

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: July 9, 2013
Public Hearing: July 30, 2013

CONTACT PERSON/PHONE: Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 3

SUBJECT:

An Ordinance changing the zoning of a Lot 48, Block 4, Stiles Gardens, City of El Paso, County of El Paso, Texas, from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7121 Stiles Drive A & B. Property Owner: Clotilde Hidalgo. PZRZ13-00008 (District 3)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (8-0)

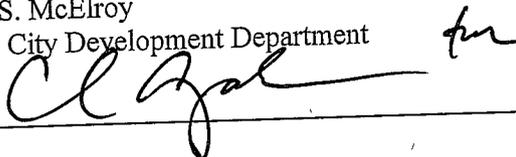
*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Director, City Development Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 48, BLOCK 4, STILES GARDENS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) 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:

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of Lot 48, Block 4, Stiles Gardens, located in the City of El Paso, El Paso County, Texas, be changed from R-5 (Residential) to S-D (Special Development), as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Karl M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

MEMORANDUM

DATE: June 26, 2013
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Michael McElroy, Planner
SUBJECT: PZRZ13-00008

The City Plan Commission (CPC), on June 13, 2013, voted 8-0 to recommend **approval** of rezoning the subject property from R-5 (Residential) to S-D (Special Development).

The CPC found that the rezoning is in conformance with the Plan 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 negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no communication in support or opposition to this request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ13-00008
Application Type: Rezoning
CPC Hearing Date: June 13, 2013
Staff Planner: Michael McElroy, 915-541-4238, mcelroyms@elpasotexas.gov
Location: 7121 Stiles Drive A & B
Legal Description: Portions of Lot 48, Block 4, Stiles Gardens, City of El Paso, El Paso County, Texas
Acreage: 0.433 acres
Rep District: 3
Zoning: R-5 (Residential)
Existing Use: Single-Family Home / Plumbing & HVAC / Auto Storage and/or Repair
Request: S-D (Special Development)
Proposed Use: Apartment Complex (Related to PZDS13-00005)
Property Owner: Clotilde Hidalgo
Representative: Jesus Jaime

SURROUNDING ZONING AND LAND USE

North: A-2 / Mobile Home Park
South: M-1 (Manufacturing) / Rail Yard
East: C-4/sc (Commercial/Special contract) / Roofing Business / Apartment Units
West: R-5 (Residential) / Apartment Units

Plan El Paso Designation: G7, Industrial and/or Railyards (Mission Valley)
Nearest Park: Stiles Park (3,891 ft.)
Nearest School: Ramona Elementary (523 ft.)

NEIGHBORHOOD ASSOCIATIONS Stiles Garden Neighborhood Association

NEIGHBORHOOD INPUT

Notices of the June 13, 2013 public hearing were mailed to all property owners within 300 feet of the subject property on May 29, 2013. 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 from R-5 (Residential) to S-D (Special District) to permit the construction of an apartment complex.

APPLICATION BACKGROUND

The property is registered as a legal nonconforming property for use as a plumbing, heating and cooling shop existing before 1953. The proposed change in use would cause the permanent loss of this non-conforming use.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the property from R-5 (Residential) to S-D (Special District) as the applicant's request is 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 S-D (Special Development) district is to provide 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. 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. Older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

COMMENTS:

City Development Department - Planning Division - Transportation

No objections Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

City Development Department – Building Permits & Inspections Division

No Objection

City Development Department – Land Development Division

No Objection: Grading plan and permit shall be required.* Storm Water Pollution Prevention Plan and/or permit required.* Drainage plans must be approved by the City Development Dept. Land Development Section.* * This requirement will be applied at the time of development.

