

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Public Hearing: April 30, 2019

CONTACT PERSON/PHONE: Philip Etiwe, (915) 212-1553, EtiwePF@elpasotexas.gov
Santiago Vallejo, (915) 212-1561, vallejos@elpasotexas.gov

DISTRICT(S) AFFECTED: District 8

SUBJECT:

A resolution approving a detailed site development plan Being a Portion Of Lot 17 And All Of Lots 18, 19, and 20, Block 2, Alexander Addition , City Of El Paso, El Paso County, Texas, pursuant to section 20.04.150. The penalty is as provided for in chapter 20.24 of the El Paso City Code. Property Owner: Veronica y Francisco Macias, LLC. PZDS19-00007 (District 8)

BACKGROUND / DISCUSSION:

On April 4, 2019 City Plan Commission recommended Approval of the detailed site development plan and the setback reduction request to reduce the front and side setbacks from the allowed 20 feet and 10 feet to 6 feet and 1 foot in the S-D (Special Development) zoning district.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this application.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Recommended Approval on a 5-0 vote.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Philip Etiwe

Director, Planning and inspections Department



APPROVED FOR AGENDA: _____

CITY MANAGER: _____ **DATE:** _____

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN BEING A PORTION OF LOT 17 AND ALL OF LOTS 18, 19, AND 20, BLOCK 2, ALEXANDER ADDITION , CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.04.150. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Veronica Y Francisco Macias, LLC., (the "Owner") has applied for approval of a detailed site development plan which requires City Plan Commission and City Council approval, to reduce front and side setbacks as required under the S-D/SP (Special Development/Special Permit) District as per Section 20.10.360. The detailed site development plan is subject to the development standards in the S-D/SP (Special Development/Special Permit) District regulations and 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,

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application; and,

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

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

- 1. Pursuant to requirements imposed on the property described as *Being a Portion of Lot 17 and all of Lots 18, 19, and 20, Block 2, Alexander Addition, 401 Rio Grande Avenue, further described in the metes and bounds attached hereto as Exhibit "A", City Of El Paso, El Paso County, Texas* and the City Council hereby approves the detailed site development plan submitted by the Applicant, to reduce front and side setbacks as required under the S-D/SP (Special Development/Special Permit) District as per Section 20.10.360.**
- 2. A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.**
- 3. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the S-D/SP (Special Development/Special Permit) District regulations.**
- 4. The Applicant shall sign an agreement to develop the property and to perform all**

construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **S-D/SP (Special Development/Special Permit)** District. 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.

5. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

APPROVED this _____ day of _____, 2019.

CITY OF EL PASO:

Dee Margo, Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

EXHIBIT "A"

**401 Rio Grande, El Paso, Texas
METES AND BOUNDS**

Being all of lots 20, 19, 18, and a portion of lot 17, Block 2, Alexander Addition, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southwest corner of Lot 20 at the intersection of the north right-of-way line of Rio Grande Avenue (70.00 feet wide) with the east right-of-way line of Kansas Street (70.00 feet wide);

THENCE, along the east right-of-way line of said Kansas Street, North 37°10'00" West, a distance of 93.00 feet to a point for corner;

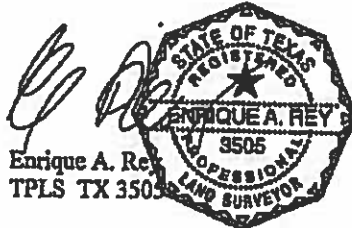
THENCE, leaving said east right-of-way line, North 52°50'00" East, a distance of 55.00 feet to a point for corner;

THENCE, North 27°37'56" East, a distance of 18.79 feet to the point for corner;

THENCE, North 52°50'00" East, a distance 50.00 feet to the point for corner in the west line of a sixteen foot wide alley;

THENCE, along said west line, South 37°10'00" East, a distance of 101.00 feet to a point for corner in the north right-of-way line of said Rio Grande Avenue;

THENCE, along said north right-of-way line, South 52°50'00" West, a distance of 122.00 feet to the POINT OF BEGINNING and containing 0.271 acre of land.



El Paso, Texas – Monday, February 11, 2019

**DETAILED SITE DEVELOPMENT PLAN NO. PZDS19-00007
DEVELOPMENT AGREEMENT**

WHEREAS, **Veronica y Francisco Macias, LLC.** ("Owner") have applied for approval of a Detailed Site Development Plan pursuant to Section 20.04.140 (Detailed Site Development Plan Approval Process) of the El Paso Municipal Code to allow the construction that will include an **apartment** on the subject property.

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, pursuant to Section 20.04.150 (Procedure) of the El Paso Municipal Code, the City Plan Commission on **April 4, 2019** approved the detailed site development plan submitted by the Applicant, to permit the development of the property, **to include an apartment** on the following described property, which is located in a **S-D/SP (Special Development/Special Permit)** zone district:

Being a portion of Lot 17 and all of Lots 18, 19, and 20, Block 2, Alexander Addition, City of El Paso, El Paso County, Texas

NOW, THEREFORE, in consideration of the approval of the detailed site development plan application, the Owner agrees as follows:

That approval of the detailed site development plan shall be subject to the following conditions:

1. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **S-D/SP** regulations.
2. The Owner shall agree to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **S-D/SP** regulations.
3. A copy of the approved detailed site development plan, signed by the Owner and the Secretary of the City Plan Commission, attached hereto as Exhibit "A" and incorporated herein by reference, shall be filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
4. This Agreement shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

By execution hereof, **Veronica y Francisco Macias, LLC**. ("Owner") hereby covenant and agree to develop the property legally described as *Being a Portion of Lot 1, Block 5, Tierra Commercial Unit 5, an addition to City of El Paso, El Paso County, Texas*, in accordance with the provisions listed above and the approved detailed site development plan attached hereto as Exhibit "A" and incorporated herein by reference, and in accordance with the standards applicable to the C-4/c zone district located within the City of El Paso, as well as in accordance with any applicable City of El Paso City Code provisions.

