City of El Paso – City Plan Commission Staff Report
REVISED

Case No:	PZRZ15-00009
Application Type:	Rezoning & Detailed Site Development Plan Review
CPC Hearing Date:	May 7, 2015
Staff Planner:	Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location:	East of Knowles Way and South of Lomaland Drive
Legal Description:	Tract 6C, Block 15, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage:	0.3905 acres
Rep District:	7
Existing Zoning:	R-3 (Residential)
Existing Use:	Vacant
C/SC/SP/ZBA/LNC:	N/A
Request:	From R-3 (Residential) to S-D (Special Development)
Proposed Use:	Apartments
Property Owner:	Christopher Kangur
Representative:	Jesus Jaime

SURROUNDING ZONING AND LAND USE
North: R-F (Ranch Farm) / Church
South: R-4 (Residential) / Vacant
East: R-3 (Residential) / Single-family dwelling
West: R-3 (Residential) / Single-family dwelling

PLAN EL PASO DESIGNATION: G-3, Post-War (Mission Valley Planning Area)
NEAREST PARK: Lomaland Park (952 feet)
NEAREST SCHOOL: Loma Terrace Elementary (3,474 feet)

NEIGHBORHOOD ASSOCIATIONS
Mission Valley Civic Association
Lomaland Neighborhood Association

NEIGHBORHOOD INPUT
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 15, 2015. Four letters in opposition to the rezoning request were received (Attachment 5).

APPLICATION DESCRIPTION
The property owner is requesting a rezoning from R-3 (Residential) to S-D (Special Development) to permit the construction of a six unit apartment complex totaling 8,508 sq. ft. The property is currently vacant. Twelve parking spaces are required and 13 are proposed (six internally), to include ADA and three bicycle parking. The proposed development requires 1,570 sq. ft. of landscaping and proposes 2,733 sq. ft. Access is proposed from Lomaland Drive.

Planning and Inspections Department – Planning Division Recommendation
The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to S-D (Special Development) and approval of the detailed site development plan. The proposed zoning district is consistent with other apartment zoning districts in proximity to the subject property. Furthermore, the proposed development is compliant with the G-3 Post-War land use designation in the Mission Valley Planning Area.

Plan El Paso-Future Land Use Map Designation
All applications for special permit 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 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 and Inspections Department – Planning Division - Transportation
No objections.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Planning and Inspections Department - Land Development
No objection.

Planning and Inspections Department – Plan Review
When reviewed under the 2015 IBC, provisions are provided to allow for the patio separation distance to be measure to the centerline of the street so long as 1 hour fire rating is provided to any portion of the building less than five feet from the property line. Compliance with rating to be verified at the time of building permit submittal.

Planning and Inspections Department - Landscaping
No objection. At the time of submittal for building permits project will need to comply with all provisions of Title 18.46 as applicable.

El Paso Fire Department
Recommend Approval w/ Condition. Rear Building shall be provided with fire sprinkler protection systems or comply with the following. Please coordinate with EPFD Plan review to ensure appropriate access is provided per section SECTIONS 503 Fire Apparatus Access Roads and 504 - ACCESS TO BUILDING OPENINGS AND ROOFS Recommend "APPROVAL" of "Application" as presented. PZRZ15-00009 ******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 the following sections of the fire code; Chapter 5 Fire Service Features, and Appendix D Fire Apparatus Access Roads, Please note: Fire Protection Systems are not being reviewed at this time "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". The Fire Planning Division has reviewed the submitted "Detailed Site Plan Application" as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES comply within the zoning regulations. Please note: Section 503 –

Fire Apparatus Access Roads 503.1.1 Buildings and facilities. Approved Fire Apparatus Access Roads…..shall extend to within 150 feet of all portions of a facility….by an approved route around the exterior of the building or facility. SECTION 504 - ACCESS TO BUILDING OPENINGS AND ROOFS 504.1 Required access. Exterior doors and openings required by this code or the International Building Code shall be maintained readily accessible for emergency access by the fire department. An approved access walkway leading from fire apparatus access roads to exterior openings shall be provided when required by the fire code official.

El Paso Water Utilities

EPWU does not object to this request.

