



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

**Case No:** PZST13-00027 (Related to Rezoning Application PZRZ13-00037)  
**Application Type:** Special Permit  
**CPC Hearing Date:** April 24, 2014  
**Staff Planner:** Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

**Location:** 5713 - 5717 Welch Avenue  
**Legal Description:** A portion of Lots 14-26, Block 4, Hughes Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 0.458-acre  
**Rep District:** 3  
**Zoning:** R-5 (Residential)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** No  
**Request:** Infill Development - front, rear, side setback, and parking reduction  
**Proposed Use:** Retail and Office

**Property Owner:** Jorge Valenzuela  
**Representative:** Dorado Engineering

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

**North:** R-5 (Residential) / Single-family dwellings  
**South:** M-1 (Light Manufacturing) / Warehouse  
**East:** M-1 (Light Manufacturing) / Warehouse  
**West:** M-1 (Light Manufacturing) / Warehouse

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

**NEAREST PARK:** San Juan Placita (1,590 feet)

**NEAREST SCHOOL:** Cooley Elementary (1,828 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

There are no registered neighborhood associations in the area. This was verified through community development department data on recognized neighborhood associations.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 9, 2014. The Planning Division has not received any phone calls or letters in support or opposition to the special permit request.

### **APPLICATION DESCRIPTION**

The property owner is requesting a special permit and detailed site development plan review for infill development. The site plan shows a new 5,792 sq. ft. retail and office building. The use requires 20 parking spaces; the applicant is providing 13 parking spaces and 3 bicycle spaces. Infill development allows an automatic 50 percent parking reduction; the applicant is requesting a 35 percent parking reduction. The applicant is requesting a reduction in front, rear and side setbacks (see table pg. 3). The Detailed Site Development Plan complies with all other density and dimensional standards. Access to the subject property is proposed from Welch Avenue. This case is related to the rezoning application - PZRZ13-00037, requesting a rezoning of the subject property from R-5 (Residential) to S-D (Special Development).

## PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit and detailed site development plan review as it complies with Sections 20.10.280, infill development, 20.04.320, special permit, 20.04.140 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 with a legally recorded subdivision of at least thirty years and is within a State Enterprise Zone.*

- 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 in this area. Retail and office uses are permitted in the S-D (Special Development).*

- 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 reductions in dimensional standards:*

Dimension	Require	Propose
Front	20'	5'
Rear	10'	5'
Side	10' feet between structures	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 applicant is requesting a 35 percent parking reduction as part of the special permit application.*

- 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 the existing development.*

- F. Landscaping. The landscape standards contained within Title 18 of this Code shall apply to an infill development.

*The proposed development complies with the landscape standards.*

- 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 applicant is not proposing dwelling units and complies with the density requirements for the proposed base zone.*

- 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 complies with lot requirements and is not requesting any reduction in lot size, lot width or lot depth, only setbacks.*

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.

*Note: Special permit application meets all requirements of detailed site development plan and parking reduction.*

#### 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.

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

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 have reviewed the detailed site development plan which meets all requirements and are recommending approval.*

**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 Smart Code as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of S-D (Special Development) 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:**

**City Development Department – Planning Division - Transportation**

TIA is not required.

General Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

**City Development Department – Plan Review**

No objections.

**City Development Department – Landscaping Division**

No objections.

**City Development Department - Land Development**

No objections.

**Fire Department**

Recommend approval of “Detailed Site Plan Application” as presented.

In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems.

“When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”.

The Fire Planning Division has reviewed the submitted “Detailed Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

**Police Department**

No issues.

**Sun Metro**

Sun Metro does not oppose this request.

**El Paso Water Utilities**

We have reviewed the request referenced above and provide the following comments:

- 1. EPWU does not object to this request.

EPWU-PSB Comments

Water

- 2. There is an existing 8-inch diameter water main that extends along Welch Ave. located approximately 25 feet south of the property’s southern property line. This water main is available for service.
- 3. There is an existing 8-inch diameter water main that extends along Glenwood Dr. located approximately 7.5 feet west of the property’s western property line. This water main is available for service.
- 4. Previous water pressure readings conducted on fire hydrant No. 5414 located at the NE corner of the intersection of Glenwood Dr. and Welch Ave. have yielded a static pressure of 92 pounds per square inch (psi), a residual pressure of 83 psi and a discharge of 1,233 gallons per minute (gpm).
- 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.
- 6. EPWU-PSB records indicate a vacant 1 1/2-inch water meter serving the subject property. The service address for this meter is 5830 Welch Ave.

