



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00055
Application Type: Rezoning
CPC Hearing Date: September 10, 2015
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: 8020 Alameda Avenue
Legal Description: Tracts 17A & 17B, Block 29, Ysleta Grant & Tracts A&B & a portion of Tracts C&D, Henderson Subdivision, City of El Paso, El Paso County, Texas
Acreage: 5.619 acres (Complied with on-site posting)
Rep District: 7
Existing Zoning: C-1 (Commercial)
Existing Use: Automobile sales / Retail / Single-family dwelling
C/SC/SP/ZBA/LNC: N/A
Request: From C-1 (Commercial) to C-3 (Commercial)
Proposed Use: Automobile (sales, service, storage, and rental)

Property Owners Finn's Real Estate Venture, LLC.
Representative Casey Finn

SURROUNDING ZONING AND LAND USE

North: C-3 (Commercial) & A-2 (Apartment) (split zoned) / Cadwallader Elementary School
South: C-3 (Commercial) / Automobile sales
East: C-3 (Commercial) / Restaurant and Laundromat; C-4/sc (Commercial/special contract) / Bus Service
West: R-4 (Residential) / Single-family dwellings

THE PLAN FOR EL PASO DESIGNATION: G-3, Post-War (Mission Valley Planning Area)

NEAREST PARK: Riverside Park (5,944 feet)

NEAREST SCHOOL: Cadwallader Elementary (directly adjacent to the north)

NEIGHBORHOOD ASSOCIATIONS

Thomas Manor Neighborhood Association
Mission Valley Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on August 11, 2015. The Planning Division received two letters from Mission Valley Civic Association and one resident in opposition to the rezoning request, see Attachment 4, and received one phone in opposition to the request citing multiple code violations to include the uses such as automobile sales in C-1 zone district, changing oil behind the building, trash, open garage, no rock wall screening adjacent to residential use, painting cars, use of bright lights at night, and parking on an unimproved surface.

HISTORY CASE

On November 3, 2011, the applicant submitted an application for rezoning. Upon thorough review of the application, it was determined to be incomplete, missing several items required by City Code. The applicant requested to place the application on hold until further notice and has now requested to reactivate the application after submittal of pending items missing.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from C-1 (Commercial) to C-3 (Commercial) to allow for automobile sales, storage, and repair. Automobile sale and storage uses are not permitted in the C-1 (Commercial) district. The subject property is 5.619 acres in size. The detailed site development plan shows the existing 27,680 sq. ft. building. The detailed site development plan is a rezoning application requirement for properties with existing structures and is not subject to CPC review and approval as per Section 20.04.380 Application Requirement. The applicant will be required to register the existing house as legal non-conforming per Section 20.22.030. Access to the subject property is proposed from Alameda Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **denial** of rezoning the subject property from C-1 (Commercial) to C-3 (Commercial). The recommendation is based on incompatibility with the adjacent R-4 (Residential) properties to the south and west and the encroachment of the proposed zoning into an established residential area and Cadwallader Elementary School to the north of the subject property. There is current code enforcement action on this property, on a correction notice provided to the property owner.

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 C-3 (Commercial) district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will 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 Division - Transportation

No objections to rezoning. TIA is not required.

Note:

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 – Building and Development Permitting

No objections to proposed rezoning.

Planning and Inspections Department - Land Development

No objections.

TXDOT

Don't anticipate comments for rezoning only other than if the owner is planning to do anything to the building by changing its footprint, or grading, repaving or modifying the access, then the requestor/owner will have to coordinate with TXDOT and submit the site layout and proposed development plans to TxDOT for review and approval.

Fire Department

Rezoning does not adversely affect the Fire Department.

Police Department

No adverse comments.

Sun Metro

Sun Metro does not oppose this request. There are 3 existing bus stops within 0.11 miles of subject property; Bus stops are serviced by Route 61. Sun Metro is proposing to construct two Brio RTS stations within 0.09 miles southeast of the subject property; coordination is requested during construction of street enhancements.

El Paso Water Utilities

1. EPWU does not object to this request.

2. Alameda Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Alameda Avenue right-of-way requires written permission from TxDOT.

EPWU-PSB Comments

Water

3. There is an existing 12-inch diameter water main extending along Alameda Avenue that is available for service, the water main is located approximately 8-ft east from the eastern property line.

4. EPWU records indicate an active 1-inch water meter serving the subject property. The service address for this meter is 8026 Alameda Avenue.

