

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

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

**AGENDA DATE:** Introduction: September 18, 2018  
Public Hearing: October 16, 2018

**CONTACT PERSON/PHONE:** Philip Etiwe, (915) 212-1550, etwiwepf@elpasotexas.gov  
Anne Guayante, (915) 212-1814, guayanteam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 2

**SUBJECT:**

An ordinance changing the zoning of Lots 24 and 25, Block 115, Morningside heights Addition, 3334 Morningside Heights Addition, 3334 Lincoln Avenue, located in the City of El Paso, El Paso County, Texas, from R-4 (Residential) to A-2 (Apartment), the penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3334 Lincoln Avenue. Property Owner: Jose Avila PZRZ18-00022 (**District 2**)

**BACKGROUND / DISCUSSION:**

On July 26, 2018, the CPC reviewed and recommended approval of the proposed rezoning.

**PRIOR COUNCIL ACTION:**

There is no prior City Council action on this proposed amendment.

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

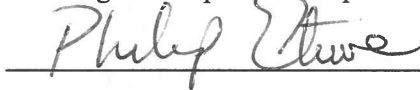
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

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

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

**DEPARTMENT HEAD:** Philip Etiwe  
Planning and Inspections Department

  
\_\_\_\_\_

**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE CHANGING THE ZONING OF LOTS 24 AND 25, BLOCK 115, MORNINGSIDES HEIGHTS ADDITION, 3334 LINCOLN AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2 (APARTMENT). 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, the zoning of Lots 24 and 25, Block 115, Morningside Heights Addition, 3334 Lincoln Avenue, located in the City of El Paso, El Paso County, Texas, be changed from **R-4 (Residential)** to **A-2 (Apartment)**, 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 \_\_\_\_\_, 2018.

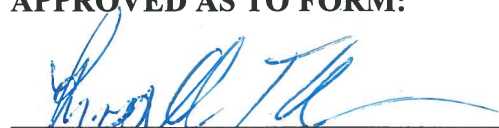
**THE CITY OF EL PASO**

\_\_\_\_\_  
Dee Margo, Mayor

**ATTEST:**

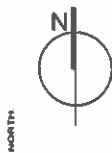
\_\_\_\_\_  
Laura D. Prine, City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Russell T. Abeln  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Philip Etiwe, Director  
Planning & Inspections Department



PROJECT  
CUADRUPEX DEPARTMENTS

OWNER:

ADDRESS  
3334 LINCOLN AVE.  
EL PASO, TX 79930

ARCHITECT:  
ARQ. LUIS MEMESES  
ARQ. ALFONSO PEREZ

DRAWING  
FIRST FLOOR PLAN

6,000.00FT<sup>2</sup>

1:120  
FEBRUARY / 2015

A-01

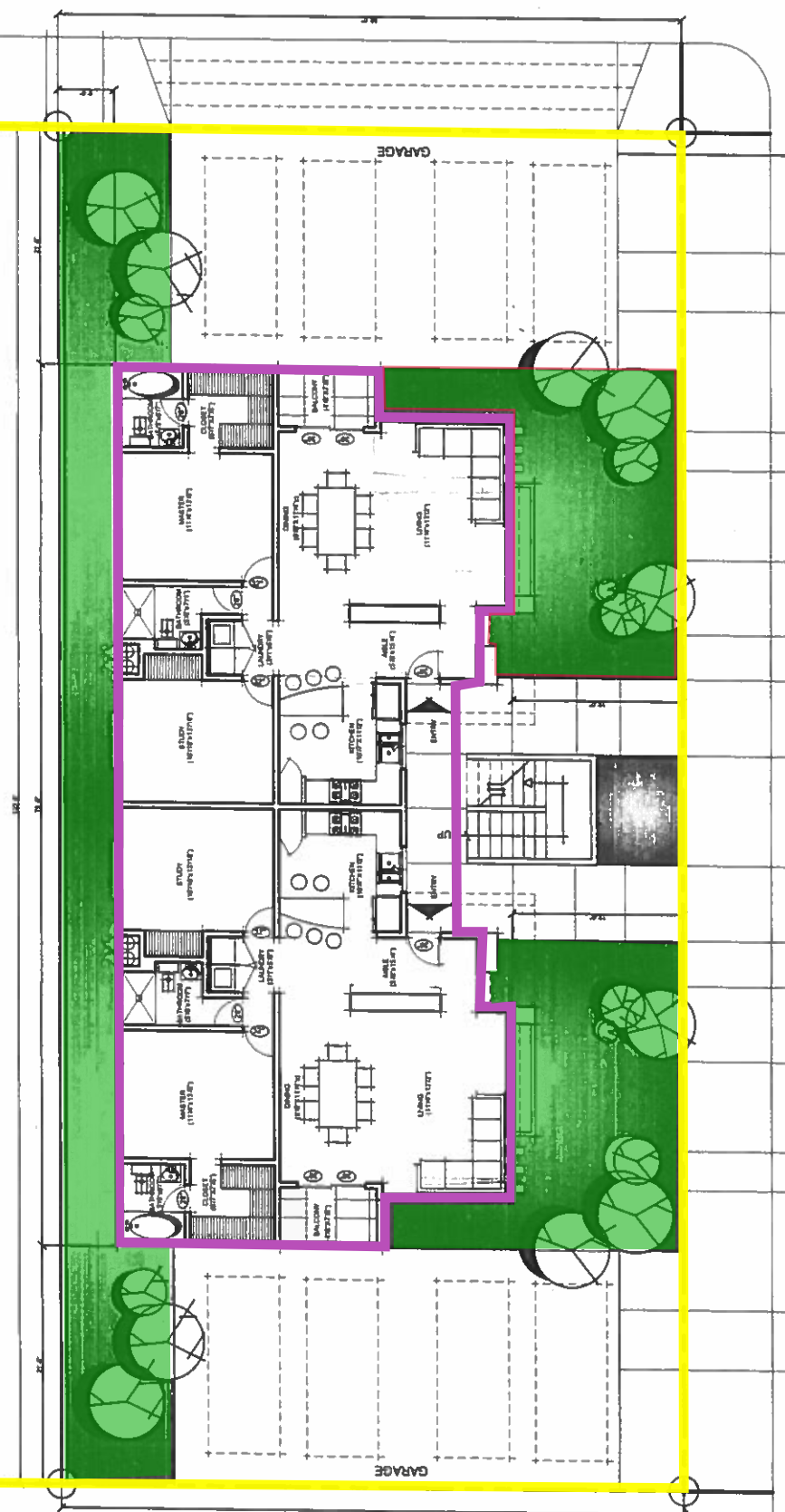
LINCOLN AVE.

