Hondo Pass Drive

City of El Paso — Plan Commission — 8/23/2018 (REVISED)

PZRZ18-00014 **Rezoning**

STAFF CONTACT:	Andrew Salloum, 915-212-1603, SalloumAM@elpasotexas.gov
OWNER:	Chita, LP
REPRESENTATIVE:	Ray Mancera
LOCATION:	North of Hondo Pass Drive and East of Gateway North Boulevard, District 4
LEGAL DESCRIPTION:	Lot 1, Block 1, Castner Range Subdivision One, City of El Paso, El Paso County, Texas
EXISTING ZONING:	R-4 (Residential)
REQUEST:	To rezone from R-4 (Residential) to C-4 (Commercial) to allow for shopping center.
RELATED APPLICATIONS:	N/A
PUBLIC INPUT	Planning received two (2) letters via e-mail in opposition to heavy commercial/light manufacturing uses, see attachment 6; Notices sent to property owners within 300 feet on August 8, 2018.
STAFF RECOMMENDATION:	Denial (see pages 1—4 for basis for recommendation)

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-4 (Residential) to C-4 (Commercial) to allow for shopping center. The conceptual site plan shows 6 buildings for shopping center. Access to the subject property is provided from Gateway North Boulevard.

SUMMARY OF RECOMMENDATION: The Planning Division recommends **denial** of rezoning the subject property from R-4 (Residential) to C-4 (Commercial). However, staff instead recommend to rezone from R-4 (Residential) to C-2 (Commercial) with the following condition: that a 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the property lines adjacent to residential or apartment zone districts or uses. The landscaped buffer 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 recommendation is based on compatibility with the surrounding properties, majority being governmental uses and single-family dwellings and C-1 (Commercial) uses the area of the subject property, the proposed shopping center is a permitted use in the C-2 district, and in compliance with the Plan El Paso land use designation G-3, Post-War in the Northeast Planning Area.

DESCRIPTION OF REQUEST

The applicant is requesting to rezone from R-4 (Residential) to C-4 (Commercial) to allow for shopping center. The conceptual site plan shows 6 buildings for shopping center. Access to the subject property is provided from Gateway North Boulevard.

REZONING POLICY

POLICY	DOES IT COMPLY?
Compatibility Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.	No, properties adjacent to the subject property are zoned residential districts and C-1 (Commercial).
Plan El Paso Are preferred locations for higher density development and redevelopment. (i.e. Property is designated G-3)	No, the property is designated G-3, Post-War land use designation of Plan El Paso. The proposed development is adjacent to residential uses, government uses, and light commercial uses resulting in a C-4 (Commercial) being non-compatible with the surrounding area.

NEIGHBORHOOD CHARACTER AND COMPATIBILITY: The subject property is located in the Castner Range Subdivision, platted in 1975. The site is currently zoned R-4 and is vacant. Properties adjacent to the subject property are zoned R-3A, R-4, and C-1. Surrounding land uses include single-family dwellings, governmental buildings and uses. The nearest park is Nolan Richardson Park (1,501 feet). The nearest school is Whitaker Elementary School (3,750 feet).

COMPLIANCE WITH PLAN ELPASO: The purpose of the application is to introduce a proposed general commercial development within the G-3, Post-War land use designation.

