 50 percent open space which meets the A-2 open space requirement of 50 percent open space for an interior lot. The development complies with the minimum landscape area requirements of Title 18.46. The proposed development requires 8 parking spaces and the applicant is providing 6 parking spaces. Infill development permits an automatic 50 percent parking reduction; however the applicant is only requesting a 25 percent parking reduction. Access to the subject property is proposed from Lomaland Drive.

#### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** subject to the applicant submitting a letter of approval from Street and Maintenance Department prior to City Council action for reduced parking aisle width. The approval recommendation is based upon on the proposed development is being consistent with the surrounding apartment zoning and multi-family uses. Additionally, the proposed development is compliant with the G-4, Suburban (Walkable) land use designation in the Plan El Paso East 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.

#### **ANALYSIS**

##### **20.10.280 Infill Development**

The provisions of this section apply to any property designated with an overlay designation to encourage redevelopment and infill development, the specific purposes of which are to: provide a more flexible approach to design and development of infill projects, encourage infill development by simplifying procedures for plan approval, permit the conversion or adaptive reuse of buildings and properties, encourage planning and design flexibility and innovations, create a community environment that is enhanced by a mix of residential, commercial, recreational, open space, employment and institutional uses, and assure community compatibility and an efficient use of land and public services. In order to provide incentives for private investment in these targeted areas, the following standards shall apply:

- 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.

*This development meets the two location criteria: (1) it is within a State Enterprise Zone (2) it is located in a legally recorded subdivision of at least 30 years, having been platted in 1980, (Attachment 6).*

- 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.



*There is no specific plan area adopted by City Council. Quadraplex is permitted in the A-2 (Apartment) 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.

*The applicant is requesting the following reduction in dimensional standards:*

DIMENSION	REQUIRED	PROPOSED
Rear yard setback	25 ft.	10 ft.

*The applicant is requesting a rear yard setback reduction; the request complies with all other setback requirements.*

- 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 requires 8 parking spaces and provides 6, a 25% parking reduction request.*

- 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 compatible with existing development and uses.*

- G. Density. The maximum number of dwelling units per gross acre permitted in the base-zoning district may be increased up to fifty percent for an infill development as approved by city council.

*The application is to request for quadraplex, a 6,721 sq. ft. lot would permit 3 units; with the 26% density bonus one additional unit is permitted for a total of 4 units.*

- H. Lots. There shall be no minimum area requirement for lots within an infill development unless otherwise provided in the ordinance designating the infill development overlay.

*The applicant is only requesting setback reductions and a density bonus and complies with all other dimensional standards.*

#### 20.04.320 Special permit approvals.

- A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.
- B. Building and occupancy permits shall not be issued for any building or use identified in this title as requiring an approved detailed site development plan as required by Article III, until such approval has been granted.

- C. No building or occupancy permit may be granted for the erection, rehabilitation, enlargement or demolition of any building in a designated historic area or for any building that is a designated historic landmark until prior approval has been granted by the historic landmark commission.
- D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum requirements necessary to protect the public health, safety and general welfare of the community:
  - 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; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;
  - 2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;
  - 3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;
  - 4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;
  - 5. The design of the proposed development mitigates substantial environmental problems;
  - 6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;
  - 7. The proposed development is compatible with adjacent structures and uses;
  - 8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.
- E. The applicant may request that the city plan commission waive one or more of the criteria based on its no applicability to the proposed development. The city plan commission, upon a recommendation of the planning official, shall make a determination on the no applicability of the criteria and shall render a finding based on such determination, and shall forward their recommendation to city council for final review and approval.

*The application meets the requirements for special permit.*

#### 20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

*Detailed Site Development Plan review is required as part of the special permit application.*

#### 20.04.150 Procedure.

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
  - 1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.

2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and storm water drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

*Planning Staff has reviewed the detailed site development plan, and it meets all requirements of Sections 20.04.320, Special Permit, 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-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.

*The Planning Division recommendation is based on the compatibility with the G-4, Suburban (Walkable) land use designation through the addition of missing residential uses provided to surrounding neighborhoods within the area of the existing vacant lots and reducing travel and infrastructure needs.*

The purpose of the A-2 (Apartment) 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.

### **Plan El Paso - Goals & Policies**

Goal 2.2: The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed-use neighborhoods.