El Paso Fire Department

Recommend “APPROVAL” of “Detailed Site Plan” as presented. *****NOTE ***** PZRZ 13-00008 In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan” for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi-family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. “When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”. The Fire Planning Division has reviewed the submitted “Detailed Site Plan” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

El Paso Water Utilities

1. El Paso Water Utilities (EPWU) does not object to this request.

Water:

2. There is an existing 8-inch diameter water main extending along Stiles Drive that is available for service, the water main is located approximately 12 feet south from the center line of the right-of-way.
3. EPWU records indicate two (2) 3/4-inch water meters serving the subject property. The service address for these meters is 7121 Stiles Drive.
4. Previous water pressure tests from fire hydrant # 1777 located at the northeast corner of Nichols Road and Stiles Drive have yielded a static pressure of 110 (psi) pounds per square inch, a residual pressure of 104 (psi) pounds per square inch, and a discharge of 949 (gpm) gallons per minute.
5. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

6. There is an existing 8-inch diameter sanitary sewer main extending along Stiles Drive that is available for service, the sewer main is located approximately 6.5 feet north from the center line of the right-of-way.
7. There is an existing 21-inch diameter sanitary sewer water main extending along Stiles Drive, the sewer main is located approximately 3 feet south from the center line of the right-of-way. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

General:

8. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. 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.

Note:

At the improvement plan stage, applicant needs to provide:

9. An acceptable stormwater management plan in accordance with Section 19.19.030 of the current subdivision ordinance.
10. An acceptable drainage plan in accordance with Section 19.01.050 of the current subdivision ordinance. As mentioned previously, EPWU requires retention of all developed stormwater runoff within the northern portion of the above parcel. In the drainage plan, provide the existing capacity of the pond: the proposed private ponding areas shall have enough capacity to hold all the storm sewer runoff for a designed 100-yr storm event.
11. An acceptable inspection and maintenance agreement for the private storm sewer facilities in accordance with Section 19.19.040 of the current subdivision ordinance.

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 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:

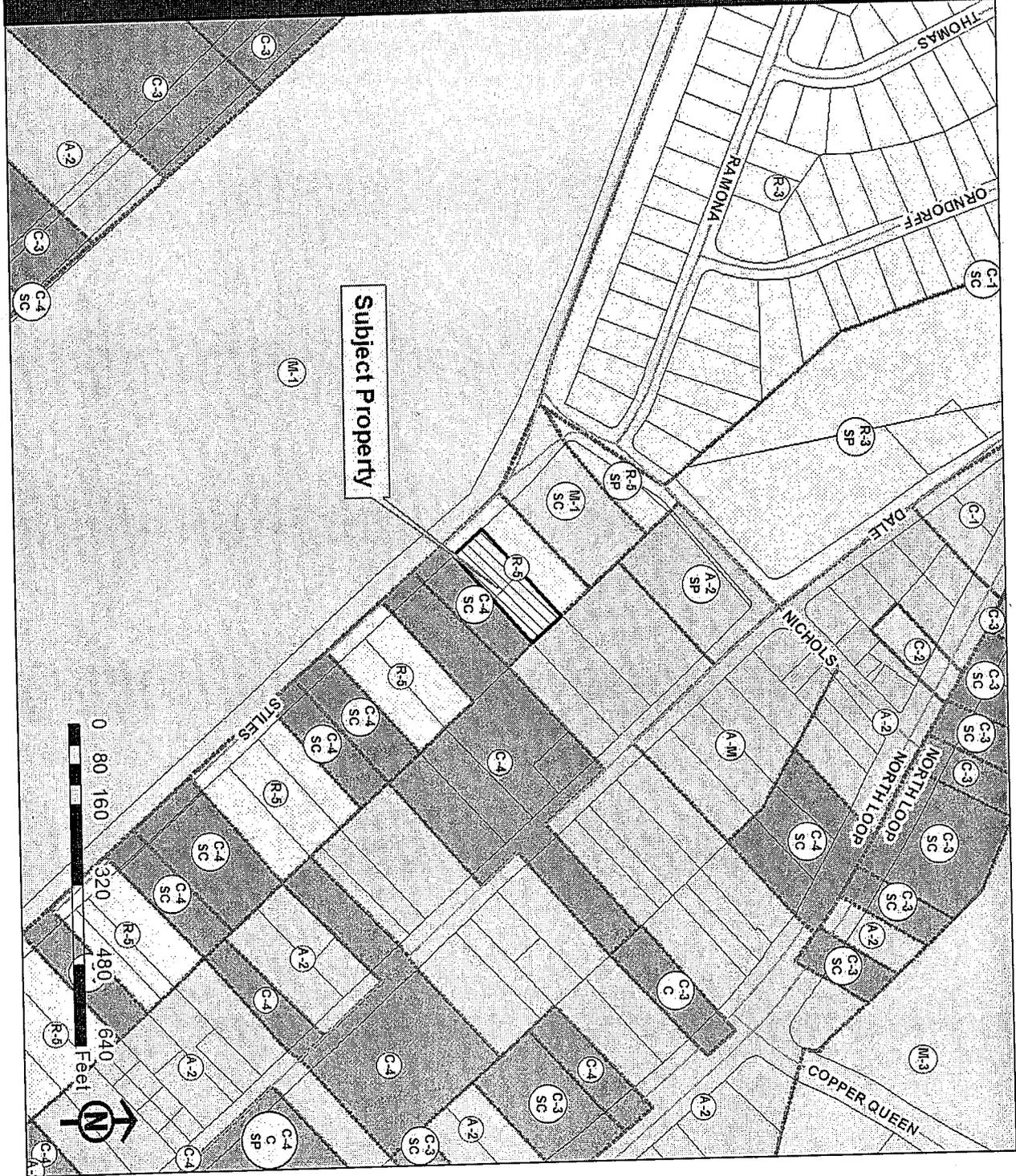
Attachment 1: Zoning Map

Attachment 2: Aerial Map

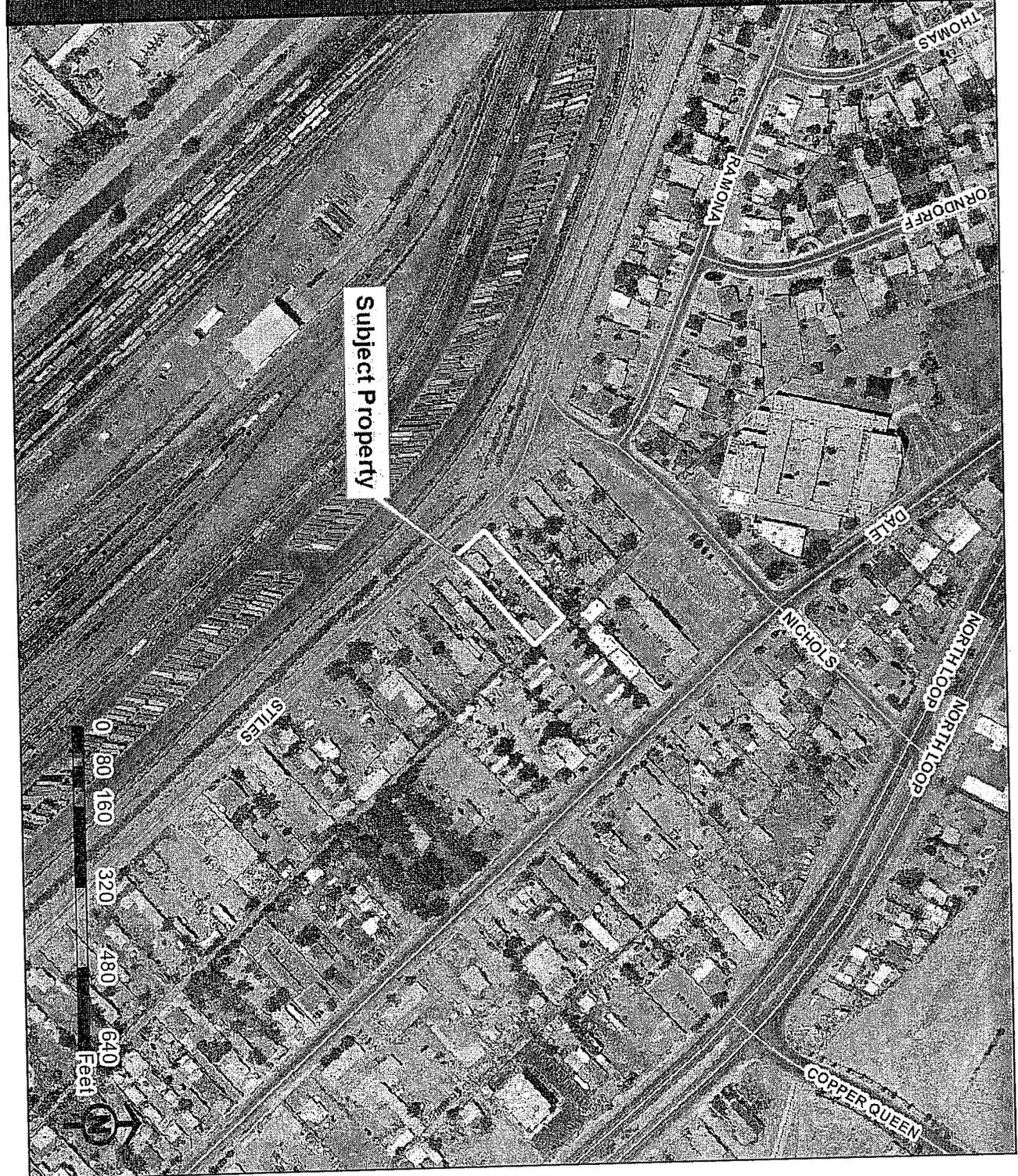
Attachment 3: Detailed Site Plan