TABLE AREA	
DEPARTAMENTO	AREA FT/SQ
1	1146.20FT/SQ
2	1146.20FT/SQ
3	1146.20FT/SQ
4	1146.20FT/SQ

N. COPIA ST.

1  
A-01

FRIST FLOOR PLAN  
ESC. 1:120



## **MEMORANDUM**

**DATE:** September 6, 2018

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

**FROM:** Anne Guayante - Planning & Inspections

**SUBJECT:** PZRZ18-00022

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The City Plan Commission unanimously recommended **approval** (6-0) of the proposed rezoning at its July 26, 2018 meeting.

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

As of September 6, 2018, Planning staff has not received any opposition to the rezoning request.

**Property Owner:** Jose Avila

**Applicant:** Alberto Buhaya

**Attachments:** Staff Report

# 3334 Lincoln Avenue

City of El Paso — Plan Commission — 7/26/2018



**PZRZ18-00022**

**Rezoning**

**STAFF CONTACT:** Rick Venegas, 915-212-1552, [venegasrm@elpasotexas.gov](mailto:venegasrm@elpasotexas.gov)

**OWNER:** Jose Avila

**REPRESENTATIVE:** Alberto Buhaya

**LOCATION:** 3334 Lincoln Avenue

**LEGAL DESCRIPTION:** Lots 24 & 25, Block 115, Morningside Heights Addition, City of El Paso, El Paso County, Texas

**EXISTING ZONING:** R-4(Residential)

**REQUEST:** To rezone from R-4 (Residential) to A-2 (Apartment) to construct a two-story quadraplex

**RELATED APPLICATIONS:** N/A

**PUBLIC INPUT** Planning has not received any communication in support or opposition to the rezoning request; Notices sent to property owners within 300 feet on July 11, 2018.

**STAFF RECOMMENDATION:** **Approval** (see pages 2—4 for basis for recommendation)

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the property at 3334 Lincoln Avenue from R-4 (Residential) to A-2 (Apartment) to allow for construction of a two-story quadraplex. The subject property is 0.13 acres in size and is currently vacant. The conceptual site plan shows a 4,584 sq. ft. quadraplex. Access will be from Copia Street and the alley at the south of the property.

**SUMMARY OF RECOMMENDATION:** The Planning Division recommends **APPROVAL** of rezoning the property from R-4 (Residential) to A-2 (Apartments). The proposed zoning district is consistent with the A-2 zoning designation to the north, west and southwest of the property and uses within the area of the subject property, in compliance with Plan El Paso land use designation G-2 Traditional Neighborhood (Walkable) in the Central Planning Area.



