



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZRZ11-00046  
**Application Type:** Rezoning  
**CPC Hearing Date:** December 15, 2011  
**Staff Planner:** Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

**Location:** 6380 Berringer Street  
**Legal Description:** A portion of Nellie D. Mundy Survey 241, City of El Paso, El Paso County, Texas  
**Acreage:** 3.018 acres  
**Rep District:** 1  
**Zoning:** R-3 (Residential)  
**Existing Use:** Vacant  
**Request:** From R-3 (Residential) to C-4 (Commercial)  
**Proposed Use:** Commercial Development

**Property Owner** TGK Artcraft, LLC  
**Applicant** Tropicana Development, Inc.  
**Representative** CEA Group

### **SURROUNDING ZONING AND LAND USE**

**North:** R-3A/sc (Residential/special contract) / Single-family residential  
**South:** C-4/spc (Commercial/special protective conditions) / Vacant  
**East:** C-4/sc (Commercial/special contract) / Vacant  
**West:** C-4/spc (Commercial/special protective conditions) / Vacant

**THE PLAN FOR EL PASO DESIGNATION:** Residential and Industrial (Northwest Planning Area)  
**NEAREST PARK:** Proposed Park (0 foot)  
**NEAREST SCHOOL:** Jose H. Damian Elementary (6,682 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Upper Valley Neighborhood Association  
Save the Valley  
Coronado Neighborhood Association  
Upper Area Hills Neighborhood Association  
Upper Valley Improvement Association  
Borderland Community Improvement Neighborhood Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing 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 December 8, 1987, City Council approved an annexation agreement which incorporated subject property into the city with a base zone of R-3 (Residential).

### **APPLICATION DESCRIPTION**

The applicant is requesting to rezone the subject property from R-3 (Residential) to C-4 (Commercial) to allow for commercial development. Access to the subject property is proposed from Berringer Street and Borderland Road.

## **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **denial** of rezoning the subject property from R-3 (Residential) to C-4 (Commercial) and **approval** of C-3 (Commercial) instead. The recommendation is based on the residential area to the north and lack of infrastructure to support C-4 (Commercial) uses. Berringer Street was deleted from Major Thoroughfare Plan (MTP) on August 10, 2010. The C-3 (Commercial) is compatible with the surrounding commercial zoned area to the South, East, and West of the subject property. The area has transitioned to commercial zone and uses.

## **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.

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.

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** of C-3.

## **Engineering & Construction Management Services Department – Plan Review**

No objections.

## **Engineering & Construction Management Service Department - Land Development**

No objections.

## **Department of Transportation**

Department of Transportation has the no objections to the proposed rezoning:

Note: 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**

Fire has no objection on this project.

## **Sun Metro**

Sun Metro does not oppose this request.

## **El Paso Water Utilities**

We have reviewed the subdivision described above and provide the following comments:

1. EPWU does not object to this request.

2. The portion of the property north of Borderland Road is located within the *Westside Impact Service Fee Area*.

Impact fees will be assessed by the City of El Paso at the time of platting and collected by EPWU prior to the issuance of a Building Permit.

EPWU-PSB Comments

General:

3. There is an existing 24-inch diameter water transmission main along the 30-foot wide PSB easement located north of the subject property. This main continues west, transecting the previous TXDOT Drainage ROW, and then south along a 20-foot wide PSB easement located on the western side of the subject property. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

4. The subject property will be located within an intermediate pressure zone. Pressure reducing and pressure relief valves will be located within the water distribution system. The pressure reducing valve will be located at Artcraft Road at Berringer Street. The pressure relief valve will be located on at Borderland Road and Domingo Road. Private water pressure regulating devices will be required at the discharge side of each meter within the intermediate pressure zone. The Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices. The lot/home buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

5. There are existing water and sewer mains along Berringer Street and they are available for service.

6. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities to ascertain that the proposed grading will meet EPWU standards for pipeline cover and will not adversely affect the existing mains. During the improvement work, the Owner/Developer shall safeguard the existing water and sewer mains and appurtenant structures.

