City of El Paso – City Plan Commission Staff Report
(REVISED)

Case No:	PZRZ12-00044
Application Type:	Rezoning
CPC Hearing Date:	April 18, 2013
Staff Planner:	Alex Hoffman, 915-541-4638, hoffmanap@elpasotexas.gov
Location:	Parcel 1: 5305 and 5331 Montana Avenue Parcel 2: 1015 Chelsea Street Parcel 3: 1012 Cardon Street Parcel 4: 1039 Chelsea Street
Legal Description:	Parcel 1: Lots 1-2 and 4-5, Block 1, Del Mesa Additions, City of El Paso, El Paso County, Texas Parcel 2: A portion of Tract 4-C-1, Morehead Survey, City of El Paso, El Paso County, Texas Parcel 3: A portion of 4-C-1, Morehead Survey, City of El Paso, El Paso County, Texas Parcel 4: Lots 1-2, Block 1, V.A.L. Tract, City of El Paso, El Paso County, Texas
Acreage:	3.072 acres
Rep District:	2
Existing Zoning:	Parcel 1: C-2 (Commercial) Parcel 2: C-2/sp (Commercial/special permit) Parcel 3: R-4/sp (Residential/special permit) Parcel 4: C-1/c/sp (Commercial/conditions/special permit)
Existing Use:	Parcel 1: Restaurant Parcel 2: Animal Clinic Parcel 3: Single-family dwelling Parcel 4: Vacant
Request:	Parcel 1: C-2 (Commercial) to P-C (Planned Commercial District) Parcel 2: C-2/sp (Commercial/special permit) to P-C (Planned Commercial District) Parcel 3: R-4/sp (Residential/special permit) to P-C (Planned Commercial District) Parcel 4: C-1/c/sp (Commercial/conditions/special permit) to P-C/c (Planned Commercial District/condition)
Proposed Use:	Wal-Mart Neighborhood Market
Property Owner:	Chicos Tacos, Inc., Mora Holdings, LLC, and Omega Paving Contractors, Inc.
Representative:	Dunaway Associates, L.P. c/o Chris Biggers

SURROUNDING ZONING AND LAND USE
North: R-4 (Residential) / Single-family dwellings and Fire Station
South: C-1 (Commercial) / Shopping Center
East: C-1 (Commercial) / Shopping Center
West: R-4 (Residential) / Single-family dwellings; C-2 (Commercial) / Restaurant

PLAN EL PASO DESIGNATION: G-4 Suburban (Walkable) (Central Plan)
NEAREST PARK: Mesa Terrace Park (2,409 feet)
NEAREST SCHOOL: Hillside Elementary (3,159 feet)

NEIGHBORHOOD ASSOCIATIONS
El Paso Central Business Association
United Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 2, 2013. The Planning Division has received 2 phone calls in opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from current zoning districts to P-C (Planned Commercial) to allow for Wal-Mart Neighborhood Market. The site plan shows a new 35,500 sq. ft. building for Wal-Mart Neighborhood Market. If approved, the P-C (Planned Commercial) zoning district requires a detailed site development plan for Wal-Mart Neighborhood Market and all other commercial uses. Access is proposed from Montana Avenue and Chelsea Street. This rezoning case is related to zoning condition release or amendment case (PZCR13-00004).

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **denial** of rezoning the subject property from the current zoning districts to P-C (Planned Commercial). The recommendation is based on incompatibly with the P-C (Planned Commercial) design standards which outline compatibility with nearby properties. The proposed development will not promote a harmonious relationship with surrounding adjacent and nearby properties, developed and undeveloped. Also the proposed development as presented will not support or promote the existing RTS (Rapid Transit System).

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-4 – Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the P-C (Planned Commercial) district is to provide for attractive and efficient retail shopping and personal service facilities of integrated design in appropriate locations to serve residential neighborhoods. It is intended that the district shall be laid out and developed as a unit according to an approved plan so that the purpose of the district may be accomplished. The district is adaptable to shopping centers of various sizes, as well as development of general business properties where the use of shared parking and access, together with careful site planning, will produce a stronger commercial area.