RELATION OF PROPOSED CHANGE TO THE CITY'S COMP. PLAN

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
G-3, Post-War This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.	No, the lot sits within the Northeast Planning Area of Plan El Paso. The proposed development is adjacent to light commercial and residential lots. This property lies within a pocket of residential and low intensity commercial uses resulting in a C-4 (Commercial) being non-compatible with the surrounding area.
ZONING DISTRICT	**DOES IT COMPLY?**
C-4 (Regional 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. Within the central business district, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.	No, the potential for heavy commercial uses characterized by automotive and light warehousing is not compatible with the surrounding single-family dwellings and light commercial uses.
POLICY	**DOES IT COMPLY?**
2.2.1: City officials should consider the following neighborhood patterns when evaluating rezoning requests and also when locating and designing development on public land, seeking to achieve voluntary compliance with as many patterns as practical. While the land development code and state law ultimately dictate what shall be approved by the City, all design approaches that could increase the function, aesthetics, sustainability, marketability, and livability of projects should be discussed as part of the land development process. Consensus approaches should become changes to the land development code. The illustrative plans in various elements of Plan El Paso demonstrate the application of these design principles to a wide variety of sites within El Paso.	No, the purpose of this site should be based on the addition of compatible community commercial, potential for multi-family, and employment opportunities provided to surrounding neighborhoods within the area which is zoned for residential and light commercial uses, while also reducing travel and infrastructure needs through the mix of uses proposed. The parcel lies within a pocket of residential and low intensity commercial uses resulting in a C-4 (Commercial) being non-compatible with the surrounding area.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The parcel is 9.2 acres in size however the proposed shopping center is not allowed under the current R-4 (Residential) district. A shopping center is allowed in the C-2 (Commercial) district.

SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING: The subject property is 9.2 acres in size and allows the shopping center use under the proposed C-4 (Commercial) zoning. The Planning Division is recommending rezoning to C-2 (Commercial). However, based the proposed C-4 being non-compatible with the adjacent residential and commercial uses.

CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE: The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent of the C-2 (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 proposed zoning and the proposed use meet the intent of the zoning ordinance.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: Along Hondo Pass Drive between Gateway Boulevard North and Stahala Drive there is an existing eight (8) inch diameter water main. This main is available for main extensions. Along Stahala Drive between Hondo Pass Drive and Belinda Ann Way there is an existing twelve (12) inch diameter water main. This main is available for main extensions.

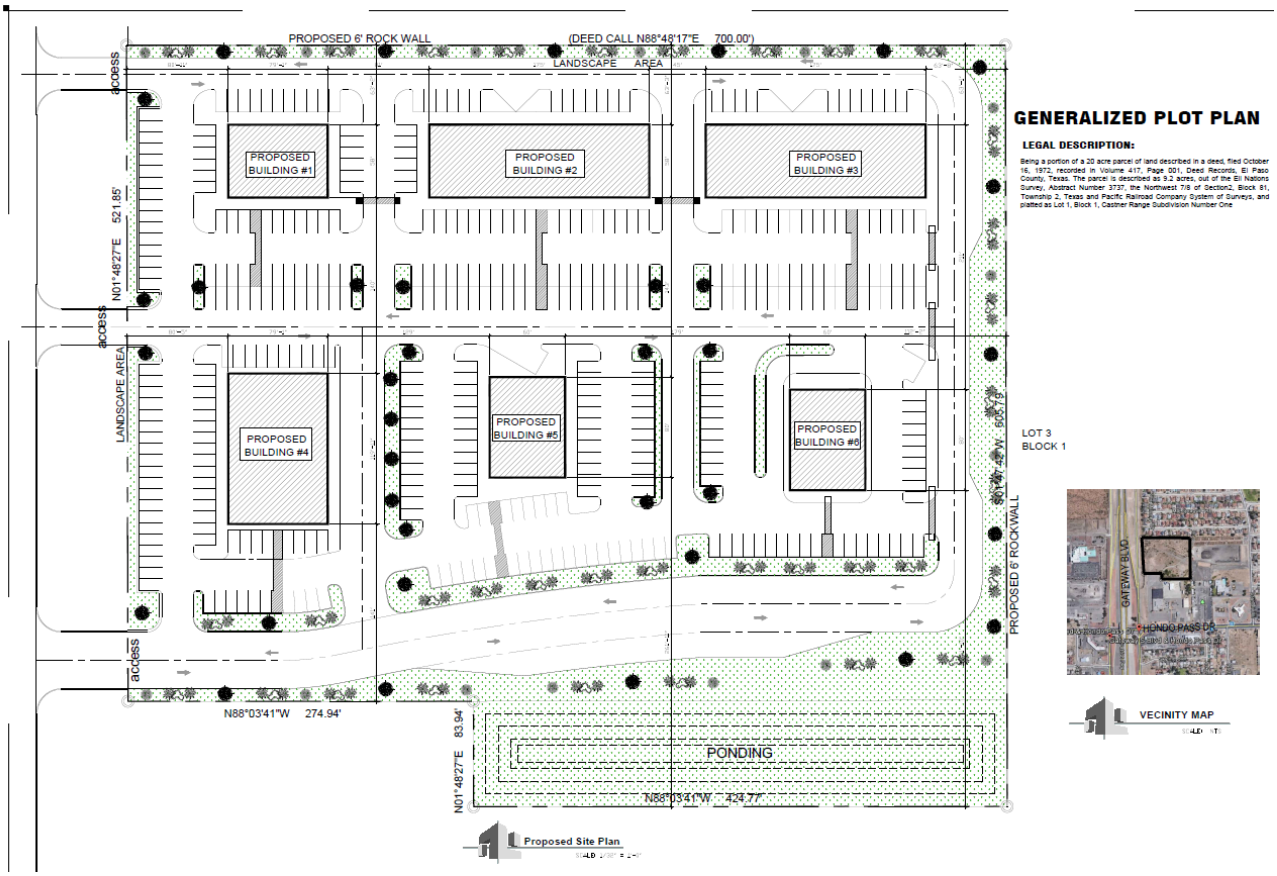
EFFECT UPON THE NATURAL ENVIRONMENT: Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.

