

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: May 3, 2011
Public Hearing: May 24, 2011

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 3

SUBJECT:

An ordinance changing the zoning of Lots 1, 2, 3, and the East ½ of Lot 4, Block 15, Woodlawn Addition, City of El Paso, El Paso County, Texas from A-3 (Apartment) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3722 and 3730 Pera Avenue. Applicant: Project Vida Community Development Corporation. PZRZ11-00007 (**District 3**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Denial Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Deputy Director, Planning and Economic Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 1, 2, 3, AND THE EAST ½ OF LOT 4, BLOCK 15, WOODLAWN ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT). 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 *Lots 1, 2, 3, and the East ½ of Lot 4, Block 15, Woodlawn Addition, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **A-3 (APARTMENT)** to **S-D (SPECIAL DEVELOPMENT)**, 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 and Economic Development
Department

PROPERTY DESCRIPTION

3722-3730 PERA AVENUE

Description of a parcel of land being Lots 1, 2, 3 and the east ½ of Lot 4, Block 15, Latta's (Woodlawn) Addition, City of El Paso, El Paso County, Texas, said map of Latta's (Woodlawn) Addition recorded in book 13, page 53, Plat Records, El Paso County, Texas and also being that same parcel recorded in book 1404, page 586, and in Clerks File #20100018688, El Paso County Clerks Deed Records, and described as follows;

Commencing for reference at "V" found chiseled in concrete at the northwest corner of Block 6 in said Latta's (Woodlawn) Addition, said "V" lying South 59°09'46" East a distance of 780.10' from a TXDOT marker found at the northeast corner of Lot 1, Block 10 of said Latta's (Woodlawn) Addition (bearing basis); Thence, with the easterly ROW line of Latta Street (70' wide ROW), South 00°00'00" West a distance of 770.00' to the northwest corner of Block 14 of said Latta's (Woodlawn) Addition; Thence, North 90°00'00" West a distance of 70.00' to the northeast corner of said Block 15, and being the "Point Of Beginning";

Thence, with the west ROW line of said Latta Street, South 00°00'00" West a distance of 140.00' to a point on the north ROW line of an existing 20' wide alley;

Thence, with said north ROW line of an existing 20' wide alley, North 90°00'00" West a distance of 87.50' to a point;

Thence, North 00°00'00" East a distance of 140.00' to a point on the south ROW line of Pera Avenue (70' wide);

Thence, with said south ROW line of Pera Avenue, South 90°00'00" East a distance of 87.50' to the "Point Of Beginning" and containing 12,250 sq. ft. or 0.2812 acres.

Based on a field survey performed under my supervision and dated Oct. 29, 2010.



John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.
13998 Bradley Road
El Paso, TX. 79938
915-241-1841



MEMORANDUM

DATE: April 25, 2011

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Andrew Salloum, Planner

SUBJECT: PZRZ11-00007

The City Plan Commission (CPC), on March 24, 2011, voted 6-0 to recommend **APPROVAL** of rezoning the subject property from A-3 (Apartment) to S-D (Special Development).

The CPC found that the rezoning is in conformance with the Plan for El Paso. The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no **OPPOSITION** to this request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00007
Application Type: Rezoning
CPC Hearing Date: March 24, 2011
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 3722 and 3730 Pera Avenue
Legal Description: Lots 1, 2, 3, and the East ½ of Lot 4, Block 15, Woodlawn Addition, City of El Paso, El Paso County, Texas
Acreage: 0.281 acres
Rep District: 3
Zoning: A-3 (Apartment)
Existing Use: Vacant
Request: From A-3 (Apartment) to S-D (Special Development)
Proposed Use: Apartment

Property Owners Project Vida Community Development Corporation
Applicant Project Vida Community Development Corporation c/o Eric Huston
Representative PSRBB Architects c/o Robert C. Filarski

SURROUNDING ZONING AND LAND USE

North: A-3 (Apartment) / Multi-Family Dwellings
South: A-3 (Apartment) / Multi-Family Dwellings
East: A-3 (Apartment) / Zavala Elementary School
West: A-3 (Apartment) / Multi-Family Dwellings

THE PLAN FOR EL PASO DESIGNATION: Residential (Central Planning Area)

NEAREST PARK: Pera Luna Park (1,768 Feet)

NEAREST SCHOOL: Zavala Elementary (345 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association
Chamizal Neighbor Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 8, 2011. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone subject property from A-3 (Apartment) to S-D (Special Development) to allow for a 10 multi-family apartment units. Approval of the detailed site development plan for the special permit will fulfill the requirement for site plan review for the S-D (Special Development). (Special Permit, ZON11-00006, related case). The proposed access is from Pera Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from A-3 (Apartment) to S-D (Special Development). The rezoning and proposed use is compatible with surrounding 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 S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

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

Plan Review has no objections.

Engineering & Construction Management Service Department - Land Development

General Comments:

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
2. Grading plan and permit shall be required.*
3. Storm Water Pollution Prevention Plan and/or permit required.*
4. Drainage plans must be approved by the Development Services Department, Engineering Section.*
5. The property is within Flood Zone AH, "Areas of minimal flooding"- Panel # 480214 0040B, date October 15, 1982. (Elevation certificate is required).

* This requirement will be applied at the time of development.

Department of Transportation

1. Department of Transportation has no objection to rezoning.
2. Alley shall be paved if used for any vehicular access.
3. 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.

El Paso Water Utilities

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

EPWU does not object to this request.

EPWU-PSB Comments

Water:

Along Pera Street between Latta Street and Stevens Street there is an existing twelve (12) inch diameter water main.

