



City of El Paso – City Plan Commission Staff Report

(REVISED)

Case No: PZRZ13-00046
Application Type: Rezoning
CPC Hearing Date: February 13, 2014
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: 1401 N. Kansas Street
Legal Description: Lots 1 and 2, Block 30, Alexander Addition, City of El Paso, El Paso County, Texas
Acreage: 0.1456-acre
Rep District: 8
Current Zoning: A-2 (Apartment)
Existing Use: Single-family dwelling
C/SC/SP/ZBA/LNC: None
Request: From A-2 (Apartment) to S-D (Special Development)
Proposed Use: Office

Property Owner: Terry W. Hammond
Representative: Morris Brown

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Single-family dwelling
South: A-2 (Apartment) / Single-family dwelling
East: A-2 (Apartment) / Single-family dwelling
West: A-2 (Apartment) / Single-family dwelling

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable)
NEAREST PARK: Dunn Park (1,647 feet)
NEAREST SCHOOL: El Paso High School (2,286 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Southside Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 29, 2014. The Planning Division received two phone calls and 1 letter in opposition to the rezoning request, stating that general office use would affect the residential character of their neighborhood and increased traffic to the area by Ms. Joselyn Guerry who also followed up with a letter (see Attachment No. 4). The Planning Division also received a call from Mr. Noel Yslas stating that there is some opposition but did not provide any further details. The Planning Division also received a letter in support to the rezoning request, (see Attachment No. 5).

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from A-2 (Apartment) to S-D (Special Development) to allow for office use. Office uses are not permitted in the A-2 (Apartment) zone district. The subject property is 0.1456 acres in size and is currently being used as a single-family dwelling. The S-D (Special Development) zoning district requires minimum site area of 1 acre but can be designated as such by City Council through approval of the detailed site development plan. The detailed site development plan shows an existing 2,607 sq. ft., 2-story, single-family residential dwelling which will be converted to office space. Office uses require 5 parking spaces and the applicant is providing 7 parking spaces and 3 bicycle

spaces. If approved, the S-D zoning district requires a detailed site development plan for all uses other than single-family residential. The required Detailed Site Development Plan may be submitted for administrative review per Section 20.04.150 Detailed Site Development Plan. The applicant will submit the application for detailed site development plan for administrative review after the rezoning. The Detailed Site Development Plan is not being considered as part of this request. Vehicular access to the subject property is proposed from the alley via River Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from A-2 (Apartment) to S-D (Special Development). The recommendation is based on the compatibility with the surrounding land uses and in compliance with the Plan El Paso future land use designation, G-2, Traditional Neighborhood (Walkable).

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 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 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 Division - Transportation

TIA is not required.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located 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 - Land Development

No objections.

Fire Department

No objections to the rezoning case as presented at this time.

El Paso Water Utilities

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

1. El Paso Water Utilities (EPWU) does not object to this request.

Water:

1. There is an existing 4-inch diameter water main that is available for service along the alley between Kansas St. and Stanton St.
2. There is an existing 6-inch diameter water main that is available for service that extends along Kansas St.
3. There is an existing 6-inch diameter water main that is available for service that extends along River St.
4. EPWU records indicate an active ¾-inch water service connection serving the subject property. The address for this service is 1401 Kansas St.

Sanitary Sewer:

1. There is an existing 8-inch diameter sanitary sewer main along the alley between Kansas St. and Stanton St. This main is available for service.
2. There is an existing 8-inch diameter sanitary sewer main that extends along River St. This main is available for service.