EXECUTED this 16th day of April, 2019.

OWNERS:

Veronica Macias
[Owner(s) names]/Owner
Veronica Macias
Signature

FRANCISCO F. MACIAS
[Owner(s) names]/Owner
Francisco F. Macias
Signature

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 16th day of April, 2019, by Veronica Macias and Francisco F. Macias, as (Owners).

My Commission Expires: 07/20/2019 Valeria Beltran
Notary Public, State of Texas



Notary's Printed or Typed Name:
Valeria Beltran

MEMORANDUM

DATE: April 30, 2019

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

FROM: Santiago Vallejo, Planner

SUBJECT: PZDS19-00007

The City Plan Commission (CPC), on April 4, 2019, voted 5-0 to recommend **APPROVAL** of the application for a detailed site development plan and the setback reduction request to reduce the front and side setbacks from the allowed 20 feet and 10 feet to 6 feet and 1 foot in the S-D (Special Development) zoning district.

There were no communications from the public for or against the detailed site development plan approval or the requested front and side setback reductions

Attachment:
Staff Report

401 Rio Grande

City of El Paso — City Plan Commission — 4/4/19

PZDS19-00007

Detailed Site Development Plan



STAFF CONTACT:	Santiago Vallejo, 915-212-1561, vallejos@elpasotexas.gov
OWNER:	Veronica y Francisco Macias, LLC
REPRESENTATIVE:	Jesus L. Jaime
LOCATION:	401 Rio Grande, District 8
LEGAL DESCRIPTION:	Being a Portion of Lot 7, and all of Lots 18, 19, and 20, Block 2, Alexander Addition, an addition to City of El Paso, El Paso County, Texas, .27 acres
EXISTING ZONING:	S-D/SP (Special Development/Special Permit)
REQUEST:	Detailed Site Development Plan Approval/waiver of setback requirements in the S-D (Special Development) zoning district
RELATED APPLICATIONS:	N/A
PUBLIC INPUT	Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 22, 2019. Planning staff has not received calls in opposition or support about the detailed site development plan/request to waive setback requirements in the S-D (Special Development) Zoning District.
STAFF RECOMMENDATION:	Approval (see pages 2—4 for basis for recommendation)

SUMMARY OF REQUEST: The request is for a Detailed Site Development Plan review as required by Section 20.04.150 of the El Paso Municipal Code. The El Paso City code requires a detailed site development plan be reviewed and approved in the S-D district prior to the issuance of any building permits. The applicant proposes a new apartment building. The property is .27 acres and is vacant. The applicant is also requesting a waiver to reduce the front and side setbacks from the allowed 20 feet and 10 feet to 6 feet and 1 foot.

SUMMARY OF RECOMMENDATION: Planning staff and the Development Coordinating Committee recommend **APPROVAL** of the detailed site development plan and waiver request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan. The proposed development is consistent with the traditional development in the area. The apartment building will not have a negative impact on its surrounding neighborhood. The proposed development is compliant with the G-2, Traditional Neighborhood (walkable) land use designation of Plan El Paso, the City's Comprehensive Plan, and the Central Planning Area.



DESCRIPTION OF REQUEST

The Detailed Site Development Plan shows a new apartment building. The proposed apartment consists of 16,793 square feet of livable space, 6,421 square feet of parking, and 593 square feet of utility. There are 9 two bedroom apartments and 1 studio apartment. The elevations show a maximum 47 feet 10 inches in height. The development requires a minimum of 19 parking spaces and 3 bicycle spaces. The applicant is providing 17 parking spaces and 15 bicycle spaces. The applicant is substituting two of the required car parking spaces with 12 bicycle spaces as permitted by El Paso City Code Section 20.14.130. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is via proposed and existing paved alley off of Rio Grande. The applicant is also requesting a waiver to reduce the front and side setbacks from the allowed 20 feet and 10 feet to 6 feet and 1 foot.

RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE PLAN

<p>CONSISTENCY WITH PLAN EL PASO</p> <p><u>G-2 Traditional Neighborhood (walkable)</u> 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.</p>	<p>DOES IT COMPLY?</p> <p>Yes, the development is street facing and helps to provide a continuous street frontage in an area with various vacant lots and parking lots.</p>
<p>ZONING DISTRICT</p> <p><u>S-D (Special Development) District</u> The purpose of this 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.</p>	<p>DOES IT COMPLY?</p> <p>The development maintains the established residential appearance and is compatible with the existing uses in the area. With approval of the requested waivers, the proposed development will meet all density and dimensional standards of the S-D (Special Development) District.</p>

POLICY	DOES IT COMPLY?
<p>1.2.3: Vacant and underutilized parcels in and around the City's traditional neighborhoods can be excellent locations for redevelopment that adds housing, shopping, employment, entertainment, and recreational options for nearby residents and transit patrons. Redevelopment of such sites should mesh with the scale and character of these existing neighborhoods rather than imposing suburban or high-rise model on traditional neighborhoods. The city's zoning and development regulations should be modified accordingly. Additional infill incentives should be considered by the City.</p>	<p>The proposed development on a vacant lot in a traditional neighborhood would create a new housing option for residents and transit patrons.</p>

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The lot is 11,842 square feet (.27 acres). An apartment is a permitted use in the S-D district if a detailed site development plan is reviewed and approved. The requested waivers are permitted after City Council's approval of the detailed site development plan.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent 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 proposed multifamily development is compatible with the surrounding commercial development and will not have a negative impact on its surrounding neighborhood.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: There are existing water and sewer mains available for service. The applicant will need to coordinate with EPWater to provide services to the property.

