City of El Paso – City Plan Commission Staff Report

Case No: PZRZ12-00022 (Reconsideration)
Application Type: Rezoning
CPC Hearing Date: May 2, 2013
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 2413 Tremont Avenue
Legal Description: Lots 9-14, Block 25, Third Amended Map of Highland Park Addition, City of El Paso, El Paso County, Texas
Acreage: 0.413-acre
Rep District: 2
Existing Zoning: R-5 (Residential)
Existing Use: Vacant
Request: From R-5 (Residential) to S-D (Special Development)
Proposed Use: Apartment Complex

Property Owner: Hector F. Barraza
Representative: Jorge Avila

SURROUNDING ZONING AND LAND USE
North: R-5 (Residential) / Duplex
South: R-5 (Residential) / Single-family dwelling; A-2 (Apartment) / Vacant
East: A-2/sc (Apartment/special contract) / Vacant
West: R-5 (Residential) / Single-family dwelling

PLAN EL PASO DESIGNATION: G2, Traditional neighborhood (Walkable) (Central Planning)
NEAREST PARK: Memorial Park (4,331 feet)
NEAREST SCHOOL: Moreno Annex Elementary (849 feet)

NEIGHBORHOOD ASSOCIATIONS
El Paso Central Business Association

NEIGHBORHOOD INPUT
Original notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on August 8, 2012. The Planning Division received 3 phone calls and 1 letter in opposition to the rezoning request.

Notice of a Public Hearing was re-mailed to all property owners within 300 feet of the subject property on April 18, 2013. The Planning Division has received 1 letter in opposition to the rezoning request.

HISTORY CASE
On August 23, 2012, City Plan Commission (CPC) recommended approval of rezoning the subject property from R-5 (Residential) to S-D (Special Development) with a condition that the building height be limited to 35 feet. On October 16, 2012, City Council approved the rezoning request with the condition CPC recommended. The rezoning application is now back for CPC reconsideration due to a notification discrepancy for further public review and action.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-5 (Residential) to S-D (Special Development) to allow for an apartment complex. Apartments are not permitted in the R-5 (Residential) zone district. The subject property is currently vacant. The conceptual site plan shows three apartment buildings with approximately 12 total units and the site is too small to accommodate apartments in any Apartment zone district. If approved, the S-D zoning district requires a detailed site development plan for all uses other than single-family residential. The proposed access is from Tremont Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property R-5 (Residential) to S-D (Special Development). The recommendation is based on the compatibility to Plan El Paso – Future Land Use Designation and surrounding land uses. G-2, Traditional neighborhood supports the proposed use.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:
G-2 – Traditional Neighborhood: 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 SmartCode 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

Comments:
1. No objection to rezoning from R-5 (Residential) to S-D (Special Development)
2. Tremont Avenue is not paved east of Dakota Avenue. Improvements to Tremont, including pavement, sidewalk, curb and gutter will be required in order to provide adequate vehicular and pedestrian access to the proposed development site.

Site Plan Comments:
1. Provide number of apartment units to ensure parking requirements are met.
2. Bicycle racks are required but not shown on the site plan.

Note:
1. 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.

City Development Department – Plan Review

No objections to rezoning.

City Development Department - Land Development

No Objection.

General Comments:

- 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 Department, Land Development Section.*

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

Fire Department

Recommend approval. Fire Department does not adversely affect fire department at this time. ** Note, A more detailed reviewed will be done by fire plan review during the permitting process.

Sun Metro

Sun Metro does not oppose this request. Recommends the construction of sidewalks to provide pedestrian access to mass transit options.

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:

2. There is an existing 4-inch diameter water main that is available for service along the alley between Dakota and Kentucky Streets. The water main is located approximately 16-ft north from the northern property line.

3 Previous water pressure reading from fire hydrant # 1965 located at the northeast intersection of Pittsburg Avenue and Indiana Street, have yielded a static pressure of 90 (psi) pounds per square inch, a residual pressure of 30 (psi) pounds per square inch and a discharge of 667 (gpm) gallons per minute.

4. 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.

