

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

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

**AGENDA DATE:** Introduction: April 28, 2015  
Public Hearing: May 19, 2015

**CONTACT PERSON/PHONE:** Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 2

**SUBJECT:**

An Ordinance changing the zoning of Lots 1 and 2, Block 86, East El Paso Addition, 810 N. Luna Street, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 810 N Luna. Property Owner: Marco A. Chavira. PZRZ15-00006 (**District 2**)

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) Approval Recommendation (6-0)

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

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

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

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, Planning and Inspections Department

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**APPROVED FOR AGENDA:**

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

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

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

AN ORDINANCE CHANGING THE ZONING OF LOTS 1 AND 2, BLOCK 86, EAST EL PASO ADDITION, 810 N. LUNA STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of Lots 1 and 2, Block 86, East El Paso Addition, 810 N. Luna Street, located in the City of El Paso, El Paso County, Texas, be changed from **R-5 (Residential)** to **S-D (Special Development)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2015

THE CITY OF EL PASO

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

ATTEST:

\_\_\_\_\_  
Richard Duffy Momsen, City Clerk

APPROVED AS TO FORM:

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

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Mathew S. McElroy, Director  
Planning & Inspections Department

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

Zoning Case No: PZRZ15-00006

## MEMORANDUM

**DATE:** April 16, 2015

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

**FROM:** Michael McElroy, Planner

**SUBJECT: PZRZ15-00006**

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The City Plan Commission (CPC), on April 9, 2015, voted 6-0 to recommend **approval** of rezoning the subject property from R-5 (Residential) to S-D (Special Development).

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the rezoning 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 rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning division received one letter in opposition to the rezoning request, and one person spoke in support of the request.

**Attachment:**  
Staff Report



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

**Case No:** PZRZ15-00006  
**Application Type:** Rezoning and Detailed Site Development Plan Review  
**CPC Hearing Date:** April 9, 2015  
**Staff Planner:** Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov  
**Location:** 810 North Luna Street  
**Legal Description:** Lots 1 & 2, Block 86, East El Paso Addition, City of El Paso, El Paso County, Texas  
**Acreage:** 0.1607 acres  
**Rep District:** 2  
**Existing Zoning:** R-5 (Residential)  
**Existing Use:** Single-family dwelling  
**C/SC/SP/ZBA/LNC:** Legal non-conforming for rear and side setbacks, built in 1910  
**Request:** From R-5 (Residential) S-D (Special Development)  
**Proposed Use:** Office Building  
**Property Owner:** Marco A. Chavira  
**Representative:** Marco A. Chavira

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

**North:** R-5 (Residential) / Single-family dwellings  
**South:** R-5 (Residential) / Single-family dwellings  
**East:** R-5 (Residential) / Single-family dwellings  
**West:** R-5 (Residential) / Single-family dwellings

**PLAN EL PASO DESIGNATION:** G-2, Traditional Neighborhood (Walkable) (Central Planning Area)

**NEAREST PARK:** May Webb Park (668 feet)

**NEAREST SCHOOL:** Alta Vista Elementary (1,215 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Five Points Development Association  
El Paso Central Business Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 19, 2015. The Planning Division received one letter in opposition to the rezoning request, and one person spoke in support of the rezoning.

### **CASE HISTORY**

The property is registered as legally non-conforming for rear and side setbacks, as the existing structure was built in 1910. The legal-non conforming status of the property will be terminated upon rezoning the property to S-D (Special Development), for which the applicant is aware.

### **APPLICATION DESCRIPTION**

The property owner is requesting a rezoning from R-5 (Residential) to S-D (Special Development) to permit an office building. The property proposes the conversion of the existing 1,347 sq. ft. single family home for office and storage use. The detailed site development plan proposes an expansion of 2,069 sq. ft. of new office construction. Setbacks reductions are proposed for 4.08' to the rear, from the required 10', 4.17' on the side, from the required 10', and 0' to the front, from the required 20'. The side street yard setback of 27.18' requires no reduction. Seven parking spaces are required and seven are provided, including ADA and bicycle parking. Six-hundred and seventeen sq. ft. of landscaping is required and 999

sq. ft. is proposed. Access is proposed from Luna Street.

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

The Planning Division recommends **approval** of rezoning the subject property from R-5 (Residential) to S-D (Special Development) and acceptance of the Detailed Site Development Plan.

The rezoning is compatible with the commercial and offices uses, as well as residential, which are typical of Yandell Drive. Furthermore, the proposed development is compliant with the G-2 Traditional Neighborhood (Walkable) land use designation in the Central Planning Area.

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

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

G-2 – Traditional Neighborhood (Walkable): 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 SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

**COMMENTS:**

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

No objections.

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 - Land Development**

No objection.

**Planning and Inspections Department – Plan Review**

No objections to proposed rezoning. At the time of submittal for building permits the project will need to comply with all applicable provisions of the IBC, TAS and local municipal code.

**Planning and Inspections Department - Landscaping**

No objections to proposed rezoning. At the time of submittal for building permits project will need to comply with all provisions of title 18.46 as applicable.

**El Paso Fire Department**

No objections.

**El Paso Water Utilities**

EPWU does not object to this request.