General:

1. EPWU requires a new service application to provide 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:

Attachment 1: Zoning Map

Attachment 2: Aerial Map

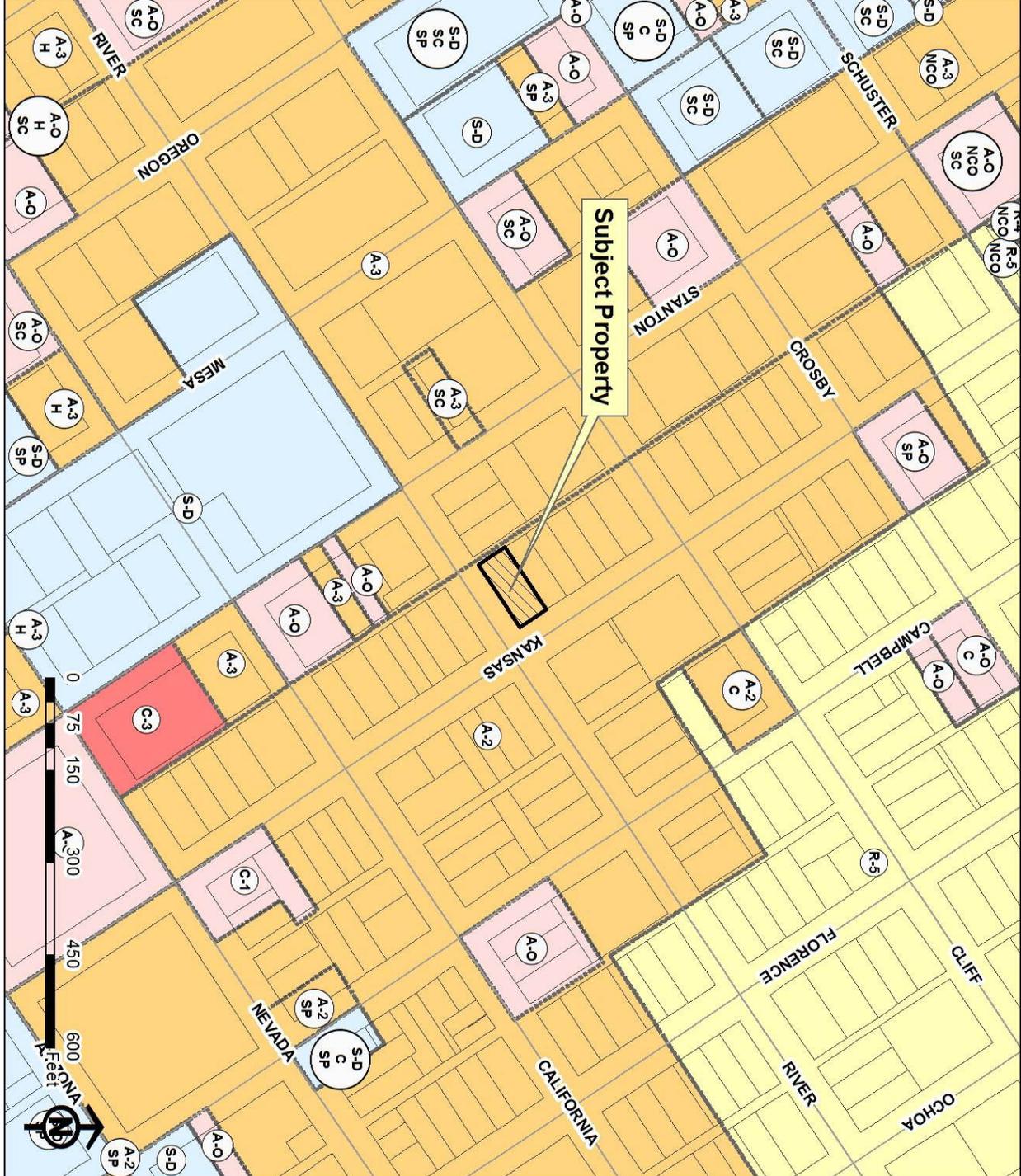
Attachment 3: Detailed Site Development Plan

