City of El Paso – City Plan Commission Staff Report

Case No:	PZRZ12-00027
Application Type:	Rezoning
CPC Hearing Date:	December 13, 2012
Staff Planner:	Michael McElroy, 915-541-4238, *mcelroyms@elpasotexas.gov*
Location:	East of Railroad Drive and South of Farah Drive
Legal Description:	Being all of Lots 1 and 15, Save and Except two Portions Thereof attached Hereto Block 3, and Lots 2 through 14, Block 3, WFF Industrial Park Unit One Replat "A", City of El Paso, El Paso County, Texas
Acreage:	13.85 acres
Rep District:	4
Zoning:	M-1 (Manufacturing)
Existing Use:	Vacant
Request:	C-4 (Commercial)
Proposed Use:	Commercial and Multi-Family Development
Property Owner:	DBB Holdings, Inc.
Representative:	Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: M-1 (Manufacturing) / Industrial cold storage
South: M-1/sp (Manufacturing/Special permit) and R-F (Ranch-Farm) / Cell tower & vacant
East: Fort Bliss / Shooting range
West: R-5 (Residential) and M-1 (Manufacturing) / Single-family homes and manufacturing

Plan El Paso Designation: G7, Industrial and/or Railyards (Northeast)
Nearest Park: Summerlin Park (3,929 ft.)
Nearest School: Desertaire Elementary (5,703 ft.)

NEIGHBORHOOD ASSOCIATIONS

None

CASE HISTORY

This case originally appeared before CPC as ZON09-00094 on February 11, 2010. A rezoning to C-3 was approved by CPC with the condition that all residential uses were restricted and that a TIA be submitted and approved before any building permits were issued. The applicant withdrew the application on April 27, 2010 before it was heard at City Council.

NEIGHBORHOOD INPUT

Notices of the November 1, 2012 public hearing were mailed to all property owners within 300 feet of the subject property on October 10, 2012. The Planning Division received no communications in support or opposition to the request.

APPLICATION DESCRIPTION

The applicant is requesting a rezoning of the subject property to from M-1 to C-4 to permit the construction of 15 apartment buildings and a single stand-alone retail building.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **denial** of the rezoning as the applicant's request is not compatible with the surrounding land use and the future land use map.

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

G-7 – Industrial and/or Railyards: This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso's economy; however, when an industrial use becomes obsolete, there can be potential for mixed use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mix-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Regional Commercial District) district is intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the Central Business District, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

COMMENTS:

City Development Department - Planning Division - Transportation

1. A TIA is required for the proposed development due to the increase in traffic generated by commercial development compared to the uses permitted in the existing M-1 (light manufacturing) zoning district.

Notes:
1. Access and improvements to Dyer shall be coordinated with TxDOT.
2. All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS regulations and City Design Standards for construction.

Sun Metro
Sun Metro does not oppose this request.

El Paso Water Utilities
We have reviewed the zoning change request described above and provide the following comments:

Along the easternmost portion of the subject Property there is an existing twenty-one (21) inch diameter pressurized sanitary sewer main (force main) located within an easement. Immediately east of this main, within the Southern Pacific Railroad Company right-of-way, there is a second twenty-one (21) inch diameter force main. Both force mains are further described under the sanitary sewer portion of these comments.

EPWU does not object to the proposed development; however, EPWU-PSB requires for the proposed sound barrier wall shown to be constructed along the easternmost boundary line of the subject Property (along the boundary line common to the Southern Pacific Railroad Company Right-of-Way and WFF Industries Park Unit One Replat "A") to be placed five (5) feet west of the westernmost easement line pertaining to the twenty (20) foot wide Public Service Board (PSB) Easement. EPWU-PSB does not allow structures within the PSB Easement.

Water
Along Railroad Drive fronting the subject Property there is an existing twelve (12) inch diameter water main.

Previous water pressure readings conducted on fire hydrant number 7572 located along Railroad

Drive at approximately1,180 feet south of Farah Drive have yielded a static pressure of 67 pounds per square inch (psi), residual pressure of 62 psi, discharge of 1,256 gallons per minute (gpm).

Sanitary Sewer

Within the easternmost portion of the subject Property there is an existing twenty-one (21) inch diameter pressurized sanitary sewer main (force main). This main is located within the twenty (20) foot wide Public Service Board (PSB) Easement as depicted by *WFF Industries Park Unit One Replat "A"* subdivision plat drawing. As per the El Paso Water Utilities – Public Service Board (EPWU-PSB) Records, the force main is located at approximately fifty-five (55) feet west of the center line of the Southern Pacific Railroad Company Right-of-Way or at approximately five (5) feet west of the boundary line common to the Southern Pacific Railroad Company Right-of-Way and *WFF Industries Park Unit One Replat "A"*. The alignment of this force main is parallel to the boundary line common to the Southern Pacific Railroad Company Right-of-Way and *WFF Industries Park Unit One Replat "A"*.

Immediately east of the above-described force main, there is another existing twenty-one (21) inch diameter pressurized sanitary sewer main (force main). This second force main is located within the Southern Pacific Railroad Company Right-of-Way. As per EPWU-PSB Records, the force main is located at approximately 47.5 feet west of the center line of the Southern Pacific Railroad Company Right-of-Way. The alignment of this second force main is parallel to the boundary line common to the Southern Pacific Railroad Company Right-of-Way and *WFF Industries Park Unit One Replat "A"*.