ATTACHMENT 1: LOCATION MAP

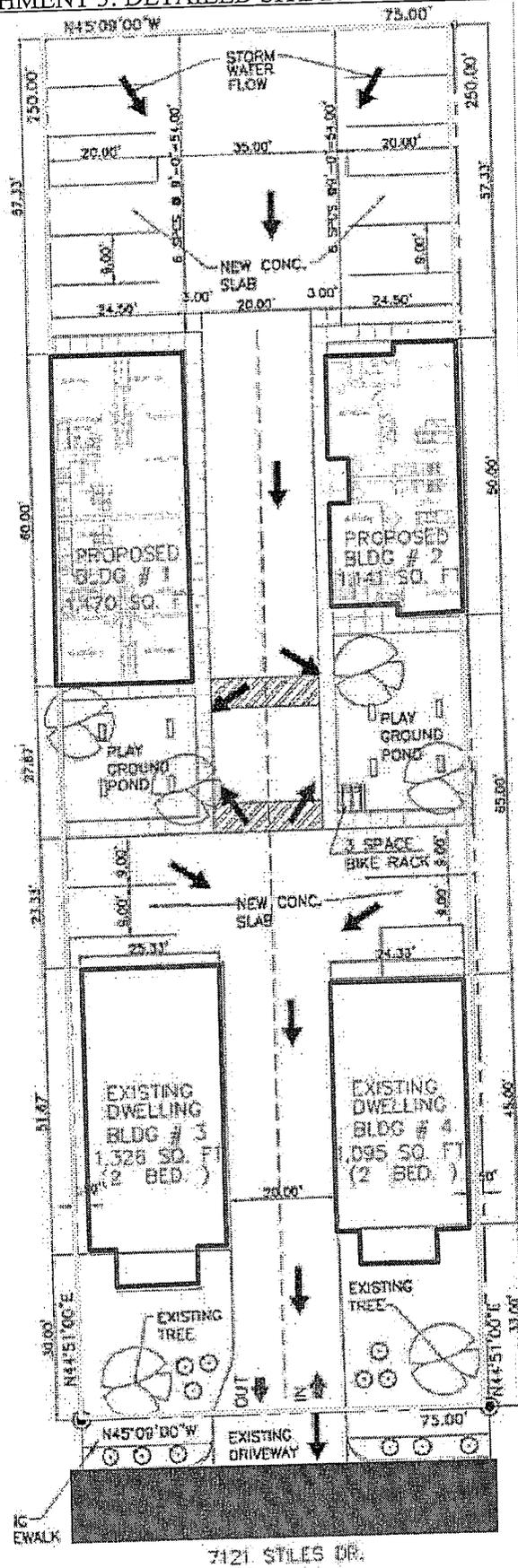
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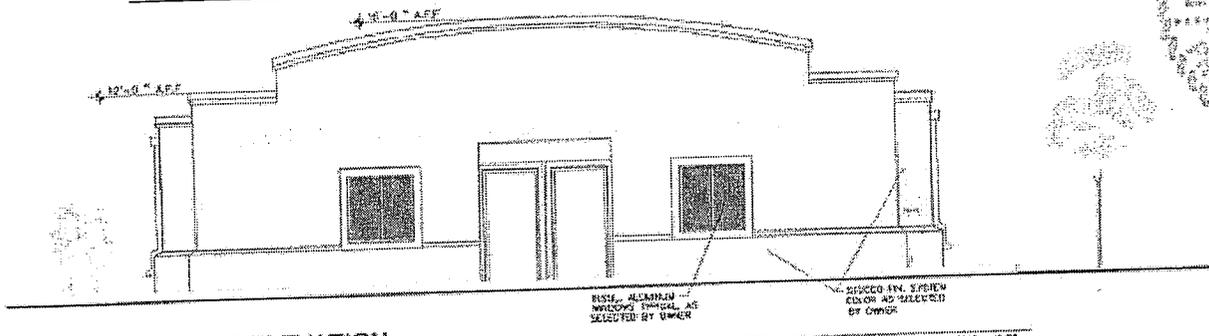