Attachment 4: Opposition Letter

Attachment 5: Support Letter

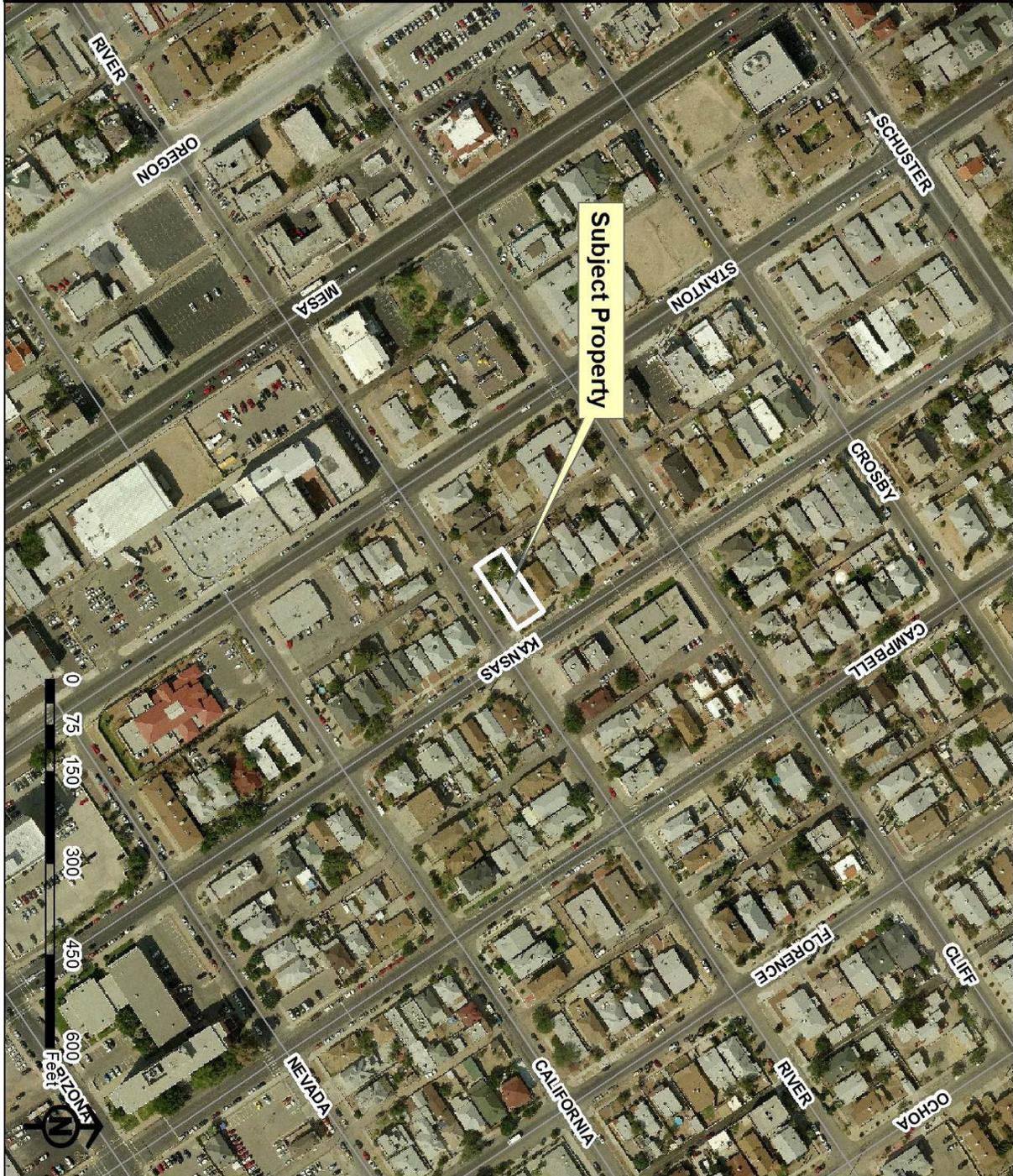
ATTACHMENT 1: ZONING MAP

PZRZ13-00046

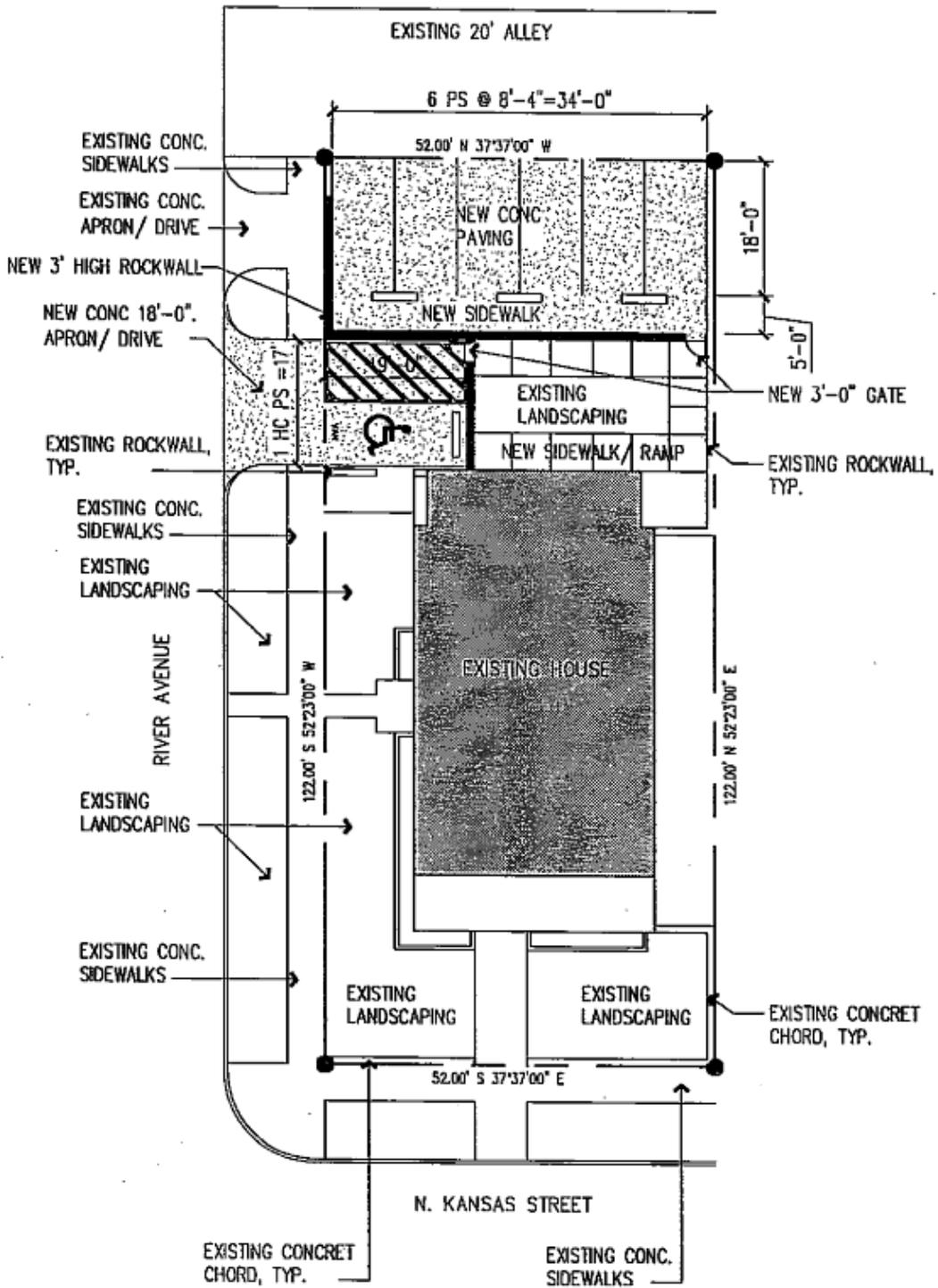


ATTACHMENT 2: AERIAL MAP

PZRZ13-00046



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: OPPOSITION LETTER

February 4, 2014

CPC
Planning Division
PO Box 1890
El Paso, Texas 79950-1890

Dear Planning Division:

This letter is in regards to : Case No.: PZRZ13-00046

My Name is Joselyn Guerry, 1405 N. Kansas, El Paso, Texas 79902

I am writing on behalf of myself and several of my neighbors asking that you deny Terry W. Hammond's request to rezone the property described as Lots 1 and 2, Block 30, Alexander Addition, El Paso, Texas, El Paso County, Texas from A-2 to S-D.