Along Latta Street between Pera Street and Rivera Street there is an existing eight (8) inch diameter water main.

Long the alley located between Pera Street and Rivera Street, west of Latta Street there is an existing six (6) inch diameter water main.

Previous water pressure readings conducted on fire hydrant number 1937 located at the corner of Pera Street and Latta Street have yielded a static pressure of 96 pounds per square inch (psi), residual pressure of 92 psi, discharge of 1,300 gallons per minute (gpm).

Private water pressure regulating devices will be required at the discharge side of each water meter. 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 to be located at the discharge side of the water meters. Additionally, the lot buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

Sanitary Sewer:

Along Pera Street between Latta Street and Stevens Street there are no existing sanitary sewer mains.

Along Latta Street between Pera Street and Rivera Street are no existing sanitary sewer mains.

Long the alley located between Pera Street and Rivera Street, west of Latta Street there is an existing eight (8) inch diameter sanitary sewer main.

General:

Water and sanitary sewer service is available from the above described mains.

Frontage fees may be due from the Owner/Developer for the existing water and sanitary sewer mains described above. The El Paso Water Utilities (EPWU) will determine the amount due after the Owner/Developer completes a new service application with EPWU for service. The Owner/Developer is responsible for all frontage fees, as well as all water and sanitary sewer service installation costs.

If the City of El Paso Fire Department requires additional fire hydrants on public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. 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.

Application for 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.

Fire Department

No objections to rezoning.

Police Department

No objections to the proposed rezoning of locations on 3700 Pera, for apartment development.

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.

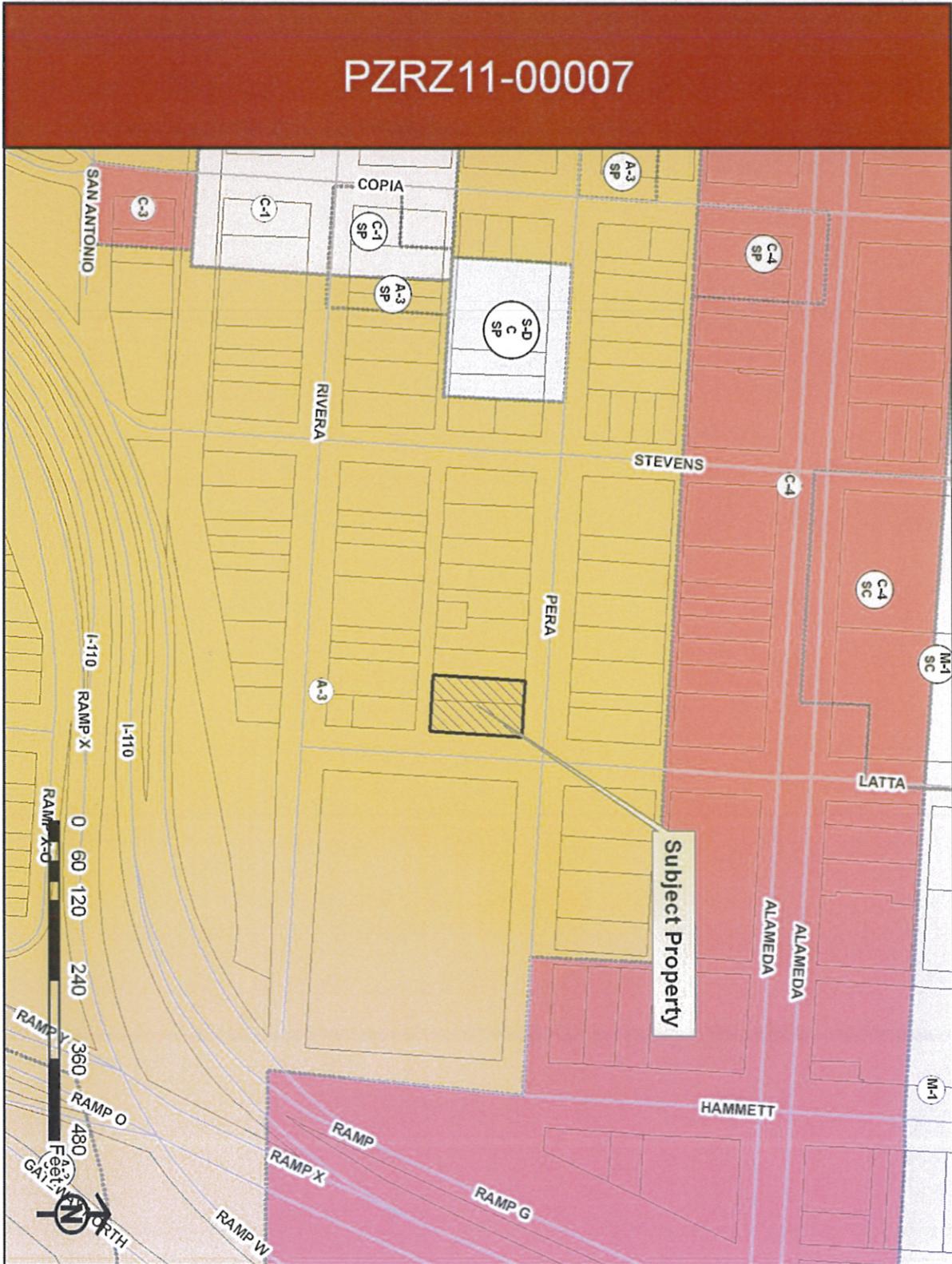
Attachments:

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

PZRZ11-00007