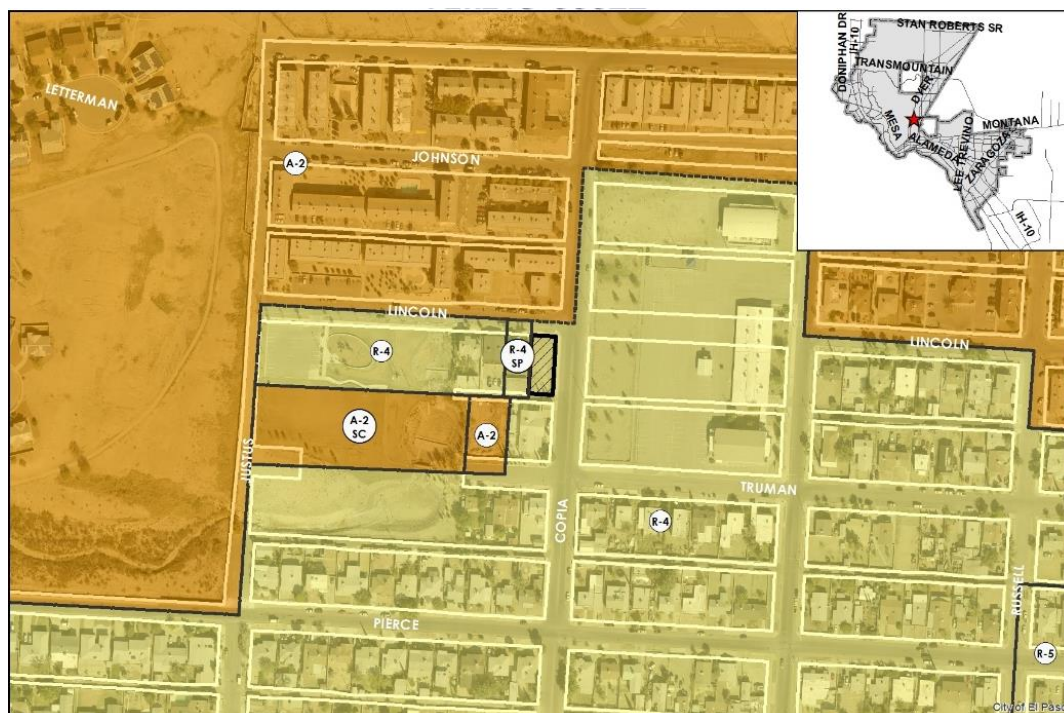
## DESCRIPTION OF REQUEST

The property owner is requesting a rezoning from R-4 to A-2 to accommodate a proposed two-story quadrplex. The current use of the property is vacant. The conceptual plan shows a proposed 4,584 sq. ft. quadrplex that must meet the dimensional requirements of the proposed A-2 (Apartment) zoning district, as well as all other applicable regulations, at the time a building permit is issued.

## REZONING POLICY

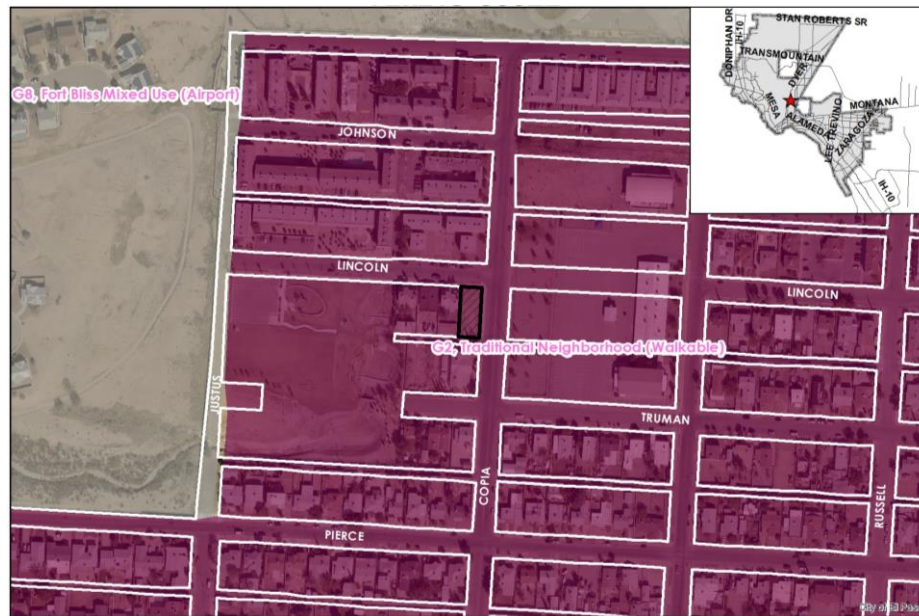
POLICY	DOES IT COMPLY?
<b><u>Compatibility</u></b> Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.	Yes, there are apartments within 300 ft. of proposed development, including large apartment complexes to the north and one multi-family dwellings to the west. The proposed lot is vacant.
<b><u>Plan El Paso</u></b> The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.	Yes, rezoning will permit development of a vacant lot in an area that was annexed prior to 1924.

**NEIGHBORHOOD CHARACTER AND COMPATIBILITY:** The subject property is located in the Morningside Heights Addition subdivision. The site is currently zoned R-4 (Residential) and is currently vacant. There are apartment complexes within 300 ft. of the proposed development with the A-2 zoning district. The nearest park is Johnson Basin Park (211 feet) and the nearest school is Travis Elementary (2,068 feet).





**COMPLIANCE WITH PLAN EL PASO:** The purpose of the application is to continue development of vacant lots that are in character with the surrounding neighborhood in the G-2 Traditional Neighborhood land use designation.



## RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE. PLAN

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
<p><b>G-2- Traditional Neighborhood</b></p> <p>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.</p>	<p>Yes, the subject property is vacant. This development will add a multi-family dwelling to the periphery of established single-family and multi-family neighborhoods.</p>
ZONING DISTRICT	DOES IT COMPLY?
<p>A-2 (Apartment) zoning district is intended to provide 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. It also permits building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities.</p>	<p>Yes, a quadraplex is a permitted use in the A-2 zoning district.</p>

<b>POLICY</b>	<b>DOES IT COMPLY?</b>
<p><b>1.2.3:</b> 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 a 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>Yes, this lot is vacant and adds housing that will mesh with the scale and character of the surrounding neighborhood.</p>

**SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The lot is 5,662.8 sf (0.13 acres), the current R-4 zoning may be developed into a single-family residential dwelling; however, the location of the site is not ideal for single-family development since developments to the north and west are multi-family dwellings. The proposed quadruplex is not a permitted use in an R-4 residential district.

**SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING:** The subject site is 0.13 acres in size (5,662.8 sq. ft.) and is located along the northern periphery of a vast neighborhood of single-family dwellings located to the south. To the north, west and southwest, several A-2 zoning designations exist that will mesh well with the proposed development.

