

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: February 6, 2018
Public Hearing: February 20, 2018

CONTACT PERSON/PHONE: Victor Morrison-Vega, (915)212-1553, morrison-vegavx@elpasotexas.gov
Armida Martinez, (915) 212-1605, martinezar@elpasotexas.gov

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 1, Block 5, Tierra Commercial Unit Five, City of El Paso, El Paso County, Texas from C-2/c (Commercial/condition) to C-3/c (Commercial/condition). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: East of Zaragoza and North of Pebble Hills. Property Owner: River Oaks Properties, LTD. **PZRZ17-00026 (District 5)**

BACKGROUND / DISCUSSION:

On December 14, 2017, the CPC reviewed and recommended approval of the rezoning request.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Recommended approval on December 14, 2017

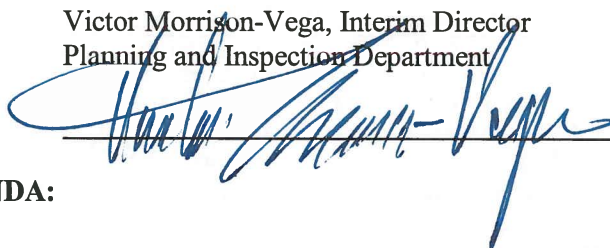
*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Victor Morrison-Vega, Interim Director
Planning and Inspection Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 5, TIERRA COMMERCIAL UNIT FIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-2/C (COMMERCIAL/CONDITION) TO C-3/C (COMMERCIAL/CONDITION). 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 a portion of Lot 1, Block 5, Tierra Commercial Unit Five, located in the City of El Paso, El Paso County, Texas, be changed from **C-2/c (Commercial/condition) District** to **C-3/c (Commerical/condition) District**, 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.

ADOPTED this _____ day of _____, 2018.

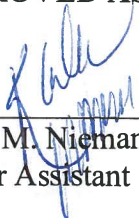
THE CITY OF EL PASO

Dee Margo, Mayor

ATTEST:

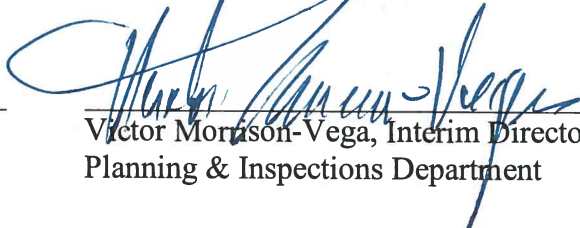
Laura D. Prine, Interim City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Victor Morrison-Vega, Interim Director
Planning & Inspections Department

ORDINANCE NO. _____
18-1007-2113 | 749319
14001 Pebble Hills
KMN

PZRZ17-00026

EXHIBIT "A"

**PEBBLE HILLS BOULEVARD AND
ZARAGOZA ROAD
METES AND BOUNDS**

Property Description: A portion of Lot 1, Block 5, TIERRA COMMERCIAL UNIT 5, an addition to the city of El Paso, El Paso County, Texas, according to the plat thereof on file in the Office of the County Clerk of El Paso County, Texas, which Instrument No. is 20090043415, said parcel being more particularly described by metes and bounds as follows:

Commencing at a city monument laying on the centerline intersection of Pebble Hills Boulevard (a 110' wide public right-of-way) and Wonder Rock Place; Thence, N86°58'40"W, along the centerline of Pebble Hills Boulevard, a distance of 155.25 feet to a point; Thence, N03°01'20"E, abandoning said centerline, a distance of 55.00 feet to a found 1/4" iron pin with B & AINC lying on the northerly right-of-way of Pebble Hills Boulevard, for a boundary corner of the parcel of land herein being described, said point being the TRUE POINT OF BEGINNING of this description:

THENCE, N 86°58'40" W, with said right-of-way line, a distance of 148.83 feet to a boundary corner;

THENCE, continuing on said right-of-way line and along a curve to the right, having a radius of 1194.96 feet, a central angle of 28° 35' 48", and whose long chord bears N 72°40'52" W, a distance of 590.24 feet to a boundary corner;

THENCE, N 45°34'18" E, abandoning said right-of-way line and into Lot 1, Block 5, Tierra Commercial Unit 5, a distance of 1,066.02 feet to a boundary corner;

THENCE, S 03°01'40" W, abandoning said right-of-way line, a distance of 931.09 feet back to the TRUE POINT OF BEGINNING of this description.

