City of El Paso – City Plan Commission Staff Report
REVISED

Case No:	PZRZ13-00017
Application Type	Rezoning
CPC Hearing Date	July 11, 2013
Staff Planner	Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov
Location	North of Album and East of McRae
Legal Description	Tract 1-D-1, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas
Acreage	0.31 acres
Rep District	3
Zoning	R-3 (Residential)
Existing Use	Vacant
Request	R-3 (Residential) to C-1 (Commercial)
Proposed Use	Retail / Office
Property Owner	LUCMOR, LLC
Representative	T.J. Karam

SURROUNDING ZONING AND LAND USE
North: R-3 (Residential) / Single Family Residential
South: R-3 (Residential) / Single Family Residential
East: R-3 (Residential) / Single Family Residential
West: C-1 (Commercial) / Convenience Store / Gas Station

PLAN EL PASO DESIGNATION: G-3, Post-War (East Planning Area)
NEAREST PARK: Eastwood Park (2,436 feet)
NEAREST SCHOOL: Scotsdale Elementary (1,049 feet)

NEIGHBORHOOD ASSOCIATIONS
Eastside Civic Association

NEIGHBORHOOD INPUT
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 24, 2013. The Planning Division received one letter in opposition to the rezoning request.

APPLICATION DESCRIPTION
The property owner is requesting a rezoning from R-3 (Residential) to C-1 (Commercial). The proposed use is for retail and office purposes. Access to the subject property is proposed from both Album and McRae.

PLANNING DIVISION RECOMMENDATION
The Planning Division recommends **approval** of the rezoning from R-3 (Residential) to C-1 (Commercial) with the following condition:

1. A detailed site plan be approved per City Code before the issuance of building permits.

Plan El Paso-Future Land Use Map Designation
All applications for special permit 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 face 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 C-1 (Neighborhood Commercial) district is to provide compatible neighborhood convenience goods and services that serve day-to-day needs. Permit locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

COMMENTS:

Planning Division - Transportation
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.

City Development Department – Plan Review
No objections. Landscape shall be required when applicant applies for building permit.

City Development Department - Land Development
No objection to the proposed rezoning. 1. Location and arrangement of driveways shall be reviewed and approved by the El Paso Department of Transportation and Texas Department of Transportation due to the proximity to the signalized intersection of McRae and Album. Note: 1. Access and improvements to McRae shall be coordinated and approved by TxDOT. 2. 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.

Fire Department
No objections

El Paso Water Utilities
EPWU does not object to this request.

EPWU-PSB Comments

Water:
Along Album Street between Mc Rae Boulevard and Fir Street there is an existing twelve (12) inch diameter water main.

Along Mc Rae Boulevard between Album Street and Lockerbie Street there are no existing water mains.

Previous water pressure readings conducted on fire hydrant number 117 located at the corner of Album Street and Fir Street have yielded a static pressure of 60 pounds per square inch (psi), residual pressure of 56 psi, discharge of 856 gallons per minute (gpm).

Sanitary Sewer:
Along Album Street between Mc Rae Boulevard and Fir Street there is an existing twelve (12) inch diameter sanitary sewer main.

Along Mc Rae Boulevard between Album Street and Lockerbie Street there are no existing sanitary sewer mains.
General
Mc Rae Boulevard is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Mc Rae Boulevard right-of-way requires written permission from TxDOT.

If the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

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.