**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 A-2 (Apartments) District is to provide 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. It also permits building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities. The proposed zoning and the proposed use meet the intent of the zoning ordinance.

**ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** A water main is located along the alley between Lincoln Street and Truman Avenue and dead-ends within 195 feet of Copia Street. It is available for service. A sewer main is located Lincoln Street between Justus Street and Copia Street. It is 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/ environmentally sensitive land or arroyo disturbance.

**COMMENT FROM THE PUBLIC:** The subject property is within the boundaries of the Central Neighborhood Association. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on July 11, 2018. Planning has not received any communication in support or opposition to the rezoning request.



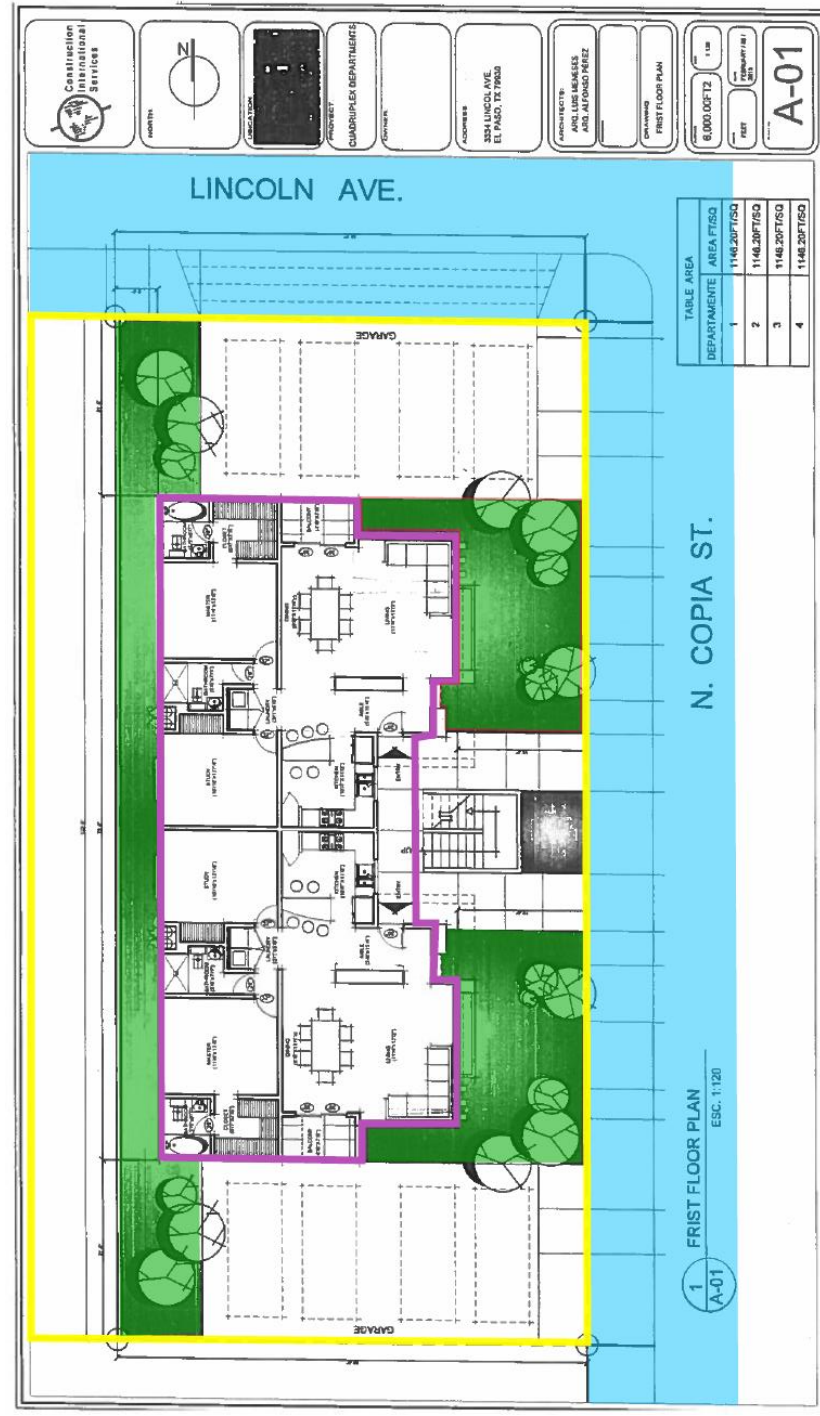
**STAFF COMMENTS:** No objections to proposed rezoning. No other departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