Sanitary Sewer:

5. There is an existing 8-inch diameter sanitary sewer main along Tremont Avenue that is available for service, the sewer main is located approximately 1-ft south from the center line of the right-of-way.

6. The El Paso Water Utilities – Public Service Board (EPWU-PSB) requires a complete set of improvement plans, and grading plans for review and approval prior to any work along Tremont Avenue East of Dakota Street fronting the subject property. This is required in order to ascertain that the proposed improvement and/or grading will not adversely affect the existing eight inch diameter sanitary sewer main.

General:

7. 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.

CITY PLAN COMMISSION OPTIONS

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

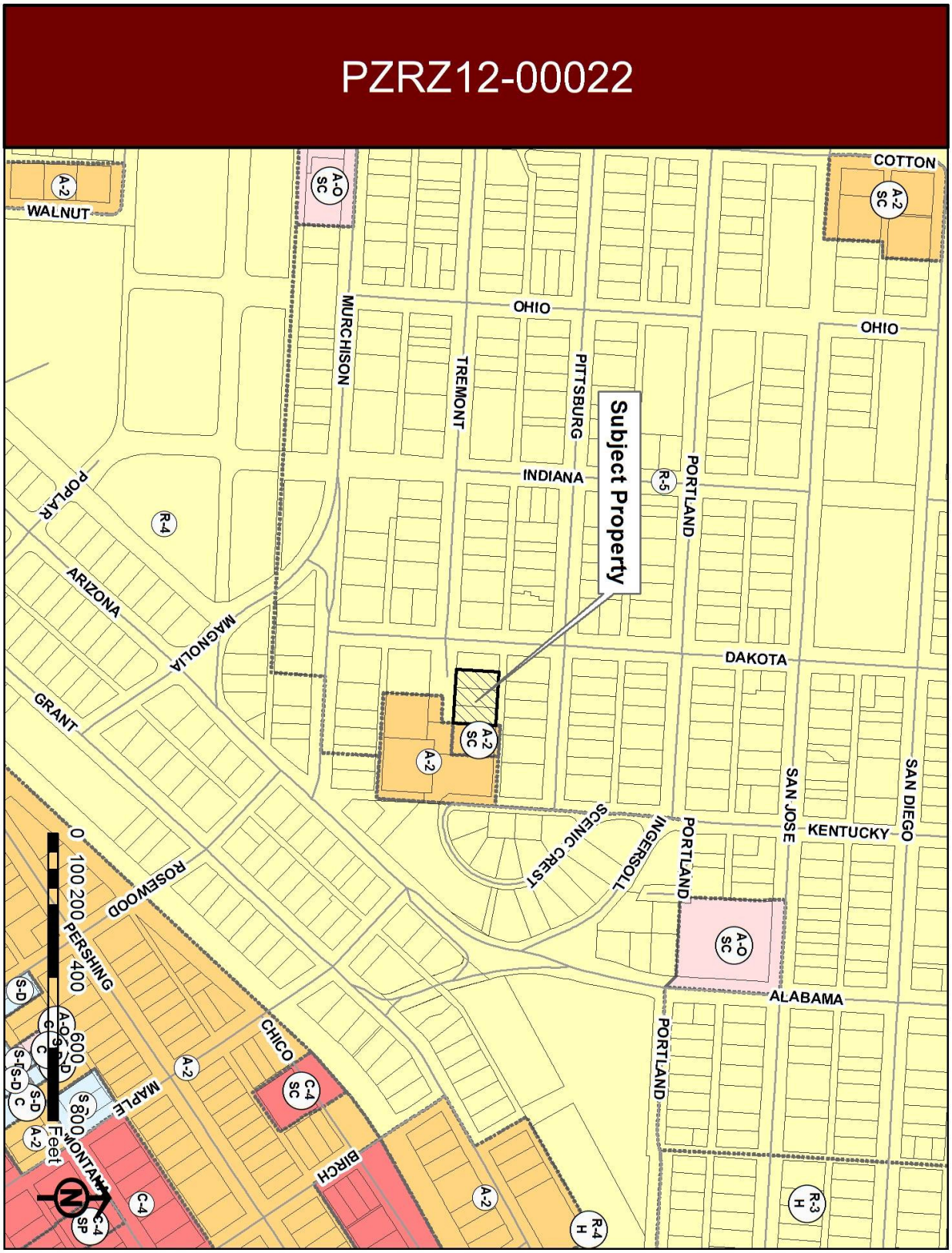
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance 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:

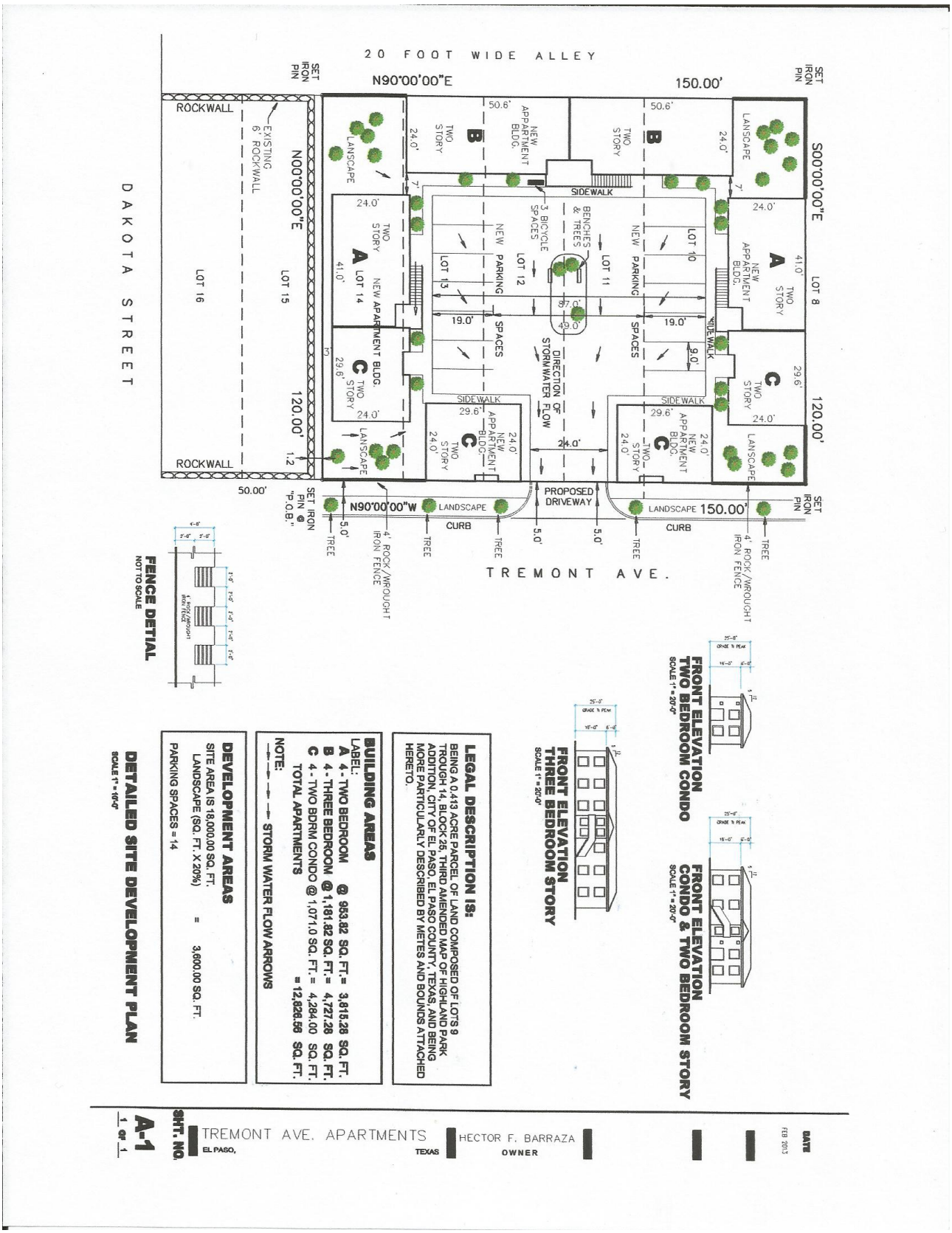
Attachment 1: Zoning Map
Attachment 2: Aerial Map
Attachment 3: Conceptual Site Plan
Attachment 4: Opposition Letter