No direct service connections are allowed to the 21-inch diameter force mains.

The El Paso Water Utilities – Public Service Board (EPWU-PSB) requires a complete set of improvement plans, and grading plans pertaining to this Property for review and approval prior to any work pertaining to the portion of this property where the above-described twenty (20) foot wide Public Service Board (PSB) Easement is located. This is required in order to ascertain that the proposed improvements and/or grading will not adversely affect both of the above-described force mains.

Along Railroad Drive fronting the subject Property there is an existing twelve (12) inch diameter sanitary sewer main.

General

Water and sanitary sewer service is available from the mains that extend along Railroad Drive.

Easements within the subject Property will be required if the development requires the extension of water and sanitary sewer mains to serve this Property.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

The proposed private streets are required to be designated full-width utility easements in order to enable the construction, operation, maintenance, and, repair of the proposed water and sanitary sewer mains.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public

Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB.

Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.

EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.

EPWU-PSB requests the Developer to refrain from constructing signs within the PSB easements.

All proposed buildings shall comply with EPWU-PSB Easement Policy. Buildings shall be located 5 feet away from the easement line.

EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current 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.

CITY PLAN COMMISSION OPTIONS

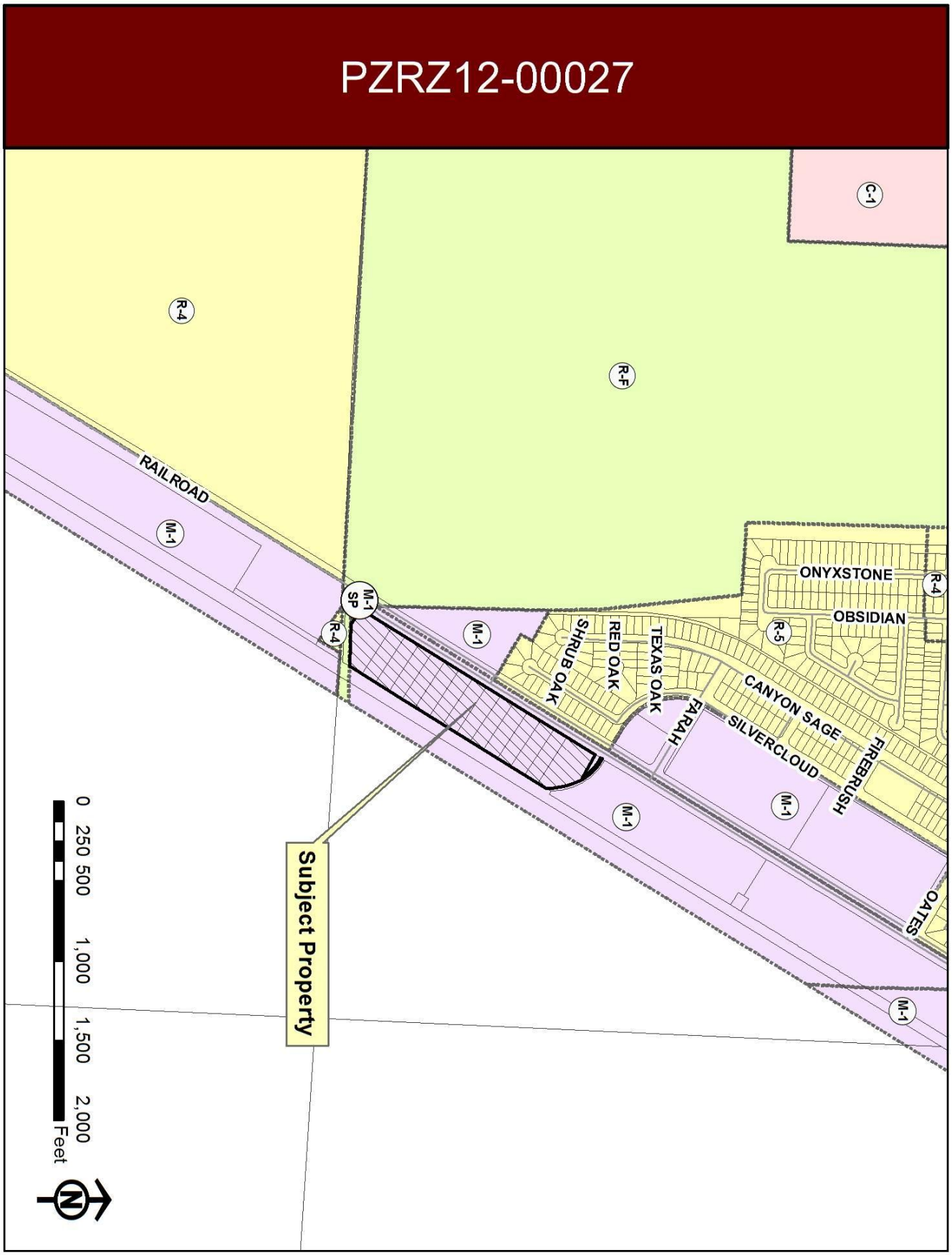
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

1. Recommend approval of the application finding that the special permit and detailed site development plan 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:

Attachment 1: Zoning Map
Attachment 2: Aerial Map
Attachment 3: Conceptual Site Plan

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: CONCEPTUAL SITE PLAN