**ATTACHMENTS:**

1. Conceptual Site Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Public Notification Boundary Map

# ATTACHMENT 1

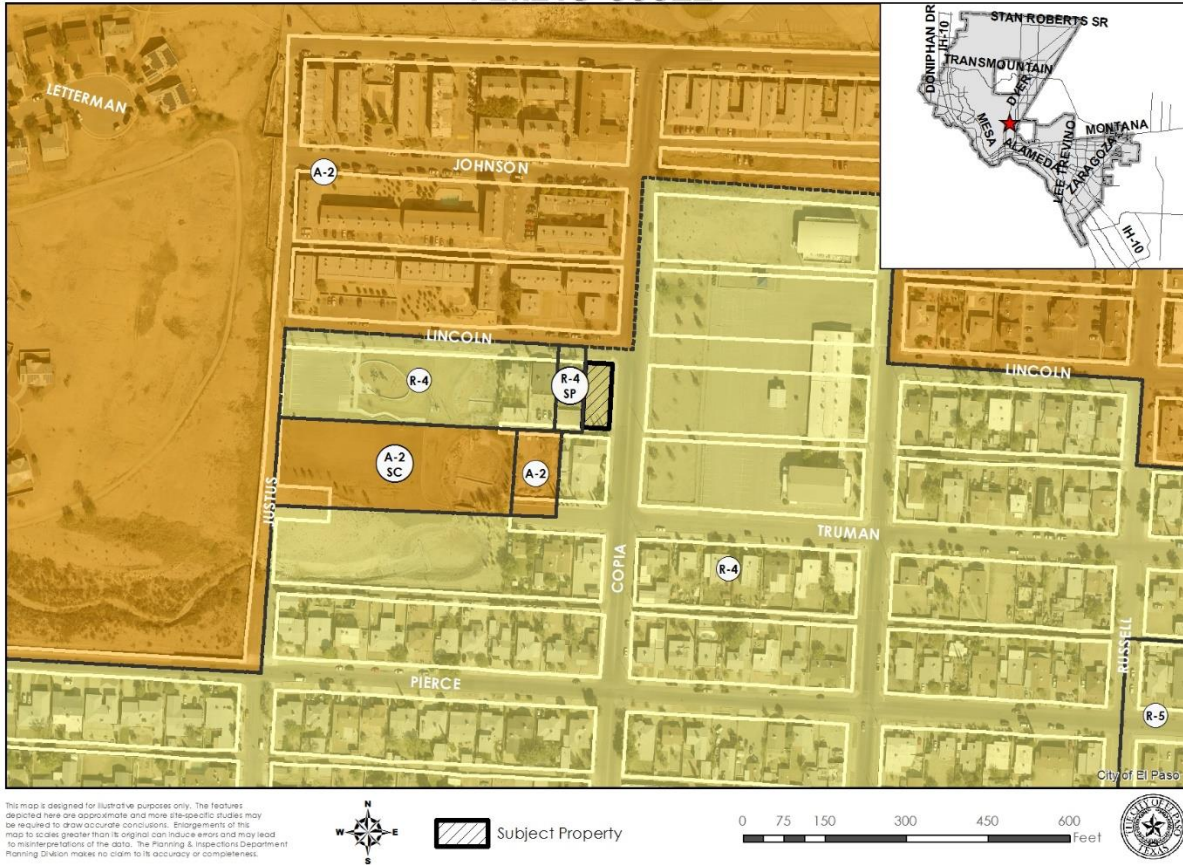
## Conceptual Site Plan



# ATTACHMENT 2

## Zoning Map

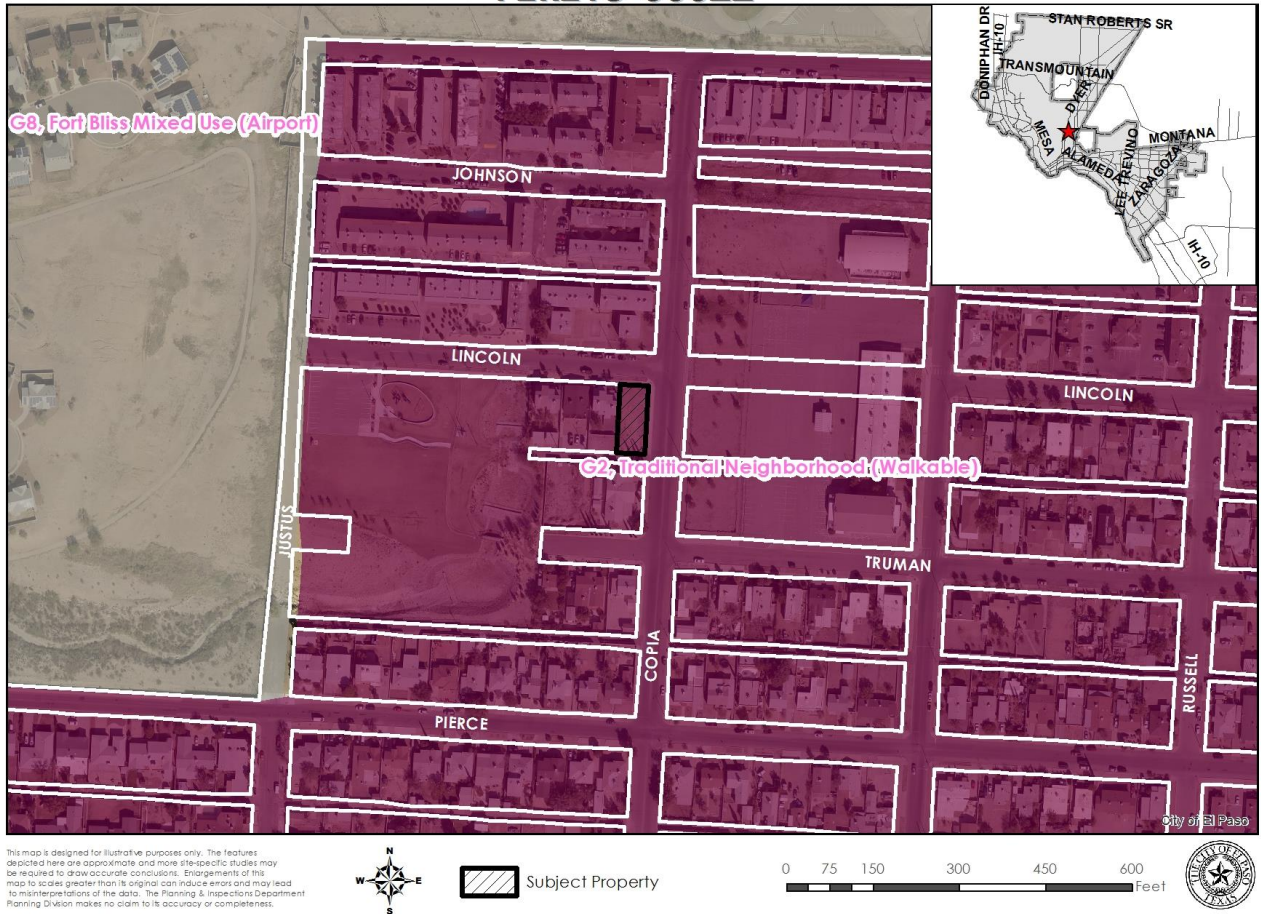
PZRZ18-00022



# ATTACHMENT 3

## Future Land Use Map

PZRZ18-00022



# **ATTACHMENT 4**

## **Department Comments**

### **Planning and Inspections Department - Zoning**

Provide open space calculations and verify setback requirements in accordance with Appendix B – Table of Density and Dimensional Standards.

### **Planning and Inspections Department - Subdivisions**

No issues regarding subdivisions.

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

No objections to rezoning.

### **TXDOT**

Site is not abutting TxDOT Right of Way.

### **Environmental Services Department**

- For quadrplexes, the applicant has the option of ESD service or a private waste hauler.
- If ESD service is requested, the applicant needs to have a waste container storage area for a minimum of one gray and one blue bin per unit; ESD pickup will be on Lincoln Ave. Keep in mind that the bins are allowed to be stored in side yards or in garages. If stored in street view, they need to be screened to minimize view.
- Based on the layout of the property, the applicant could request pickup on Copia, as long as all units place their bins at curbside on Copia.
- If commercial service is preferred, then an area for the dumpster storage needs to be indicated on the plans, including screening per the zoning code.
- If the applicant wishes to place a dumpster in the alley, then the applicant will need to provide us with a statement from one of the City-franchised haulers verifying that placement and collection of a dumpster in the alley is feasible.

### **Texas Gas Service**

Texas Gas Service does not object to the DCC Cases listed above, only for applicant to contact Texas811 for line locates of existing underground utilities within vicinities of the applications. Please let us know if there are any questions or if additional information is required.

### **El Paso Water**

We have reviewed the zoning change request described above and provide the following comments:

EPWater does not object to this request.

#### **Water**

- Along Lincoln Street between Justus Street and Copia Street there are no existing water mains.
- Along the Alley located between Lincoln Street and Truman Avenue there is an existing six ( 6 ) inch diameter water main. This main dead-ends approximately 195 feet west of Copia Street and it is available for service.
- Previous water pressure readings conducted on fire hydrant number 5070 located along Justus Street approximately 100 feet north of Lincoln Street have yielded a static pressure of 65 pounds per square inch (psi), residual pressure of 30 psi, discharge of 581 gallons per minute (gpm).



#### Sanitary Sewer

- Along Lincoln Street between Justus Street and Copia Street there is an existing eight ( 8 ) inch diameter sanitary sewer main. This main is available for service.

#### General

- Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. 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 – 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.

#### **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 stormwater runoff and to mitigate adverse downstream drainage conditions.