Water

Along Lomaland Drive fronting the subject Property there is an existing eight (8) inch diameter water main. This main is available for service. Previous water pressure readings conducted on fire hydrant number 2848 located along Lomaland drive at Halloway Street have yielded a static pressure of 100 pounds per square inch (psi), residual pressure of 84 psi, discharge of 1,186 gallons per minute (gpm). 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 Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer

Along Lomaland Drive fronting the subject Property there is an existing six (6) inch diameter sanitary sewer main. This main dead-ends at approximately 390 feet west of the Juan De Herrera Lateral. This main is available for service. The depth of this sanitary sewer main varies from three (3) feet to four (4) feet approximately along the frontage of the subject Property. A private lift station may be required to provide service.

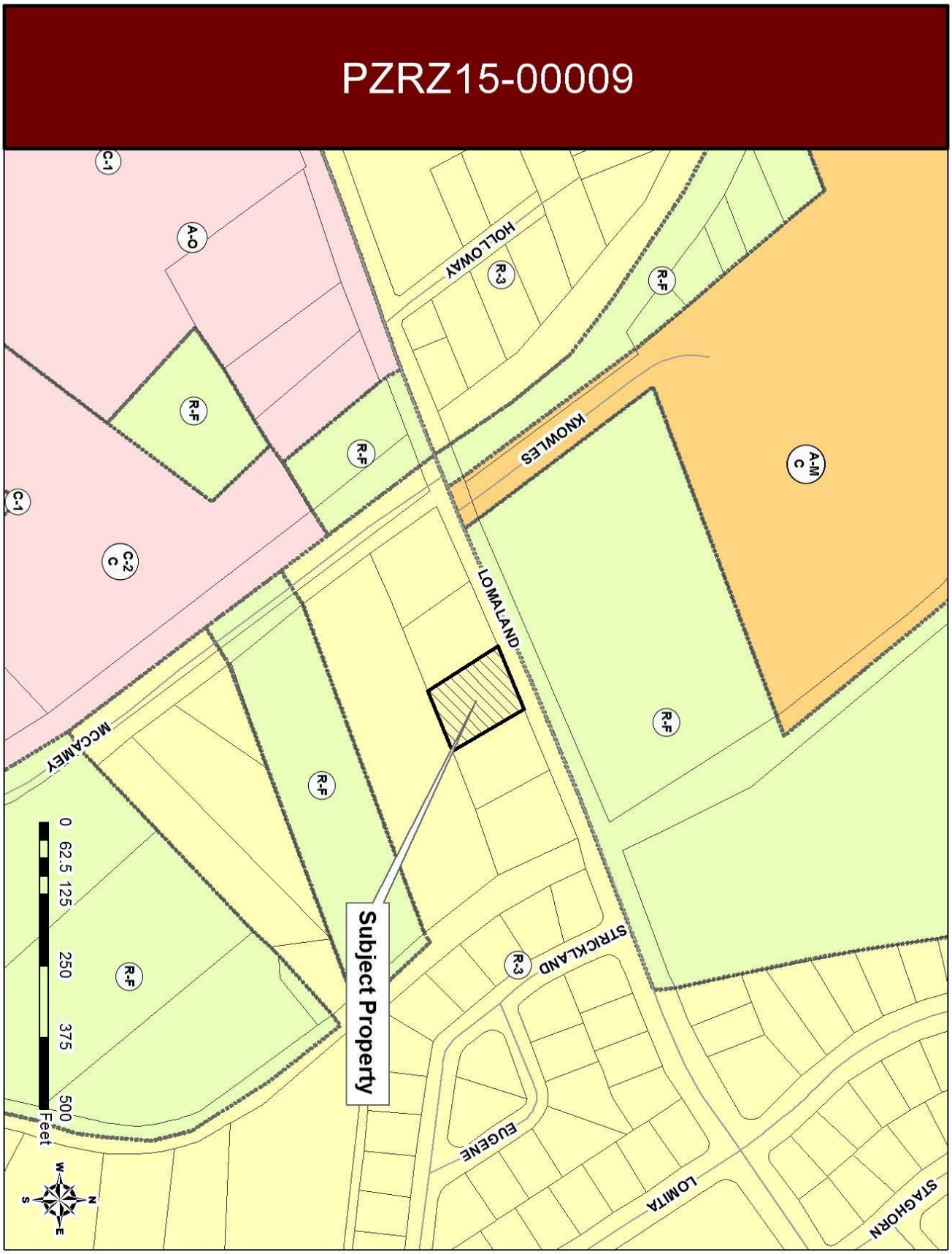
General

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. 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.

