



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: PZRZ16-00004 (Related to Condition Release Application PZCR16-00002)
Application Type Rezoning
CPC Hearing Date April 21, 2016
Staff Planner Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

Location 9639 & 9701 Socorro Road
Legal Description Tracts 12-A and 13-A, Block 51, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage 7.004 acres
Rep District 6
Existing Zoning: A-2/sc (Apartments/special contract), C-4/sc (Commercial/special contract), C-4/H/sc (Commercial/Historic/special contract)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Ordinance No. 8993 imposed by a Special Contract
Request: From A-2/sc (Apartments/special contract), C-4/sc (Commercial/special contract), C-4/H/sc (Commercial/Historic/special contract) to S-D/sc (Special Development/special contract) and S-D/H/sc (Special Development/Historic/special contract)
Proposed Use: Low-volume retail commercial and Apartments

Property Owner GECU
Representative SLI Engineering, Inc.

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Single-family dwellings, R-3/H (Residential/Historic) / Single-family dwellings
South: R-4/sc (Residential/special contract) / Single-family dwellings, R-3/H/sc (Residential/Historic/special contract) / Single-family dwellings
East: R-4/sc (Residential/special contract) / Single-family dwellings
West: R-3/H/sc (Residential/Historic/special contract) / Single-family dwellings, C-4/H (Commercial) / Tire shop

THE PLAN FOR EL PASO DESIGNATION: G-3, Post-War (Lower Valley Planning Area)

NEAREST PARK: Caribe Park (2,012 feet)

NEAREST SCHOOL: Camino Real Middle (6,303 feet)

NEIGHBORHOOD ASSOCIATIONS

Mission Valley Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 28, 2016. Planning has received three phone calls in opposition and one letter of concern to the rezoning request. Several phone calls were received inquiring of the proposed development.

CASE HISTORY

Ordinance 8993, approved by City Council on April 14, 1987 rezoned the property from R-F (Ranch-Farm) to A-2 (Apartments) and C-4 (Commercial) and imposed conditions by a Special Contract. The special contract imposed conditions which limited the height of apartments to one-story on Parcel 2, required a

subdivision plat to be recorded, dedication of additional right-of-way and landscape area along Socorro Road (Attachment #5).

APPLICATION DESCRIPTION

The applicant is requesting rezoning from A-2/sc (Apartments/special contract), C-4/sc (Commercial/special contract), C-4/H/sc (Commercial/Historic/special contract) to S-D/sc (Special Development/special contract) and S-D/H/sc (Special Development/Historic/special contract). The property is currently vacant and the proposed use is for low-volume retail commercial and apartments. A detailed site plan showing 7 apartment buildings with a total of 56 apartment units, as well as three retail commercial buildings are proposed on the property. The proposed development requires 198 total parking spaces and provides 250, including 10 ADA accessible parking spaces and 15 bicycle parking spaces. Access is proposed from Socorro Road and Galilee Drive.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of rezoning the subject property from A-2/sc (Apartments/special contract), C-4/sc (Commercial/special contract), C-4/H/sc (Commercial/Historic/special contract) to S-D/sc (Special Development/special contract) and S-D/H/sc (Special Development/Historic/special contract) with the following conditions to mitigate for the intensity of use generated by the proposed zone change adjacent to existing residential zones and uses:

1. *A 15' (fifteen-foot) landscaped buffer with high-profile native trees of at least 2" (two-inch) caliper and 10' (ten feet) in height shall be placed at 15' (fifteen feet) on center along the property lines adjacent to any residential or apartment zoning districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy, and;*
2. *All commercial vehicle ingress and egress from Galilee Drive and Bahamas Street shall be prohibited.*

Plan El Paso-Future Land Use Map Designation

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

G-3 – Post War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. 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 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.

COMMENTS:

Planning and Inspections Department - Land Development

1. Proposed driveways shall not exceed 35' in width.
2. Add to general notes on this site plan: "All storm-water runoff shall be addressed within subject subdivision limits, and within each lot, and comply with all provisions of (DSC, 19.19.010A and DDM, 11.1)."
3. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with

the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Planning and Inspections Department – Plan Review

No objections to proposed rezoning.

