



City of El Paso – City Plan Commission Staff Report
REVISED

Case No: PZRZ15-00005
Application Type: Rezoning
CPC Hearing Date: May 7, 2015
Staff Planner: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location: 851 Thorn Avenue
Legal Description: Portion of Lot 18, Block 26, Regal Crest Unit 5 Replat “A”, City of El Paso, El Paso County, Texas
Acreage: 2.84 acres
Rep District: 1
Existing Zoning: R-3 (Residential)
Existing Use: Church
C/SC/SP/ZBA/LNC: LNC: Non-conforming monument sign in R-3 (Residential) zoning district
Request: From R-3 (Residential) to R-MU (Residential Mixed Use)
Proposed Use: Church and Apartments
Property Owner: Grace Baptist Church
Representative: Tom Aber

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Single-family dwellings
South: R-3 (Residential) / Single-family dwellings
East: R-3A (Residential) / Single-family dwellings
West: R-3 (Residential) / Single-family dwellings

PLAN EL PASO DESIGNATION: G-3, Post-War (Northwest Planning Area)

NEAREST PARK: Three Hills Park (758 feet)

NEAREST SCHOOL: Rosa Guerrero Elementary (1,648 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association
Coronado Neighborhood Association
Save the Valley

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 15, 2015. The Planning Division received one letter (Attachment 5) and a petition with 67 signatures in opposition (Attachment 6).

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-3 (Residential) to R-MU (Residential Mixed-Use) and approval of a Master Zoning Plan (MZP) Report. The proposed district includes an existing church and a proposed apartment complex inclusive of 24 dwelling units. The proposed apartment square footage totals 18,606 square feet. The mix of uses proposed is detailed in the Master Zoning Plan Report (Attachment 4). A shared use playground is provided between the church and the proposed apartments. The development requires 46 spaces, and proposes 47, to include two ADA and three bicycle spaces. The development proposes 8,581 square feet of new landscaping, in addition to the new installation of street trees

parallel to Thorn. Vehicular access is proposed from Thorn Drive.

ANALYSIS

20.10.360(G)

Residential, General and Industrial Mixed Use Districts (R-MU, GMU and IMU). Uses permitted in a mixed-use development are as approved by city council through a master zoning plan. A mixed-use development may be authorized to encourage use schemes such as but not limited to, residential, entertainment, medical, and employment centers. The following principles and requirements shall apply to a mixed-use development and shall serve as the basis for approval of a master zoning plan.

1. General Design Principles. These design principles shall serve as guidelines only, and compliance with any guideline within a mixed-use development shall be determined on a case by case basis as part of the master zoning plan and mixed use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design guidelines.
 - a. Development Perspective.
 - i. That the natural infrastructure and visual character of the development area be retained as derived from existing topography, riparian corridors and other environmentally sensitive areas.
 - ii. That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods.
 - iii. That proposed development contiguous to urban areas be organized as town centers and neighborhoods, and be integrated with the existing urban pattern.
 - iv. That proposed development noncontiguous to urban areas be organized in the pattern of an isolated community consisting of a complete town center serving the neighborhood(s).
 - v. That a mixture of housing types and densities be distributed throughout the mixed-use development.
 - vi. That transportation corridors be planned and reserved in coordination with land use patterns.
 - vii. That natural or man-made green corridors and open space areas be used to define and connect neighborhoods to other facilities within the development, and that these areas allow for connectivity outside of the development where feasible.
 - viii. That the development include a framework of transit, pedestrian and bicycle systems that provide alternatives to the automobile.
 - ix. That neighborhoods with town centers be the preferred pattern of development and that developments specializing in single use be discouraged.
 - x. That neighborhoods be compact, pedestrian-friendly, and mixed use.
 - xi. That ordinary activity of daily living occurs within walking distance of most dwellings.
 - xii. That interconnected networks of streets be designed to disperse and reduce the length of vehicle trips.
 - xiii. That within neighborhoods, a range of housing types and price levels be provided to accommodate people of diverse ages and incomes.
 - xiv. That appropriate building densities and land use be provided within walking distance of transit stops.
 - xv. That civic, institutional and commercial activity be embedded, and not isolated, in the development.
 - xvi. That a range of open space including parks, squares, and playgrounds be distributed within the development.
 - xvii. That a development have sufficient size to accommodate the mixed-use concentration of uses.
 - b. Building Perspective.
 - i. That buildings and landscaping contribute to the physical definition of streets as

