

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: January 18, 2011
Public Hearing: February 8, 2011

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance changing the zoning of Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment-Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Stahala Drive, East of Kenworthy Street. Property Owner: Northeast 58 TBH/IT, LLC. ZON10-00016 (**District 4**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Recommendation Pending

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 6, CASTNER RANGE UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas*, be changed from **R-4 (Residential)** to **A-O (Apartment-Office)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy, Deputy Director
Planning & Economic Development

ORDINANCE NO. _____

Zoning Case No: ZON10-00016



Date: January 12, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: ZON10-00016

This item will be presented to the City Plan Commission for a recommendation on January 27, 2011. The request is to change the zoning from R-4 (Residential) to A-O (Apartment/Office) to allow the development of an apartment complex or the development of offices. Access is proposed via Stahala Drive and a bridge crossing over the Northgate Outlet Channel, pending a Development Agreement by the property owner for the improvements to Stahala Drive and the design and construction of a bridge crossing over the Northgate Outlet Channel.

The Development Coordinating Committee (DCC) recommended approval subject to the development agreement.

The CPC must find that the rezoning is in conformance with The Plan for El Paso and that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Northeast Planning Area. The CPC must also determine that the rezoning protects the best interest, health, safety, and welfare of the public in general; and will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00016
Application Type: Rezoning
CPC Hearing Date: January 27, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: Stahala Drive, East of Kenworthy Street
Legal Description: Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas
Acreage: 58.115 acres
Rep District: 4
Existing Use: Vacant

Request: R-4 (Residential) to A-O (Apartment/Office)
Proposed Use: Apartments
Property Owner: Northeast 58 TBH/IT, LLC
Representative: Gray-Jansing & Associates, Inc.

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / vacant
South: R-4 (Residential) / A-O (Apartment-Office) / park, vacant
East: R-4 (Residential) / Range Dam, Northgate Archaeological Site, vacant
West: R-4 (Residential) / park, EPCC

Plan for El Paso Designation: Parks and Open Space (Northeast Planning Area)
Nearest Park: Sue Young Park Adjacent (abutting property to the south)
Nearest School: John E. Uxer Head Start (2,080 Feet)

NEIGHBORHOOD ASSOCIATIONS

North Hills Neighborhood Association

NEIGHBORHOOD INPUT

Notices of the January 27, 2011 City Plan Commission hearing were mailed out to property owners within 300 feet of the subject property on December 16, 2010.

APPLICATION DESCRIPTION

The request is to change the zoning from R-4 (Residential) to A-O (Apartment/Office) in order to allow the development of an apartment complex. The property is currently vacant. The applicant is proposing approximately 400 apartment units or 150,000 sq. ft. of general offices with the east portion of the lot to remain as open space (currently a dam and archaeological site). Access is proposed via Stahala Drive and a proposed bridge crossing over the Northgate Outlet Channel to Kenworthy Street.

DEVELOPMENT SERVICES DEPARTMENT-PLANNING DIVISION RECOMMENDATION

Recommend **approval** of the rezoning from R-4 (Residential) to A-O (Apartment/Office), subject to approval of the design and construction of the bridge crossing over the Northgate Outlet Channel and a Developer Participation Agreement for the completion of the improvements to Stahala Drive. The bridge crossing is needed in order to secure two points of access.

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: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the A-O (Apartment/Office) district is to promote and preserve residential development within the City associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities.

Development Coordinating Committee Review

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

EP Department of Transportation

1. The TIA submitted by the applicant and reviewed by Transportation, shows that two points of access are required to support the traffic generated by the proposed development.
2. Transportation does not object to the rezoning if the applicant improves Stahala Drive within the existing R.O.W. to connect to their property, and provides the second point of access via a crossing over the channel. It is recommended that as a condition of approval the applicant be required to improve any portion of Stahala Drive utilized for access to City standards.
3. Clarify the mechanism through which the necessary improvements to provide access from Kenworthy Drive to the subject property will be completed.
4. Drawings illustrating all proposed and/or existing infrastructure within the Stahala Drive R.O.W. that provides access to the proposed development have not been provided.
5. All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Development Services-Building Permits and Inspections

Plan Review has no objections to the request of rezoning this parcel for apartment use.

Fire Department

El Paso Fire Department Strategic Planning Division has no objections or adverse comments to the rezoning. A second point of access is required.

Northeast Regional Command

No objections.

El Paso Water Utilities

1. The EPWU Stormwater Utility requires the construction of a free span bridge for the crossing of the Northgate Outlet Channel instead of the proposed culvert crossing. Coordinate the proposed Northgate Outlet Channel crossing with EPWU, the City of El Paso, and the US Army Corps of Engineers.

EPWU-PSB Comments

Water:

2. Along Kenworthy Street between Diana Drive and Cohen Avenue, there is an existing 12-inch diameter water main. Also, there is an existing 12-inch diameter water main along Diana Drive between Kenworthy Drive and Stahala Drive.

3. Previous water pressure readings conducted on fire hydrant # 6943 located along Kenworthy Street approximately 990 feet north of the entrance to the Community College have yielded a static pressure of 72 pounds per square inch (psi), residual pressure of 68 psi, discharge of 1,061 gallons per minute (gpm).

Sanitary Sewer:

4. Along Kenworthy Street between Diana Drive and Cohen Avenue there is an existing 12-inch diameter sanitary sewer main. A portion of this sanitary sewer main, fronting the subject Property is encased with reinforced concrete. Service to the subject Property from this section of the sanitary sewer may not be possible. Also, there is an existing 12-inch diameter sanitary sewer main along Diana Drive between Kenworthy Drive and Stahala Drive.

General:

5. Water and sanitary sewer service is anticipated to be provided by extending public mains along Stahala Drive from Diana Drive. The EPWU also anticipates a water main crossing across the Northgate Outlet Channel to Kenworthy Drive. All costs associated with the extension of mains and acquisitions of all required permits are the sole responsibility of the Owner/Developer.

6. Easements are required within the subject Property if the extension of public water and sanitary sewer mains is anticipated.

7. Easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWU-PSB easements without the written consent of EPWU-PSB. 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. Buildings shall be located 5 feet away from the easement line.

8. EPWU requires a new service application 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 change of zoning 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 from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

ZON10-00016



ATTACHMENT 2: AERIAL MAP

ZON10-00016



ATTACHMENT 3: CONCEPTUAL SITE PLAN

1/26/11
 11:58 AM
 SITE PLAN
 SCALE: 1" = 100'



Design