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: CONCEPTUAL SITE PLAN



ATTACHMENT 4: OPPOSITION LETTER

ARCHITECTURE DESIGN SPECIALTIES CONSTRUCTION MANAGEMENT

HARRY M. FARAH & ASSOCIATES, INC.

MEMBER OF THE AMERICAN INSTITUTE OF ARCHITECTS

2500 SCENIC CREST CIRCLE, SUITE 5 EL PASO, TEXAS 79930-2732
TELEPHONE 915-565-2255 FACSIMILE 915-565-7111 HFARAH1@ELP.RR.COM

17 APRIL 2013

TO: CITY PLANNING COMMISSION
CITY DEVELOPMENT DPT.

FROM: HARRY M FARAH
ABUTTING PROPERTY OWNER

ATTN: MICHAEL MCELROY

REF: PZRZ12-00022 & PZST12-00015
HEARING DATE: APRIL 18, 20013 @ 1:30PM

MESSAGE: ORIGINAL DATE OF HEARING: APRIL 16, 20013. DUE TO THIS CONTINUING CHANGE OF DATES, I AND MY REPRESENTATIVE ED HAMLYN, WILL BE OUT OF THE COUNTRY ON 18-25 APRIL 2013. AFTER REVIEWING THE SUBMITTED SITE PLAN FROM HECTOR BARRAZA, OWNERS AT 2500 SCENIC CREST CIRCLE CONDOMINIUMS AND I WISH SUBMIT A STRONG PROTEST TO "0" SIDE YARD SETBACKS. GRANTING THIS REQUEST WOULD GIVE AN UNFAIR ADVANTAGE TO BARRAZA OVER THE ABUTTING PROPERTY OWNERS, WHO WOULD LATER WISH DEVELOP THE EXISTING UNDEVELOPED PROPERTIES. MR. BARRAZA NEEDS TO SUBMIT A DETAILED SITE DEVELOPMENT PLAN INDICATING HOW HE PLANS TO SUPPORT THE EXPOSED CUT, SOME 18' BELOW THE EXISTING GRADE AT THE PROPERTY LINE BETWEEN LOTS 8 & 9, THE ALLEY NORTH OF HIS LOTS 9-14. THE REQUIRED STRUCTURAL RETAINING WALL FOOTINGS DESIGN; DRAINAGE OF WATER DETAIL; AND THE CONSTRUCTION OF THE EXTENSION OF TREMONT STREET EAST OF DAKOTA ST., TO ENABLE BARRAZA TO ACCESS HIS DEVELOPMENT. THE ANGLE OF REPOSE OF EXCAVATED SITE BARRAZA DID IN 1991 HAS BEEN ERODING EVER SINCE. WE DO NOT OBJECT TO THE ZONING CHANGES. BUT '0' SIDE YARDS ARE STRONGLY OPPOSED. PLEASE INDICATE IF A MEETING WITH YOUR DPT. BEFORE THE MAY 7, 2013 COUNCIL HEARING WOULD BE APPROPRIATE.

THANK YOU FOR ATTENTION TO THIS REQUEST

HARRY M FARAH, AIA,NCARB

Petition Against Re-zoning

Case PZRZ12-00022

Dean Andrew Salloum,

I would like to petition against the request regarding case number PZRZ12-00022, requesting to change the zoning from R-5 to S-D. My concerns are how the rezoning will affect property taxes, an increase in area traffic, and decreased land value. There is no indication on the size of the proposed apartment complex, leaving me to question how parking space will be managed in this narrow street neighborhood.

Please, I ask that these concerns be addressed prior to one person building an apartment complex in this neighborhood.

Thank you,

Guillermo and Erika Reves
2319 Tremont
El Paso, TX 79930