**Water:**

1. There is an existing 6-inch diameter water main extending along Luna Street that is available for service, the water main is located approximately 16-feet east from the center line of the right-of-way.
2. There is an existing 6-inch diameter water main along the alley between Yandell and Tularosa Streets. The water main is located approximately 1.5-ft north from the center line of the right-of-way.
3. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 810 North Lune Street.
4. Previous water pressure from fire hydrant #1426 located approximately 168-ft north of Yandell Street has yield a static pressure of 90 (psi), a residual pressure of 80 (psi), and a discharge of 1,186 gallons per minute.
5. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

**Sanitary Sewer:**

There is an existing 8-inch diameter sewer main along the alley between Yandell and Tularosa Streets. The sewer main is located approximately 10.5-ft north of the northern property line.

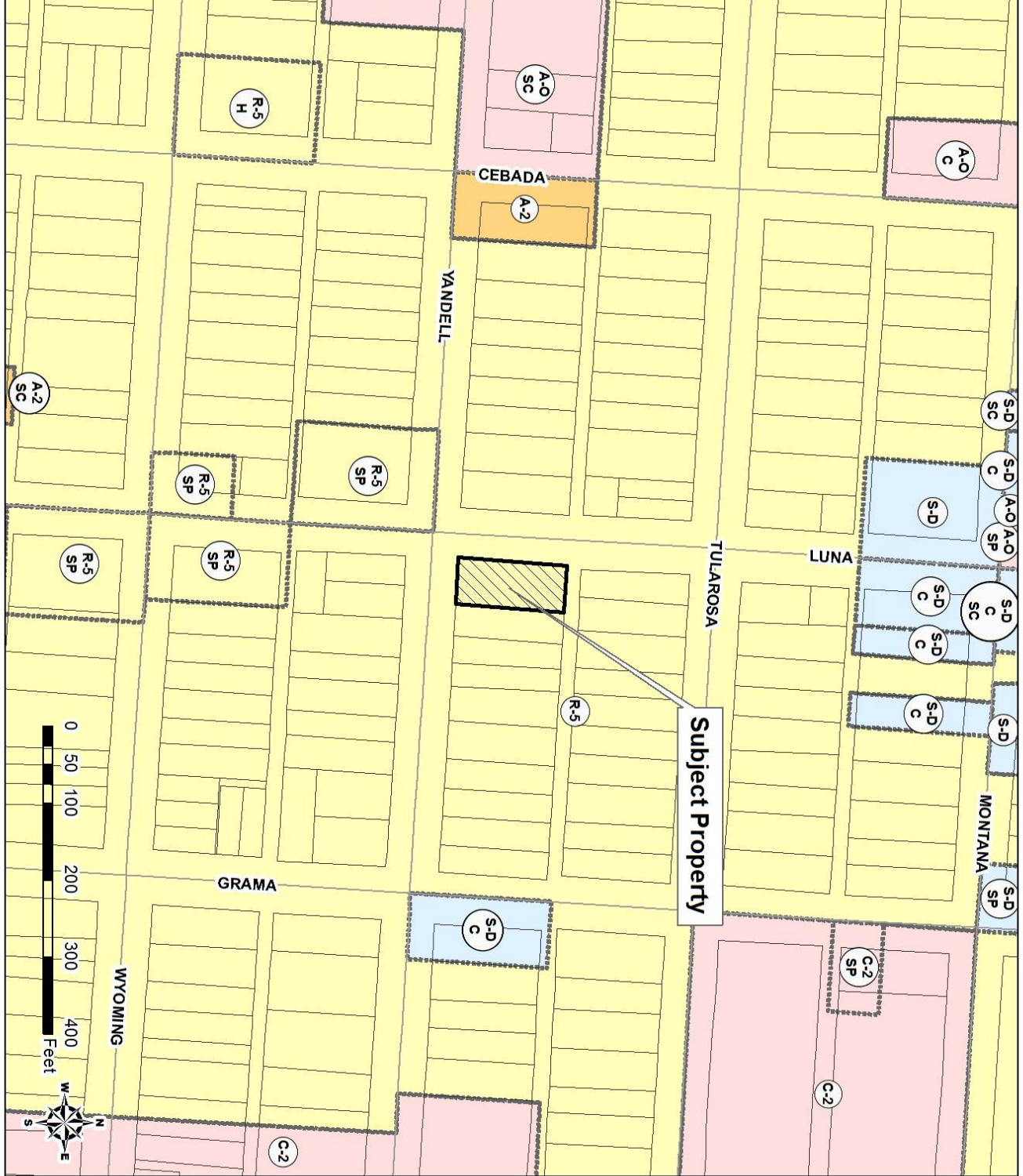
**General:**

EPWU 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 EPWU – 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.