CITY PLAN COMMISSION OPTIONS

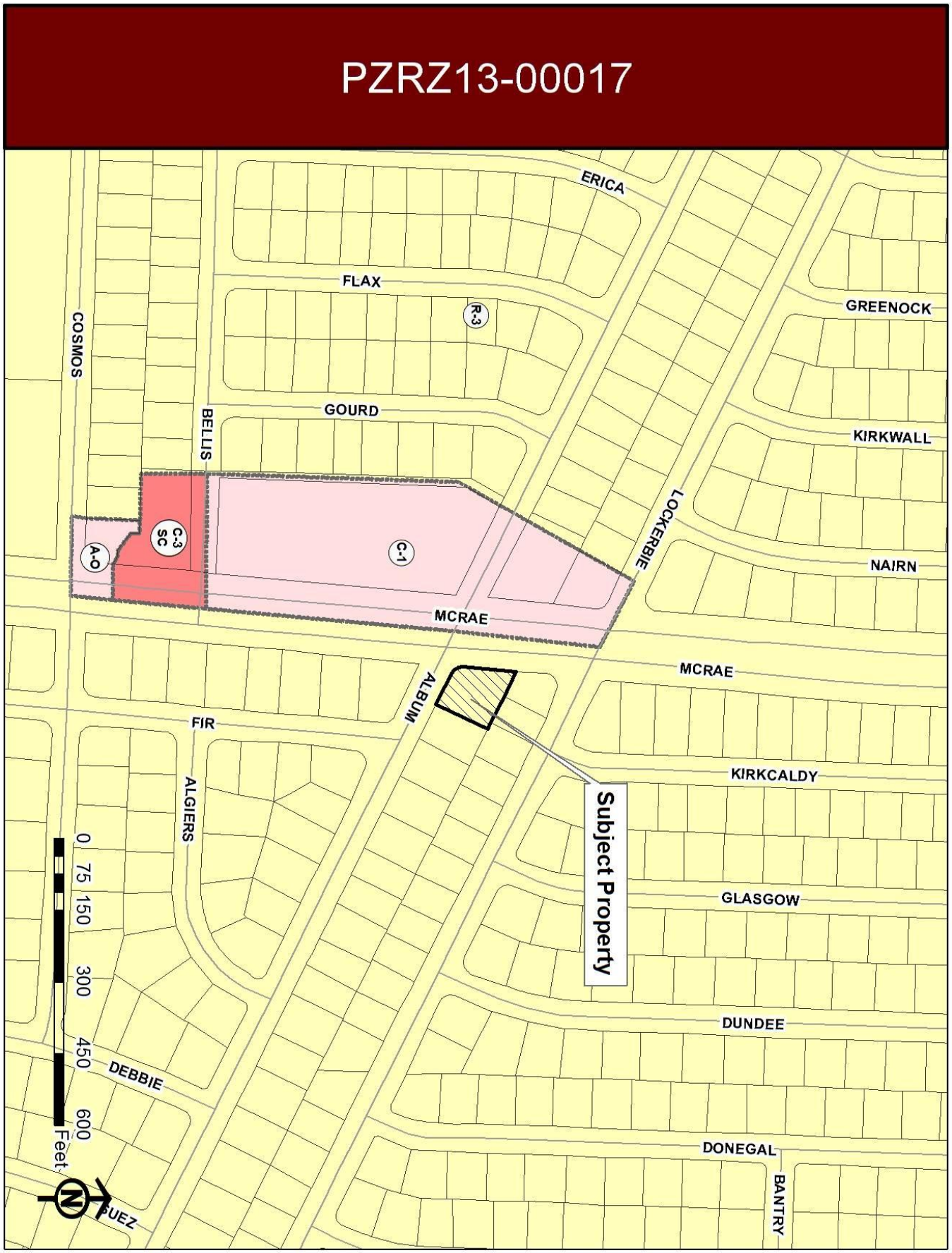
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

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 from the Plan by the CPC.