5. EPWU records indicate three vacant water services connections (inactive meters) serving the subject property. The addresses for these service are 8018, 8020 and 8028 Alameda Avenue.

6. Previous water pressure from fire hydrant #99 located approximately 15-ft south from the southeastern property line has yield a static pressure of 100 (psi), a residual pressure of 80 (psi), and a discharge of 1,363 gallons per minute.

7. 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:

8. There is an existing 8-inch diameter sanitary sewer main extending along Alameda Avenue that is available for service, the existing sewer main is located approximately 26.5-ft east from the center line of the right-of-way.

General:

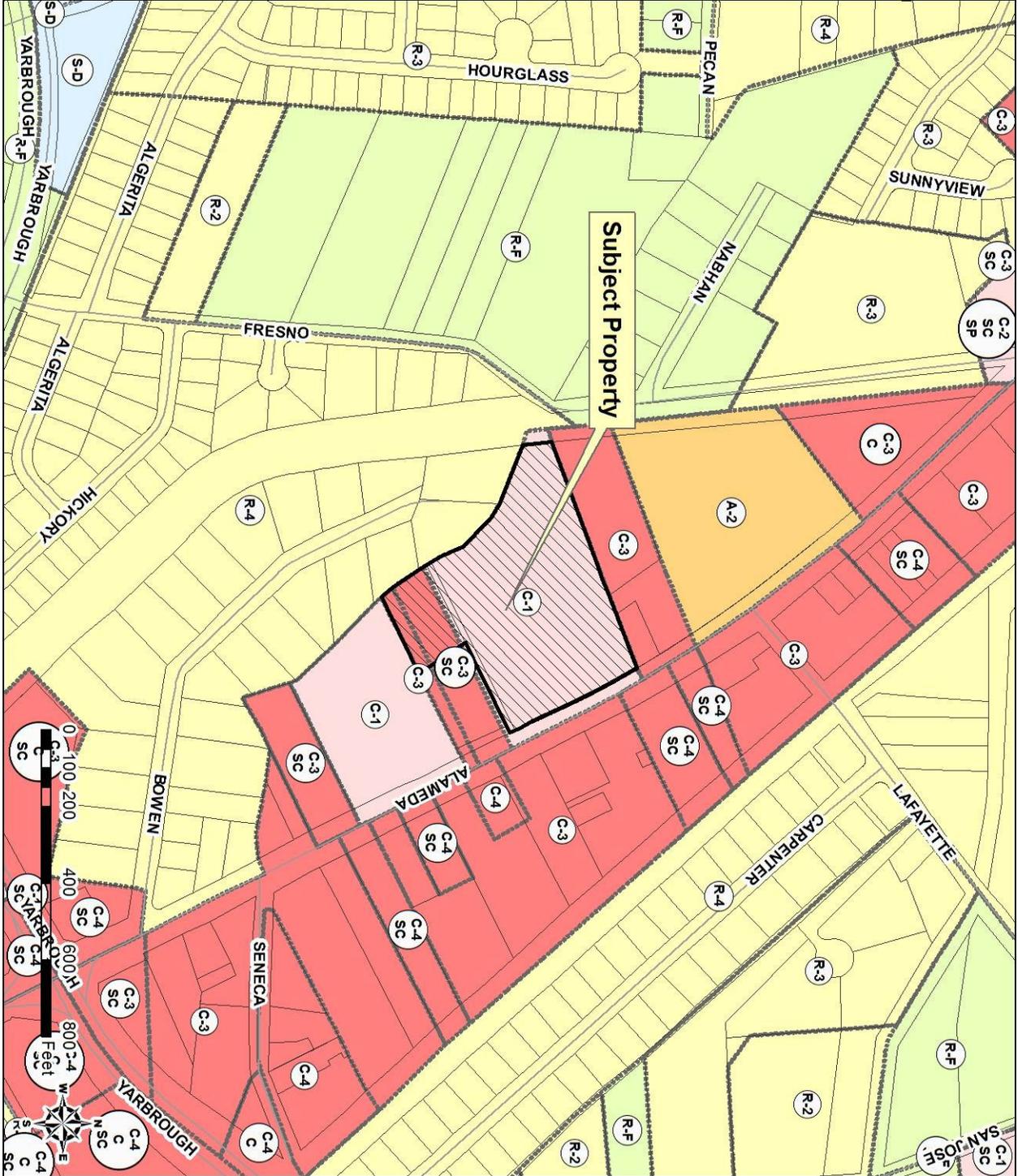
9. Application for new water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description 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. Letter in Opposition