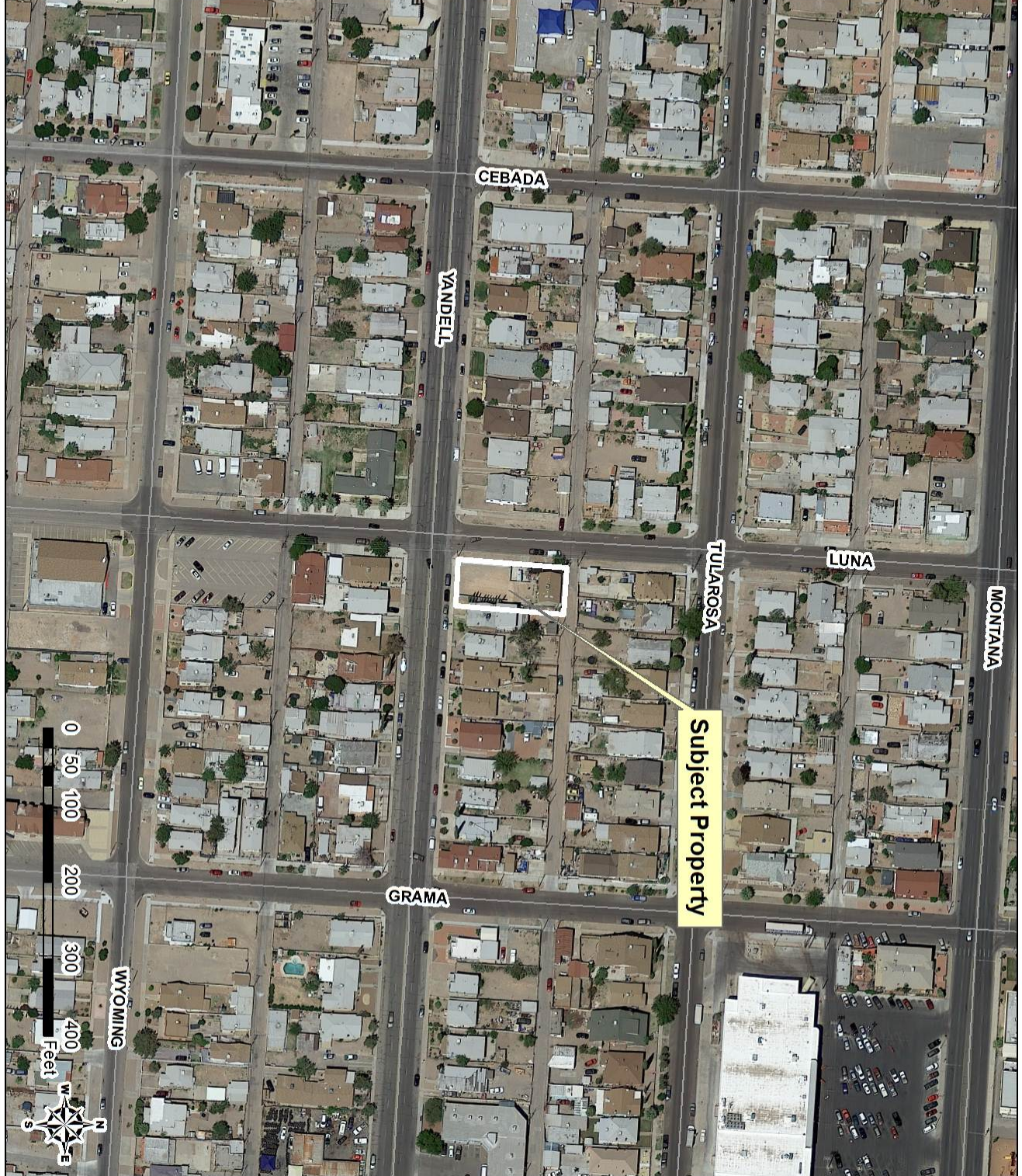
**Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Opposition Letter