- civic places.
- ii. That the design of streets and buildings reinforce safe environments.
- iii. That architecture and landscape design grow from local climate, topography, history and building practice.
- iv. That public gathering spaces be provided in locations that reinforce community identity.
- v. That the preservation and renewal of historic buildings be facilitated.
- vi. That principal buildings and facades, where possible, be located parallel to the frontage line to encourage a community-friendly environment.

The applicant complies with Section 20.10.360(G)(1)

2. General Design Elements. A mixed-use development is characterized by any combination of the design elements described below. These design elements shall serve as guidelines only, and compliance with any design element within a mixed-use development shall be determined on a case-by-case basis as part of the master zoning plan and mixed-use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design elements.
 - a. Neighborhoods limited in size and oriented toward pedestrian activity.
 - b. A variety of housing types, jobs, shopping, services, and public facilities.
 - c. Residences, shops, workplaces, and other buildings interwoven within the neighborhood, all within close proximity.
 - d. A network of interconnecting streets and blocks that maintain respect for the natural landscape.
 - e. Natural features and undisturbed areas that are incorporated into the open space of the neighborhood.
 - f. A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles.
 - g. Well-configured squares, plazas, greens, landscaped streets, preserves, greenbelts, or parks dedicated to the collective social activity, recreation, and visual enjoyment of the neighborhood.
 - h. Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
 - i. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character and landscaping to establish a livable and harmonious environment.
 - j. Classification of uses deploying a range from rural-to-urban to arrange in useful order the typical context groupings of natural and urban areas to ensure compatibility of land uses.

The applicant complies with Section 20.10.360(G)(2)

3. Architectural Objectives. As part of the review of the mixed-use development plan the architectural design shall achieve the following objectives:
 - a. Architectural compatibility;
 - b. Human scale design;
 - c. Integration of uses;
 - d. Encouragement of pedestrian activity;
 - e. Buildings that relate to and are oriented toward the street and surrounding buildings;
 - f. Residential scale buildings in any mixed residential area;
 - g. Buildings that contain special architectural features to signify entrances to the mixed-use development; and
 - h. Buildings that focus activity on a neighborhood open space, square or plaza.

The applicant complies with Section 20.10.360(G)(3)

4. Roadway Design. The roadway designs, whether public or private, used within a mixed-use development may vary depending on the proposed function of the roadway, the anticipated land uses, and the anticipated traffic load. A variety of designs to lend character to the neighborhood are encouraged. The requirements of Title 19 (Subdivisions) of this Code shall apply in all instances.

20.10.360(G)(4) is not applicable to the proposed development.

5. Parking. The off-street parking requirements in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall apply for purposes of calculating required spaces. Community-parking facilities or shared parking shall be encouraged in lieu of traditional off-street parking design. This concept would permit the collocation of required parking for individual uses in order to promote pedestrian activity within the neighborhood. In instances where shared parking is proposed, a shared parking study shall be reviewed by the city along with any traffic engineering and planning data that are appropriate to the establishment of parking requirements for the uses proposed. A shared parking study shall include, but not be limited to, estimates of parking requirements based on recommendations in studies such as those from the Urban Land Institute, the Institute of Traffic Engineers, or the Traffic Institute, and based on data collected from uses or combinations of uses that are the same or comparable to the proposed uses. The shared parking analysis shall be based on the mixture of uses and corresponding peak demand for all uses. The study shall document the source of data used to develop recommendations.

The development requires 46 spaces, and proposes 47, to include two ADA and three bicycle spaces.