At the time of submittal for building permits the project will need to comply with all applicable provisions of the IBC, TAS and local municipal code

Planning and Inspections Department - Landscaping

No objections to proposed rezoning.

At the time of submittal for building permits the project will need to comply with all applicable provisions of the IBC, TAS and local municipal code

El Paso Fire Department

Recommend approval.

Streets and Maintenance Department

No objections to the rezoning on Socorro Road.

TXDOT

Requestor will need to submit grading and drainage plan and request access if he is planning to develop the property abutting Socorro Rd.

El Paso Water Utilities

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

Water:

1. There is an existing 6-inch diameter water main located along the west side of Socorro Road, approximately 53-feet east of and parallel to the western right-of-way line of Socorro Road. Water service is available from this main.
2. There is an existing 6-inch diameter water main located along the north side of Galilee Drive, approximately 20-feet north of and parallel to the southern right-of-way line of Galilee Drive. Water service is available from this main.
3. There is an existing 6-inch diameter water main that extends along the east side of Bahamas Street that dead-ends approximately 125-feet south of Caribe Circle. Water service can be provided from this main.

Sanitary Sewer:

1. There is an existing 12-inch diameter sanitary sewer main that extends along an existing 20-foot PSB easement within the subject property that extends east of and parallel to the eastern right –of-way line of Socorro Road. This sewer main is available for service. There is an existing 8-inch diameter sanitary sewer main that extends along a 20-foot PSB easement within Tract 12B (9641 Socorro Rd.).
2. There is an existing 8-inch diameter sanitary sewer main that extends south of and parallel to the southern right –of-way line of Galilee Drive. This sewer main is available for service.
3. There is an existing 8-inch diameter sanitary sewer main that extends along west side of Bahamas Street, approximately 25-feet east of and parallel to the western right-of-way line of Bahama Street that dead-ends approximately 125-feet south of Caribe Circle. This sewer main is available for service.

General:

1. The Owner shall minimize changes in grade above or near the vicinity of the existing 20-foot PSB easement.
2. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easement(s) (EPWU-PSB) without the written consent of EPWU-PSB. Building setback lines are required abutting all easements (5-foot minimum).
3. Socorro Road is a TXDOT right-of-way. The installation of water/sewer mains within the right-of-way requires a utility installation permit from TXDOT. Service to the subject property is contingent upon TXDOT issuing the permit.
4. EPWU-PSB requires a new service application to provide additional services. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (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.

El Paso Water Utilities-Stormwater Division

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

1. Provide an acceptable drainage plan in accordance with Section 19.01.050 of the current City Ordinance upon the submittal of construction plans.
2. At the improvement plan stage, provide protection to the subdivision from all offsite stormwater runoff that may have an adverse impact on any improvements.
3. Storm sewer cannot flow into Socorro Rd.; TXDOT roads are not designed to carry outside storm sewer flow.
4. The developer shall be responsible for the additional stormwater runoff generated by the proposed development, and must ensure that the historic runoff volume, peak and duration are maintained.
5. 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

Recommend coordinating with Sun Metro before moving forward with design and construction. Also, recommends the construction of sidewalks to permit pedestrian access to mass transit options.