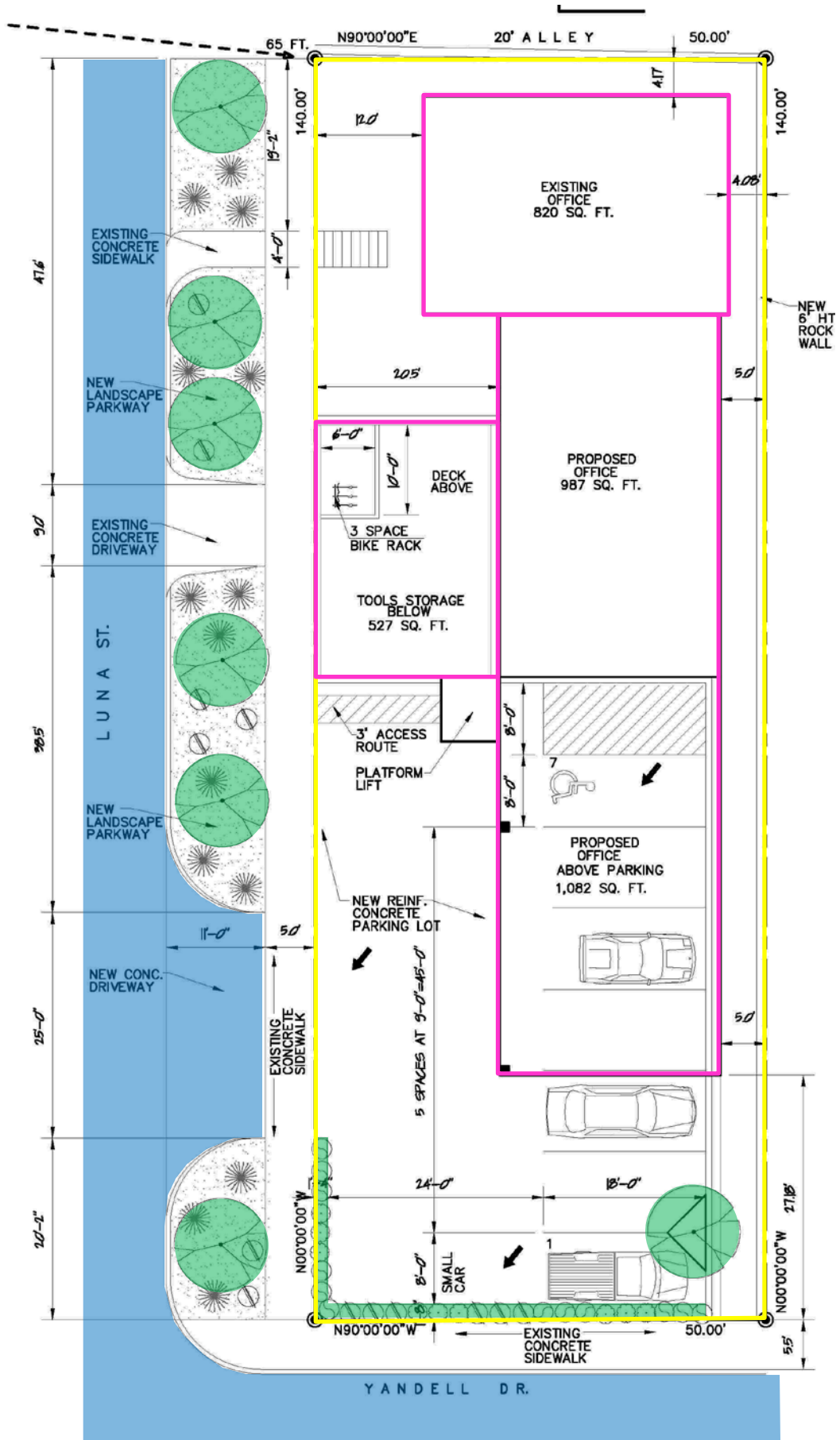
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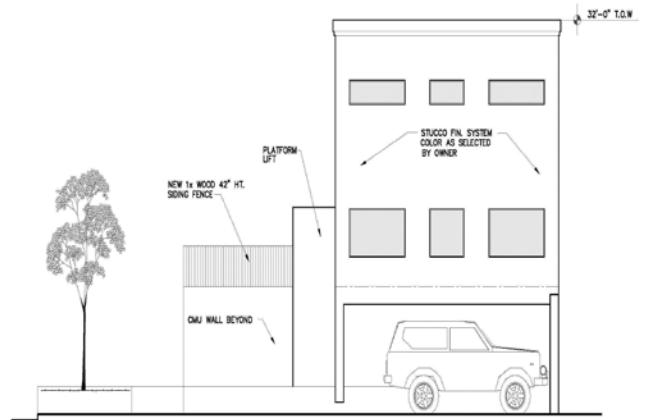
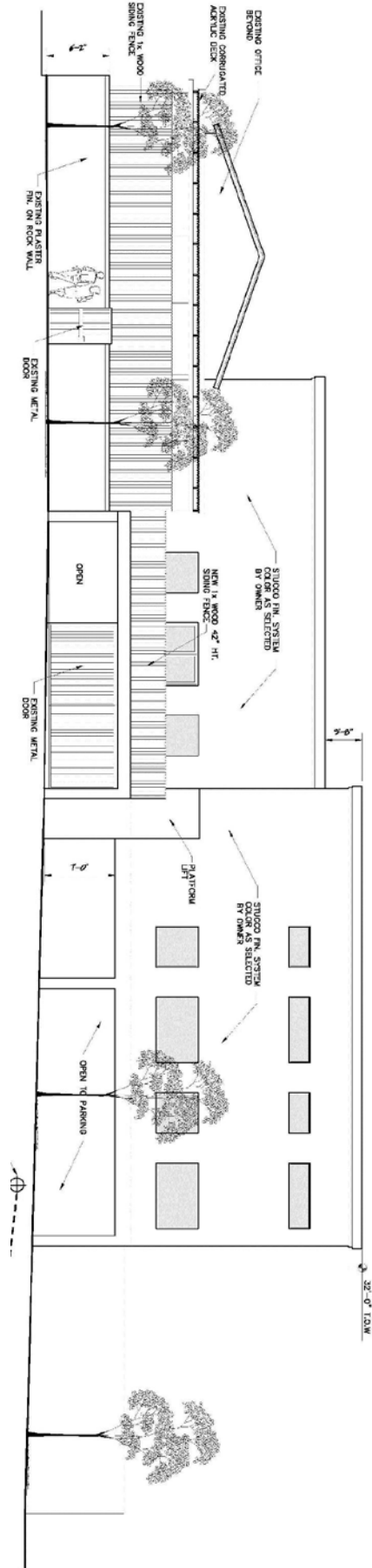
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ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



ATTACHMENT 5: OPPOSITION LETTER

**From:** [Alfred Francees](#)  
**To:** [McElroy, Michael](#)  
**Subject:** Rezoning Case #PZRZ15-00006  
**Date:** Sunday, March 22, 2015 5:29:10 PM

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Case # PZRZ15-00006

Diega Francees

3311 E. Yandell Dr.

No, on the rezoning for special development!

My position on the rezoning from Residential to a Special Development is a NO !