6. Setbacks. Properties within a mixed-use development shall be allowed zero setbacks for all uses, unless otherwise required by the city council as part of the review of the master zoning plan.

The applicant complies with Section 20.10.360(G)(6)

7. Landscaping. Uses within a mixed-use development shall not be required to conform to the landscaping requirements of Title 18 (Building and Construction) of the El Paso City Code. Landscaping, streetscape, and other green areas proposed within the mixed-use development shall be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

The development proposes 8,581 square feet of new landscaping, in addition to the new installation of street trees parallel to Thorn, in conformance with the requirements of new construction in Title 18 of the El Paso City Code.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to R-MU (Residential Mixed Use) and the approval of the Master Zoning Plan. The approval recommendation is based on the compatibility with existing apartment zoning in the area, as well as the developments supplementation of the limited housing stock identified in the G-3 Post-War growth sector in the Northwest Planning Area.

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 R-MU (Residential Mixed Use) district is to provide neighborhood-serving residential and commercial land uses, provide service to a neighborhood with uses compatible with the residential areas that the uses serve, and to allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

COMMENTS:

Planning and Inspections Department- Planning Division - Transportation

Recommend approval. A TIA is not required. 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.

Planning and Inspections Department – City Development & Permitting

No objections.

Planning and Inspections Department - City Development & Permitting- Landscape

No objections.

Planning and Inspections Department - Land Development

No objections.

Fire Department

Recommend approval.

El Paso Water Utilities

EPWU does not object to this request.

EPWU-PSB Comments

Water:

1. There is an existing 12-inch diameter water main that extends along Thorn Ave. located approximately 10 feet north of the right-of-way centerline. This main is available for service.
2. Previous water pressure tests from fire hydrant #4871 located at the northeast corner of Thorn Ave. and Bishop Flores Dr., have yielded a static pressure of 120 (psi) pounds per square inch, a residual pressure of 115 (psi) pounds per square inch, and a discharge of 1244 (gpm) gallons per minute.
3. 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
4. EPWU records indicate an active 3/4-inch water meter serving the subject property. The service address for this meter is 851 Thorn Ave.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along Thorn Ave. located approximately 5 feet south of the right-of-way centerline. This main is available for service.

General:

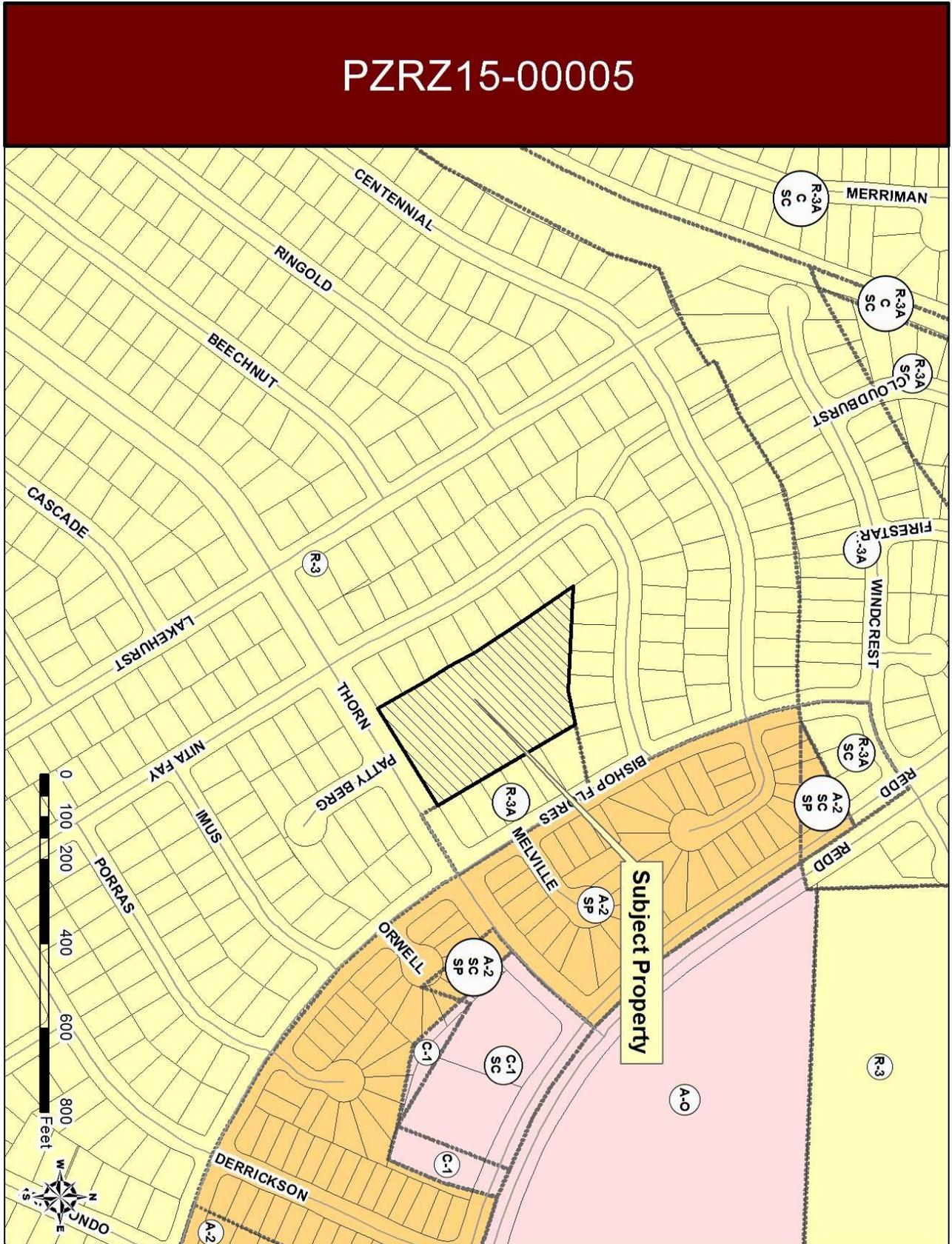
EPWU-PSB requires a new service application to provide additional services. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with 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.

Attachments:

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Master Zoning Plan (MZP)
- Attachment 4: Master Zoning Plan (MZP) Report
- Attachment 5: Opposition Letter
- Attachment 6: Opposition Petition