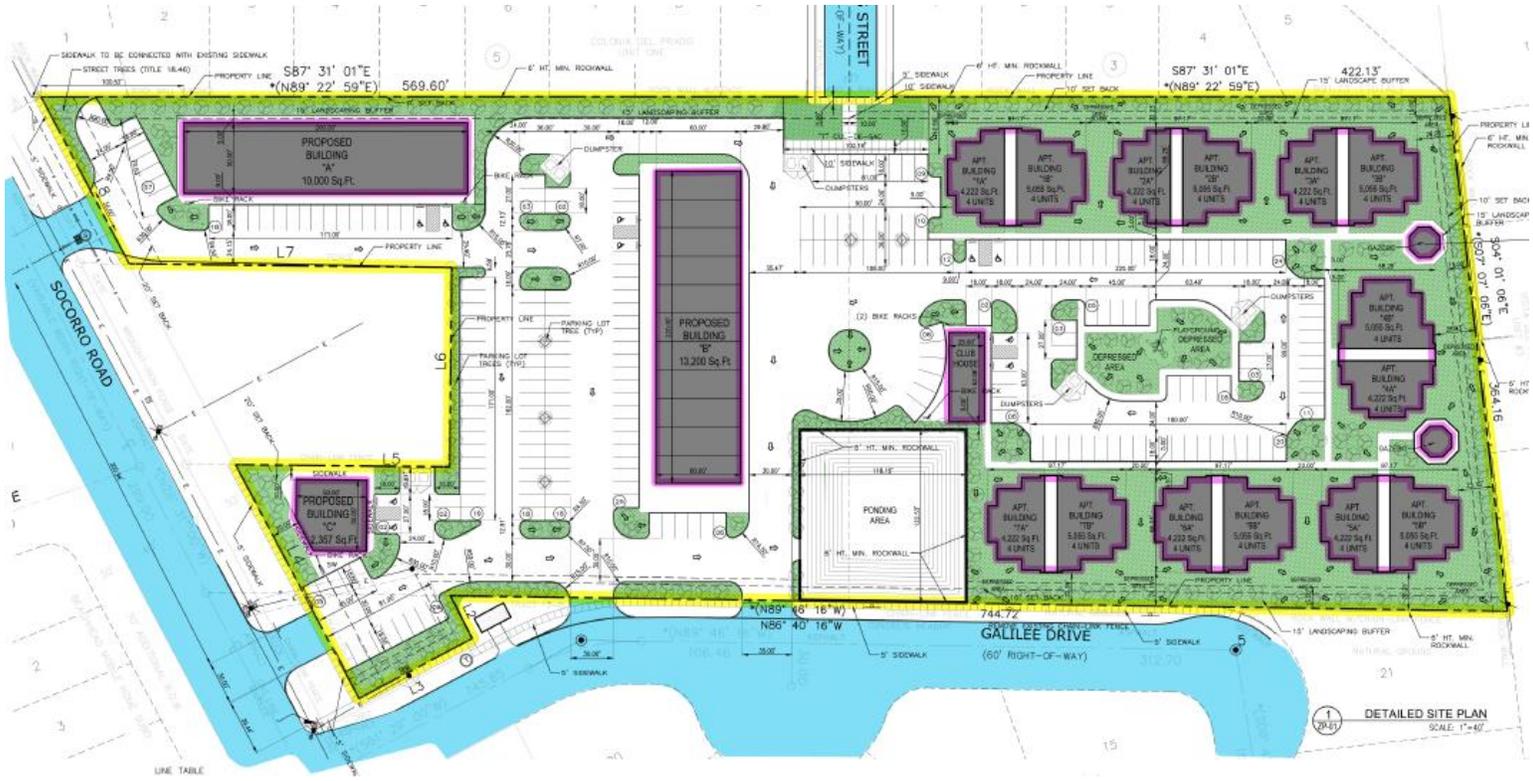
Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance 8993
6. Special Contract
7. Letter of Opposition