Policy 2.2.2. The design of new neighborhoods and additions to existing neighborhoods should strive for a mix of housing types to create neighborhoods that accommodate diverse ages and incomes and allow residents to trade up, downsize, or create multi-generational households without being forced to leave the neighborhood. Housing types include both small and large single-family detached homes, duplexes, townhouses, multi-family buildings, live-work units, and accessory dwelling units, and include both rental apartments and units that can be owned by their occupants of sites within El Paso.

*The Planning Division recommendation is based on the proposed residential supplementing the mix of housing types in the area while providing the potential for a balance of housing and jobs.*

### **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.

**Planning and Inspections Department – Building and Development Permitting**

No objections to proposed special permit.

Note:

At the time of submittal for building permits the project will need to comply with all applicable provisions of the IRC and local municipal code.

**Planning and Inspections Department - Land Development**

1. No objections to the special permit application.
2. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

**TXDOT**

Development is not abutting State's right of way.

**Fire Department**

Recommend approval.

**Sun Metro**

Sun Metro does not oppose this request.

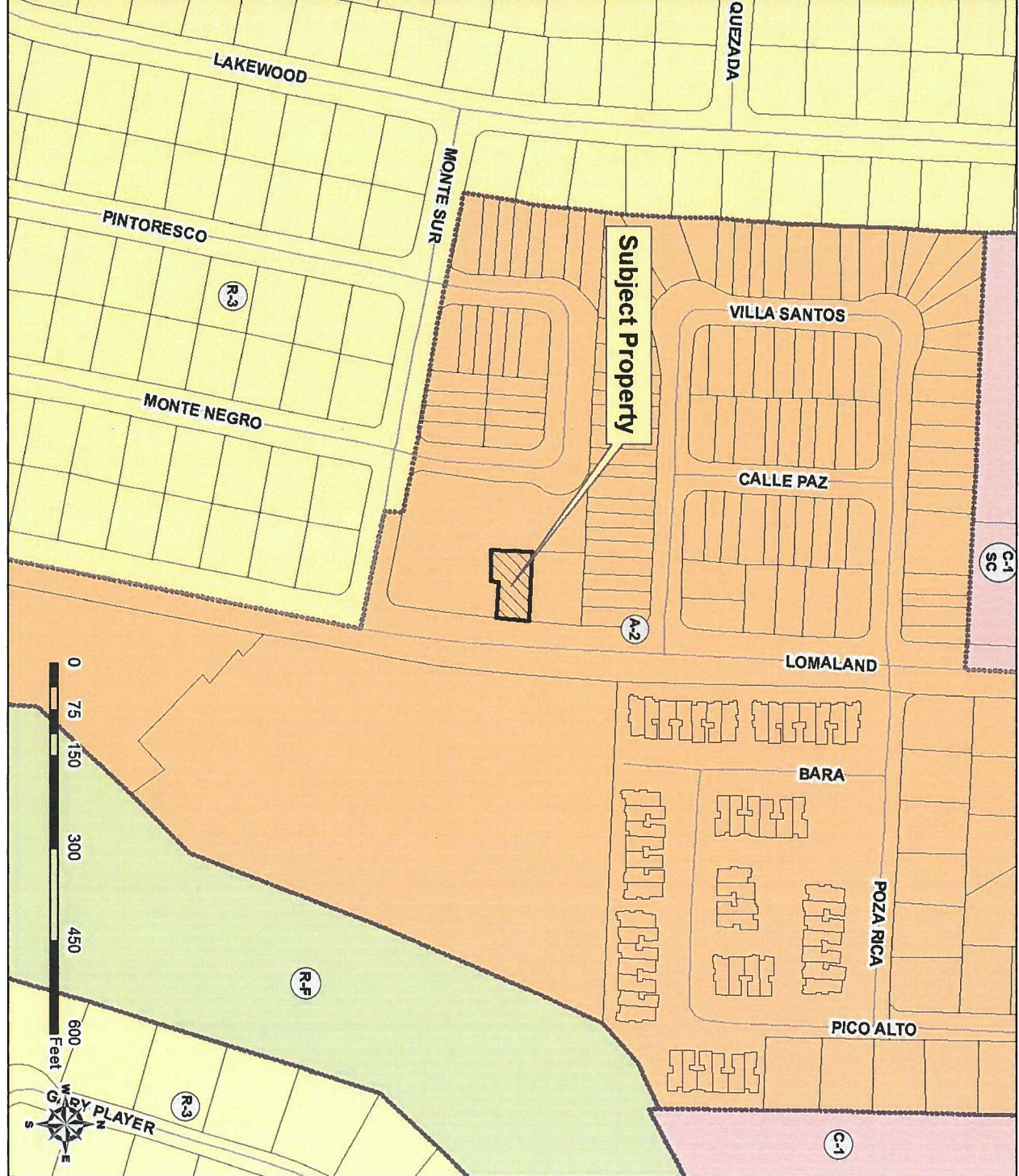
**Attachments**

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Elevations
6. Subdivision Plat