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



7121 STILES DR.

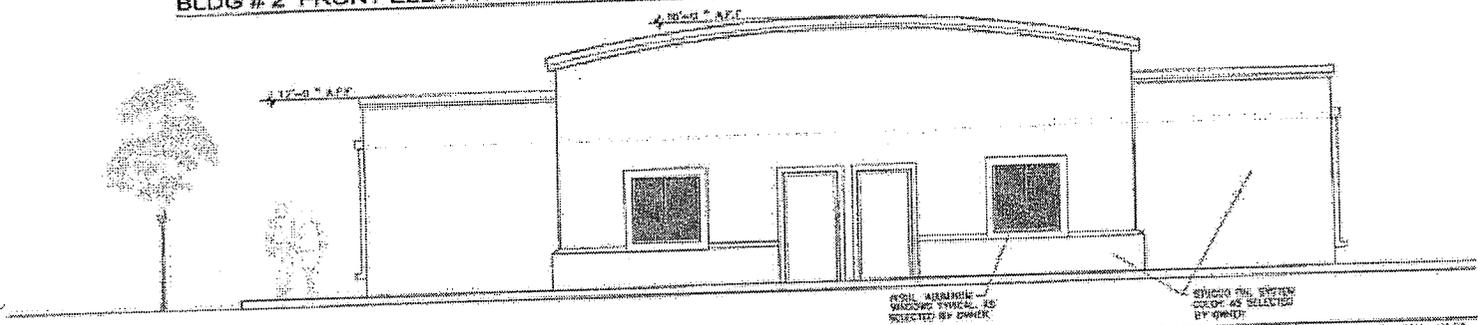
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN (CONTINUED)