Said parcel o land containing 8.2879 acres (361,020.78 s.f.) of land, more or less.

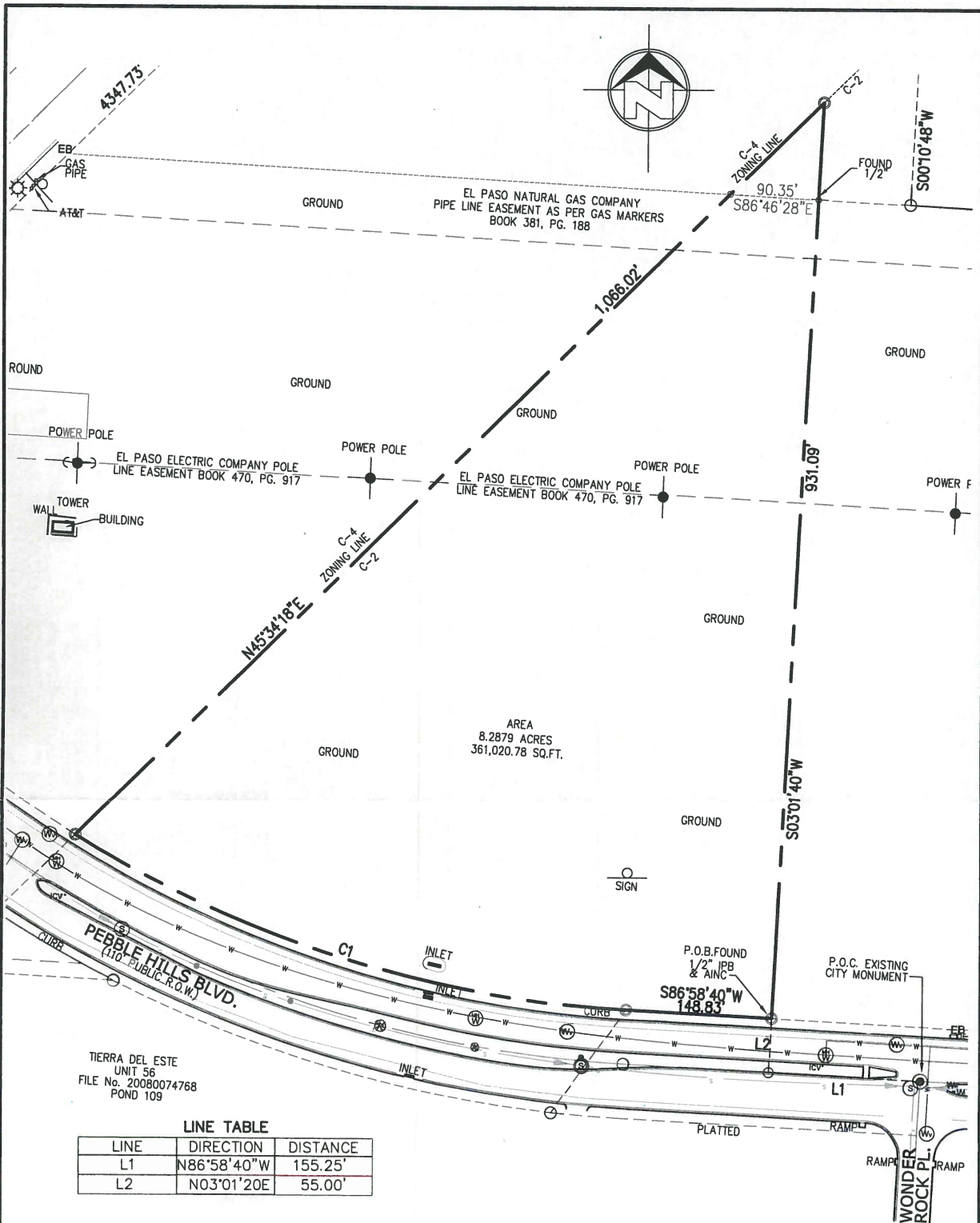
A PLAT OF BOUNDARY OF EVEN DATE ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION.