EFFECT UPON THE NATURAL ENVIRONMENT: Subject property does not involve greenfield or environmentally sensitive land or arroyo disturbance.

COMMENT FROM THE PUBLIC: Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 22, 2019. Planning staff has not received calls in opposition or support about the detailed site development plan/request to waive setback requirements in the S-D (Special Development) Zoning District.

STAFF COMMENTS: The detailed site development plan will need to get reviewed and approved by City Council in order to waive the front and side setbacks from the allowed 20 feet and 10 feet to 6 feet and 1 foot. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

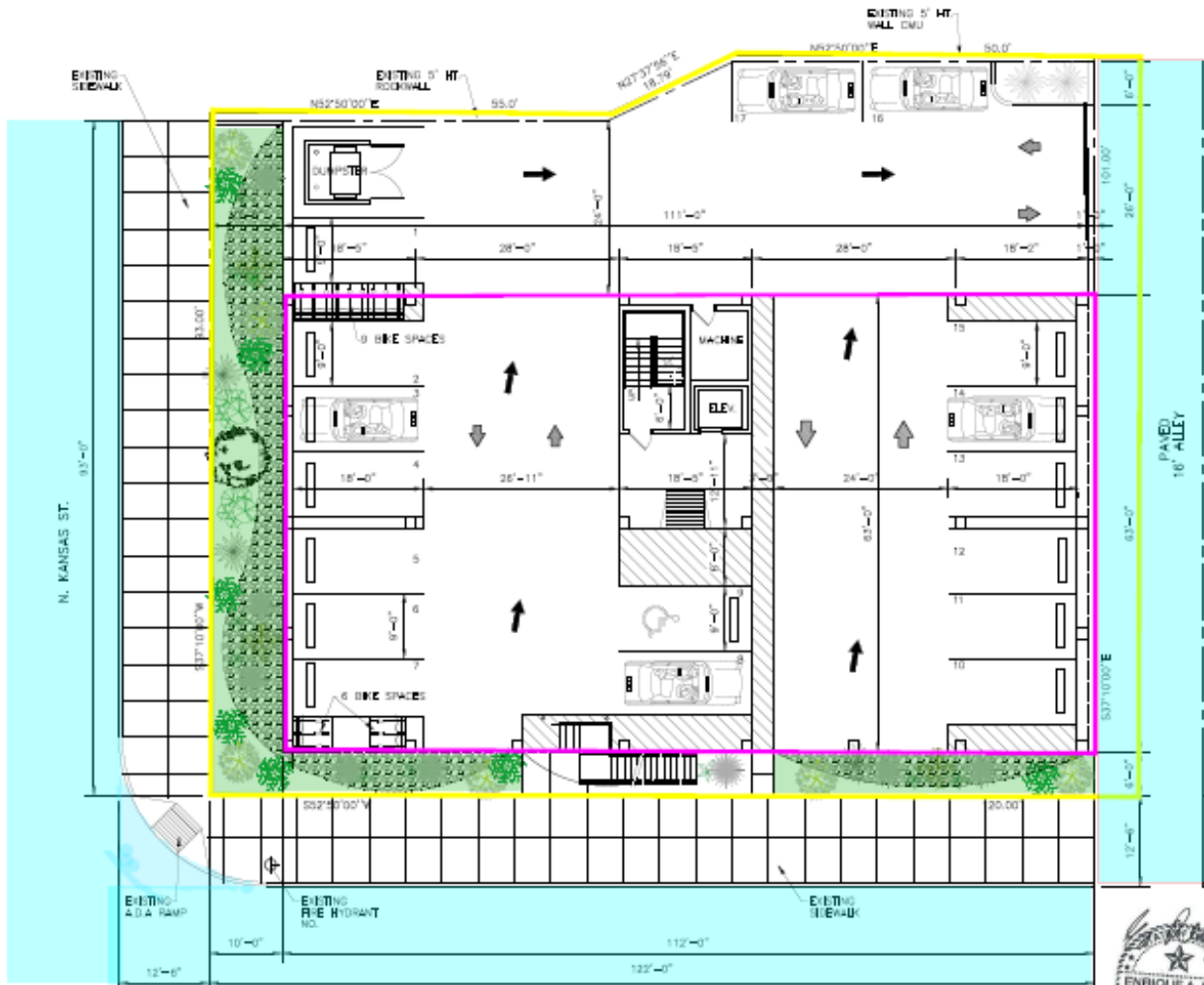
OTHER APPLICABLE FACTORS: Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, ensuring that stormwater is in compliance with ordinances, codes, DSC,

and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

ATTACHMENTS:

1. Detailed Site Development Plan
2. Elevations
3. Zoning Map
4. Future Land Use Map
5. Department Comments
6. Notification Boundary Map