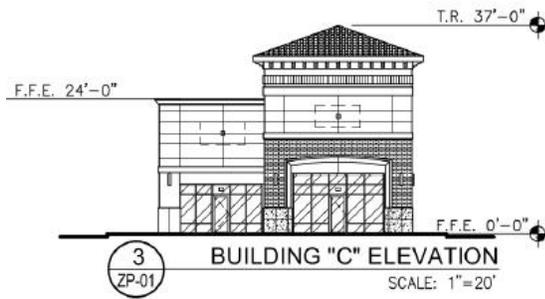
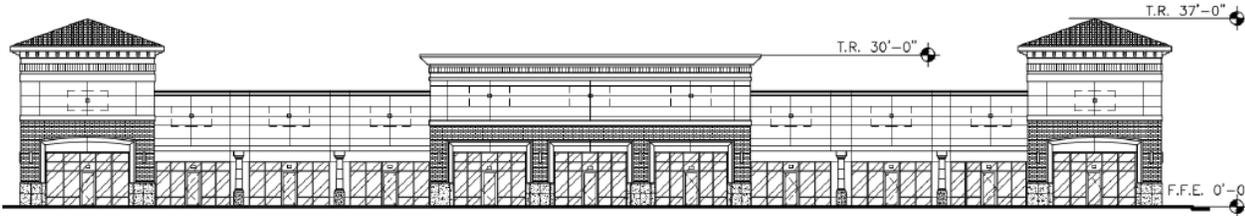
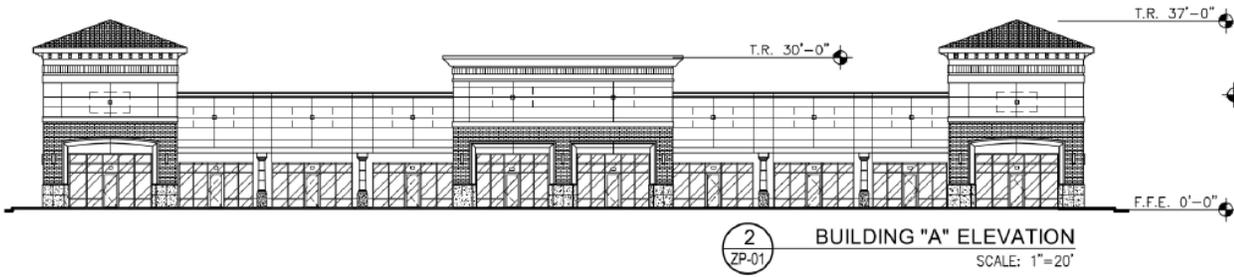
PZRZ16-00004



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



ATTACHMENT 5: ORDINANCE 8993

008993

AN ORDINANCE CHANGING THE ZONING
OF ALL OF TRACTS 12A, 12B AND 13A,
BLOCK 51, YSLETA GRANT,
THE PENALTY BEING AS PROVIDED IN
SECTION 20.69.010 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of all of Tracts 12A, 12B and 13A, Block 51, Ysleta Grant, as more particularly described by metes and bounds in the attached Exhibit "A", be changed from R-F (Ranch/Farm) to C-4 (Commercial) and A-2 (Apartment), within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 14th day of April, 1987.

Jonathan W. Rogers
Mayor

ATTEST:
Carole Hunter
City Clerk

APPROVED AS TO FORM:

John R. Bell
Assistant City Attorney

APPROVED AS TO CONTENT:

Ray S. Lloyd
Department of Planning,
Research and Development

ZNG1-87-5247

008993
Contract (4-14-87)
Reed

RECEIVED
SEP 24 1987
PLANNING DEPARTMENT

ATTACHMENT 6: SPECIAL CONTRACT (CONTINUED)

other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity or necessitating the amendment of, the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

FIRST PARTIES:
ONESIMO ELIAS

Onesimo Elias

ANDREA G. ELIAS

Andrea G. Elias

ESTELA RAMIREZ

Estela Ramirez

SECOND PARTY:
THE CITY OF EL PASO

BY *[Signature]*
_____ Mayor


[Signature]
City Clerk

APPROVED AS TO FORM:

[Signature]
Assistant City Attorney

APPROVED AS TO CONTENT:

[Signature]
Department of Planning,
Research and Development

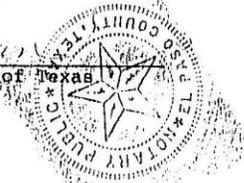
THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 17th
day of September, 1987, by ONESIMO ELIAS.

My Commission Expires:

11/24/89

[Signature]
Notary Public State of Texas



SIGNATURES CONTINUED ON NEXT PAGE

1846 0535

ATTACHMENT 6: SPECIAL CONTRACT (CONTINUED)

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 17th day of September, 1987, by ANDREA G. ELIAS.

Gloria T. Alvarado
Notary Public, State of Texas



ATTACHMENT 5 ORDINANCE 96267 (CONTINUED)

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 17th day of September, 1987, by ESTELA RAMIREZ.

Gloria T. Alvarado
Notary Public, State of Texas



My Commission Expires:

4/28/89

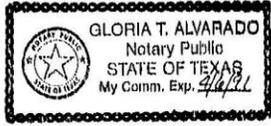
THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 21st day of September, 1987, by JONATHAN W. ROGERS, as Mayor of the City of El Paso.