ATTACHMENT 1: ZONING MAP

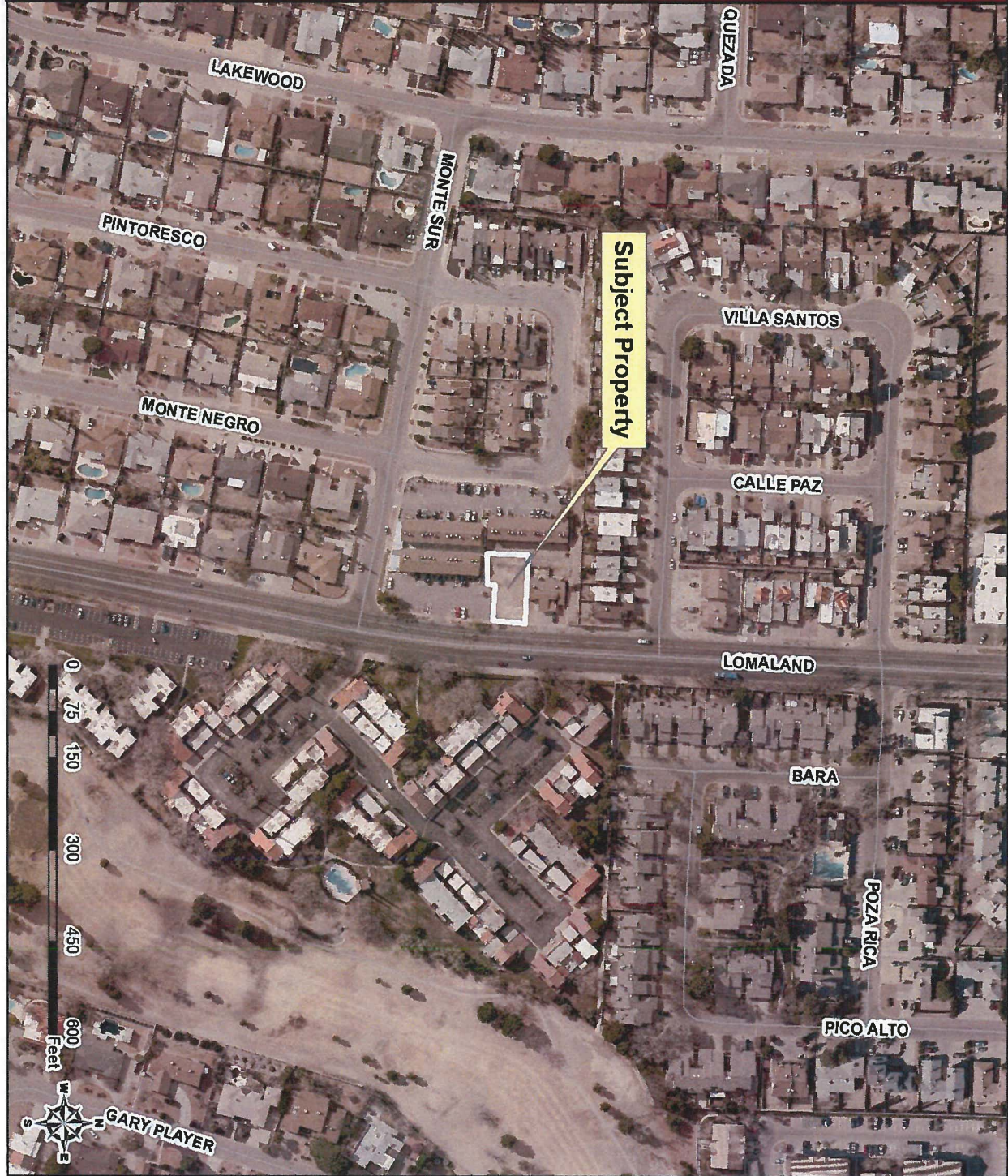
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ATTACHMENT 2: AERIAL MAP