Sanitary Sewer:

- 7. There is an existing 12-inch diameter sanitary sewer main that extends along Welch Ave located approximately 10 feet south of the property’s southern property line. This main is available for service.
- 8. There is an existing 8-inch diameter sanitary sewer main that extends along Glenwood Dr. located

approximately 21 feet west of the property's western property line. This main is available for service.

**General:**

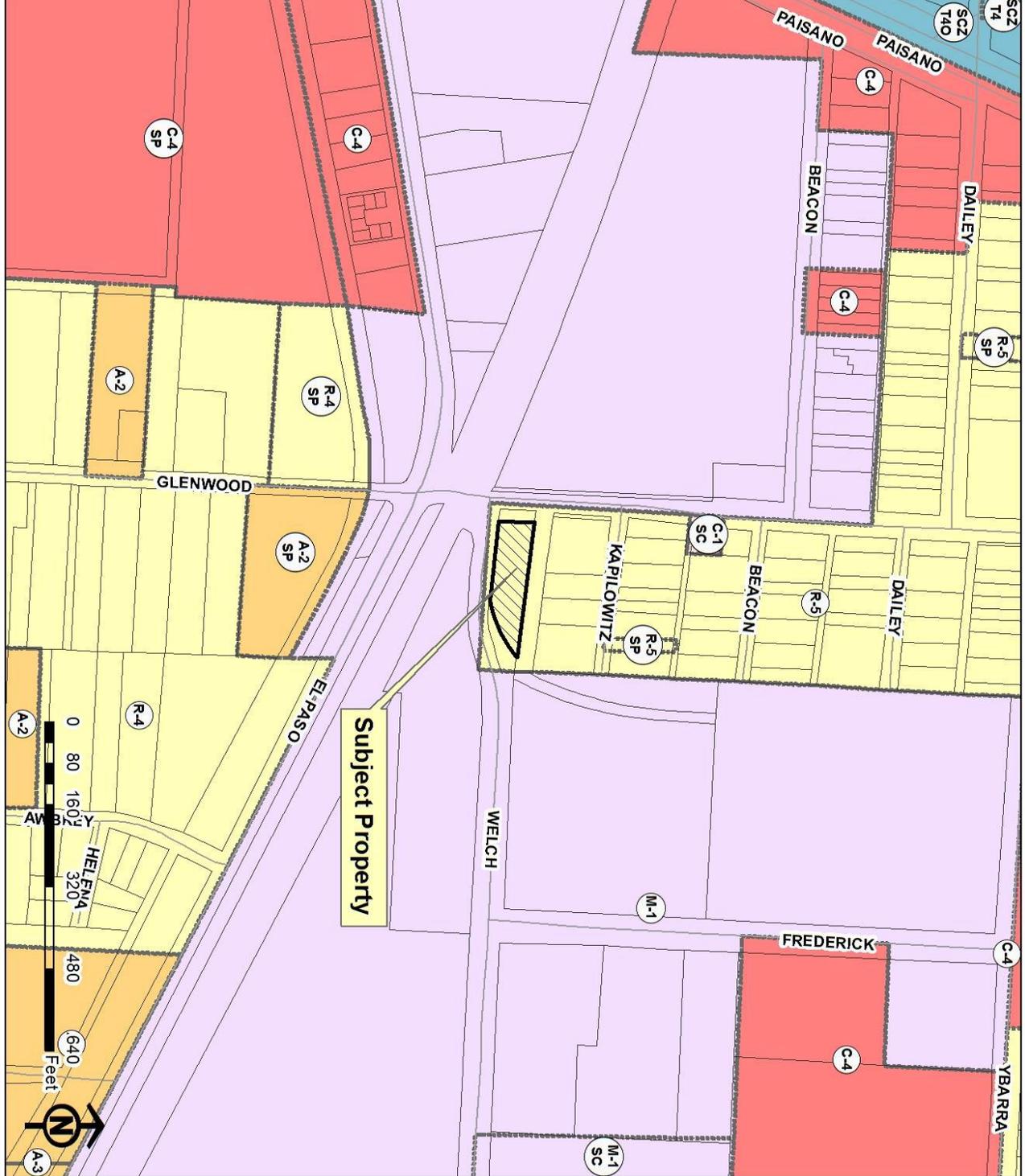
9. A new service application is required for additional water and sanitary sewer services. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current 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

ATTACHMENT 1: ZONING MAP

PZST13-00027



ATTACHMENT 2: AERIAL MAP

PZST13-00027



# ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