COMMENT FROM THE PUBLIC: The subject property falls within the boundary of the Castner Heights Neighborhood Association was contacted as required by 20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on August 8, 2018. Planning Division received two letters via e-mail in opposition to warehouse uses and support for a shopping center, see attachment 6.

ATTACHMENTS:
1. Site Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Public Notification Boundary Map
6. Letters in Support and Opposition

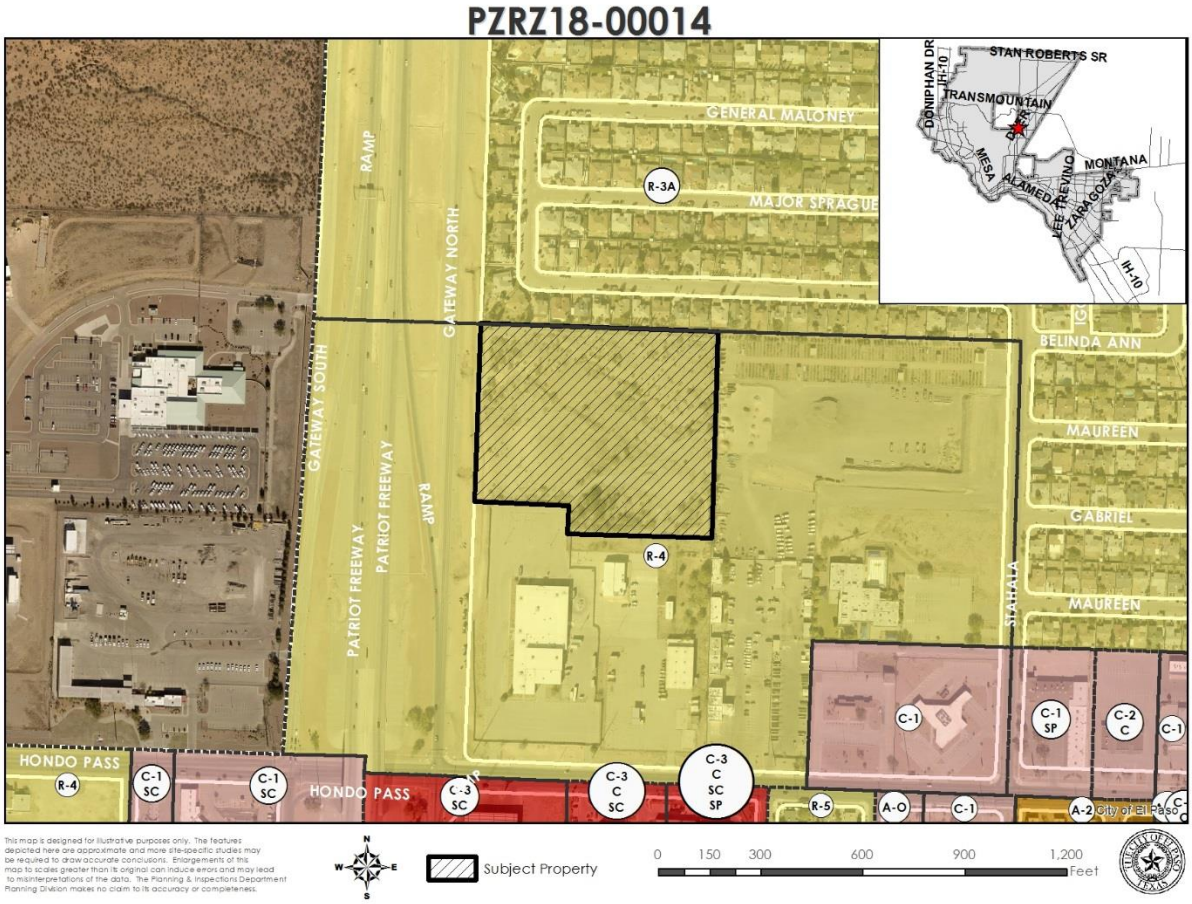
ATTACHMENT 1

Site Plan



ATTACHMENT 2

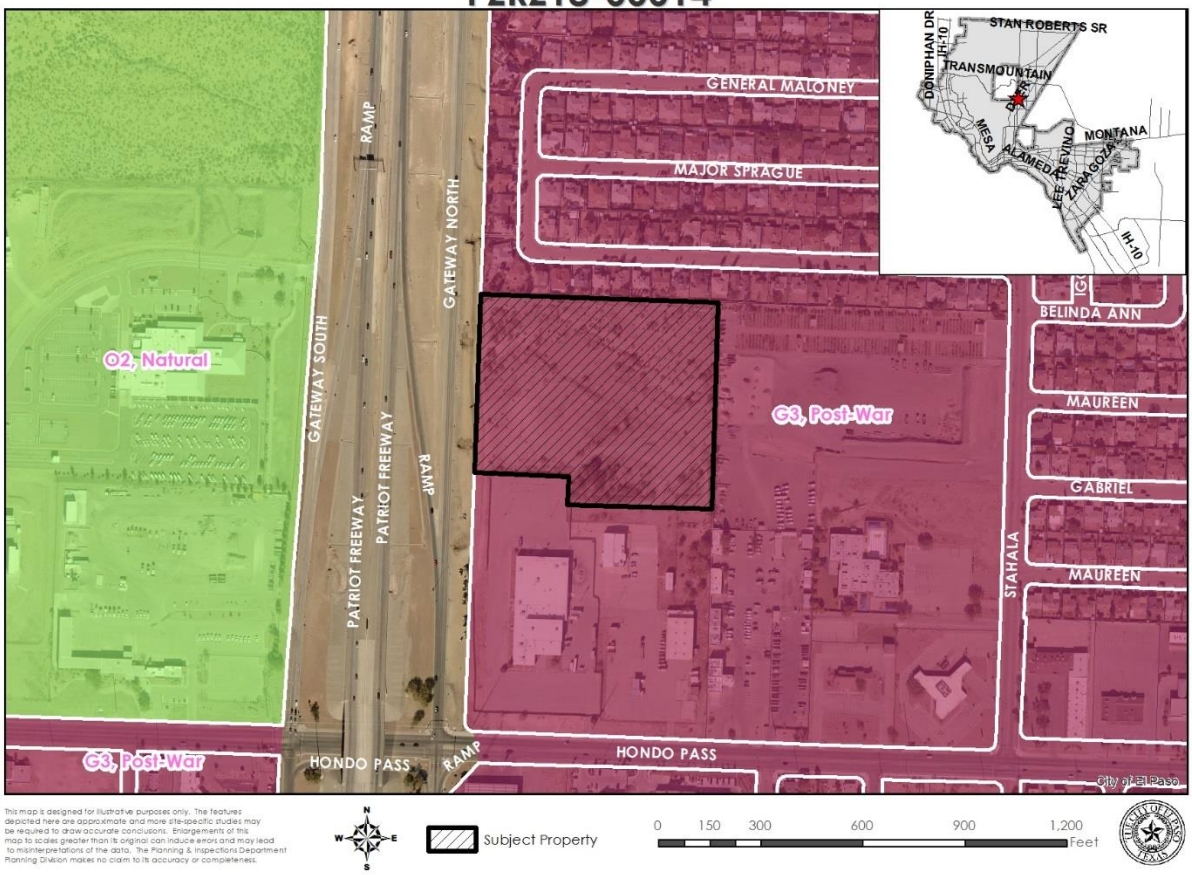
Zoning Map



ATTACHMENT 3

Future Land Use Map

PZRZ18-00014



ATTACHMENT 4

Department Comments

Planning and Inspections Department- Planning Zoning

The Planning division recommends **denial.** The proposed C-4 zoning district is not compatible with adjacent and surrounding residential and light commercial uses.

Planning and Inspections Department - Planning Division - Transportation

The traffic impact analysis (TIA) was submitted for Street and Maintenance Department's review and approved.

Note:

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

Street and Maintenance

Street and Maintenance agrees with the traffic impact analysis, and no mitigation is required for the Hondo Pass and Gateway North Boulevard TIA.

TXDOT

Requestor has to coordinate with TxDOT for possible conflicts between a TxDOT construction project and the location of a proposed driveway. TxDOT will not approve a driveway until the owner or his engineer coordinate with the design or construction engineer.

Planning and Inspections Department – Building and Development Permitting

No objections to proposed rezoning.

The Plan submitted was not reviewed for conformance with local municipal code due to conceptual nature.

Note:

At the time of submittal for building permit the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code

Planning and Inspections Department - Land Development

Show proposed drainage flow patterns flowing into pond and label it as a private pond.

Coordinate with TXDOT for drainage and access requirements (45' wide driveway).

Environmental Service

ESD has serious concerns about commercial buildings being so close to residential properties. With bars and nightclubs being allowed in C-4, there could be multiple ones located along the north end of the property. Since these types of establishments have the potential to cause noise nuisances for the nearby residents, more distance needs to be placed between the property boundary and Buildings 1, 2, and 3. Perhaps the parking and buildings can be flipped. Or, perhaps a special condition could be placed to prohibit bars or nightclubs from operating in those buildings.

It does not appear any waste container storage areas have been indicated on the plans.

Fire Department

No objections.

Police Department

There are no objections or police-related concerns to report.

Sun Metro

No objections.

El Paso Water

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

EPWater does not object to this request.

Water

Along Hondo Pass Drive between Gateway Boulevard North and Stahala Drive there is an existing eight (8) inch diameter water main. This main is available for main extensions.

Along Stahala Drive between Hondo Pass Drive and Belinda Ann Way there is an existing twelve (12) inch diameter water main. This main is available for main extensions.

Previous water pressure readings conducted on fire hydrant number 3495 located at the corner of Hondo Pass Drive and Gateway Boulevard North have yielded a static pressure of 75 pounds per square inch (psi), residual pressure of 70 psi, discharge of 1,300 gallons per minute (gpm).