SLI ENGINEERING, INC.
Consulting Engineers - Land Surveyors


Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998

September 21, 2017.
Job# 06-17-4040
M&B/





LINE TABLE

LINE	DIRECTION	DISTANCE
L1	N86°58'40"W	155.25'
L2	N03°01'20E	55.00'

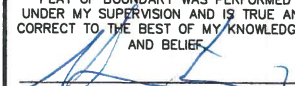


CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	1,194.96'	596.41'	304.55'	590.24'	N72°40'52"W	28°35'48"

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This map and survey are being provided solely for the use of _____ and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon SEPTEMBER 21, 2017.

SLI ENGINEERING, INC.
 Reg. No. F-1902
 SURVEYING
 Reg. No. 100120-00

PLAT OF BOUNDARY		CERTIFICATION I HEREBY CERTIFY THAT THE FOREGOING PLAT OF BOUNDARY WAS PERFORMED UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.  GUILLERMO LICON, R.P.S. REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS LICENSE NO. 2998 DATE: _____	
 CIVIL ENGINEERS LAND SURVEYORS LAND PLANNERS 6800 WESTBROOK DRIVE EL PASO, TEXAS (915) 586-4487	A PORTION OF LOT 1, BLOCK 5, TIERRA COMMERCIAL UNIT 5, EL PASO, EL PASO COUNTY, TEXAS. PLAT REFERENCE VOLUME _____ PAGE _____		
JOB #: 06-17-4040 DRAWN BY: CV/MN CK BY: GH DATE: 09/21/17 SCALE: 1"=100'			

Handwritten: 2021.26

MEMORANDUM

DATE: January 29, 2018

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Armida Martinez, Planner

SUBJECT: **PZRZ17-00026**

The City Plan Commission (CPC) on December 14, 2017, voted unanimously to recommend **approval** of C-2/c (Commerical/condition) to C-3/c (Commercial/condition) in order to allow for a superstore.

The CPC found that the rezoning is in conformance with 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, that 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.

The Planning Division has not received any communication in support or opposition to the rezoning request.

Property Owner: River Oaks Properties
Representative: SLI Engineering

Attachments: Staff Report

14001 Pebble Hills

City of El Paso — Plan Commission — 12/14/2017



PZRZ17-00026

Rezoning

STAFF CONTACT:	Armida Martinez, 915-212-1605, martinezar@elpasotexas.gov
OWNER:	River Oaks Properties
REPRESENTATIVE:	SLI Engineering
LOCATION:	14001 Pebble Hills
LEGAL DESCRIPTION:	Portion of Lot 1, Block 5, Tierra Commercial Unit Five, City of El Paso, El Paso County, Texas
EXISTING ZONING:	C-2/c(Commercial/condition)
REQUEST:	To rezone from C-2/c (Commercial/condition) to C-3/c (Commercial/condition) for proposed Superstore use
RELATED APPLICATIONS:	N/A
PUBLIC INPUT	Planning has not received any communication in support or opposition to the rezoning request; Notices sent to property owners within 300 feet on November 30, 2017.
STAFF RECOMMENDATION:	Approval (see pages 2—4 for basis for recommendation)

SUMMARY OF REQUEST: The applicant is requesting to rezone from C-2/c (Commercial/condition) to C-3/c (Commercial/condition) to allow for commercial development. The subject property is 8.28 acres in size and is currently vacant. The conceptual plan shows a 78,337 sq. ft. Superstore. Access will from Pebble Hills.

SUMMARY OF RECOMMENDATION: The Planning Division recommends **APPROVAL** of rezoning the property from C-2/c (Commercial/condition) to C-3/c (Commercial/condition). The proposed zoning district is consistent with other commercial districts in the immediate area along Zaragoza and Pebble Hill, and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of the G-4 – Suburban (Walkable) land use designation of Plan El Paso, the City's Comprehensive Plan.



DESCRIPTION OF REQUEST

The applicant has submitted a Rezoning application for the property at 14001 Pebble Hills through Zoning Section of the Planning and Inspections Department. The property owner is requesting a rezoning from C-2/c to C-3/c to accommodate a proposed Superstore. The current use of the property is vacant. The concept plan shows a proposed 78,337 sq. ft. commercial building and meets the dimensional requirements of the proposed C-3 (Commercial) zoning district.