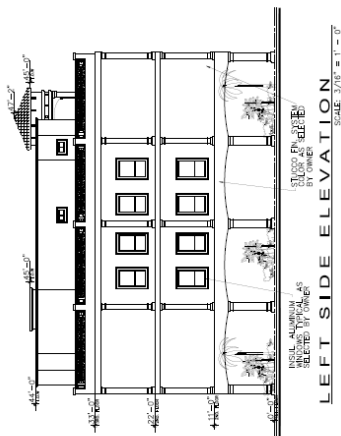
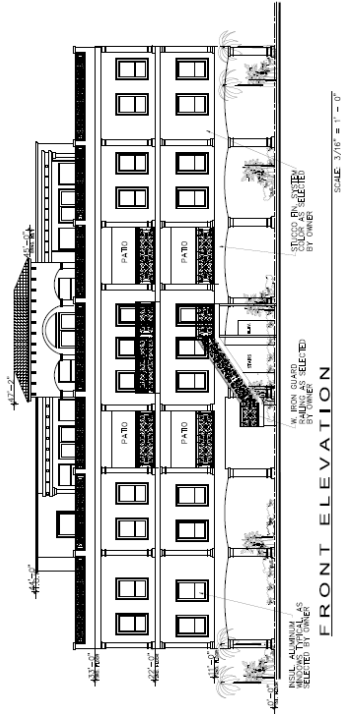
Attachment 1: Detailed Site Development Plan



SUBJECT SITE	
ZONED SD-SP	
MINIMUM FRONT SET BACK	=20'
MINIMUM REAR SET BACK	=10'
MINIMUM SIDE SET BACK	=10'
MINIMUM SIDE STREET SET BACK	=10'
MAXIMUM HEIGHT	=45'

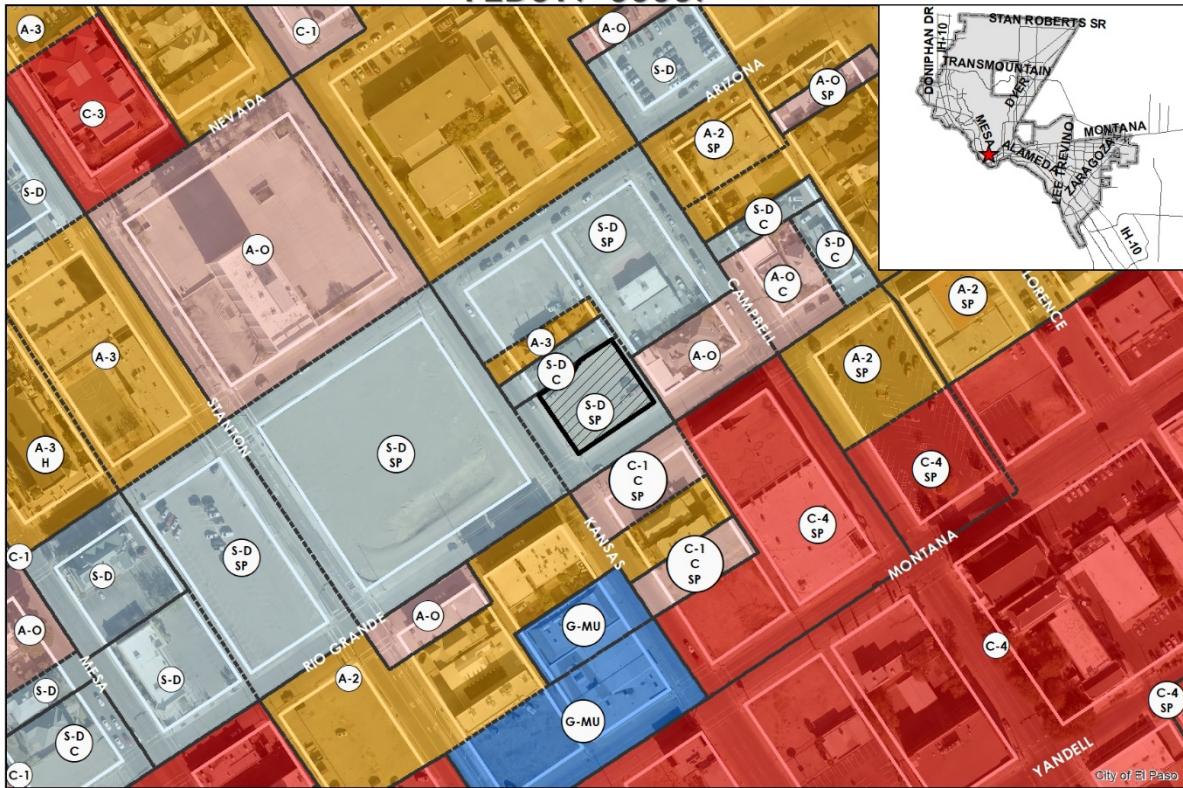
PROPOSED SET BACK	
FRONT SET BACK	=6'
REAR SET BACK	=24'
SIDE SET BACK	=1'
SIDE STREET SET BACK	=10'
MAXIMUM HEIGHT	=47'-10"

Attachment 2: Elevations



Attachment 3: Zoning Map

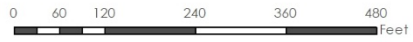
PZDS19-00007



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



Subject Property



Attachment 4: Future Land Use Map

PZDS19-00007



G2, Traditional Neighborhood (Walkable)

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Subject Property



Attachment 5:

Department Comments

Planning

- This application will need to be approved by City Council in order to allow for front setback reductions from 20 feet to 6 feet, side setback reductions from 10 feet to 1 foot.

Land Development

No comments received.

Fire Department

Recommend approval.

Sun Metro

Recommend approval. No objections.

El Paso Water

El Paso Water (EPWater) does not object to this request.

Water

There is an existing 12-inch diameter water main that extends along the east side of Kansas St., approximately 20-feet west of and parallel to the eastern right-of-way line of Kansas St. This water main is available for service.

There is an existing 12-inch diameter water main that extends along the north side of Rio Grande Ave., approximately 20-feet south of and parallel to the northern right-of-way line of Rio Grande Ave. This water main is available for service.