Sanitary Sewer

Along Hondo Pass Drive between Gateway Boulevard North and Stahala Drive there is an existing eight (8) inch diameter sanitary sewer main. This main is available for main extensions.

Along Stahala Drive between Hondo Pass Drive and Belinda Ann Way there is an existing eight (8) inch diameter sanitary sewer main. This main is available for main extensions.

General

Service to the subject Property is anticipated to be provided by means of main extensions. Off-site and on-site easements are anticipated.

The proposed water distribution system to serve this Property will be required to be a looped water system.

All costs related to the extension of the water mains, sanitary sewer mains and easement acquisition are the responsibility of the Owner/Developer.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWater-PSB Easement Policy.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

The alignment and location of the proposed EPWater-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWater-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.

No building, reservoir, structure, trees, parking stalls, light poles, or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water - Public Service Board Easements (EPWater-PSB easements) without the written consent of EPWater-PSB.

The PSB easement shall be improved to allow the operation of EPWater maintenance vehicles.

If the Development of this Property requires public fire hydrants and public water mains within private Property, easements will be required in order to accommodate the described public facilities. The proposed easement shall comply with the EPWater - PSB Easement Policy. Additionally, easements for the proposed public fire hydrants shall have minimum dimensions of 10 feet by 10 feet.

EPWater requires a new service application to initialize design of the water and sanitary sewer main extensions 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 EPWater – 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.

El Paso Water – Stormwater Engineering

1. Show existing and proposed drainage flow patterns on the preliminary plat and identify the discharge location for all stormwater runoff.

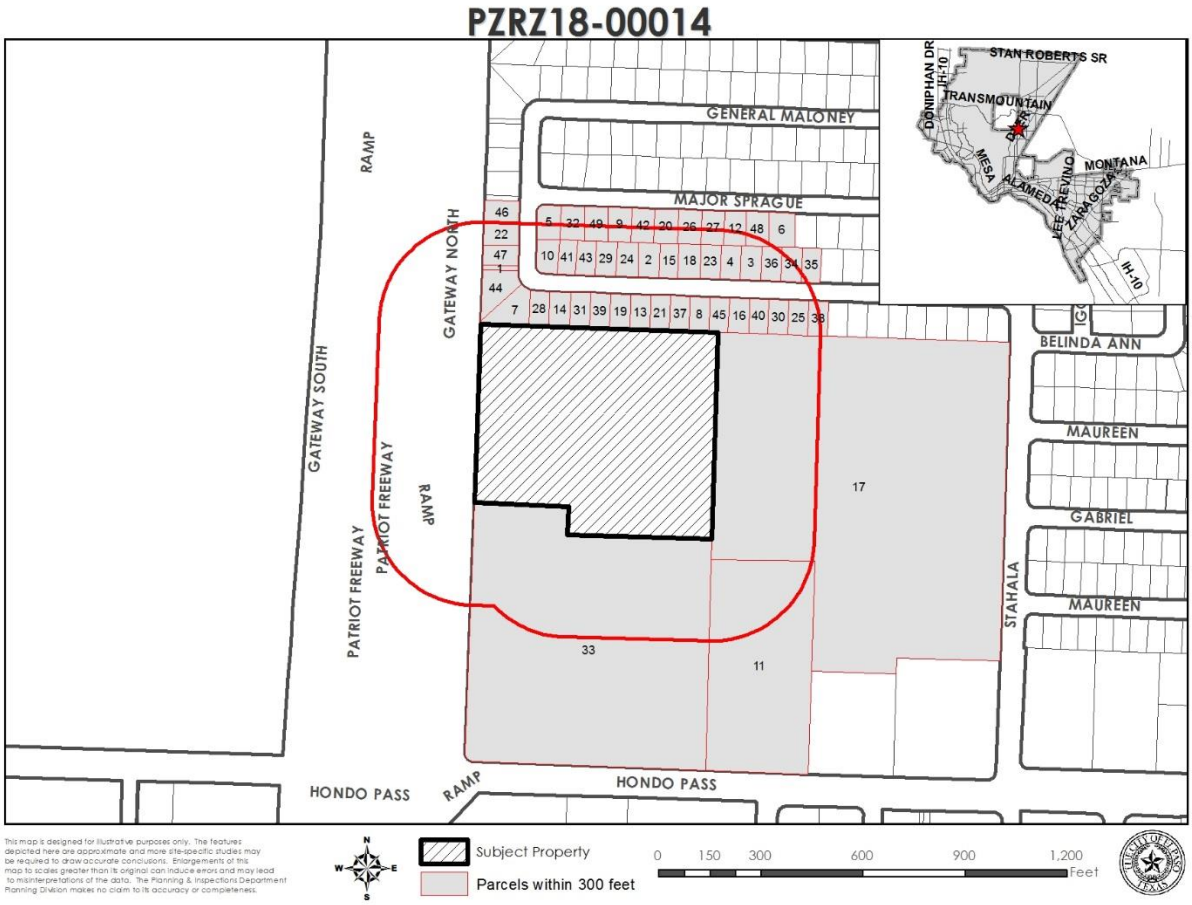
2. Storm sewer cannot flow into Gateway North Blvd.; TXDOT (state) roads are not designed to carry outside storm sewer flow.

