City of El Paso – City Plan Commission Staff Report

Case No:	PZRZ15-00007
Application Type:	Rezoning
CPC Hearing Date:	July 16, 2015
Staff Planner:	Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location:	311 Montana Avenue
Legal Description:	Lots 5 and 6 and a portion of Lots 4 and 7, Block 43, Hart's Survey No. 9, City of El Paso, El Paso County, Texas
Acreage:	0.2176 acres
Rep District:	8
Existing Zoning:	A-2 (Apartment)
Existing Use:	Retail; qualifies for legal non-conforming status in A-2 (Apartment) district
C/SC/SP/ZBA/LNC:	N/A
Request:	From A-2 (Apartment) to C-2 (Special Development)
Proposed Use:	Retail
Property Owner:	MIMA Properties L.L.C.
Representative:	Conde, Inc.

SURROUNDING ZONING AND LAND USE
North: A-2 (Apartment) / Apartments
South: C-4 (Commercial) / Funeral Home
East: A-2 (Apartment) and C-4 (Commercial) / Apartments, Commercial, and Single-family dwelling
West: A-2 (Apartment) and C-4 (Commercial) / Apartments and Commercial

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable) (Central Planning Area)
NEAREST PARK: Houston Park (1,859 feet)
NEAREST SCHOOL: El Paso High School (3,836 feet)

NEIGHBORHOOD ASSOCIATIONS
Five Points Development Association
El Paso Central Business Association

NEIGHBORHOOD INPUT
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on July 1, 2015. The Planning Division received 1 letter in support of the rezoning request (Attachment 4).

APPLICATION DESCRIPTION
The property owner is requesting a rezoning from A-2 (Apartment) to C-2 (Commercial) to allow commercial uses. The property is currently occupied by an existing structure. The proposed development will decrease the lot coverage, leaving a proposed 8,000 sq. ft. building. The development requires 27 parking spaces and provides 23 on-site, to include ADA and bicycle parking. Additional parking spaces will be required through a shared parking agreement or parking reduction prior to permitting. Access is proposed from Kansas Street.

Planning and Inspections Department – Planning Division Recommendation
The Planning Division recommends **approval with conditions** of rezoning the subject property from A-2 to C-2 (Special Development) with the following conditions:

1. *Bars/nightclubs and package liquor stores are prohibited.*

2. *A ten (10) foot wide landscaped buffer with high-profile native trees of at least two (2) inch caliper and ten (10) feet in height shall be placed at an average of thirty (30) feet on center abutting apartment or residential zoning districts. The landscaped buffer shall be in addition to the landscape requirements of Title 18 of the El Paso City Code, 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.*

Rezoning to C-2 (Special Development) and imposing a landscape buffer will provide commercial uses consistent with the Montana commercial corridor with an appropriate mitigation measure for adjacent residential uses. The alcohol prohibition serves to protect the nearby educational and religious institutions.

Plan El Paso-Future Land Use Map Designation
All applications for rezoning shall demonstrate compliance with the following criteria:

G-2 Traditional Neighborhood (Walkable): 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 Smart Code 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-2 (Commercial) district is to provide goods or render services which are used in support of the community's trade and service establishments and serving multi-neighborhoods. Permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

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
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 project will need to comply with all provisions of title 18.46 as applicable.

El Paso Fire Department
Recommend approval.

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

Water
1. Along Montana Avenue fronting the subject Property there is an existing four (4) inch diameter water main. This main is available for service.
2. Along Kansas Street fronting the subject Property there is an existing six (6) inch diameter water main.

This main is available for service.

3. As per EPWU-PSB Records 311 Montana Avenue has single three-quarter (3/4) inch diameter water service along Montana Avenue. Records further identify this service as "*vacant-shut off*". Records include a single active one and one-half (1-1/2) inch diameter water service pertaining to 915 N. Kansas Street.

Sanitary Sewer

Along the alley located between Kansas Street and Stanton Street north of Montana Avenue there is an existing ten (10) inch diameter sanitary sewer main. This main is available for service.