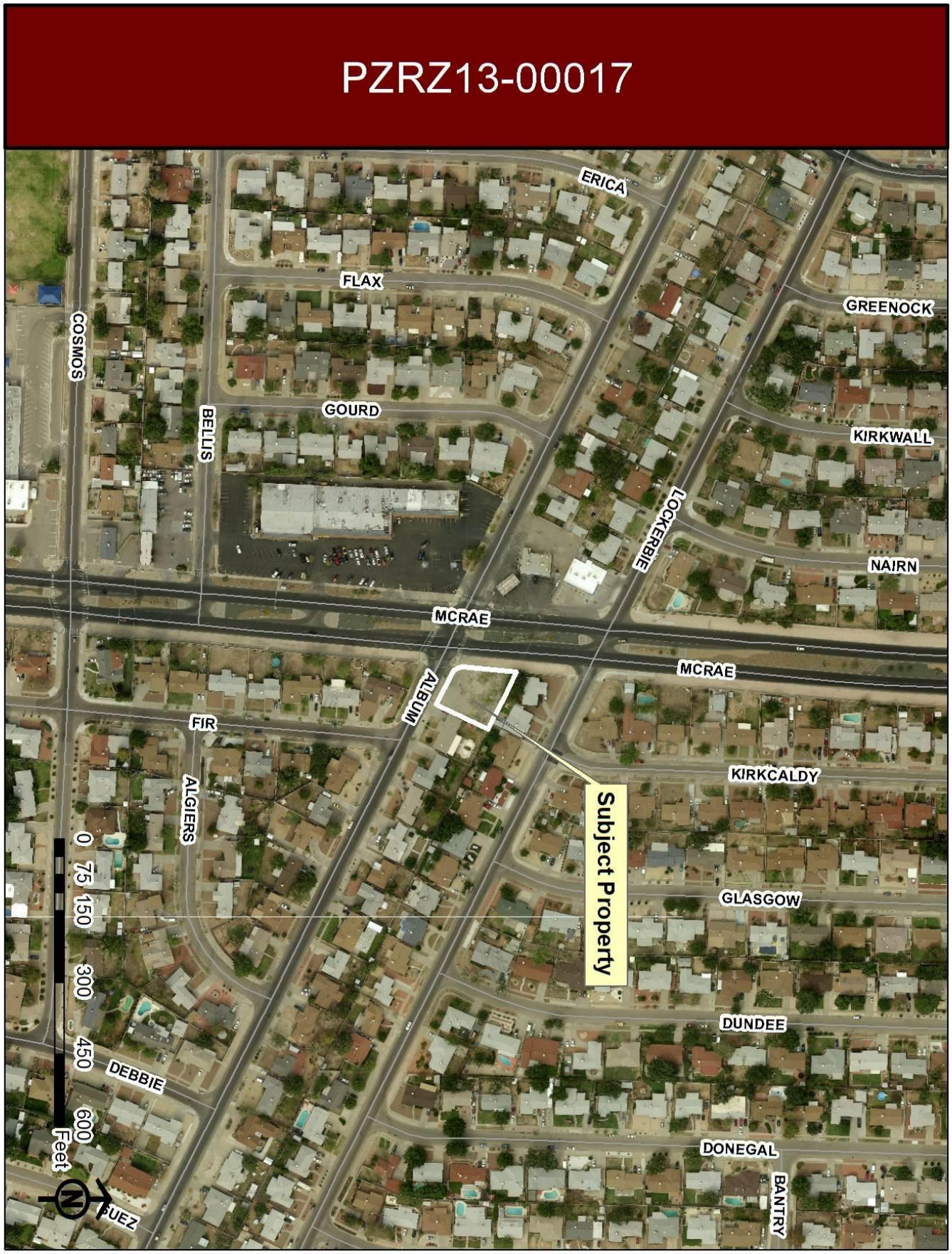
Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Opposition Letter

