



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

**Case No:** PZST15-00043 (Related to Rezoning Application PZRZ15-00033)  
**Application Type** Special Permit  
**CPC Hearing Date** January 7, 2016  
**Staff Planner** Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

**Location** 519 Los Angeles Drive  
**Legal Description** Lots 8 to 11, Block 23, Sunset Heights, City of El Paso, El Paso County, Texas

**Acreage** 0.275 acres  
**Rep District** 8  
**Existing Zoning:** R-4/H (Residential/Historic), A-2/H (Apartment/Historic)  
**Existing Use:** Apartments  
**C/SC/SP/ZBA/LNC:** Legal non-conforming for existing apartments  
**Request:** Infill Development / Parking reduction, Front Setback and Building Separation Reduction  
**Proposed Use:** Apartments

**Property Owner** Setmax, LLC  
**Representative** Cedans Architect

**SURROUNDING ZONING AND LAND USE**

**North:** R-4/H (Residential/Historic) / Single-family dwelling  
**South:** A-2/H (Apartment/Historic) / Apartments  
**East:** R-4/H (Residential/Historic) / Single-family dwelling  
**West:** R-4/H (Residential/Historic) / Single-family dwelling

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

**NEAREST PARK:** Caruso Park (582 feet)

**NEAREST SCHOOL:** Vilas Elementary School (1,545 feet)

**NEIGHBORHOOD ASSOCIATIONS**

Sunset Heights Neighborhood Improvement 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 December 15, 2015. **Planning did receive one letter in opposition to the special permit request. (Attachment 6)**

**CASE HISTORY**

The proposed exterior modifications to the existing apartment building was heard and approved by the Historic Landmark Commission on November 16, 2015. The proposed additional apartment building was heard and approved by the Historic Landmark Commission on December 7, 2015.

**APPLICATION DESCRIPTION**

The request is for a special permit and detailed site plan approval to allow for a 50% parking reduction and a reduction in the front setback from 20' to 17', and the reduction of the separation of structures from 10' to

6'-5". The proposed development is the addition of a 1,138 sq. ft. apartment building inclusive of 4 one-bedroom units. The proposed development requires 18 parking spaces and provides 9, to include ADA and bicycle parking, as well as 171 sq. ft. of landscaping is proposed on-site. This special permit request is being considered concurrently with a rezoning request to S-D (Special Development). As the subject property is less than 1 acre, City Council shall be asked to waive the 1 acre minimum for the S-D (Special Development) zoning district. Access is proposed from an alley connecting to Yandell.

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

The Planning Division recommends **approval** of the request, and acceptance of the detailed site development plan. The subject property is situated within an area characterized by similar land uses. The proposed development is compliant with the G-2 Traditional Neighborhood (Walkable) land use designation in the Central Planning Area. Further, the property meets the requirements of Sections 20.04.320, Special Permit Approvals, 20.10.280, Infill Development, and 20.04.150 Detailed Site Development Plan.

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

All applications for rezoning 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 face 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 the Comprehensive Plan.

The purpose of the S-D (Special Development) district is to provide 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. 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. Older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

### **ANALYSIS**

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

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

*The property meets two criteria, residing within a state enterprise zone and is part of an older neighborhood of the city defined as a legally recorded and developed subdivision for at least thirty years. Sunset Heights subdivision was platted in 1903 (Attachment #5).*

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.

*Apartment uses are a permissible in the proposed S-D (Special Development) zone district.*

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

<b>Dimensional Standards Required and Proposed</b>		
Dimension	Required	Proposed
Front Setback	20'	17'
Separation between structures	10'	6'-5"

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 18 parking spaces, and provides 9, including ADA accessible parking and bicycle spaces.*

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

*The proposed development is consistent with the G-2, Traditional Neighborhood (Walkable) (Central Planning Area) growth sector.*

**COMMENTS:**

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

No objections. A TIA will not be required.

**Planning and Inspections Department - Land Development**

No objection.

**Planning and Inspections Department – Plan Review**

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

**Planning and Inspections Department - Landscaping**

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

## **El Paso Fire Department**

No comments received.

## **El Paso Water Utilities**

1. EPWU-PSB does not object to this request.

### **EPWU-PSB Comments**

#### **Water**

2. There is an existing 4-inch diameter water main along the alley between Los Angeles Drive and Randolph Drive, the water main is located approximately 5-feet east of the eastern property line that dead-ends approximately 300-feet south of Yandell Drive. Water service can be provide from this main.