COMMENTS:

Planning Division - Transportation

TIA review:

1. The mitigation of signage restricting left turns on Montana would not prohibit individuals from making left turns onto Montana as the area only has striped median improvements. No access is recommended from the subject property to Montana as it will impede traffic safety.

Revised Site Plan Comments:

1. The proposed driveway on Montana is too close to the signalized intersection of Montana Avenue and Chelsea Street and will have to be relocated.
2. It is recommended that access to Montana be restricted as there is no median restricting left turns from the subject property which would impede traffic safety.

Notes:

1. The proposed location is located along the Montana Rapid Transit System (RTS) corridor. Location and arrangement of bus stops or bus pull in bays shall be coordinated and approved by Sun Metro.
2. All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS

regulations and City Design Standards for construction.

El Paso Department of Transportation

The TIA recommends that due to the safety of the drivers, a No Left Turn sign be installed at Driveway 1 to prevent drivers from making a south bound left turn onto Montana. Enforcement will be required in order for this to be considered adequate mitigation measure. Recommend denial.

City Development Department – Plan Review

No comments received.

City Development Department - Landscaping Division

Landscape plan on the detailed site plan is required.

City Development Department - Land Development

No Objection.

Grading plan and permit shall be required.*
Storm Water Pollution Prevention Plan and/or permit required.*
Drainage plans must be approved by the City Development Dept. Land Development Section.*

* This requirement will be applied at the time of development.

Fire Department

Recommend denial of "Detailed Site Plan" as presented.
******NOTE *******
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, Number of dwelling units in Multi-family 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".

Plans as presented do not comply with the following sections:
Does not comply with Zoning Code requirements necessary as stated in Section 20.04.160, and is considered to be "Conceptual Site Plans" only.

Once all requirements per Zoning Code in relation to elevation, building dimensions, square footage, and height of building are received then further consideration will be conducted.

Sun Metro

Sun Metro does not oppose this request. Sun Metro does have two adjacent bus stops to the subject property. These bus stop will remain at their current locations, but it is requested that a minimum of a 50' clearance be provided at the bus stops along Montana and Chelsea as bus loading zones. This will permit our transit vehicles to efficiently service the bus stops. It is from previous experiences which we have identified that bus stops at or near such commercial establishments become locations of high ridership, thus our request for the minimum of a 50' bus loading zones. Sun Metro also recommends the installation of cart corrals near the bus stops.

El Paso Water Utilities

We have reviewed the zoning change request described above and provide the following comments:
EPWU does not object to this request.
EPWU-PSB Comments
Water:

Along Montana Avenue between Cardon Street and Chelsea Street there is an existing twenty (20) inch diameter water transmission main. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations.
Along Montana Avenue between Cardon Street and Chelsea Street there is an existing six (6) inch diameter water main.
Along Montana Avenue between Cardon Street and Chelsea Street there is an existing twelve (12) inch diameter raw, un-chlorinated water transmission main (flow line). This main is not active.
Along Cardon Street between Montana Avenue and Trowbridge Drive there is an existing six (6) inch diameter water main.
Along Trowbridge Drive between Cardon Street and Chelsea Street there is an existing twelve (12) inch diameter water main.
Along Chelsea Street between Trowbridge Drive and Montana Avenue there are no existing water mains.
Previous water pressure readings conducted on fire hydrant number 1634 located at the corner of Montana Avenue and Cardon Street have yielded a static pressure of 130 pounds per square inch (psi), residual pressure of 120 psi, discharge of 1,547 gallons per minute (gpm).
Sanitary Sewer:
Along Montana Avenue between Cardon Street and Chelsea Street there is an existing eighteen (18) inch diameter sanitary sewer main. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations.
Along Cardon Street between Montana Avenue and Trowbridge Drive there is an existing eight (8) inch diameter sanitary sewer main.
Along Trowbridge Drive between Cardon Street and Chelsea Street there is an existing eight (8) inch diameter sanitary sewer main.
Along Chelsea Street between Trowbridge Drive and Montana Avenue there is an existing eight (8) inch diameter sanitary sewer main.
General
Montana Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Montana Avenue right-of-way requires written permission from TxDOT.
EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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.