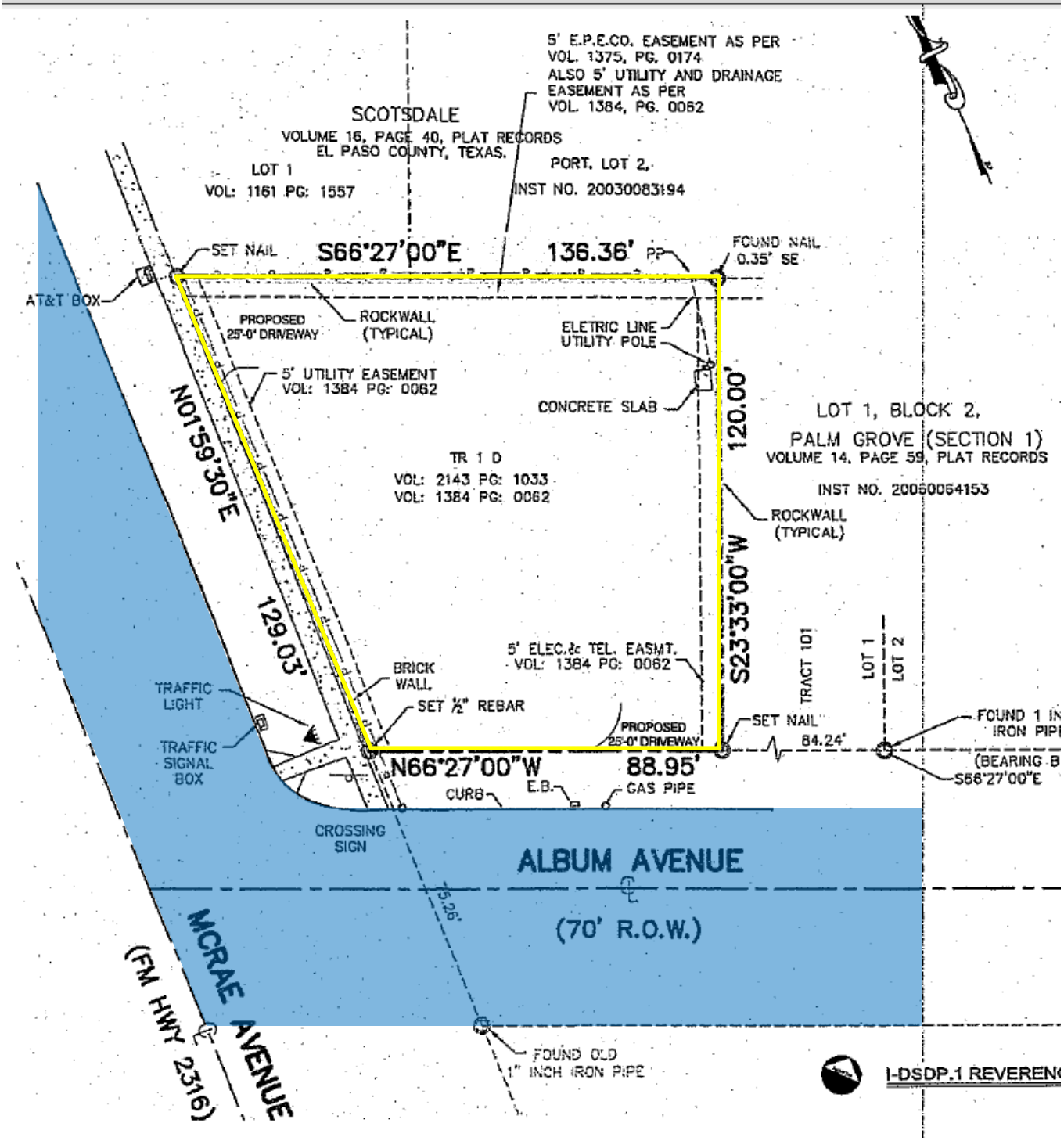
ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: OPPOSITION LETTER

July 8, 2013

City of El Paso, City Development Department
Planning Division
ATTN: Mr. Michael McElroy, City Planner
222 South Campbell
El Paso, TX 79950

RE: Case # PZRZ13-00017

Dear Mr. McElroy,

Please accept this letter as my request to deny the application for Case #PZRZ13-00017, Rezone from R-3 Residential to C-1 Commercial for the purposes of a retail establishment on Tract 1-D-1, Block 2, Ascarate Grant, City of El Paso.

Currently, the West side of McRae Blvd. has been zoned as Commercial. There exists ample parking, easy access for patrons, and vacant commercial locations where a new business may be located. The parcel of land you are considering for rezone is only 0.31 acres in size which is approximately one and one half of the current residential parcels located in this area. This area will not provide suitable, safe entrance to access any type of retail establishment. This will create an issue with traffic as well as, noise for our quiet subdivision. A commercial rezone on such a small lot will prove to be a menace to the resident's in the area.

I have been a resident since 1972 and, again would request your denial of this case due to the noise that will be created, the safety hazard it will cause, and the fact that the lot size simply will not accommodate any advantageous retail establishment.

Thank you in advance for your consideration in this matter. Feel free to contact me for further discussion if deemed necessary.

Sincerely,

Mrs. Ann Garbowski
9720 Lockerbie Ave.
El Paso, TX 79925
(915) 598-8213