There is an existing 48-inch diameter water main that extends along the north side of Rio Grande Ave., approximately 35-feet south of and parallel to the northern right-of-way line of Rio Grande Ave. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

EPWater records indicate there is no water meter serving the subject property.

Previous water pressure readings conducted on fire hydrant number 2072 located at the northeast corner of the intersection of Kansas Street and Rio Grande Avenue have yielded a static pressure of 70 pounds per square inch (psi), residual pressure of 60 psi, discharge of 750 gallons per minute (gpm).

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main that extends along the center line of the alley, north of Rio Grande Ave. and East of Kansas St. This sanitary sewer main is available for service.

General

EPWater requires a new service application to provide services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater 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.

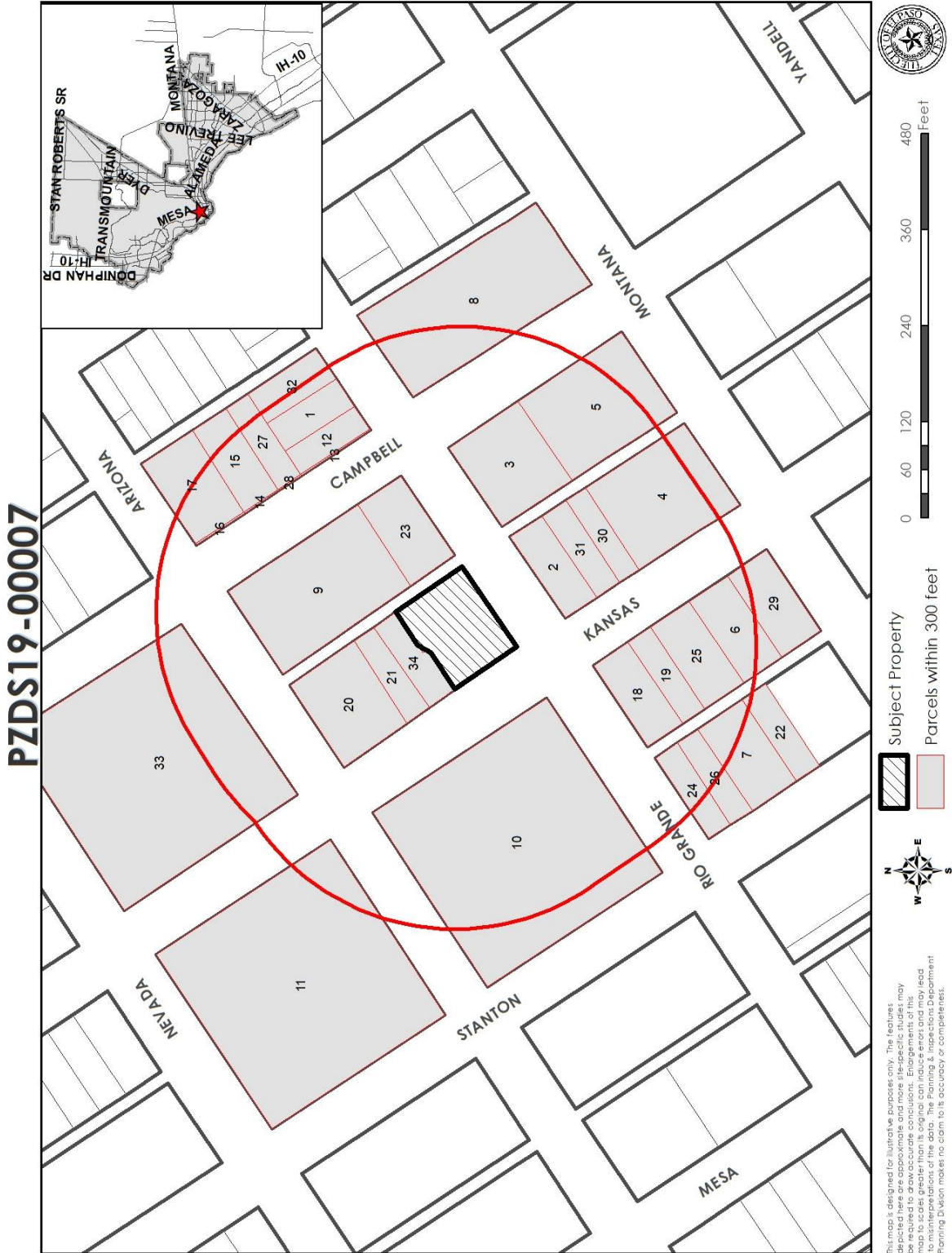
El Paso Water – Stormwater Engineering

EPW - Stormwater Engineering recommends using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed storm water runoff and to mitigate adverse downstream drainage conditions.

TXDOT

No comments.

Attachment 6: Notification Boundary Map



Detailed Site Development Plan



Recommendation | Public Input

2

Planning/DCC recommendation:

Approval of the detailed site development plan and setback reduction request.

CPC Vote:

Approval Recommendation (5-0)

Public Input:

- Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 22, 2019. Planning staff has not received calls in opposition or support about the detailed site development plan/request to waive setback requirements in the S-D (Special Development) Zoning District.