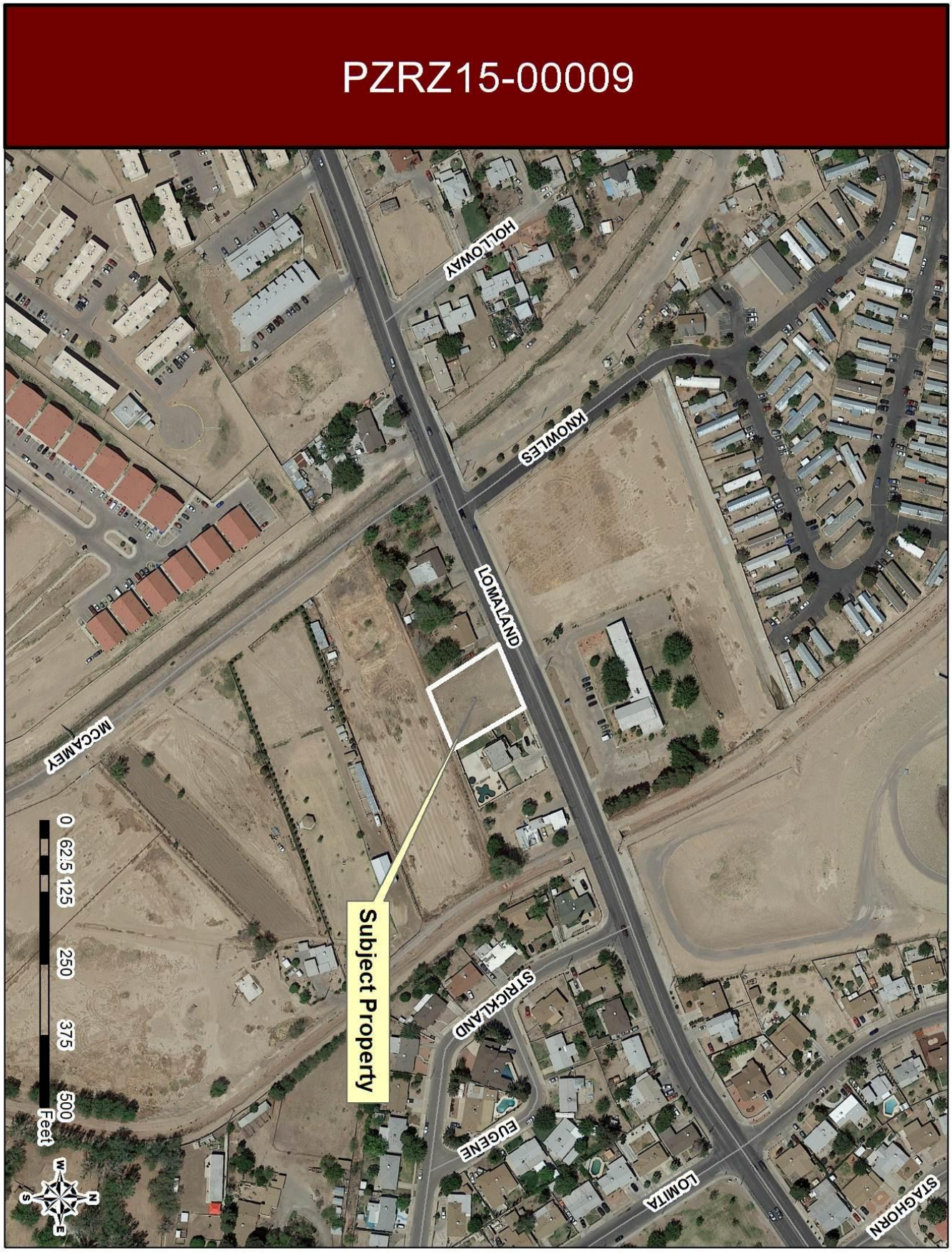
Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Opposition Letters