7. EPWU-PSB requires a new service application to provide service to the property. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board Rules and Regulations. 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.

### **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:**

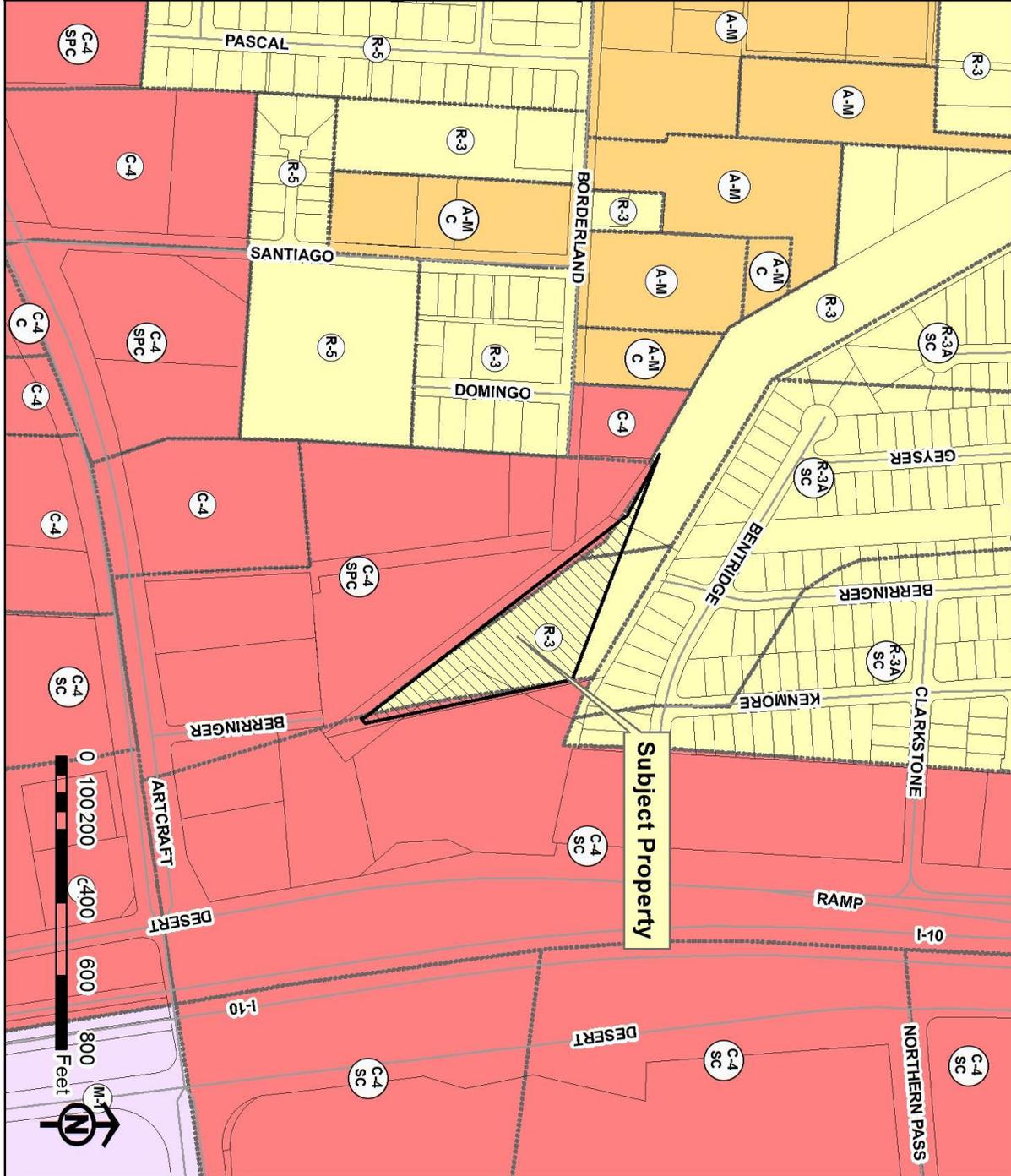
Attachment 1: Zoning Map

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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