## Recommendation/Public Input

- Planning Division recommendation: Approval
- CPC Vote: Approval Recommendation (6-0)
- Public Input: Planning received 1 letter in opposition, and 1 person spoke in support of the rezoning 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

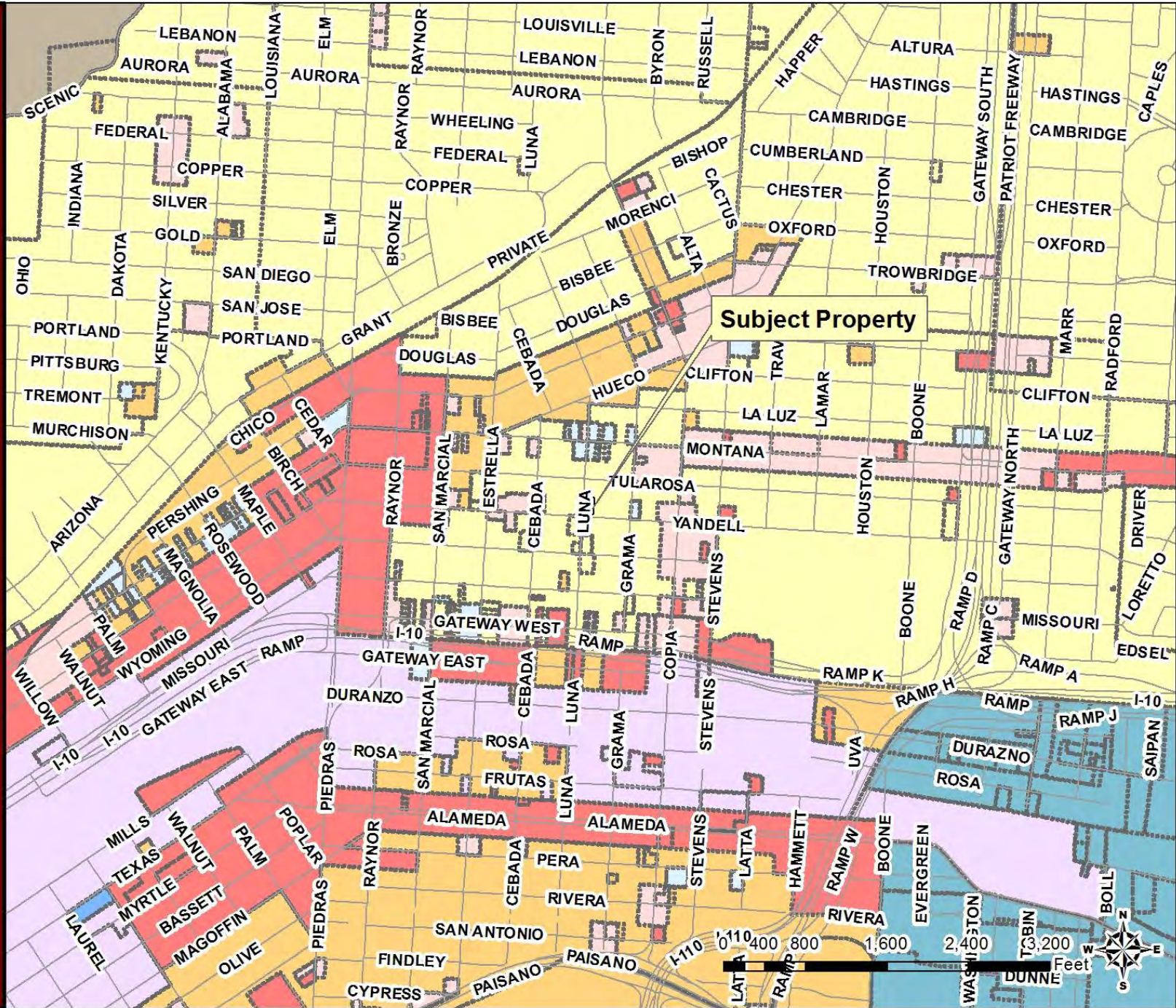
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Subject Property