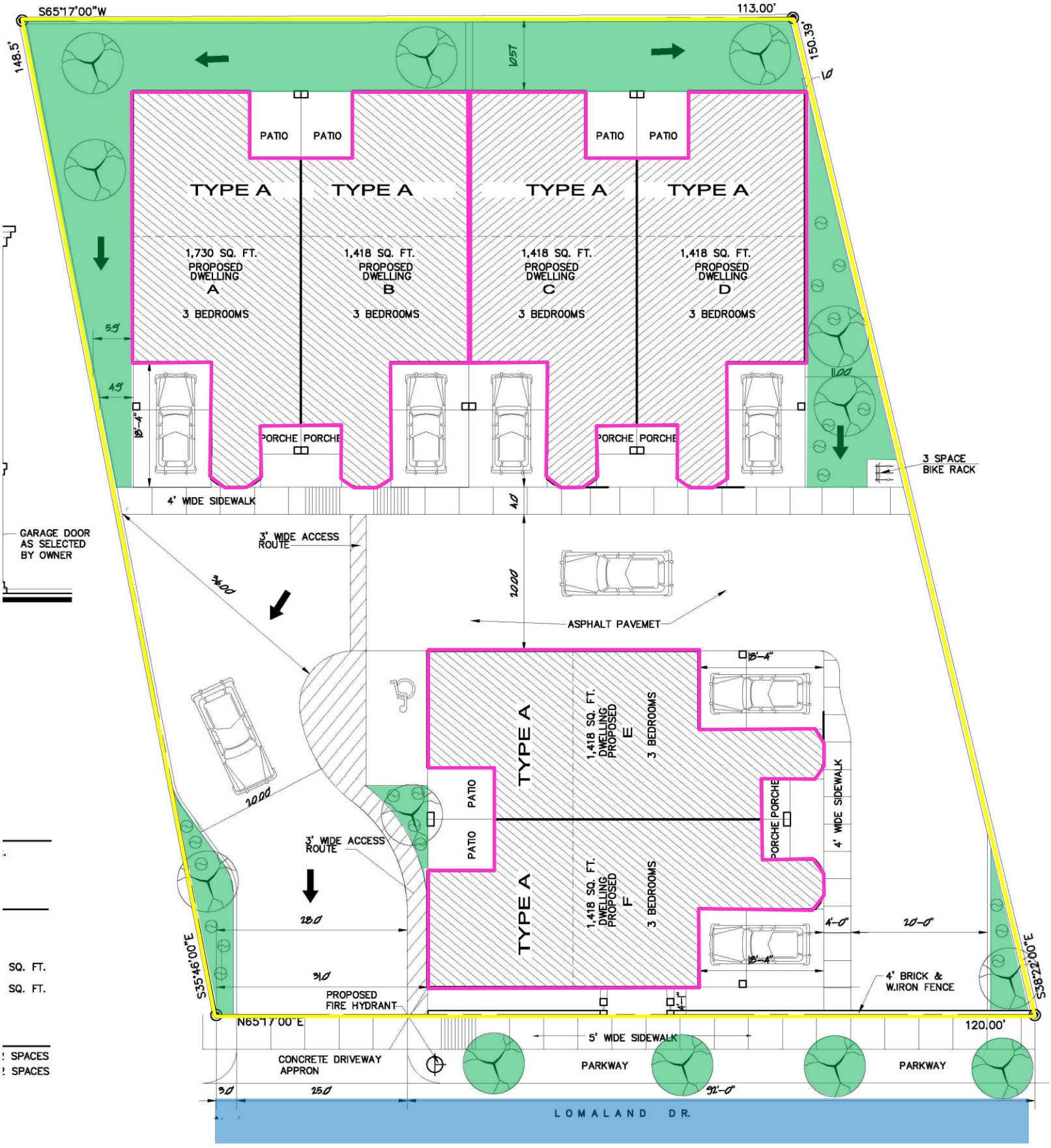
ATTACHMENT 1: LOCATION MAP



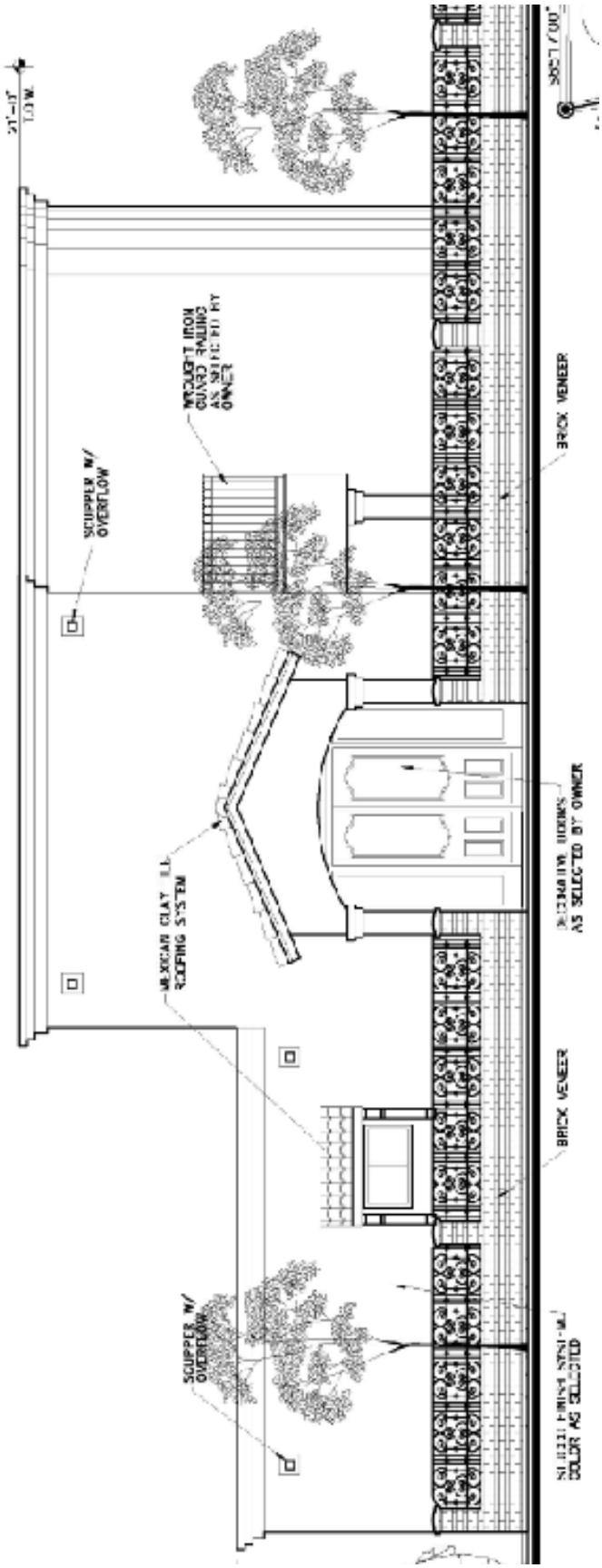
ATTACHMENT 2: AERIAL MAP

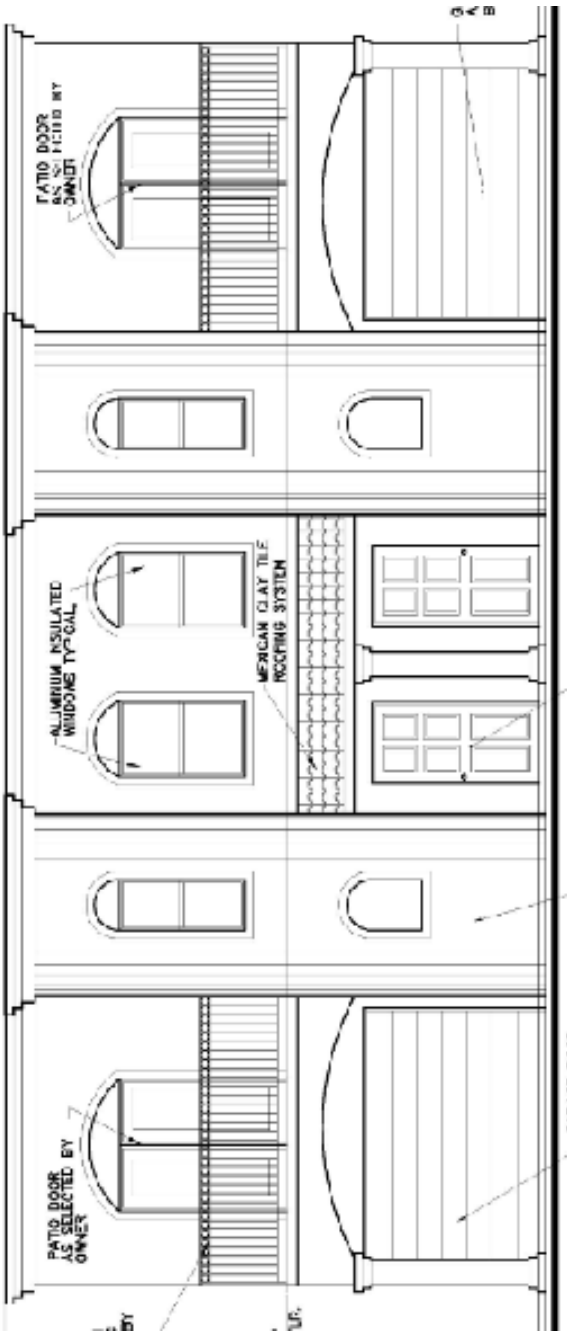


ATTACHMENT 3: DETAILED SITE PLAN



ATTACHMENT 4: ELEVATIONS





From: Jorge Nunez
To: McElroy, Michael
Subject: Rezone Concern
Date: Thursday, April 16, 2015 8:22:10 PM