# **ATTACHMENT 5**

## Public Notification Boundary Map





## 3334 Lincoln - PZRZ18-00022



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

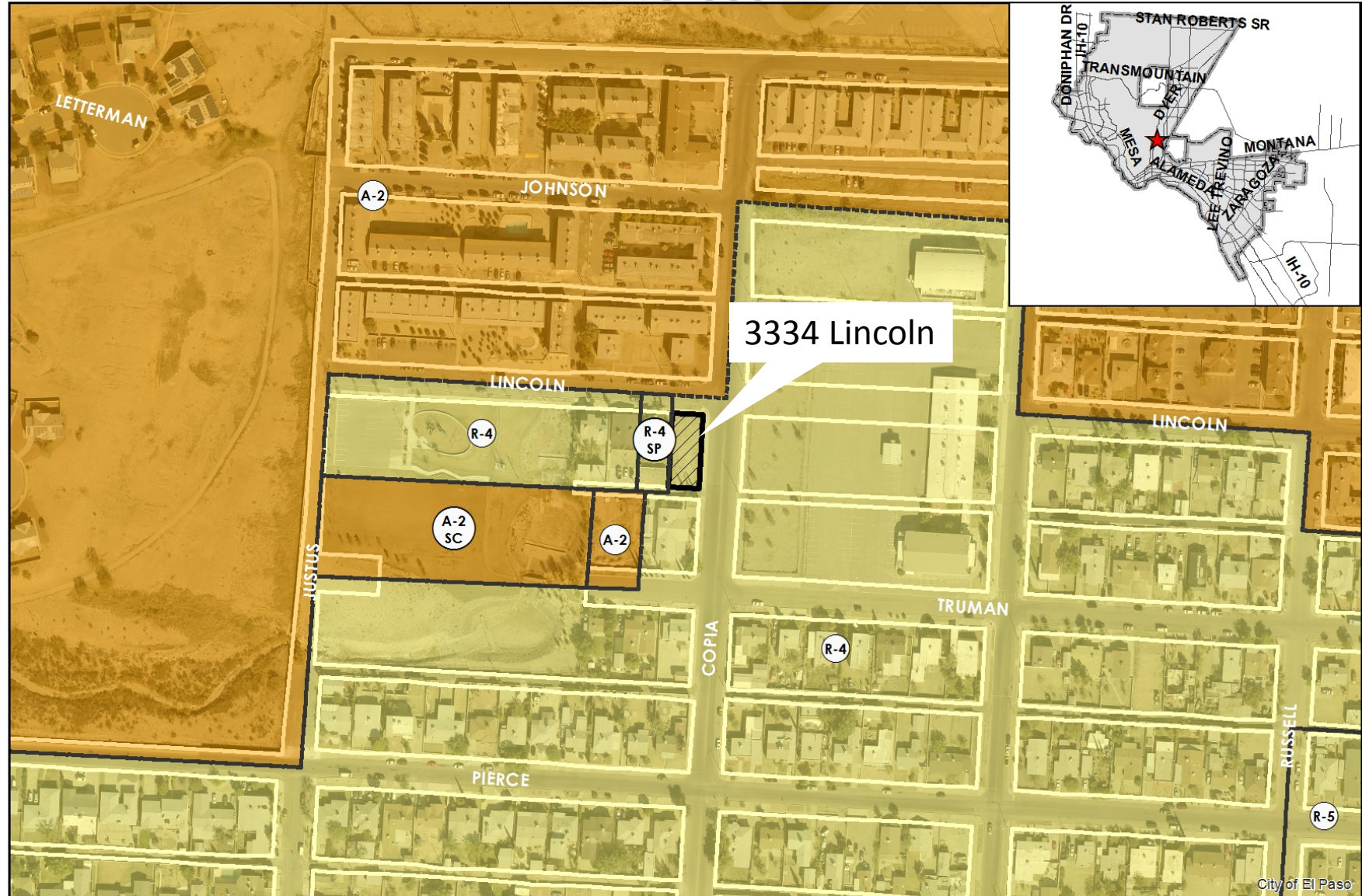


0 75 150 300 450 600 Feet






PZRZ18-00022



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 Subject Property

0 75 150 300 450 600 Feet







PZRZ18-00022

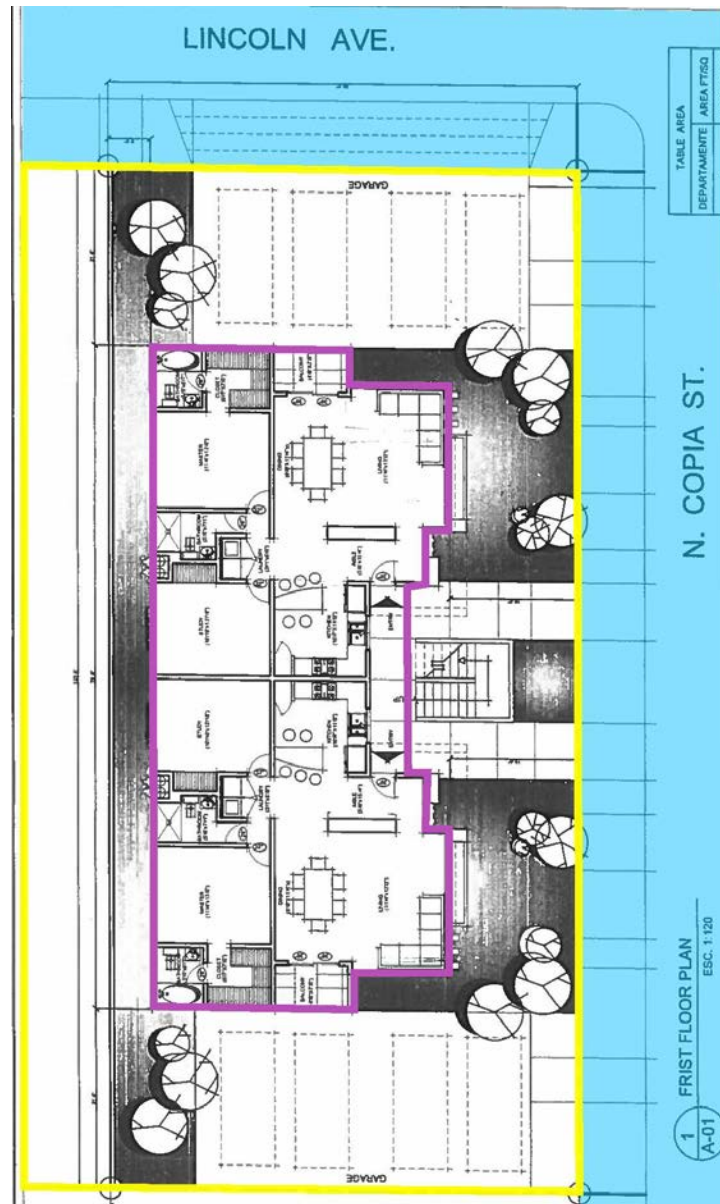


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## Conceptual Site Plan – 3334 Lincoln