TULAROSA

MONTANA

LUNA

CEBADA

YANDELL

GRAMA

WYOMING

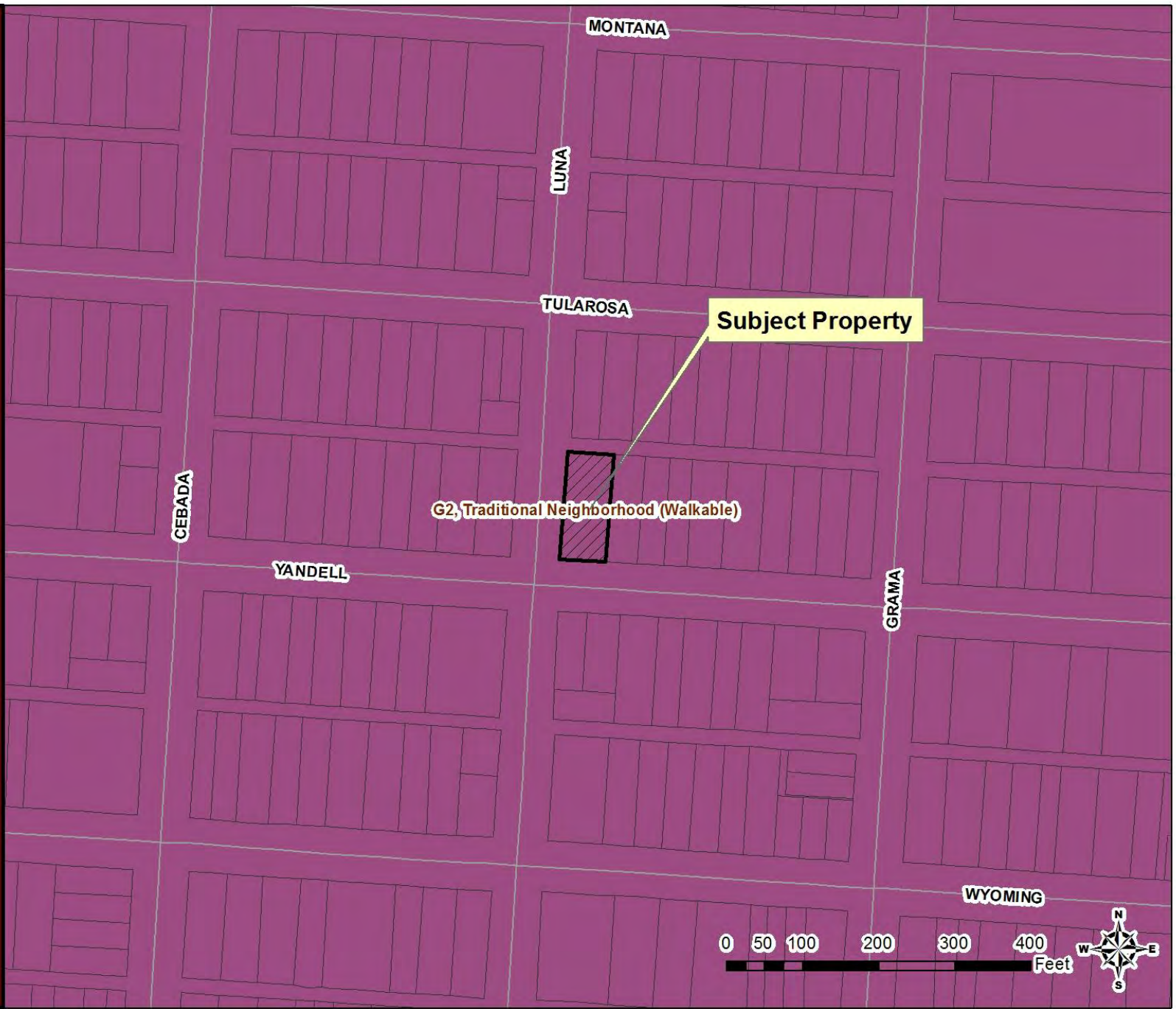
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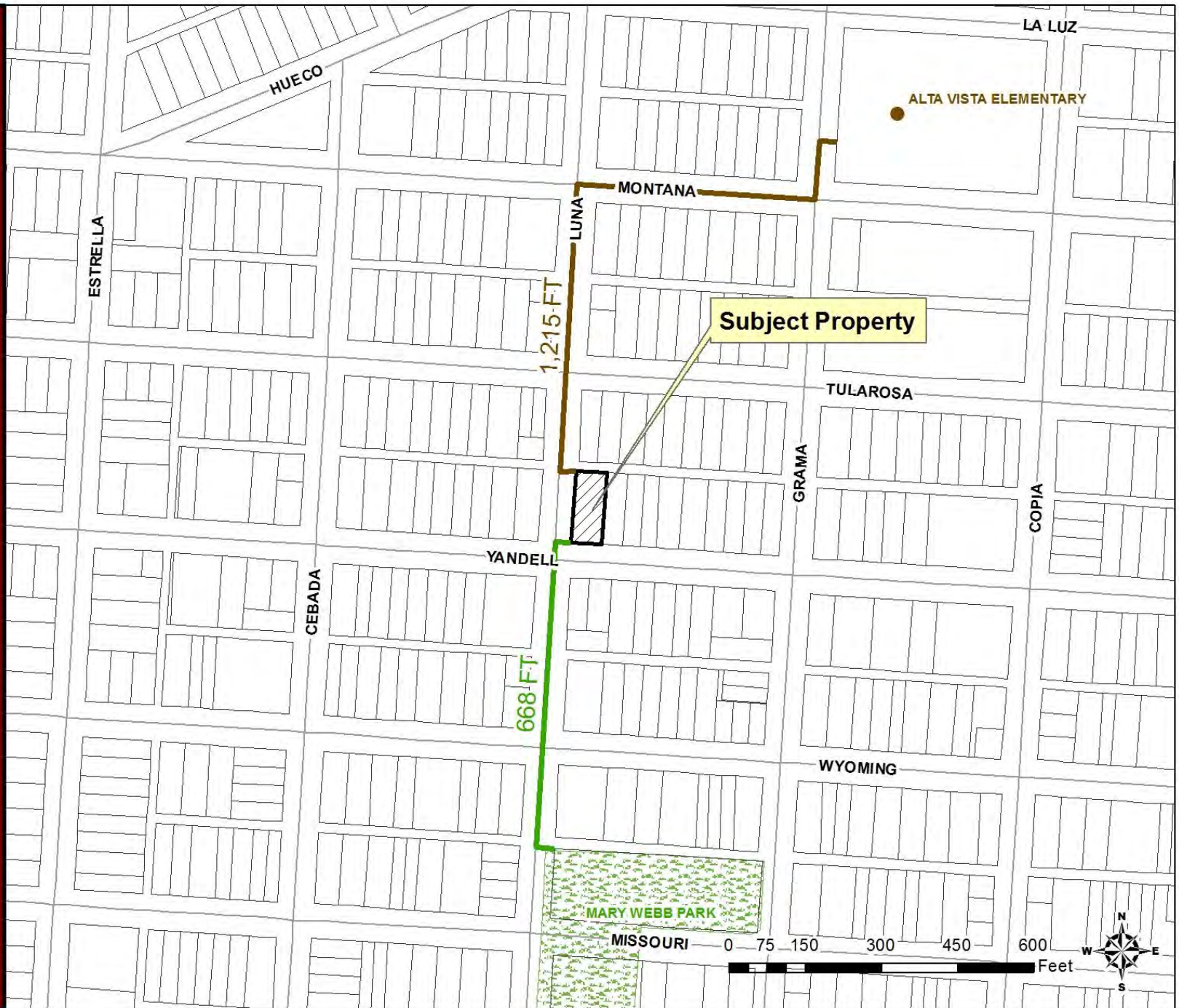