There is an existing 6-inch diameter water main located along the west side of Los Angeles Drive, approximately 15-feet west of and parallel to the western right-of-way line of Los Angeles Drive. Water service is available from the main.

There is an existing 48-inch diameter water transmission main located along the west side of Los Angeles Drive, approximately 23-feet west of and parallel to the western right-of-way line of Los Angeles Drive. No direct water service connection are allowed to this transmission main. As per the El Paso Water Utility-Public Service Board rules and regulations.

There is an existing 16-inch diameter water transmission main located along the east side of Los Angeles Drive, approximately 20-feet east of and parallel to the eastern right-of-way line of Los Angeles Drive. No direct water service connection are allowed to this transmission main.

3. EPWU records indicate there is one (1) active water meter within the subject property. A 3/4-inch meter addressed to 519 Los Angeles.

#### **Sanitary Sewer**

4. There is an existing 8-inch diameter sanitary sewer main along the center line of Los Angeles Drive, which dead-ends approximately 53-feet south-west of Yandell Drive. This line is available for service.

There is an existing 8-inch diameter sanitary sewer main along the center line of the Alley between Los Angeles Drive and Randolph Drive, which dead-ends approximately 350-feet north-east of Prospect Street. This line is available for service.

5. EPWU records indicate existing sewer service for the subject property.

#### **General**

6. EPWU requires a new service application to provide additional 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 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.

## **El Paso Water Utilities-Stormwater Division**

We have reviewed the subdivision described above and provide the following comments:

1. Not required but recommended:
  - Using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

**Sun Metro**

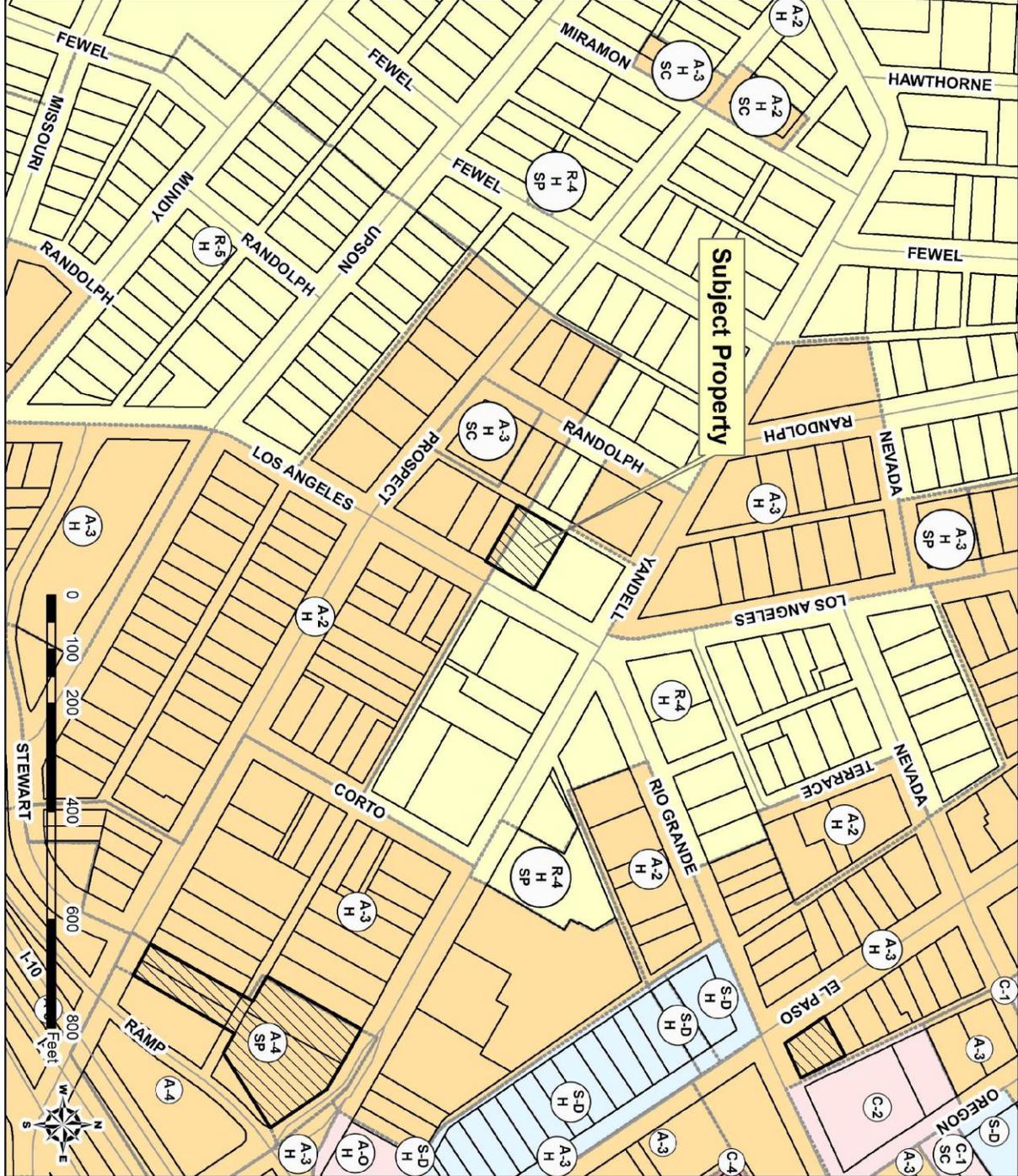
519 Los Angeles is situated within 1000 feet of a mass transit route. Sun Metro recommends approval of this parking reduction request is based on the Ordinance 20.14.070 of the El Paso Municipal Code.