ATTACHMENT 1: ZONING MAP

PZRZ15-00005

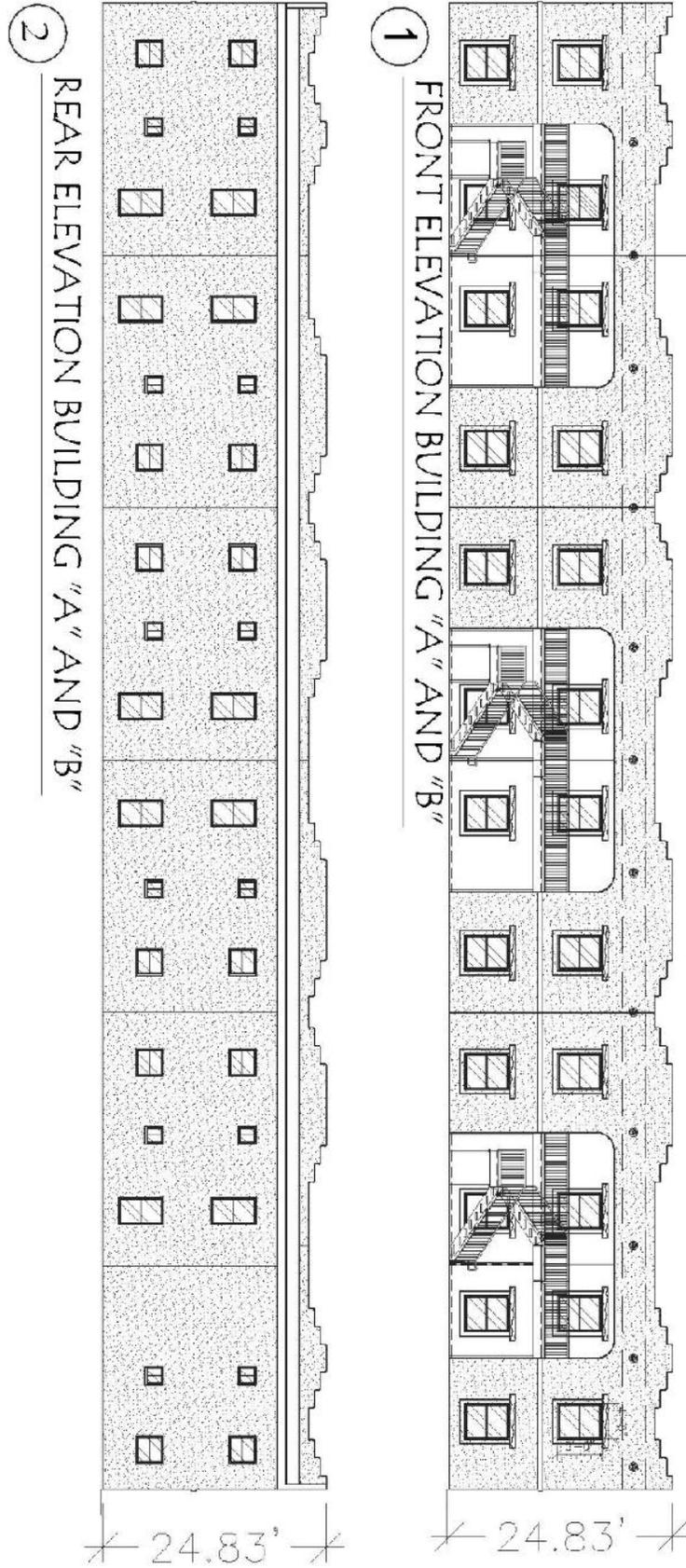


ATTACHMENT 2: AERIAL MAP

PZRZ15-00005



ATTACHMENT 3: MASTER ZONING PLAN (MZP) CONTINUED



ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT

Aber Construction LLC.

6616 Wind Ridge DR

El Paso, TX 79912

Master Zoning Plan for a Residential Mixed Use District 851 Thorn Ave. Grace Baptist Church

Purpose and Intent:

The purpose of this proposed development is to build an apartment complex consisting of two apartment buildings, parking spaces, and a common playground behind Grace Baptist Church.

Objective:

The complex will consist of two buildings. Each building will be two stories.
Building "A" will be 9874 sq. ft. of living area consisting of 12 residential units.
Building "B" will be 8732 sq. ft. of living area consisting of 12 residential units.

Access:

The proposed Apartment Complex will have an entrance and exit access drive to Thorn Ave. with a 90 ft diameter cul-de-sac for fire truck turnaround and a 24 ft. wide roadway.

Setbacks:

The building's rear setback will be 17.95' feet only at corner of building "A" but we use this area for parking spaces for privacy of the single family homes.

The building's west side setback will be more than 20.7' feet with new 6' rock wall at 13.99' approx. of property line for privacy of the single family homes.

East side setback will be 13.67' feet

Front setback is 101.05', and will not be changed.

Density: Entire site is 2.82 acres we provide 24 apartment units, the density is 8.57 units an acre

Landscaping: The proposed landscaping, amenities and other green areas proposed within this development will be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

LANDSCAPE CALCULATION

(56518 SF.) CHURCH AREA
(66510 SF.) APARTMENTS AREA
LOT APARTMENTS AREA 66510 SF
- BUILDINGS AREA 9303 SF
<hr/>
57,207 SF
X 0.15
<hr/>
LANDSCAPE AREA REQ. = 8581.05 SF
LANDSCAPE AREA AVAILABLE = 15813 SF

Parking: There will be 47 Parking spaces for the new apartments. The Church's parking spaces will remain the same.

Phasing: The project will be built in one phase in its entirety.