*"Delivering Outstanding Services"*



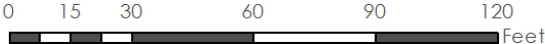


PZRZ18-00022



City of El Paso

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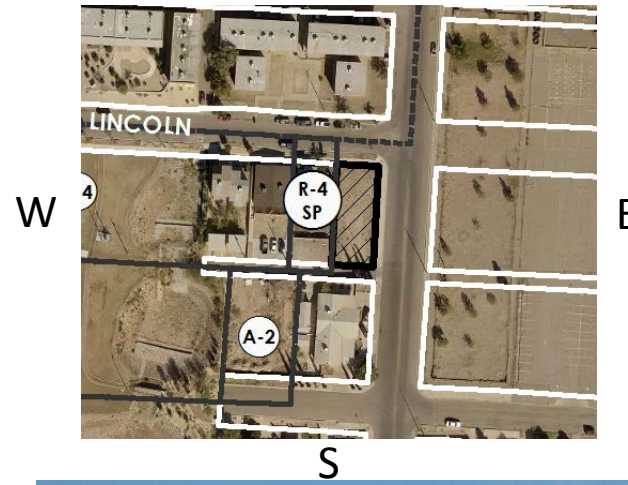


3334 Lincoln





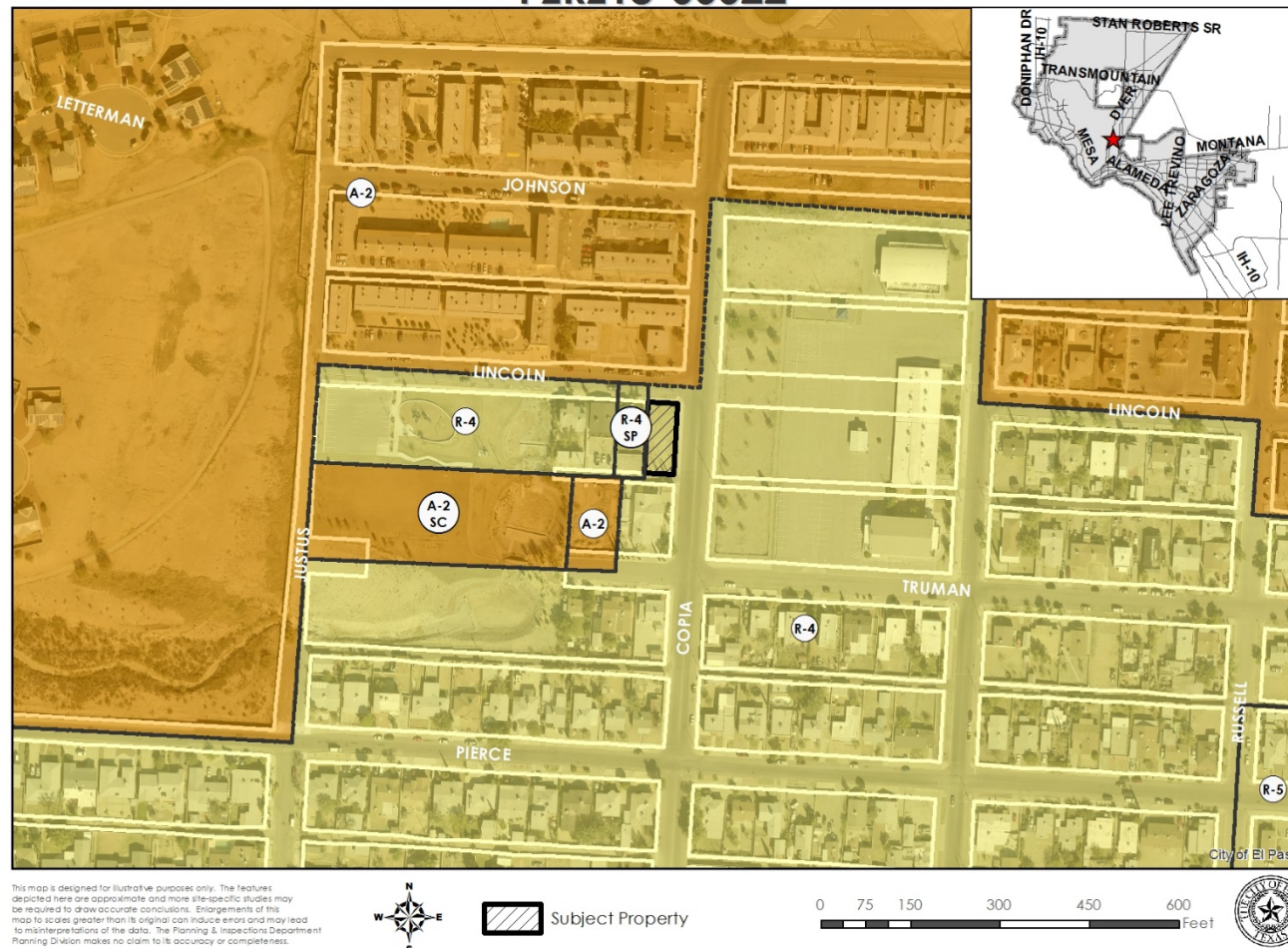
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PZRZ18-00022



Staff has received no support or opposition to this rezoning request.

Staff recommends approval of the rezoning at 3334 Lincoln Avenue from an R-4 zoning district to an A-2 zoning district.