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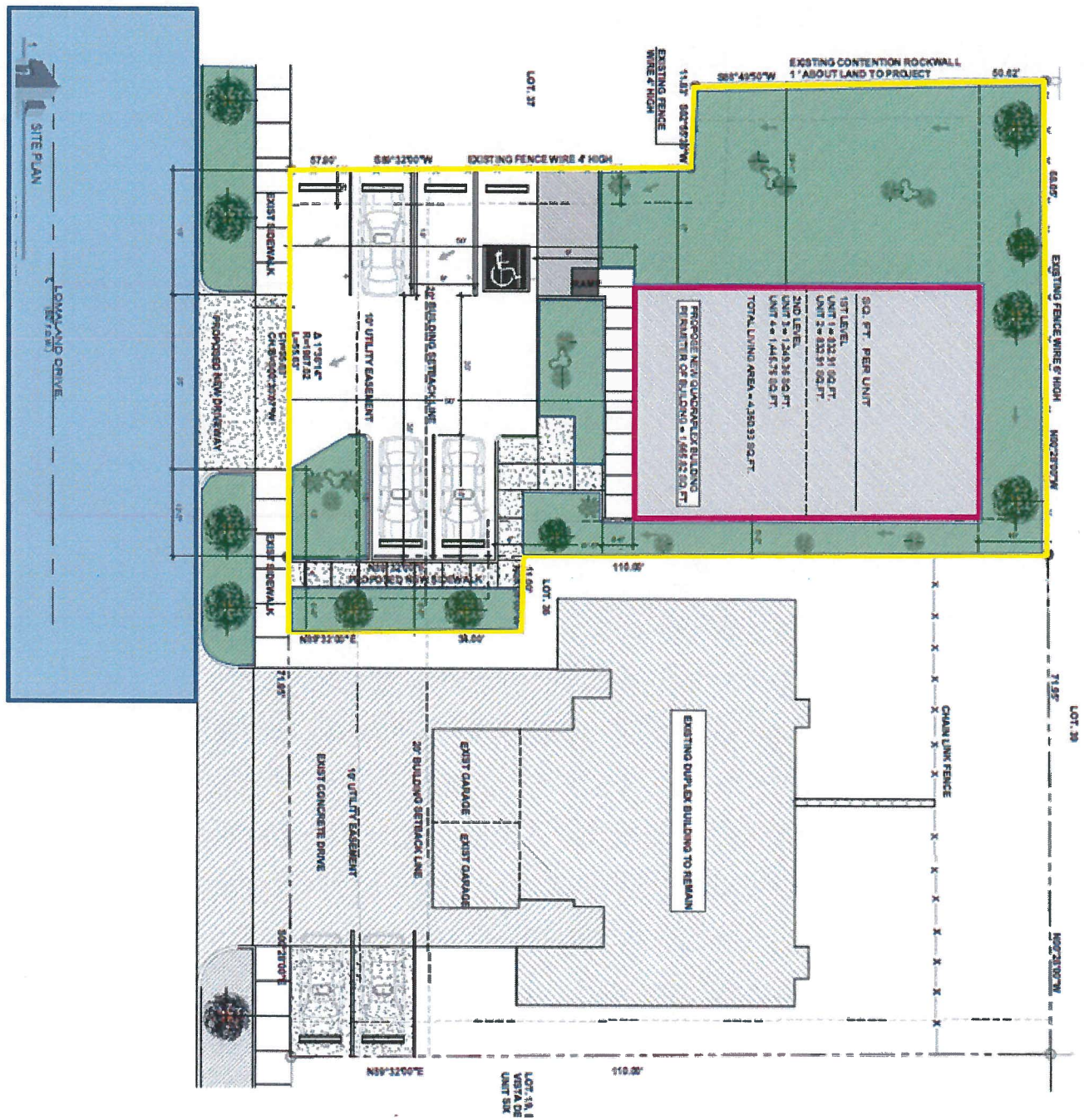