My name is Jorge Nunez. I live at 644 Lomaland. My first question is if Mr. Kangur is planning to build these apartments in the lot that is in between my house and my neighbors house? If this is the case I'm opposed to that plan, I do not agree that it should be rezoned for that purpose. There are too many apartments already. There are several mobile home parks and public housing communities. These apartments would be an eyesore in between these two residential homes. Additionally, it would also bring the value of our homes down. This lot should be for residential and for one house to be built in that particular lot. Therefore, I am strongly against rezoning the lot and these apartments being built.

I thank you for your consideration and would greatly appreciate updates in regards to this matter.

Your Truly,
Jorge Nunez

From: Sally Duran
To: McElroy, Michael
Subject: Case No. PZRZ15-00009
Date: Sunday, April 26, 2015 3:32:17 PM

Dear Mr. McElroy,

My name is Celia C. Duran. I reside at 600 Lomaland Dr. I want to respectfully request that the property from the case number PZRZ15-00009 not be zoned for the purpose of building apartments. My home is directly in front of this property and to the left of this lot is The Valley Pines Mobile Home Park. There has been an increase of traffic ever since this mobile park was built. Along with the increase of traffic, there has been numerous accidents involving residents of this mobile home park because other drivers do not acknowledge their signal or brake lights when approaching the entrance, bus drivers constantly honk at drivers disregarding their stop signs and red flashing lights while dropping off students in the area, the traffic noise is unbearable making it difficult for one to get a good nights sleep, I have had my fence and my mailbox knocked down and have had speeding cars jump the curb almost hitting my house on a few occasions.Thank you for your time and I hope you put my concerns into consideration.

Cordially,
Celia C. Duran
600 Lomaland Dr.
El Paso, Tx. 79907

RECEIVED
4/30/15

Jesus Tirrez & Associates, P.C.
Attorney and Counselor at Law
1301 South IH 35 Suite 307
Austin, Texas 78741

Telephone number 512-326-1330
Telecopier number 512-275-0275

McElroyMS@elpasotexas.gov

April 27, 2015

Planning and Inspections Department
c/o Planning Division
P.O. Box 1890
El Paso, Texas 79950-1890

Re: Case No. PZRZ15-00009
Date May 7, 2015
Time 1:30 p.m.
Place City Council Chamber, 1st Floor, City Hall, 300 N. Campbell Street, El Paso, Texas

To Whom It May Concern:

Please be advised we have been retained to represent the family who lives at 616 Loma land, Drive, El Paso, Texas 79907.

The property is located next door to the subject property requesting a change in zoning.

My clients family has lived at 616 Loma land Drive since April of 1970 when the home was built. The homes in this section of Loma land have always been single family homes. Any change would be detrimental to the neighborhood, and is strongly opposed by all the surrounding neighbors.

Should you wish additional information please contact me

Very truly yours,

Jesus Tirrez
Attorney at Law

From: Duran, Naomi (N.)
To: McElroy, Michael
Subject: New Apartments on Lomaland Drive
Date: Thursday, May 07, 2015 8:55:50 AM

Dear Sir or Madam,

With regards to the proposal to build new apartments on Lomaland Drive, just north of North Loop, I would like to submit a request for denial. Although I no longer live in the residence, I grew up in a house on Lomaland, in which my mother currently resides, and visit often. I can tell you first-hand that traffic is very heavy on this road, and has become even more so as the years have past. This particular area of Lomaland is especially congested with the mobile home park on the West side of the street and because of several city bus stops. In addition, I have witnessed the issues that school buses have with this heavy traffic and congestion, as well as the unavailability of a safe spot on the street or sidewalk for kids to wait for the bus. The addition of new apartments will only add to this congestion and increase the safety risk.

Another point to consider is that the area being proposed is a typical residential site. For the most part, these are random houses with areas of farmland behind them. Every summer this land has to be irrigated. This presents another safety issue and a liability risk, especially if the residents moving into the apartments have children. The apartments will be flanked by two irrigation ditches.

I would also like to make an appeal on behalf of the residents who currently reside on Lomaland and have had to adapt to the increase in traffic, noise, and crime that has increased in the area over the years as more and more residences have been set up. The inconveniences have come through no fault of their own, other than the fact that they have always lived in these houses and have no interest in relocating because these have become generational homes.

Thank you,
Naomi Duran