



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00045 (Reconsideration)
Application Type: Rezoning
CPC Hearing Date: December 15, 2011
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: North of Zaragoza Road and South of Montana Avenue
Legal Description: A portion of Tract 1, Section 35, Block 79, Township 2, Texas and Pacific Railroad Surveys, El Paso County, Texas, and a portion of the rights-of-way of Montana Avenue and Zaragoza Road

Acreage: 39.408 acres
Rep District: ETJ/Adjacent to District 5
Zoning: R-F (Annexation in Process: Case No. AN08-006)
Existing Use: Vacant
Request: From R-F (Ranch and Farm) to C-4 (Commercial)
Proposed Use: Commercial Development

Property Owner: River Oaks Properties, Ltd.
Applicant: River Oaks Properties, Ltd.
Representative: Yolander Giner

SURROUNDING ZONING AND LAND USE

North: C-2 (Commercial) / Vacant; and R-5 (Residential) / Single-family dwellings
South: C-3/c (Commercial/conditions) / Vacant; and C-4/c (Commercial/conditions) / Vacant
East: C-2 (Commercial) / Vacant
West: C-3/c (Commercial/conditions) / Vacant; and R-5 (Residential) / Single-family dwellings

THE PLAN FOR EL PASO DESIGNATION: Residential and Industrial (East Planning Area)

NEAREST PARK: Tierra Del Este #44 Park (2,912 feet)

NEAREST SCHOOL: Raphael Hernando III Middle (3,606 feet)

NEIGHBORHOOD ASSOCIATIONS

Las Tierras Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 5, 2011. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

Re-notification was mailed to all property owners within 300 feet of the subject property on November 30, 2011. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

CASE HISTORY

On October 20, 2011, CPC recommended approval of the rezoning request to C-4 (Commercial). The case is being presented to CPC for reconsideration due to a correction in the legal description of the property.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-F (Ranch and Farm) to C-4 (Commercial) to allow for commercial uses. This rezoning application is related to annexation AN08-006. Annexed

properties are automatically zoned R-F (Ranch and Farm). Access to the subject property is proposed from Montana Avenue. The rezoning request meets all annexation requirements.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-F (Ranch and Farm) to C-4 (Commercial) with the following conditions:

- 1) *That prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved in accordance with the requirements of the El Paso City Code, and;*
- 2) *That A 20 -foot wide landscaped buffer with high-profile native trees of at least two (2) inch caliper and fifteen (15) feet in height shall be placed at ten (10) feet on center along the property lines adjacent to any residential or apartment zoning districts or use. 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.*

The approval recommendation is based on the compatibility with the surrounding commercial zoning to the south and east of the subject property. The zoning complies with the conditions of the annexation agreement.

The Plan for El Paso-City-Wide Land Use Goals

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.
- d. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.

The purpose of the C-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for **approval**.

Engineering & Construction Management Services Department – Plan Review

No comments received.

Engineering & Construction Management Service Department - Land Development

No objections.

Department of Transportation

Transportation requires the following in accordance with the Annexation agreement approved by Resolution on June 7, 2011 at the time a subdivision plat application is submitted for the property in accordance with Section 3:

1. A TIA is required per Section 2 Paragraph 4. Owner shall be responsible for contribution of costs for traffic signalization and traffic calming devices with the TIA indicates are necessary, attributable and proportional to the development of the property.

2. Sidewalks shall be provided on Zaragoza Road and Montana Avenue.

Notes:

1. Access to Zaragoza Road and Montana Avenue shall be coordinated with TXDOT.

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

Fire Department

El Paso Fire Department has no objections to this rezoning request. The case remains subject to further review at later stages of the process including, but not limited to, Fire Department Plan review.

El Paso Water Utilities

We have reviewed the zoning change request reference above and provide the following comments:

1. EPWU-PSB supports and encourages voluntary annexation to the City of El Paso. Annexation fees are due at the time of new service application for individual water meters within the subject property.

EPWU Comments

Water:

2. There is an existing 24-inch diameter water transmission main located along the north side of Montana Avenue. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations. Service to the property requires the extension of water main of lesser diameter with horizontal tunneling across Montana Avenue from the above described 24-inch diameter water main and the extension of a 12-inch diameter water main across Zaragoza Road to connect to future mains on the south side of Zaragoza Road. All Costs associated with the extension of the mains is the responsibility of the Owner/Developer. On-site easements will be required to accommodate the proposed water main extensions.