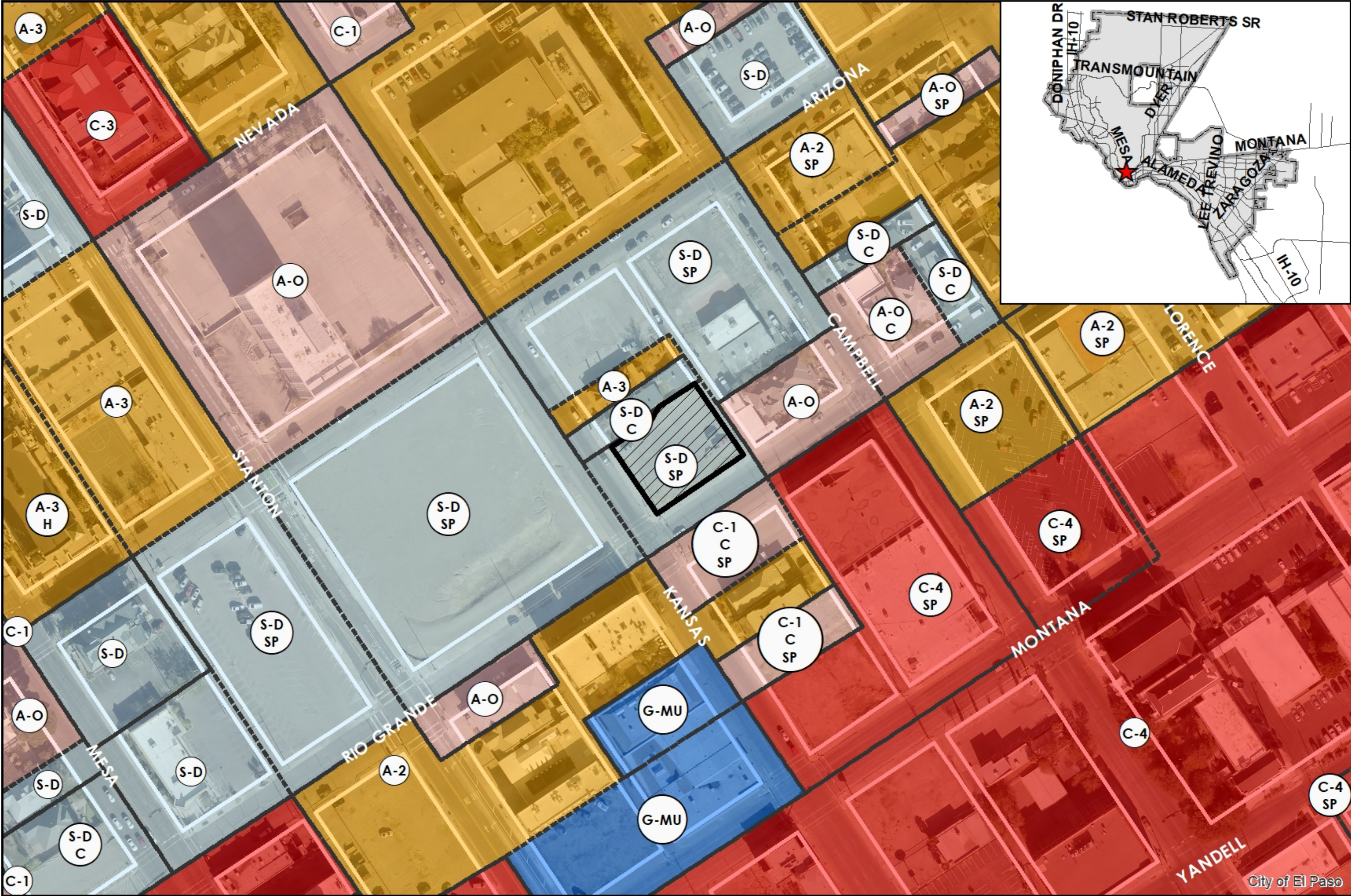
Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

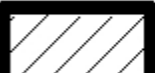


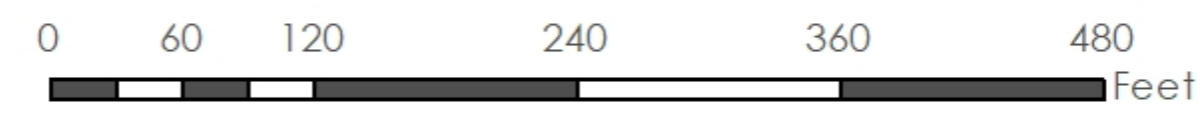
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 Subject Property