Time of construction: 9 to 12 months

**CONTACT TO : TOM ABER (915) 478-3132
aberconstruction@sbcglobal.net**

ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)

Aber Construction LLC.

6616 Wind Ridge DR

El Paso, TX 79912

Floor Area Ratio calculation: 26,459 SF total construction area (church and apartments) / 123,028 SF total lot area = 0.22 floor Ratio

I. Relationship with Plan for El Paso:

This District will enhance the neighborhood's economic and social vitality, and help meet the affordable housing needs of El Paso.

851 THORN MIX USE TABLE							
Use	Minimum Lot Area	Lot Coverage		Minimum Lot Width	Minimum Lot Depth	Max Building Height	
		Minimum Lot Coverage	Maximum Lot Coverage			Primary Structure	Accessory Structure
Art Gallery	2,500 sq. ft.	n/a	n/a	25'	30'	30'	30'
Child Daycare	3,600 sq. ft.	n/a	n/a	25'	40'	30'	30'
Community Recreation	3,600 sq. ft.	n/a	n/a	25'	40'	30'	30'
Offices	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Professional services offices	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Outpatient clinic	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Schools	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Barber shop	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Beauty salon	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Laundromat	3,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Dry Cleaning	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Deli Type	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Bakery	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Lecture Hall	3,600 sq. ft.	n/a	n/a	30'	40'	40'	30'
Church	3,600 sq. ft.	n/a	n/a	30'	40'	40'	30'
Athletic facility	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Exercise facility	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Open space	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Park/ Playground	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Swimming pool (indoor)	n/a	n/a	n/a	n/a	n/a	45'	35'
Swimming pool	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Tennis Club	n/a	n/a	n/a	n/a	n/a	30'	30'
One Story Single Family Dwelling	2,400 sq. ft.	n/a	n/a	20'	60'	30'	30'
Two Story Single Family Dwelling	2,400 sq. ft.	n/a	n/a	30'	60'	30'	30'

CONTACT TO : TOM ABER (915) 478-3132
aberconstruction@sbcglobal.net

ATTACHMENT 5: OPPOSITION LETTER

From: Jordan, Jeremy
Sent: Tuesday, May 05, 2015 3:40 PM
To: McElroy, Mathew; Gallinar, Carlos; Acosta, Maria D
Cc: books@elpasosports.us; Westin, Cary S.; Niland, Cortney
Subject: Rocio Munoz Rezoning Opposition

Mathew,

Can you provide the details regarding this rezoning please and courses of action to go on record of opposition please.

Ms. Niland,
Good day to you and your staff! I am Rocio Munoz, a resident under your District, my address is 882 Nita Fay (79912) and I am writing this to you for help. Two weeks ago I received a letter in the mail, of a rezoning project for a lot that is directly behind my house, and not only behind mine it is behind about 20 other neighbors. In this lot there is a Baptist church already, and the notice was to announce that there is the possibility of building an apartment complex in the space adjacent to my property. I have all the information for the lot, but I don't have information on the builders or any access to the plans of this complex. I reach to you in hopes that I can get some advice as to what we (the affected residents) can do to prevent this construction in our residential area. The church is exactly on Thorn street a block before you get to Redd road. I know my property will lose value with a construction of this kind next to it, but more importantly I'm really worried about the safety, hygiene and security reasons, we are a safe and well established neighborhood, and I know this type of complex will only bring problems and disturbances. My situation as a single mother, middle class working woman is hard, and I have invested my time and money in my house, I need to protect this asset and the neighborhood I belong in. I have participated in a petition that one of the neighbors requested, but I need to know what else I can do to speak out and exercise our right to vote on issues like these, so I am asking for your assistance or guidance as to what we can do. I greatly appreciate your response and hopefully I can see some options for this issue. I will gather more information on the lot number and what type of information the other neighbors have received. Thank you for your time

*Rocio Muñoz
El Paso Events- Accounting Dept
El Paso County Coliseum
4100 E Paisano Dr
El Paso, TX 79905
915-534-4229*