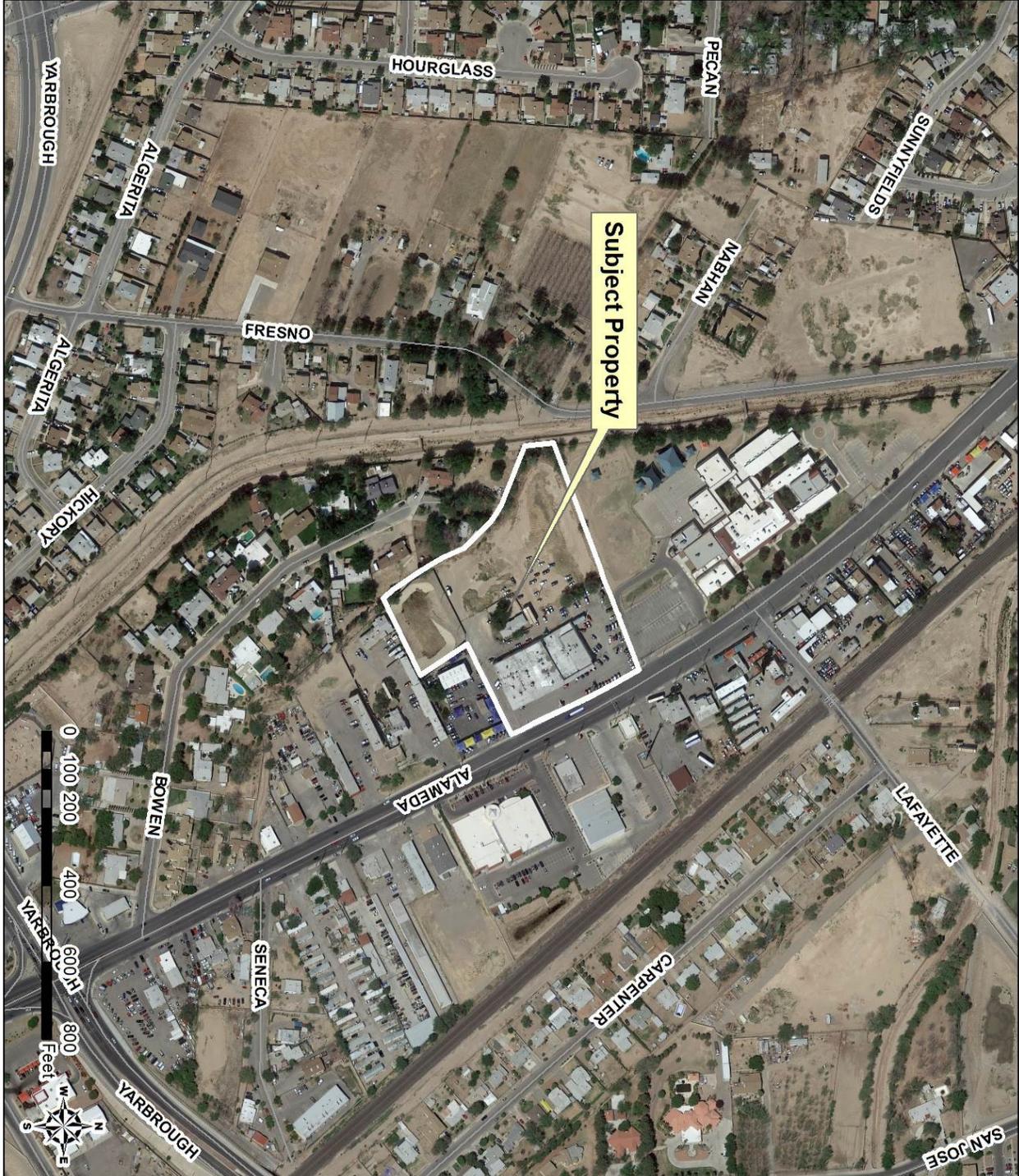
ATTACHMENT 1: ZONING MAP

PZRZ11-00055



ATTACHMENT 2: AERIAL MAP

PZRZ11-00055



ATTACHMENT 4: LETTER IN OPPOSITION

June 22, 2015

City Plan Commission
City Hall
300 N. Campbell
El Paso, TX 79901

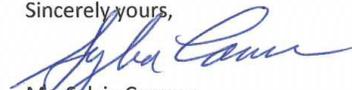
Attn: Rezoning request: 8020 Alameda Ave-Finn's Discount Autos, Inc

My name is Sylvia Carreon, currently President of the Mission Valley Civic association and I received certified mail from Finn's Discount Autos stating he was requesting zone change on his property from C-1 to C-3 in order to be able to sell automobiles from this location.