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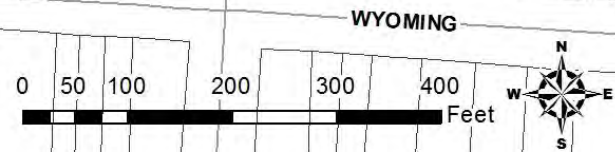
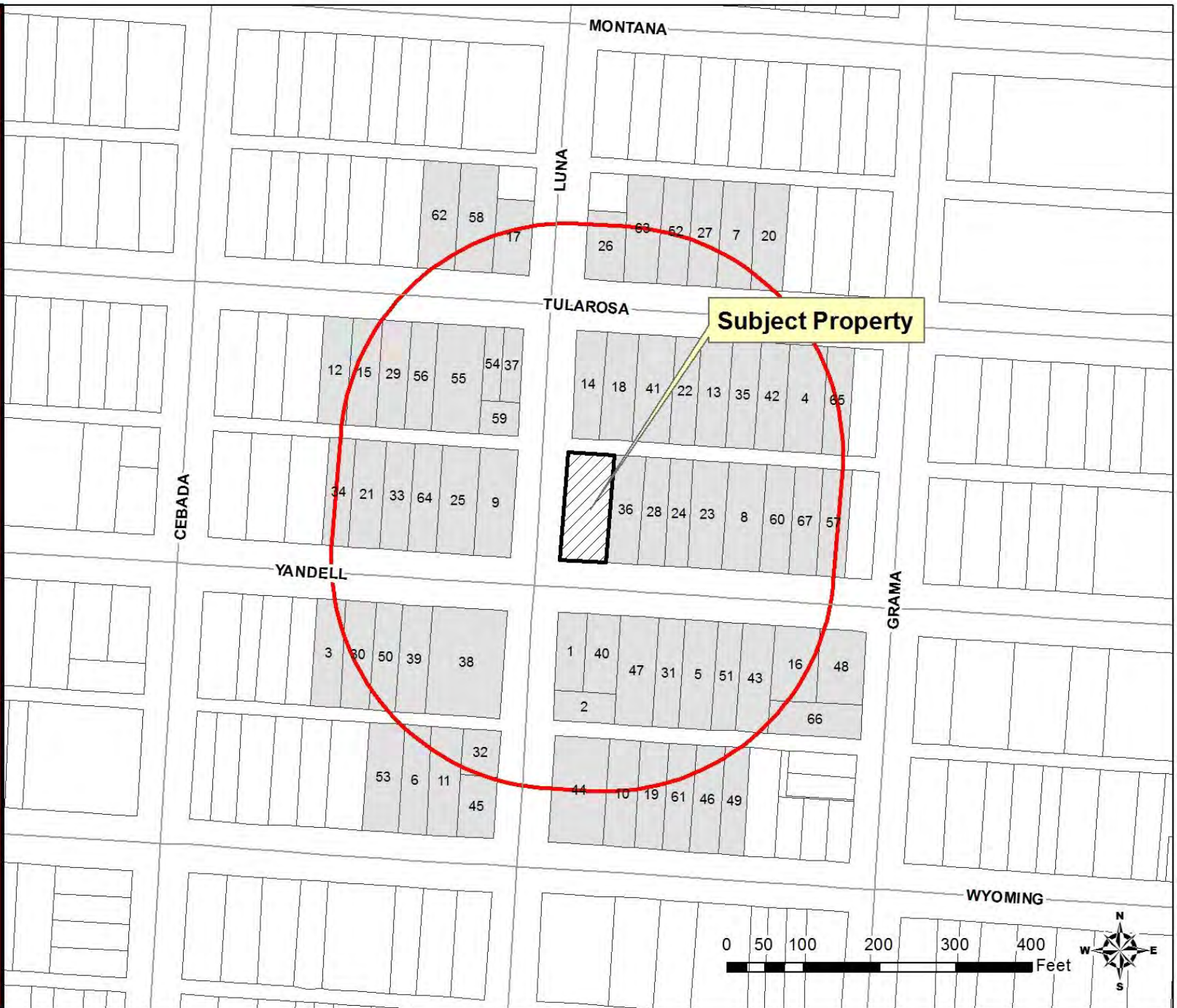
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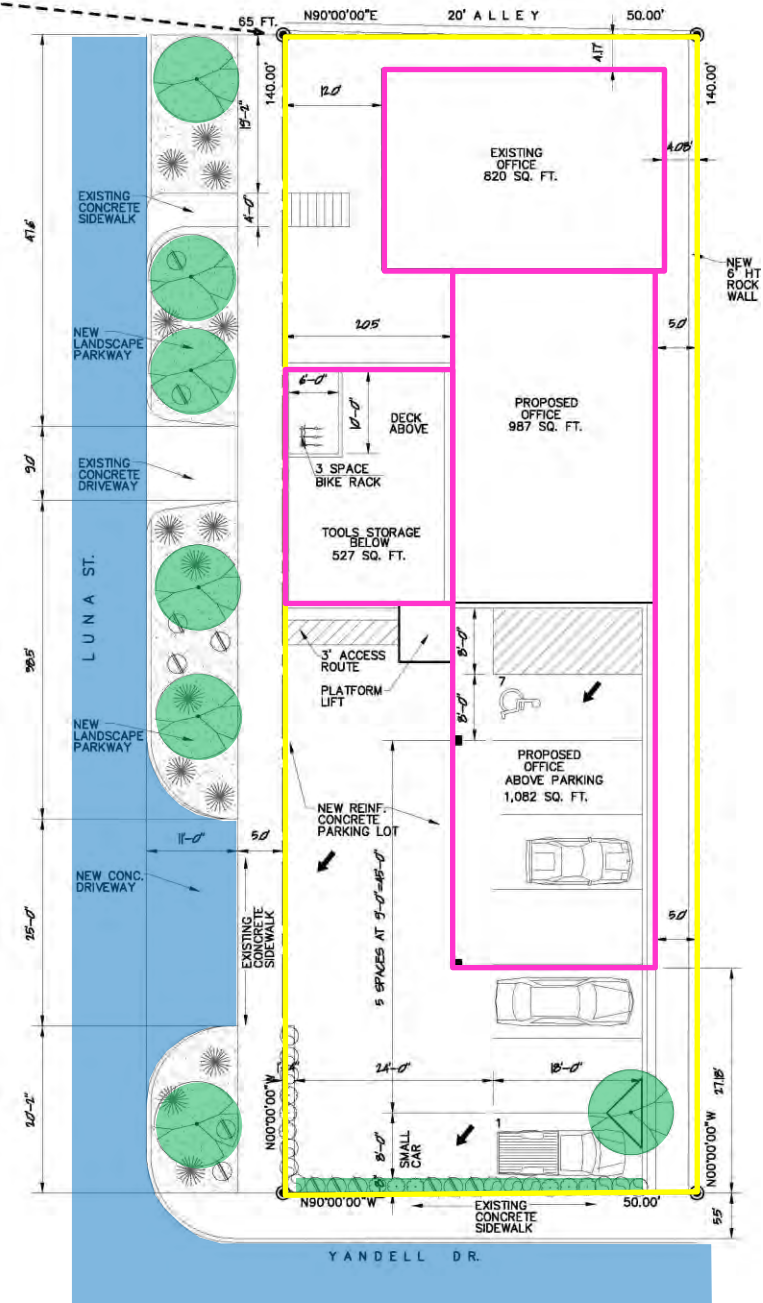