Jeremy Jordan
Legislative Aide
Rep. Niland, Mayor Pro Tem

ATTACHMENT 6: OPPOSITION PETITION (CONTINUED)

PETITION TO OPPOSE REZONING
CASE NUMBER PZRZ15-00005

To: CITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION (EL PASO)

Owner: GRACE BAPTIST CHURCH

Property Subject to Petition: 851 Thorn Avenue

Proposed Zoning Change: From R-3 to R-MU

We, the undersigned owners of property affected by the requested zoning change described in the above-referenced file do hereby protest against any change, which would rezone the property to any classification other than R-3. This property directly adjoins residential property and we oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We also feel that any change in zoning of this property would negatively affect the value of our homes.

Printed Name	Signature	Address	Date
LOURDES TAMEL	<i>L. TameL</i>	861 Nita Fay	5-2-15
MAPOR TAMEL	<i>M. TameL</i>	861 Nita Fay	5-2-15
John McChomán	<i>John McChomán</i>	866 NITA FAY	5-2-15
JOSE CHANEZ	<i>Jose Chanez</i>	860 NITA FAY	5-2-15
Laura Chanez	<i>Laura Chanez</i>	860 NITA FAY	5-2-15
Tony (Wickie)	<i>Tony Wickie</i>	8715 NITA FAY	5-2-15
ROSE SILVA	<i>Rose Silva</i>	752 NITA FAY	5-2-15
Maria de SILVA	<i>Maria de Silva</i>	752 NITA FAY	5-2-15
JOSE FAYELA	<i>Jose Fayela</i>	748 Nita Fay	5/2/15
LEURA FAYELA	<i>Leura Fayela</i>	748 Nita Fay	5/2/15
Tom Engelbrecht	<i>Tom Engelbrecht</i>	7280 Patty Berg	5/2/15
Bethany Trambler	<i>Bethany Trambler</i>	7284 Patty Berg	5/2/15
William Menapace	<i>William Menapace</i>	7380/7381/7382 Patty Berg	5-2-15
Patricia Menapace	<i>Patricia Menapace</i>	7381 Patty Berg way	5-2-15
William Menapace	<i>William Menapace</i>	7382 Patty Berg way	5/2/15
Patricia Menapace	<i>Patricia Menapace</i>	7380 Patty Berg way	5/2/15
William Menapace	<i>William Menapace</i>	7388 Patty Berg way	5/2/15
Patricia Menapace	<i>Patricia Menapace</i>	7388 Patty Berg way	5/2/15
CHRISTY KENTCHER	<i>Christy Kentcher</i>	7365 Patty Berg way	5/2/15
Orlando Gonzalez	<i>Orlando Gonzalez</i>	7342 Patty Berg	5/2/15
SIDRO NUÑEZ	<i>Sidro Nuñez</i>	7303 Patty Berg	5/2/2015
EMILIA FLORES	<i>Emilia Flores</i>	7388 Bishop Flores	5-2-15
DARDO AVILA	<i>Dardo Avila</i>	7389 Bishop Flores	5-2-15
RODRIGUEZ	<i>Rodriguez</i>	7389 Bishop Flores	5-2-15
Dolores Galvan	<i>Dolores Galvan</i>	852 ORWELL	5-4-15
Rigoberto Hernandez	<i>Rigoberto Hernandez</i>	856 ORWELL WAY	5/4/15
Miriam Ferrer	<i>Miriam Ferrer</i>	854 ORWELL WAY	5/4/15
Carla Wells	<i>Carla Wells</i>	856 ORWELL WAY	5/4/15
Danny Ferrer	<i>Danny Ferrer</i>	859 ORWELL WAY	5/4/15
Alde Madrid	<i>Alde Madrid</i>	857 ORWELL WAY	5/4/15
Angel Ferr	<i>Angel Ferr</i>	853 ORWELL WAY	5/4/15

For questions please call Michael McElroy, AICP, CNU-A at (915) 212-1569 City Development Dept -- Planning Div.