Please be advised that our association is against any such action be considered since he already has a car lot on that same block for his business. The location of the new request is next to YISD Elementary school and this type of business will not be suitable for children in the area and furthermore, he already has a car lot business on this same block.

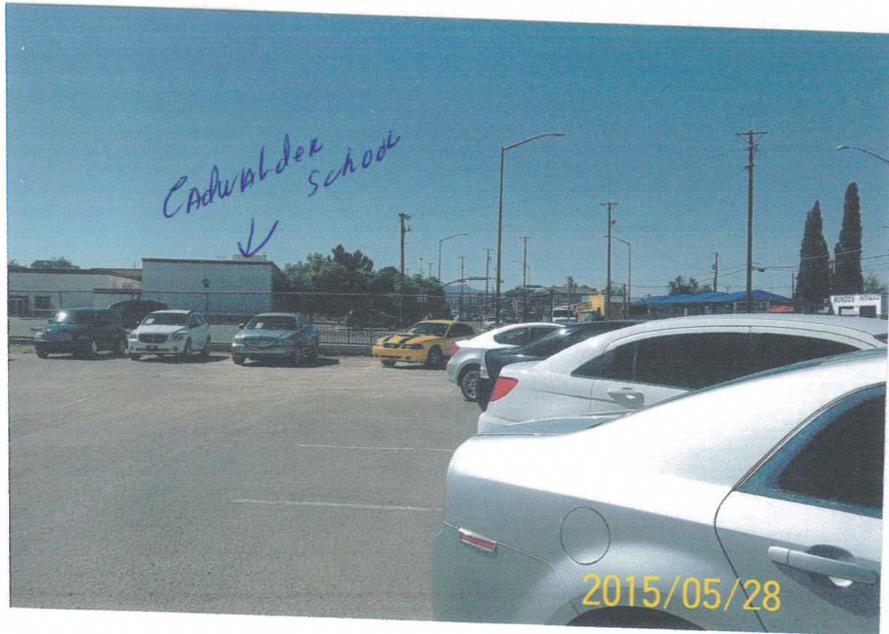
I was advised by Mr. Art Rubio that Mr. Finn's request is not being considered at this time, but I URGE the City not allow any more car lots on Alameda Ave. There are over 180 car lots from Fox Plaza all the way to Zaragoza and this practice needs to stop.

Sincerely yours,



Ms. Sylvia Carreon
925 Richard Dr.
79907- (915) 227-2738

Cc Representatives from District 6 and 7



He is ALREADY
selling cars in
violation!

Salloum, Andrew M.

From: M Carr <mmcarr008@gmail.com>
Sent: Tuesday, August 25, 2015 12:51 PM
To: Salloum, Andrew M.
Subject: Fwd: 8020 Alameda Proposed Zoning (08/27/15)

Follow Up Flag: Follow up
Flag Status: Flagged

----- Forwarded message -----

From: "M Carr" <mmcarr008@gmail.com>
Date: Aug 25, 2015 12:49 PM
Subject: 8020 Alameda Proposed Zoning (08/27/15)
To: <sallouman@elpasotexas.gov>
Cc:

To Whom it may Concern,

I am writing this letter to voice my opposition to the proposed zoning change from C-1 to C-3. I reside directly behind and parallel to this property I am located at 8001 Bowen Rd. Unfortunately, these property owners are currently selling, painting, fixing, parking junked cars on the dirt without any pavement, cement, or gravel on the 5 acre premises. The property doesn't have a fence dividing my property and their property the only division is an irrigation ditch and my fence. The property has never been maintained the growth of weeds, trees and fallen trees have just been pushed to edge of the Franklin Canal and the ditch. It is for these reasons I think proposed zoning should be denied. and enforce the present codes that are set out by the City for matters such as the ones that are stated above.

Sincerely,
Mariano Carrillo
[\(915\)309-1787](tel:(915)309-1787)