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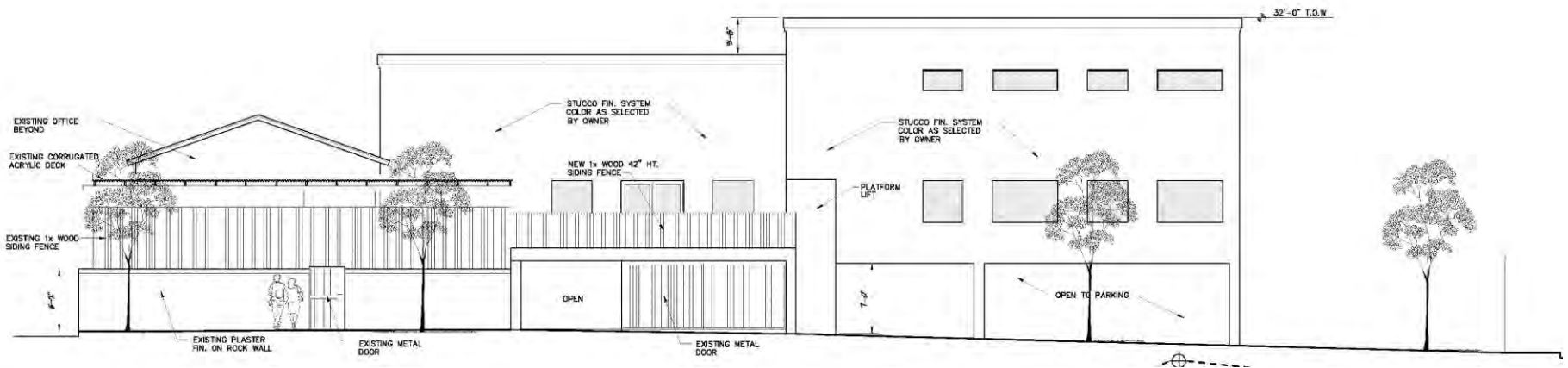
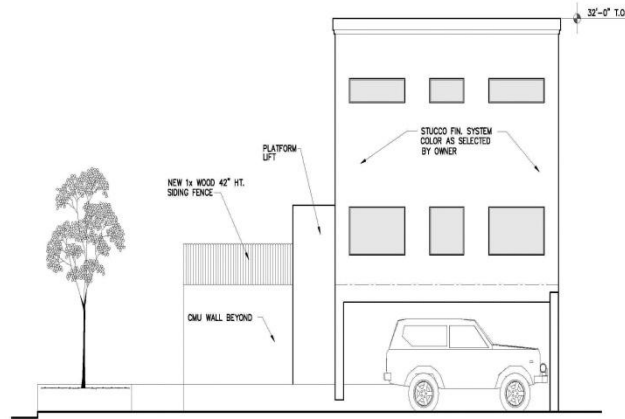
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# Detailed Site Development Plan



# Elevations





11

Subject Property & East



12

North



13

South



14

West

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