3. A backflow prevention assembly will be required at the discharge side of each water meter within the development. The property Owner is responsible for the operation and maintenance of the backflow prevention devices.

Sanitary Sewer:

4. There is an existing 18-inch sanitary sewer interceptor along Edgemere Boulevard. Sewer main extension along Zaragoza Road to Edgemere Boulevard is required.

General:

5. EPWU requires a new service application to provide services to 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 with street names and addresses; (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 rezoning is in conformance with the review criteria of The Plan for 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 The Plan for 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 The Plan for El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

Attachments:

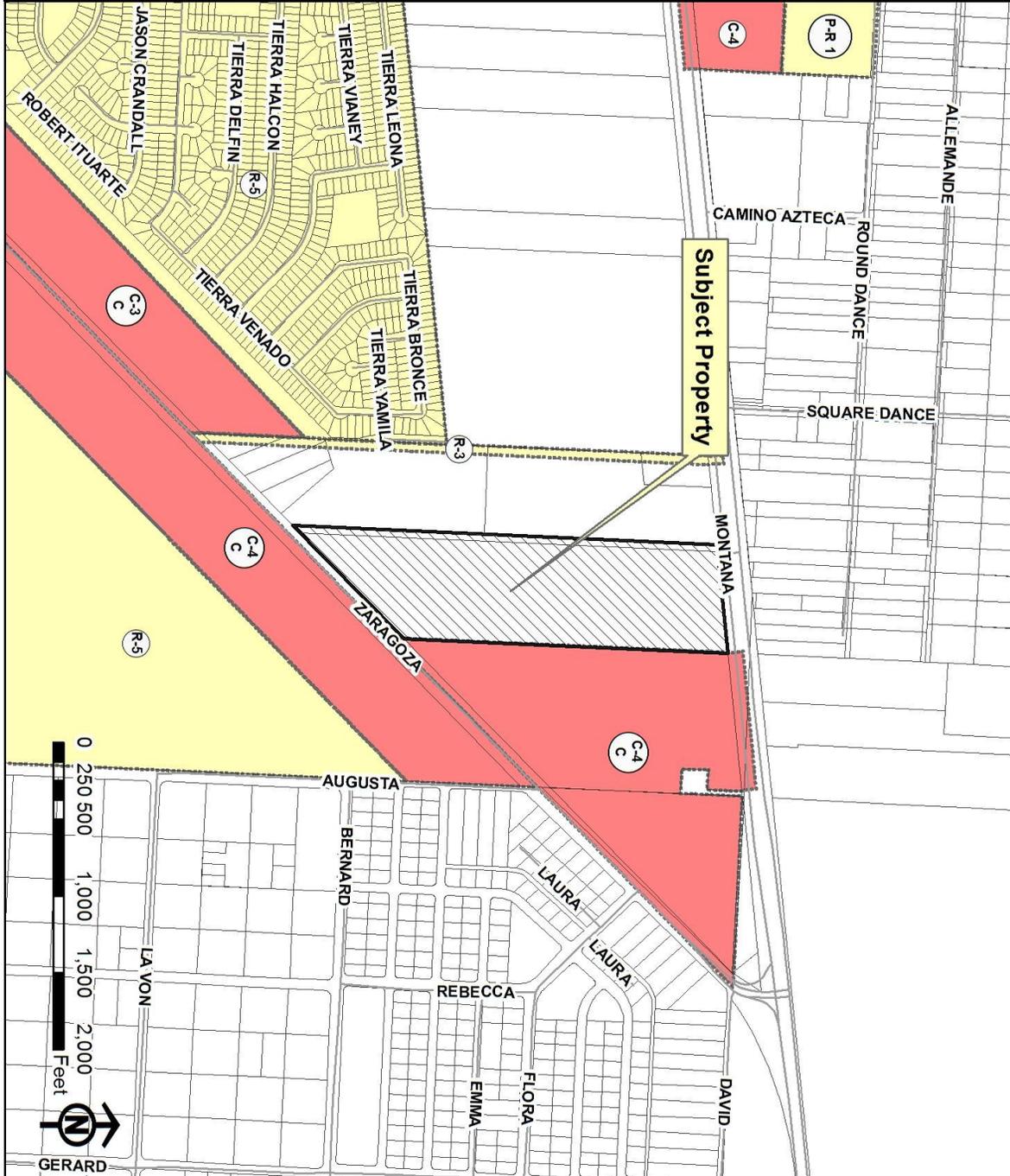
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

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ATTACHMENT 2: AERIAL MAP

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