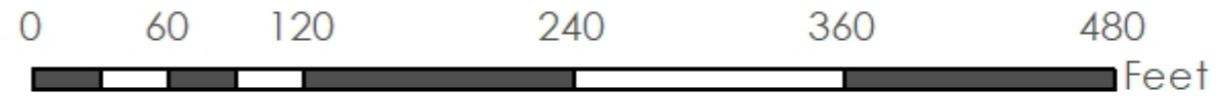
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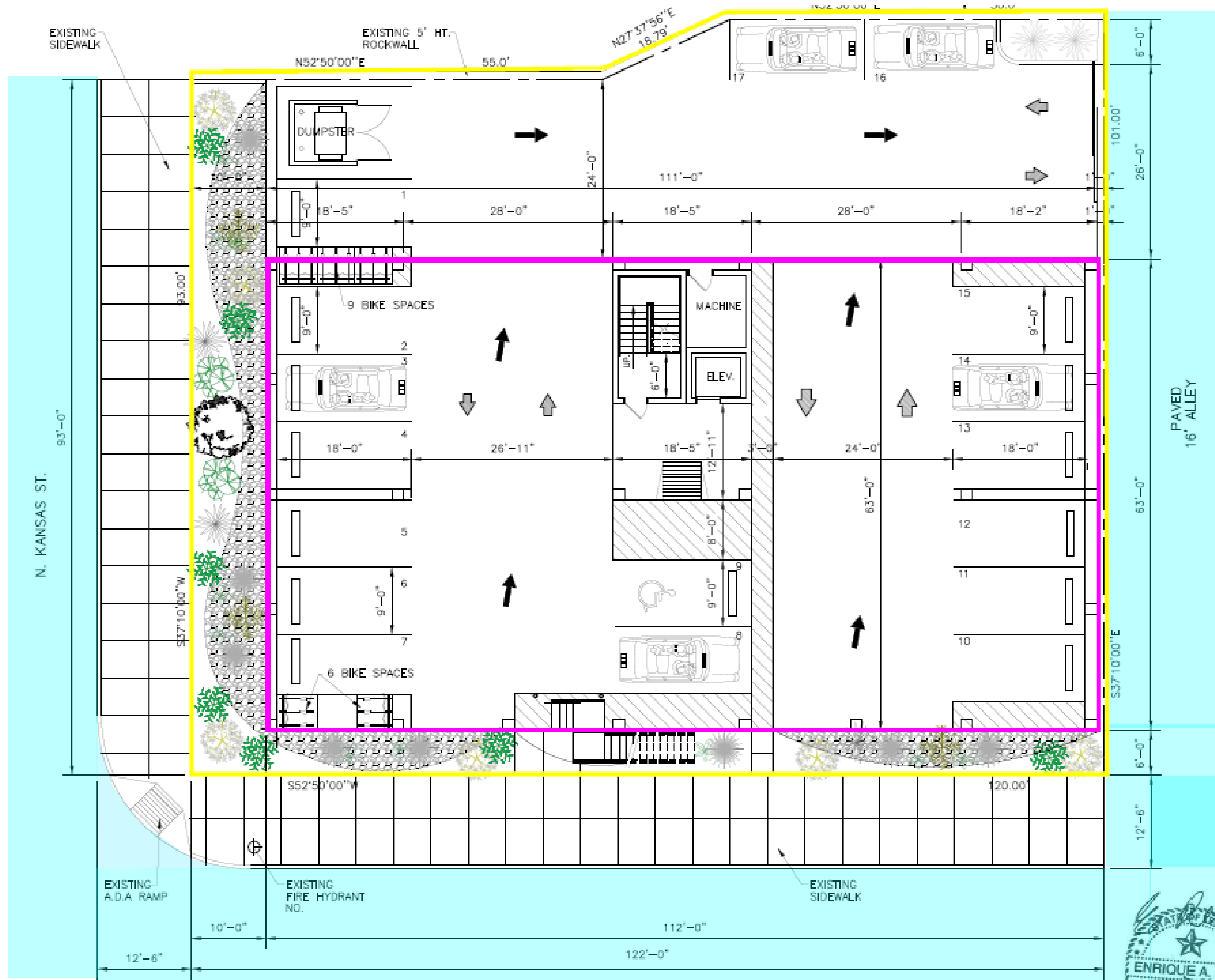


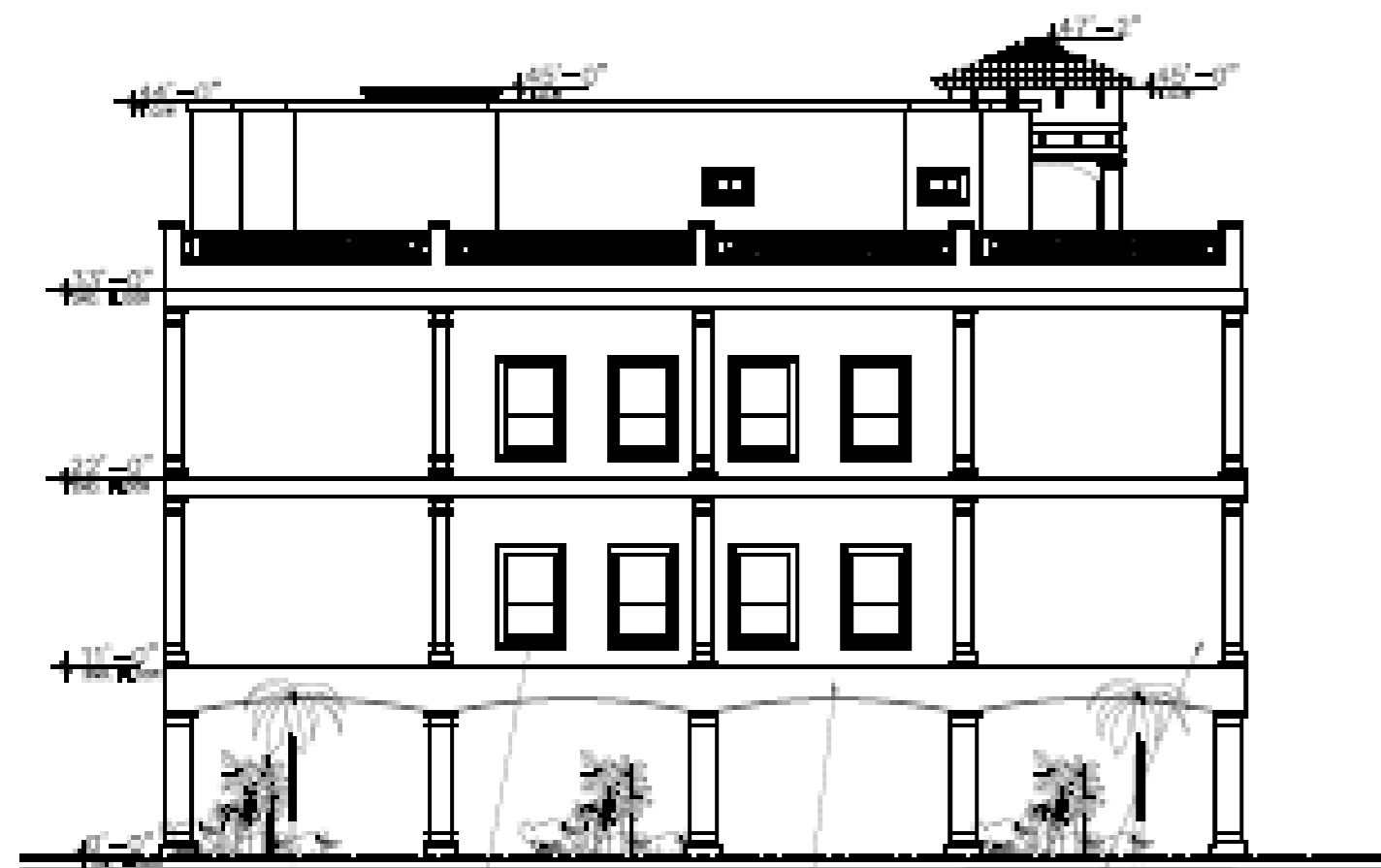
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 Subject Property