ATTACHMENT 3: FUTURE LAND USE MAP



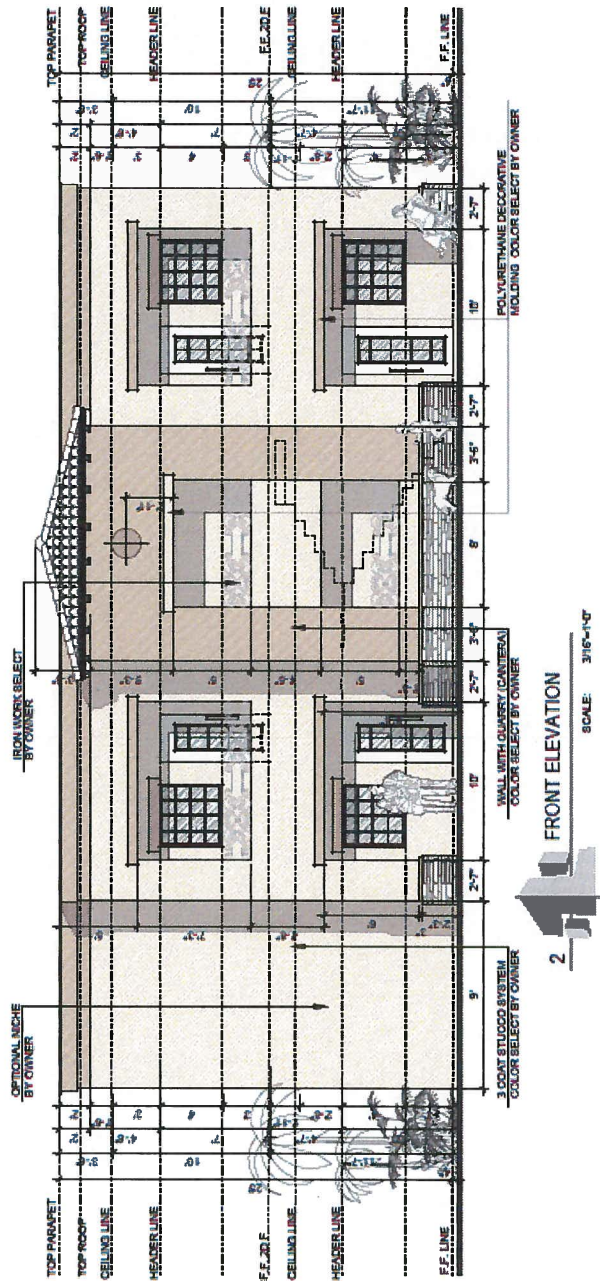


## ATTACHMENT 4: DETAILED SITE DEVELOPMENT PLAN

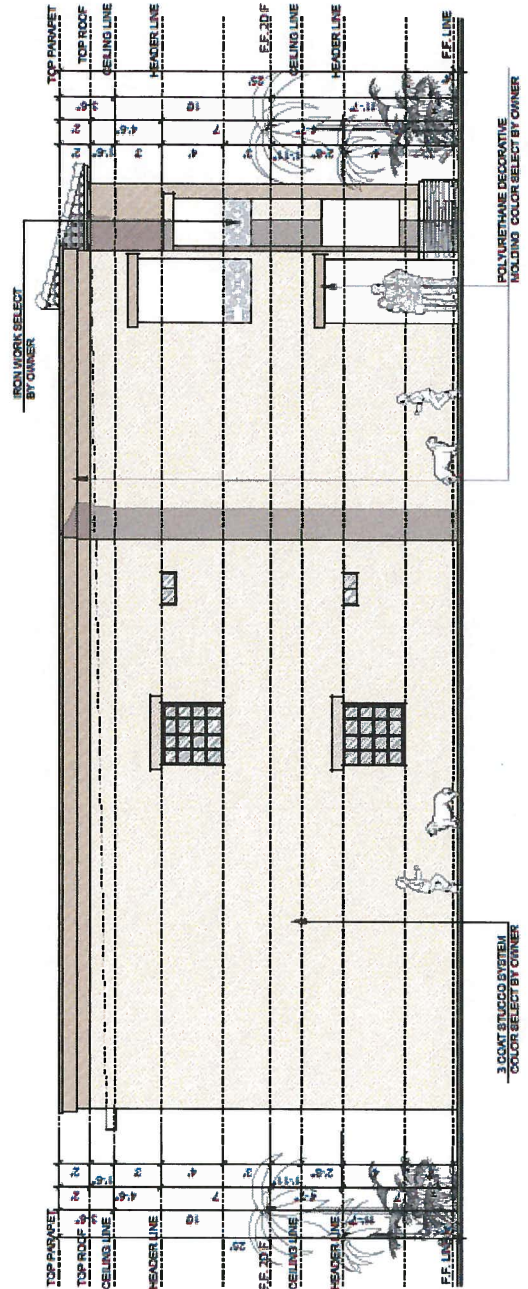




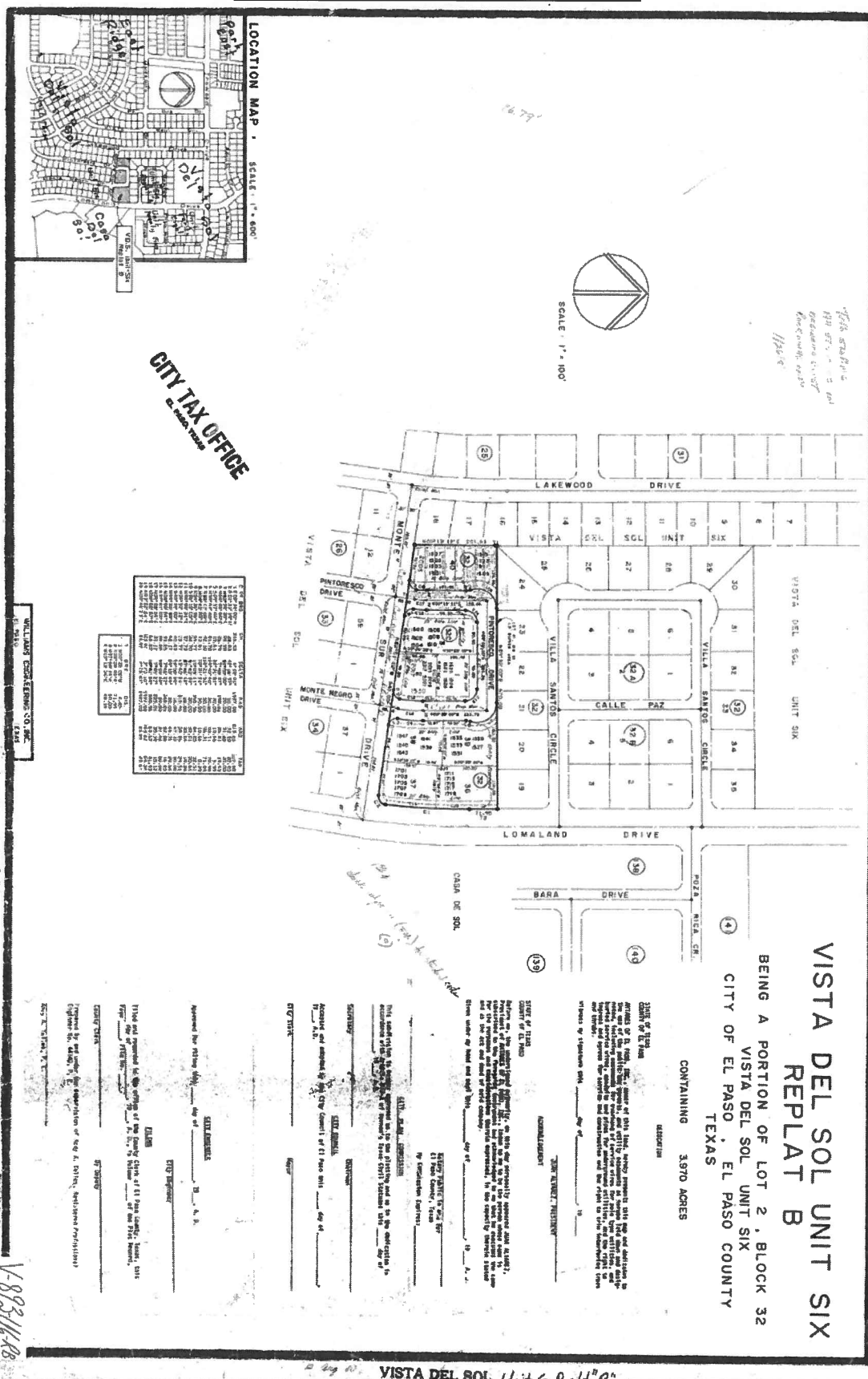
# ATTACHMENT 5: ELEVATIONS



"THIS IMAGE IS REPRESENTATIVE AND THE DESIGN MAY VARY IN THE PROCESS OF CONSTRUCTION OF THE PROJECT"



**ATTACHMENT 6: SUBDIVISION PLAT**





# Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (7-0)
- **Public Input:** The Planning Division received two phone calls in opposition to the special permit request.