Gloria T. Alvarado
Notary Public, State of Texas

My Commission Expires:

April 6, 1991



ZNG1:87.5247

1816 0536

ATTACHMENT 6: SPECIAL CONTRACT (CONTINUED)

THE STATE OF TEXAS)
)
COUNTY OF EL PASO) **DEED**

KNOW ALL MEN BY THESE PRESENTS:

That ONESIMO ELIAS, ANDREA G. ELIAS and ESTELA RAMIREZ, as property owners, of the County of El Paso, State of Texas, hereinafter referred to as Grantor, whether one or more, for and in consideration of the rezoning of all of Tracts 12A, 12B and 13A, Block 51, Ysleta Grant, City and County of El Paso, Texas, which is hereby acknowledged, have granted, sold and conveyed and by these presents do grant and convey unto the City of El Paso, the following parcel of land situated in the County of El Paso, State of Texas, as more particularly described below:

Legal description of a parcel of land being a portion of Tracts 12A, 12B and 13A, Block 51, Ysleta Grant Surveys, to be acquired by the City of El Paso, Texas, as additional right-of-way per Zoning Case No. 87-5247, and being more particularly described as follows:

Commencing at a County monument, said monument being North 28 31' West from the intersection of the centerline of the right-of-way of Galilee Drive, with the centerline of the right-of-way of Ysleta-Socorro Road, a distance of four hundred fifty-two and eighty-three hundredths (452.83) feet along said centerline of Ysleta-Socorro Road; thence, North 61 21' East, a distance of thirty and zero hundredths (30.00) feet to the easterly right-of-way line of Ysleta-Socorro Road; thence, North 28 31' West, along the easterly right-of-way line of Ysleta-Socorro Road, a distance of thirty-six and sixty-five hundredths (36.65) feet to the TRUE POINT OF BEGINNING of this parcel of land.

Thence, North 28 31' West, along the easterly right-of-way line of the Ysleta-Socorro Road, a distance of four hundred ninety-four and sixty-seven hundredths (494.67) feet;

Thence, North 89 23' East, along the northerly line of Tract 12A, Block 51, Ysleta Grant Surveys, a distance of thirty-three and ninety-five hundredths (33.95) feet;

Thence, South 28 31' East, through Tracts 12A, 12B and 13A, Block 51, Ysleta Grant Surveys, a distance of four hundred seventy-eight and eighty hundredths (478.80) feet to the southerly Tract 13A, Block 51, Ysleta Grant Surveys;

Thence, South 61 29' West, along a line common to Tracts 13A and 13B, Block 51, Ysleta Grant Surveys, a distance of thirty and zero hundredths (30.00) feet to the point of beginning.

1846 0537

ATTACHMENT 6: SPECIAL CONTRACT (CONTINUED)

Said parcel of land contains 14,603.68 square feet or 0.3352 acres of land, more or less.

TO HAVE AND TO HOLD the above described premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said City of El Paso and its assigns, forever. And the Grantors do hereby bind themselves, their heirs, executors, administrators, successors and assigns, to warrant and forever defend all and singular the said premises unto the said City of El Paso and its assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof.

WITNESS the following signatures this 17th day of Sept, 1987.

Onesimo Elias
ONESIMO ELIAS

Andra G. Elias
ANDRA G. ELIAS

Estela Ramirez
ESTELA RAMIREZ

ACKNOWLEDGEMENTS

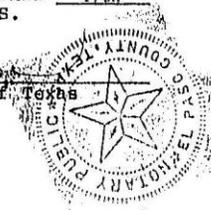
THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 17th day of September, 1987, by ONESIMO ELIAS.

My Commission Expires:

4/30/89

[Signature]
Notary Public, State of Texas



SIGNATURES CONTINUED ON NEXT PAGE

1816 0538

ATTACHMENT 6: SPECIAL CONTRACT (CONTINUED)

1210 0210

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 17th
day of September, 1987, by ANDREA G. ELIAS.