**Attachments**

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

ATTACHMENT 1: LOCATION MAP

PZST15-00043



ATTACHMENT 2: AERIAL MAP

PZST15-00043

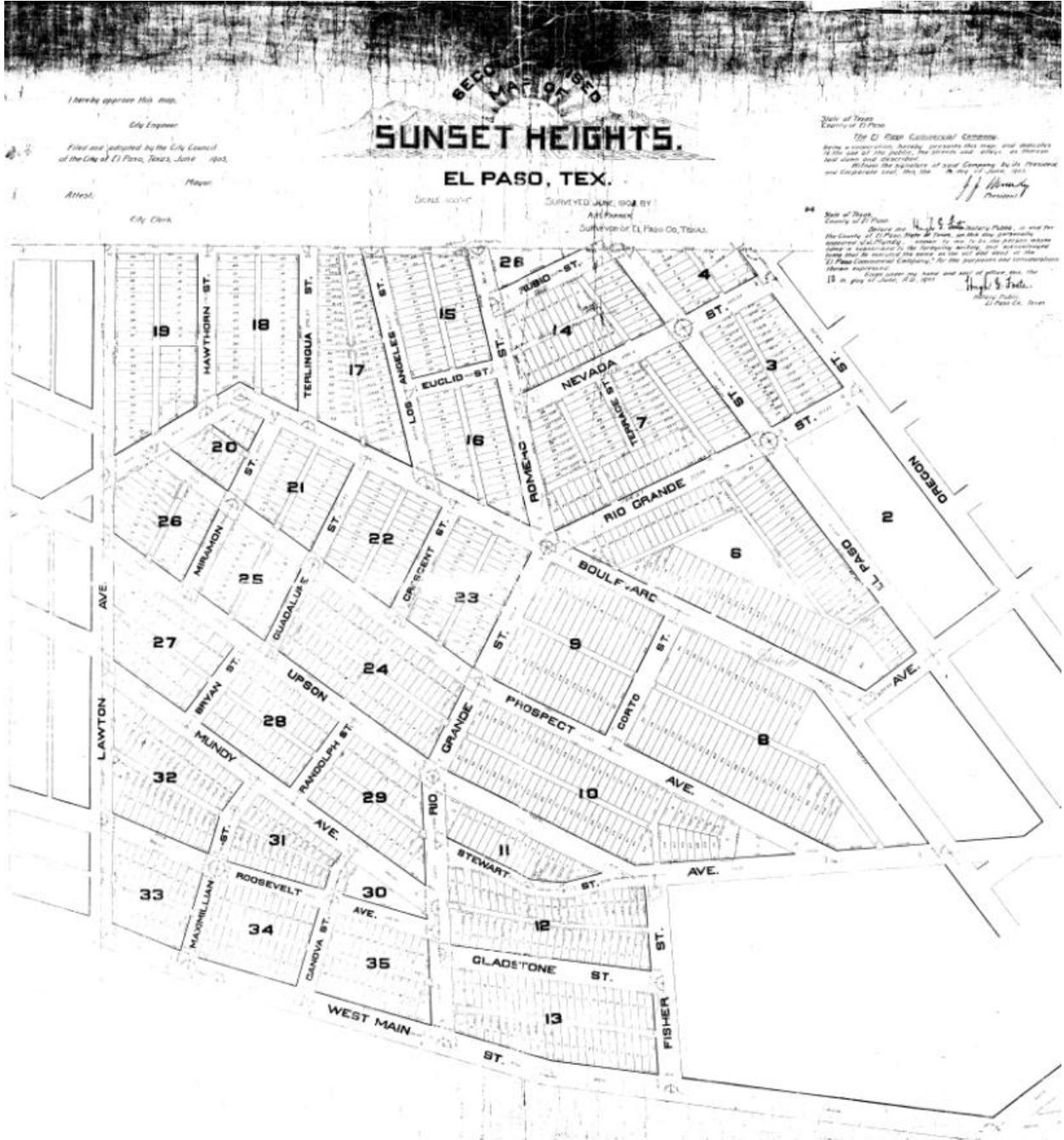




ATTACHMENT 4: ELEVATIONS



ATTACHMENT 5: SUBDIVISION MAP



## ATTACHMENT 6: LETTER OF OPPOSITION

Case # PZRZ 15-00033 & PZST 15-00043

Katie Lehmann

Sent: Sun 12/27/2015 4:39 PM

To: Howell, Jeffrey B.

Cc: Sunset Heights Neighborhood Improvement Association; District #8

Dear Mr. Howell,

I am writing in reference to the re-zoning and permit requests for the apartment building on 519 Los Angeles. My family and I live at 628 W. Yandell on the corner of Yandell and Los Angeles - across the street and one lot over from 519 Los Angeles. We have owned the home since 2005. Leah Wood forwarded us the plans for the new apt complex (as of about October) and we have 3 concerns. Please note that UTEP/EPCC were already out on Winter break when we received the city's letter so the photos do not reflect the normal bumper-to-bumper street parking problem. Also, I attempted to send this message with photos attached but the file was too big so I will attempt to send them separately in subsequent emails.

Our primary concern is the current October plan doesn't have enough parking and this will impact our garbage pick up. With a bus stop, fire hydrant, and stop sign running along the rest of the length of our yard on Los Angeles (photo 1 & 2), we (and our next door neighbors on Los Angeles) have only 1 place where we can put our garbage cans (photo 3). It is an approx. 6' strip of curb between our two driveways that also has an electrical pole about 18" in. This strip of curb is directly across from the staircase leading to the apt. complex at 519 Los Angeles (photo 3 - brown brick bldg). UTEP/EPCC students usually park on this strip of curb (it fits only 1 car), but they are gone in the evening so we can put our cans out and essentially "block" the parking space until the garbage gets picked up in the morning. However, with the 519 Los Angeles apartment complex doubling in size, it is highly likely residents will park there overnight bc it is one of the closest available spots to the entrance stairs. If that happens, we will not have a place to put our garbage cans. What we need from the city is to make that strip of curb