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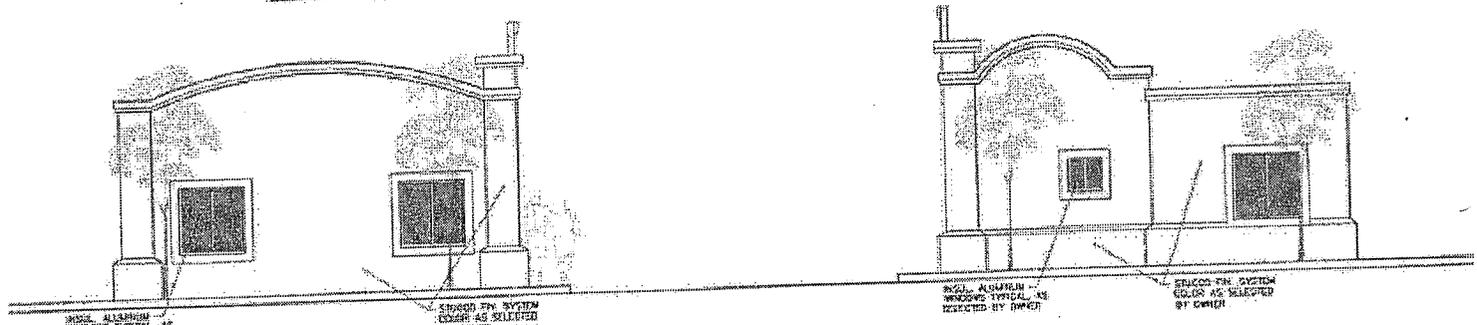
BLDG # 2 FRONT ELEVATION

Scale: 1/4" = 1'-0"



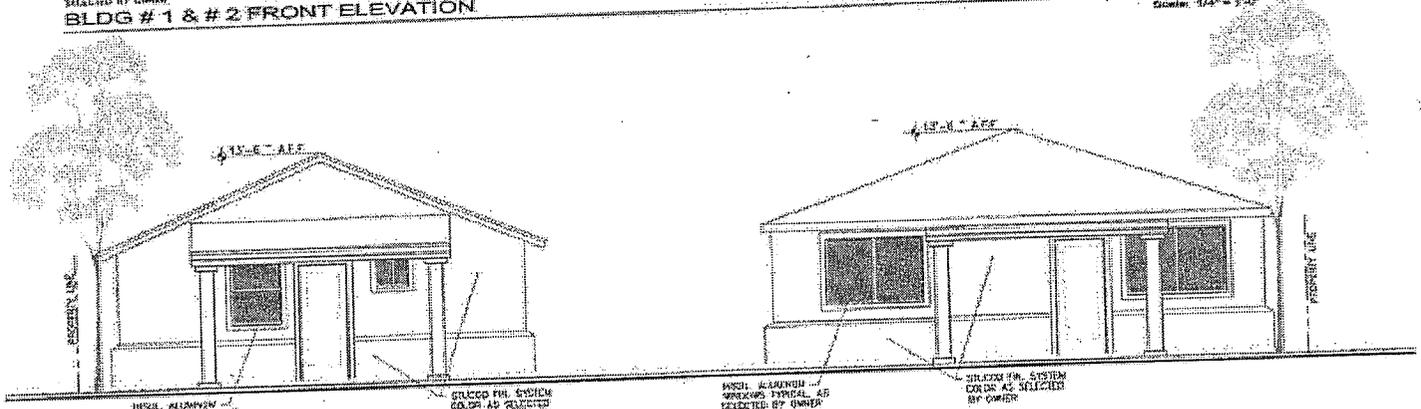
BLDG # 1 FRONT ELEVATION

Scale: 1/4" = 1'-0"



BLDG # 1 & 2 FRONT ELEVATION

Scale: 1/4" = 1'-0"



FRONT ELEVATION

SCALE: 1/4" = 1'-0"

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