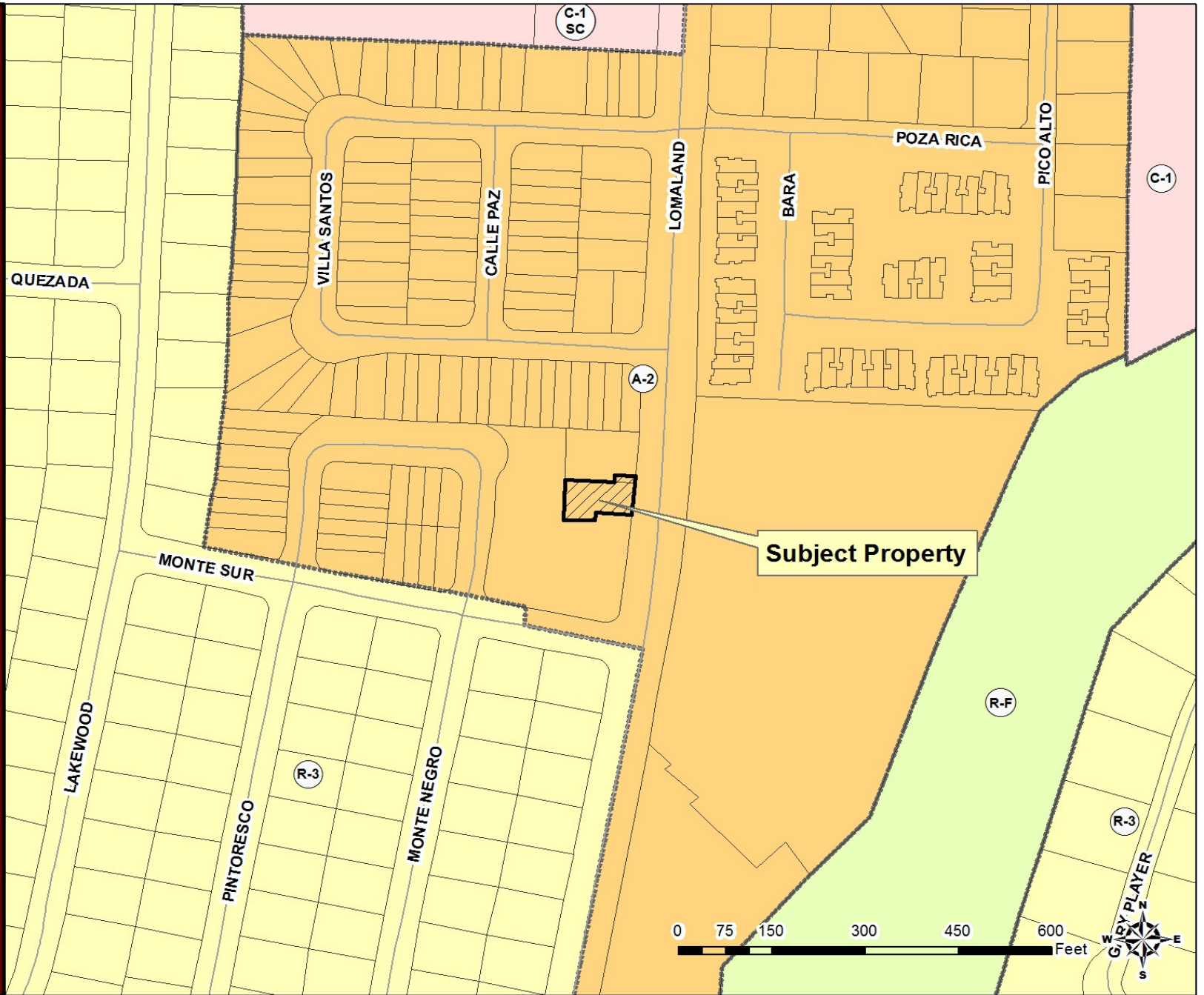
Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