a no parking zone if they aren't going to make the apt builders configure the design for more parking on-site. Can the city do that outright as part of the process of approving the re-zoning, etc. rather than making us go through the whole process that takes months? What I don't want is to have to wait until we are having problems getting trash picked up, or some sort of fine from the city for putting our cans in front of curb painted off for the bus stop, or have to keep our cans on the front porch of our Trost home and then have to lug 50 lbs. garbage cans down 12 steps to put them out on Yandell (photo 4), which is also usually parked bumper-to-bumper with UTEP/EPCC cars. Aesthetics aside, I also have a bad back and bad knees, documented by the Army & Veterans Administration, and cannot be lugging heavy garbage cans up/down stairs.

Second, as you can see in photo 3, the balcony on the second floor of the existing 519 Los Angeles apartment building (brown brick) is huge. Huge as in big enough to fit 20 people and a table long enough to play beer pong on (albeit not necessarily safely). Two of our bedrooms, our dining room, and our living room, face the huge balcony. Since the plans indicate that the current apartment adjacent to that huge balcony is to be broken into 2 apartments, we request that the city require the builder to divide that balcony. We appreciate that it is probably a historic building. We just request that it be required to have something put in the middle of the existing structure that doesn't even need to be visible from the street. We also request that whatever the final approved plan looks like, that the new balconies be kept to a size not conducive to 20 UTEP students being able to have a party. Families continue to move back into and restore this neighborhood and, while we were all young once and we realize we are next to 2 colleges, this is not fraternity row.

Third, what is the plan for the garbage containers at the new complex? The dumpsters in the streets of Sunset Heights are a redundant eyesore and are further contributing to the parking problems unique to this neighborhood. We request that whatever garbage dumpsters they use be required to be off-street like the complexes on Yandell.

Thank you for your assistance,  
Katherine Lehmann and Gregory, Blaise, Leo and Owen Brady