This is a residential area and many of us have lived in this neighborhood for most of our lives. We are the second and third generations in our families to live in our homes on Kansas St. We want to preserve the neighborhood as it is.

One of our concerns is that strangers will be coming in to our neighborhood if Mr. Hammond is allowed to open a law office. We are concerned about the types of clients that may be introduced into our neighborhood.

Another concern for us is the limited parking available, because we already deal with the students from Cathedral parking in our neighborhood. Many of the residents are over 65 and it would be unfair for them to have to park far from their homes, but that will definitely happen if Mr. Hammond opens a law office. There is no parking designated or available. Even if he were to open the backyard, the space available would be taken up by him and his staff.

There is also the possibility of the property values rising and this may cause our taxes to go up. Many of our residents are on a fixed income and this would be a problem for them.

A change in zoning will cause the values of our property to increase and that will cause us to pay higher taxes. We want to live in our homes and be able to afford the taxes we pay.

Thank you for your attention in this matter.

JOSELYN L. GUERRY 1405 N. KANSAS ST. JOSELYN L. GUERRY
RAMONA MINJAREZ 1405 N. KANSAS ST. RAMONA MINJAREZ
SEREA E. LOPEZ 1407 N. KANSAS ST. SEREA E. LOPEZ
AURORA MURILLO 1317 N. KANSAS ST. AURORA MURILLO
JOSE ADOLFO SOTO 1315 N. KANSAS ST. JOSE ADOLFO SOTO
FRUDA SILVA 307 RIVER ST. FRUDA SILVA
MIGUEL DEL ROSARIO SOTO ALVAREZ 1305 N. KANSAS ST. MIGUEL DEL ROSARIO SOTO ALVAREZ

ATTACHMENT 5: SUPPORT LETTER



El Paso Preservation Alliance
c/o 2734 Silver Avenue
El Paso, Texas 79930

February 13, 2014

City Plan Commission
c/o Andrew Salloum
300 N. Campbell
El Paso, TX 79901

**RE: Case Number PZRZ13-00046
1401 N. Kansas Street
Terry Hammond, Owner**

To the Honorable Chairperson and Members of the City Plan Commission:

The referenced property is on your agenda dated February 13, 2014 for a zoning change request. Our organization is in full support of the requested change and encourages the Plan Commission to approve the request.

Our non-profit organization's tax exempt purpose is to preserve architecturally significant structures and revitalize historic neighborhoods. The property at 1401 N. Kansas Street is a transitionally styled Craftsman/Prairie dwelling with most of the original architectural details remaining intact. It is of vital architectural importance to preserve this historic structure.

Due to the location within the city and relative large size of the dwelling, it is unlikely that the property will ever be used again as a single family home. If this case is denied, the likely future use of the property is for multi-family habitation. As evidenced throughout other historic neighborhoods in El Paso, when larger single family residences are converted to multi-family use, the impact to the subject property and to the surrounding neighborhood is adverse. Multi-family use normally creates rapid and irreversible alteration and, ultimately, deterioration of the property. The proposed SD designation, to allow for office use, provides for the effective reuse of this property. The fact that the building will be substantially unchanged on both the exterior and interior is further evidence that the proposed new use will have no significant adverse effect on the surrounding properties.

Our organization has witnessed the painstaking effort Terry Hammond has exhibited in restoring multiple historic properties in El Paso. We have toured the subject property and can see that the same level of diligence is being applied to this historic property.

Given the transitional nature of the surrounding neighborhood, we believe that the proposed zoning change will provide for the current and future preservation/maintenance of the subject property without a negative impact on the neighborhood.

Respectfully submitted,

El Paso Preservation Alliance
Raymond P. Rutledge, Director