PZST16-00024

2





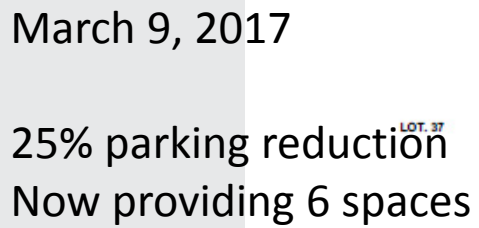
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*"Delivering Outstanding Services"*





8

Subject  
Property



North



West



East

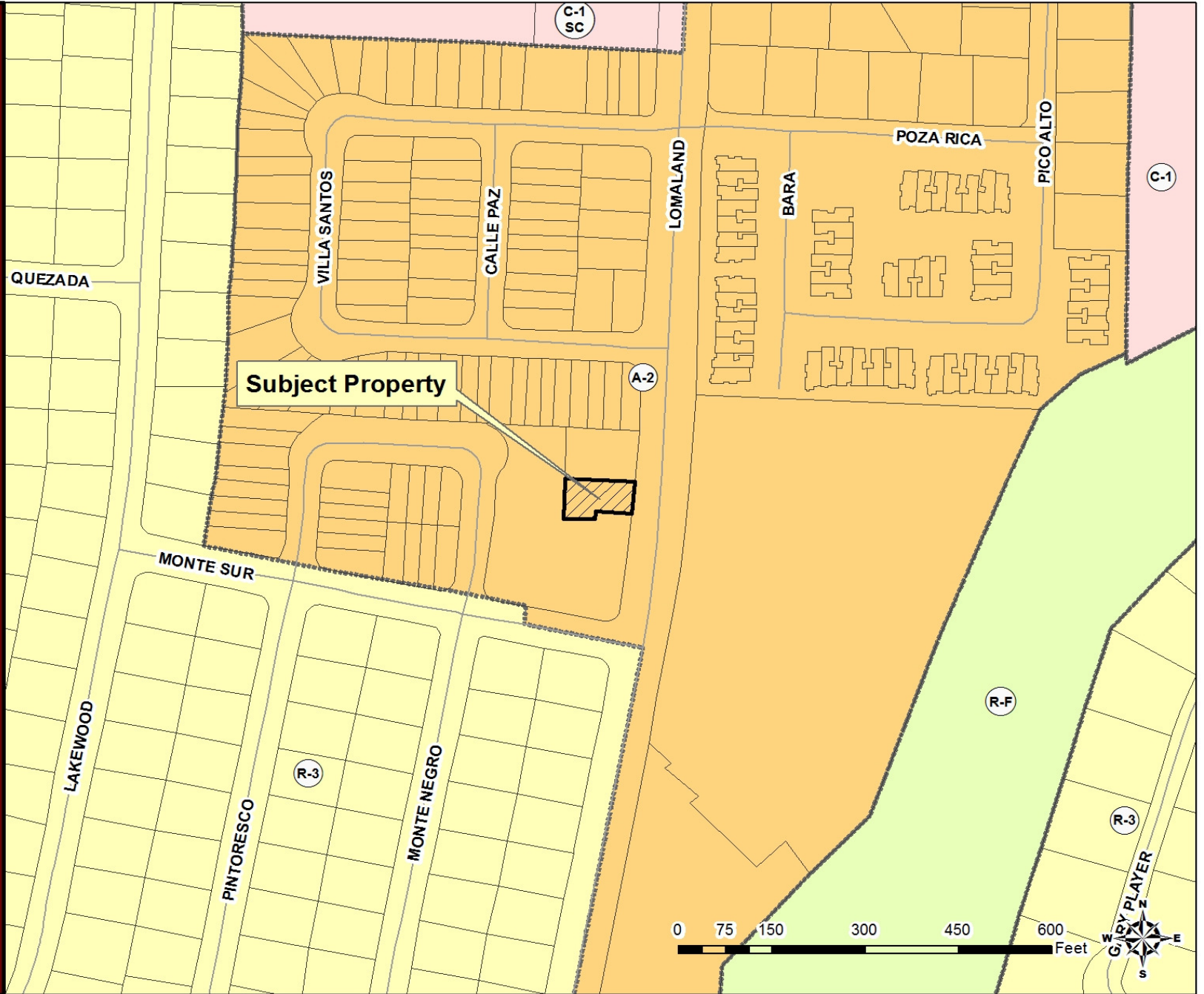


South



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10



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11