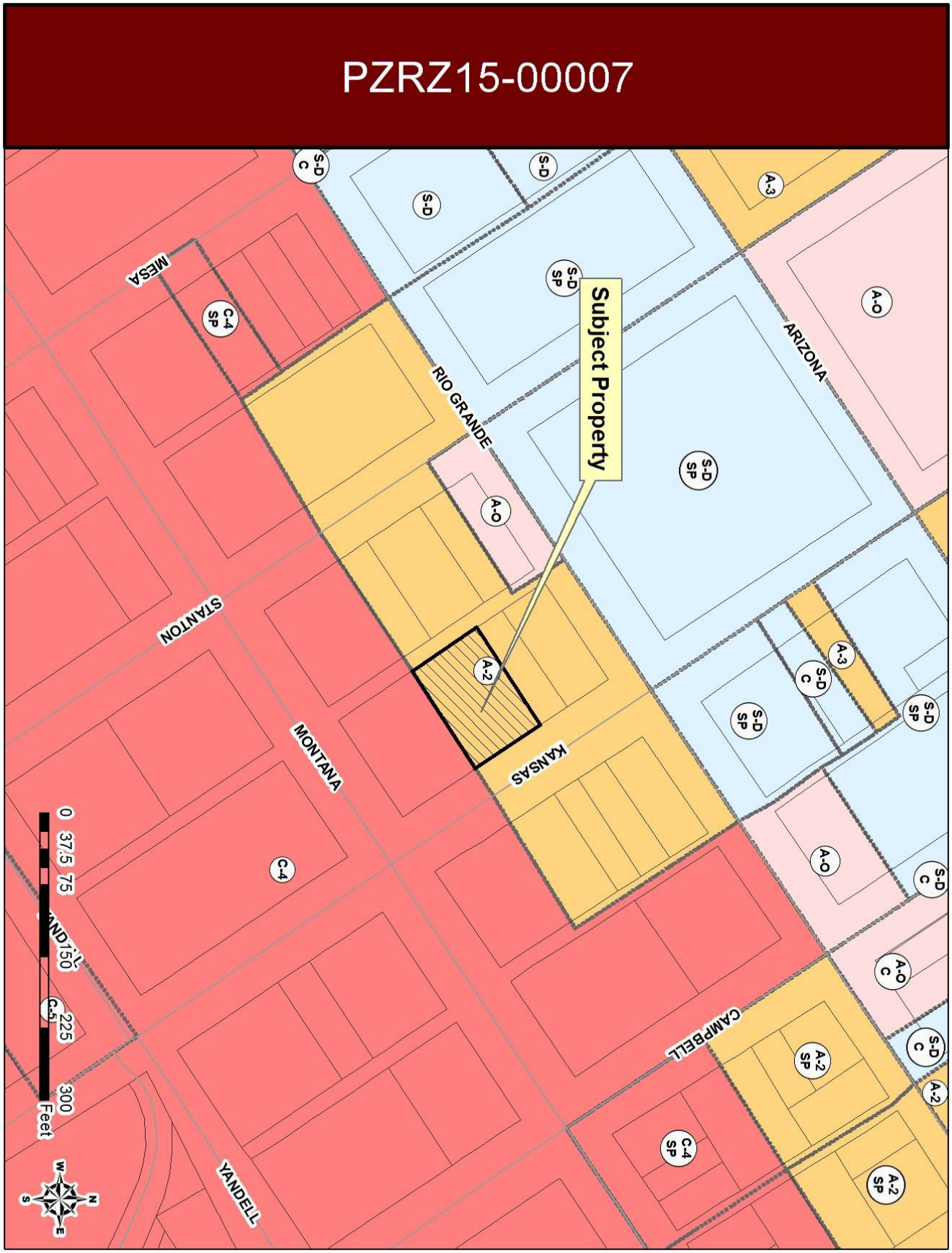
General

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

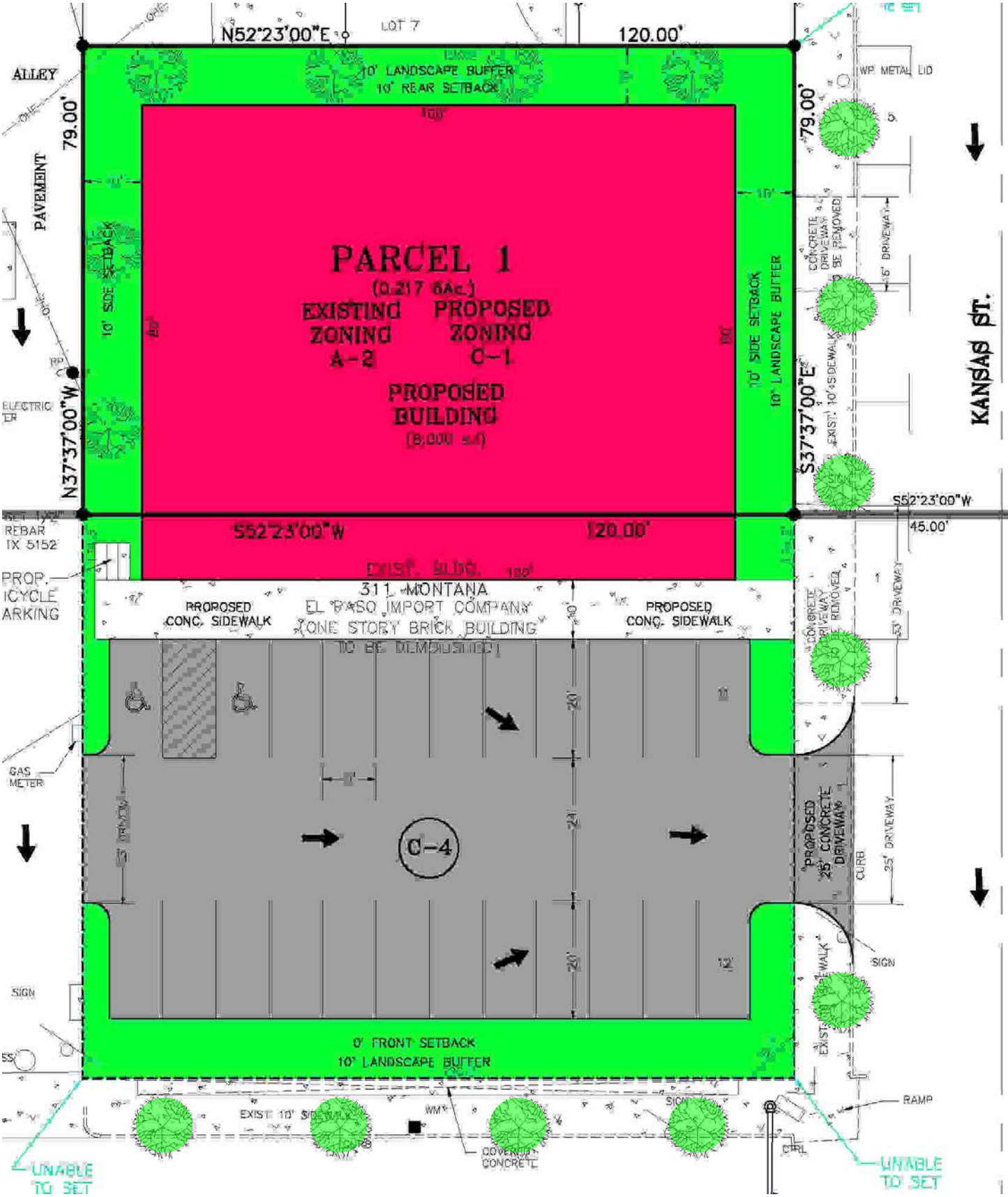
1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan
4. Support Letter

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: CONCEPTUAL SITE PLAN



ATTACHMENT 4: SUPPORT LETTER

MIMCO INC.
Commercial Real Estate Management & Investments

June 11, 2015

City Development Department – Planning Division
P.O. Box 1890
El Paso, TX 79950-1890

RE: Case Number PZRZ15-00007

To Whom It May Concern:

We received notice of the public hearing to rezone the property located at 311 Montana Ave. MIMCO fully supports the proposed zoning change from A-2 (Apartment) to C-4 (Commercial) to allow for retail. If you have any questions please call me at (915) 779-6500. Thank you.

Sincerely,
MIMCO, Inc.

Robert S. Ayoub
President

6500 Montana
El Paso, TX 79925
915-779-6500
1-800-351-5252
fax 915-779-6509
www.mimcoelp.com