3. Proposed ponding area shown shall have enough capacity to hold the developed runoff for a designed 100-yr. storm event.

4. EPW - Stormwater Engineering recommends using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff and to mitigate adverse downstream drainage conditions.

ATTACHMENT 5

Public Notification Boundary Map



ATTACHMENT 6

Letters in Support and Opposition

Salloum, Andrew M.

From: Stu <bendstl6@live.com>
Sent: Wednesday, August 22, 2018 7:51 PM
To: Salloum, Andrew M.
Subject: CASE NUMBER – PZRZ18-00014

> City of El Paso planning commission,
>>
>> I am communicating by email regarding my concerns over the property located at Hondo Pass and Gateway North. I understand that there is a proposal for rezoning to a commercial property. The past plan was to create a truck trailer /commercial warehouse. As a resident of Castner Heights Neighborhood I have extreme concerns over a truck trailer/ commercial warehouse being so close to residential homes and a neighborhood:
>> * rodents and other vermin that can collect in warehouses
>> * running engines, jake brakes, and other noises
>> * effects of pollution to the environment, including to the community garden that is close by the property
>> * traffic pollution for residents
>> * increased potential for criminal activities
>>
>> Attorney Mancera informed residents at our AdHoc neighborhood association meeting, that the buyer of the property has reconsidered to make this property for use as stores and offices (strip-mall). That is a decision I would support.
>>
>> Gary Molinaro
>> 4716 GT Powers
>> El Paso, TX. 79924
>> (915) 637-0840
>>
>>

Salloum, Andrew M.

From: BE S <besostx@hotmail.com>
Sent: Wednesday, August 22, 2018 7:46 PM
To: Salloum, Andrew M.
Subject: CASE NUMBER – PZRZ18-00014

City of E Paso planning commission,

I am communicating by email regarding my concerns over the property located at Hondo Pass and Gateway North. I understand that there is a proposal for rezoning to a commercial property. The past plan was to create a truck trailer /commercial warehouse. As a resident of Castner Heights Neighborhood I have extreme concerns over a truck trailer/ commercial warehouse being so close to residential homes and a neighborhood:

* rodents that can collect in warehouses
* running engines, jake break, and other noises
* effects of pollution to the environment, including to the community garden that is close by the property
* traffic pollution for residents
* increased potential for criminal activities

Attorney Mancera informed residents at our AdHoc neighborhood association meeting, that the buyer of the property has reconsidered to make this property for use as stores and offices (strip-mall). That is a decision I would support.

Blanca Silva
4716 GT Powers
El Paso, TX. 79924
(915) 474-2304