CITY PLAN COMMISSION OPTIONS

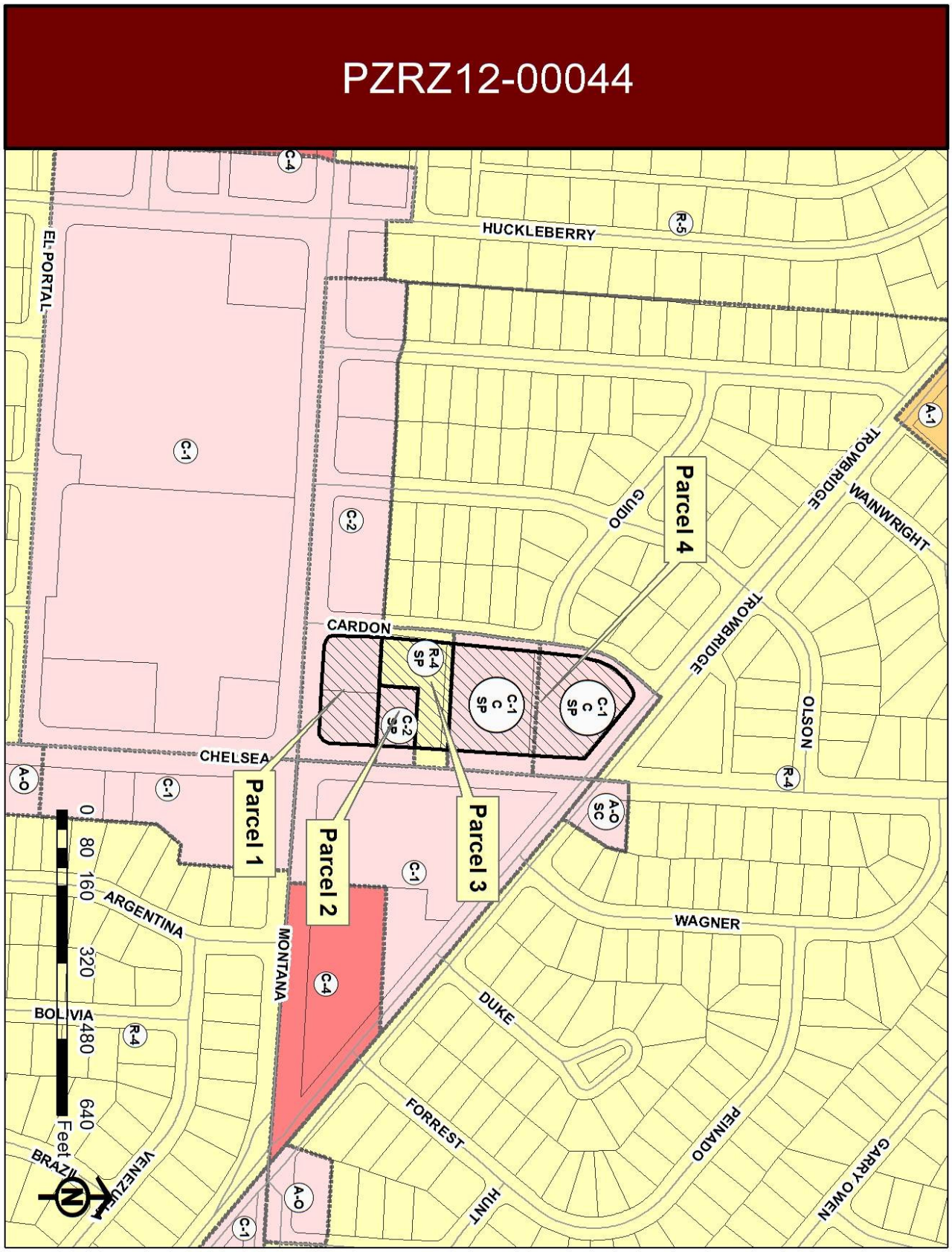
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

Attachments:

Attachment 1: Zoning Map
Attachment 2: Aerial Map
Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: CONCEPTUAL SITE PLAN