[Signature]
Notary Public, State of Texas

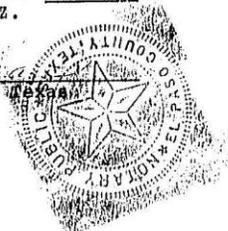


My Commission Expires:
4/28/89

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 17th
day of September, 1987, by ESTELA RAMIREZ.

[Signature]
Notary Public, State of Texas



My Commission Expires:
4/28/89

ZNG1:87-5247

1816 0539

73245

73245

SEP 29 1987

Laura R. ...

ANY PROVISION HEREIN WHICH RESTRICTS THE SALE, RENTAL OR USE OF THE DESCRIBED REAL PROPERTY BECAUSE OF COLOR OR RACE IS INVALID AND UNENFORCEABLE UNDER THE CIVIL RIGHTS ACT OF 1964.

STATE OF TEXAS COUNTY OF EL PASO

SEP 29 1987



COUNTY CLERK, El Paso County, Texas

1816 0510

CITY CLERK'S OFFICE
Carol Hunter, City Clerk
2 Civic Center Plaza
El Paso, Texas 79999
Place in Box 151

ATTACHMENT 7: Letter of Concern

April 18, 2016

Diana G. Miranda
9722 Penjamo Dr.
El Paso, Texas 79927

Dear Mr. Howell,

I write to you in reference to CASE NO. PZRZ16-00004 & PZRZ16-00002 Property located at 9639 and 9701 Socorro Rd., El Paso, Texas 79927. It is my understanding that the proposed use is for commercial and apartments.

As a resident of this neighborhood for the last 28 years, I have several concerns related to the rumors for which the land will be used. If the information I have heard is accurate then I must oppose the use for such types of businesses.

#1. An adult video/ theater.

I find this type of business completely shameful and inappropriate for our Historic Mission Trail. It is inconceivable for the City of El Paso to even consider allowing such a type of business along Historic Mission Trail. It is my opinion that our corridor has gone unnoticed for far too long and we wish to improve our image. Such a disreputable business would only open the doors for illicit behavior in our peaceful and safe community with growing families whom aspire to see improvements to our community. Mission trail is in dire need of clean up and restoration. We have nothing to offer visitors aside from the Missions, and it's embarrassing to see their unkempt grounds. We want clean, family appropriate places that bring pride to our community not disgrace! I oppose this option!

#2. A Junkyard.

This type of business would only depreciate our entire community and the struggling essence of Mission Trail. Although many may differ- WE are not a junkyard community! Absolutely not. We do not want rodents nesting in junked vehicles. As a healthcare professional the potential health risks associated with such a business so close to our residential community is of great concern. I oppose this option!

#3. A Hub for 18 wheeler trucks.

There is a hub for big trucks located on Socorro Rd. across from the Ysleta County Annex offices. The heavy traffic congestion mixed with big trucks trying to drive across the road during peak hours is already a dangerous situation. Considering the increasingly heavy traffic flow along Socorro Rd. as it is now, I cannot imagine having another hub in an area with only 2 traffic lanes. We don't even have traffic lights because the many traffic studies done in the past have disqualified us because the outflow of traffic from my neighborhood onto Socorro Rd. is not great enough to provide our area with any traffic lights. I oppose this option!

If the above mentioned businesses were to be approved for development, The Historic Mission Trail will once again be at a loss. We, the residents of Colonia Del Prado II would like to see many improvements to our declining infrastructure. WE are in need for a Historic Plaza with nice shops and restaurants in this area. The land proposed for rezoning could be the ideal location. It is a shame that we have nothing to offer our visitors along Socorro Rd. from Americas to Wynn Rd. The wait for improvements has been very long and hopeless. I propose an apartment development with a Historic Plaza and shopping area with small scale gift shops and restaurants. With careful and creative design this type of business might be beneficial to the beautification dreams we have for our neighborhood and The Historic Mission Trail. Please consider helping our community by looking out for our safety and improving our quality of life not degrading it. WE are ready for positive change, please help us.

Thank you for your time and consideration.

Sincerely,

Diana G. Miranda
(915)274-8174
Dirdh90@hotmail.com