INSUL. ALUMINUM
WINDOWS TYPICAL, AS
SELECTED BY OWNER

STUCCO FIN. SYSTEM
COLOR AS SELECTED
BY OWNER

LEFT SIDE ELEVATION

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



INSUL. ALUMINUM
WINDOWS TYPICAL, AS
SELECTED BY OWNER

W. IRON GUARD
RAILING AS SELECTED
BY OWNER

STUCCO FIN. SYSTEM
COLOR AS SELECTED
BY OWNER

FRONT ELEVATION

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

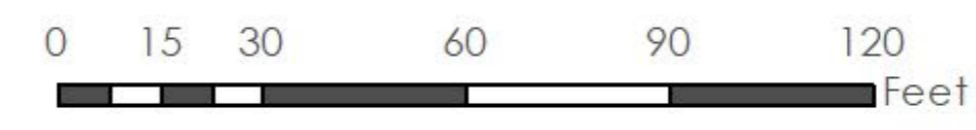
Rendering



PZDS19-00007



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Subject Property

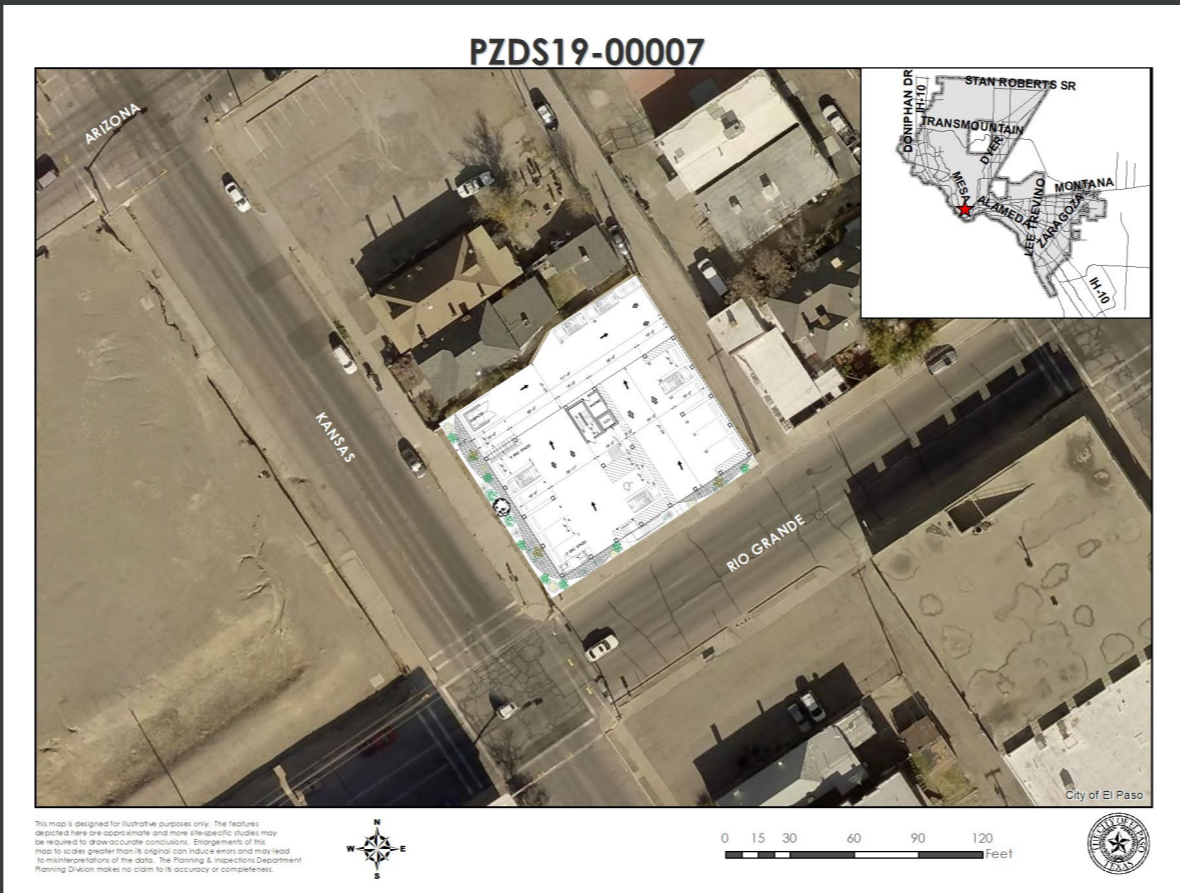




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S



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Planning/DCC recommendation:

Approval of the detailed site development plan and setback reduction request.

Public Input:

- Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 22, 2019. Planning staff has not received calls in opposition or support about the detailed site development plan/request to waive setback requirements in the S-D (Special Development) Zoning District.

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



THANK YOU