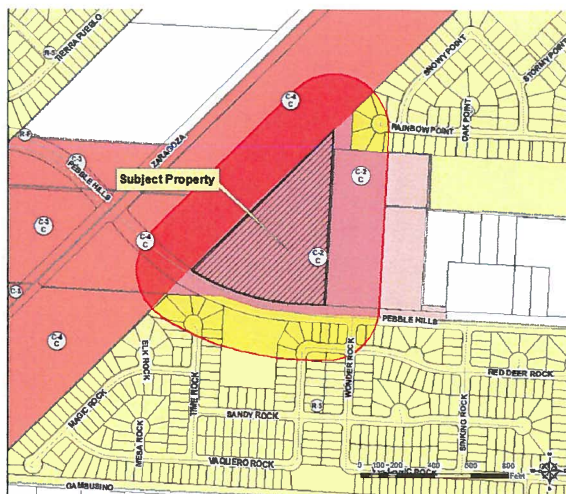
The development requires a minimum of 218 parking spaces. 411 parking spaces are shown on the general concept plan. Developments exceeding the maximum number of parking spaces will have to meet additional landscape requirements. Access to the subject property is from Pebble Hills.

A general concept plan was submitted for the applicant's rezoning request. Conditions imposed by Ordinance No. 016917 dated June 17, 2008 imposed a detailed site plan requirement. Prior to obtaining building permits, the applicant will need to submit a detailed site development plan for approval by CPC.

REZONING POLICY

POLICY	DOES IT COMPLY?
<p>Compatibility Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.</p>	<p>Yes, properties adjacent to the subject property are zoned C-4/c, and C-2/c.</p>
<p>Plan El Paso The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.</p>	<p>Yes, the proposal contributes to a mix of uses and contributes to the possibility that in the future 50% of the surrounding residences will be within ¼ mile of 4 different uses. Commercial uses are introduced within ¼ mile of homogenous, large-scale residential development.</p>

NEIGHBORHOOD CHARACTER AND COMPATIBILITY: The subject property is located in the Tierra Commercial Unit Five subdivision, recorded in 2009. The site is currently zoned C-2 and is currently vacant. There are two vacant commercial parcels adjacent to the subject property and single-family residential development to the immediate northeast and to the south. The nearest park is Rainbow Vista Park (2,884 feet) and the nearest school is SGT Robert Ituarte Elementary/SPC Raphael Hernando II Middle (5,787 feet). More than 50% of the subject property is currently zoned C-2 (Commercial).



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

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
<p>G-4- Suburban (Walkable) This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplements the limited housing stock and add missing civic and commercial uses.</p>	<p>Yes, the lot is vacant. The purpose of this project is adding a missing grocery use to an established suburban neighborhood.</p>
ZONING DISTRICT	DOES IT COMPLY?
<p>C-3 (Commercial) district is intended 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.</p>	<p>Yes, a Superstore is a permitted use and the applicant's use meets all the applicable dimensional standards.</p>
POLICY	DOES IT COMPLY?
<p>1.3.1: Most neighborhoods, even new ones, would benefit from a greater variety of activities within walking and bicycling distance. For instance, a greater number of smaller parks are preferable to a few larger ones that are accessible only to those with a private vehicle. Likewise, smaller schools often become the centerpiece of their neighborhoods rather than distant facilities to which most students must be driven or bused each day. This policy is most applicable within the G-3 "Post-War" and G-4 "Suburban" growth sectors on the Future Land Use Map.</p>	<p>Yes, the applicant is proposing a superstore within walking distance of an established residential neighborhood.</p>

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The lot is 361,020.78 sf (8.2879 acres), the C-2 district requires a minimum 10ft rear and street-side setback, however, the proposed superstore is not a permitted use in a C-2 commercial district.

SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING: The subject site is 8.2879 acres in size (261,020.78 sq. ft.) and allows the proposed use under the proposed C-3 (Commercial) zoning. The applicant's proposal meets all dimensional requirements of the C-3 (Commercial) district.

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-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 proposed zoning and the proposed use meet the intent of the zoning ordinance.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: There are existing water and sewer mains along Pebble Hills and Zargoza available for service. The applicant will need to coordinate with EPWater to continue providing services to the property.

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 Eastside Civic Association and 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 November 30, 2017. Planning has not received any communication in support or opposition to the rezoning request.

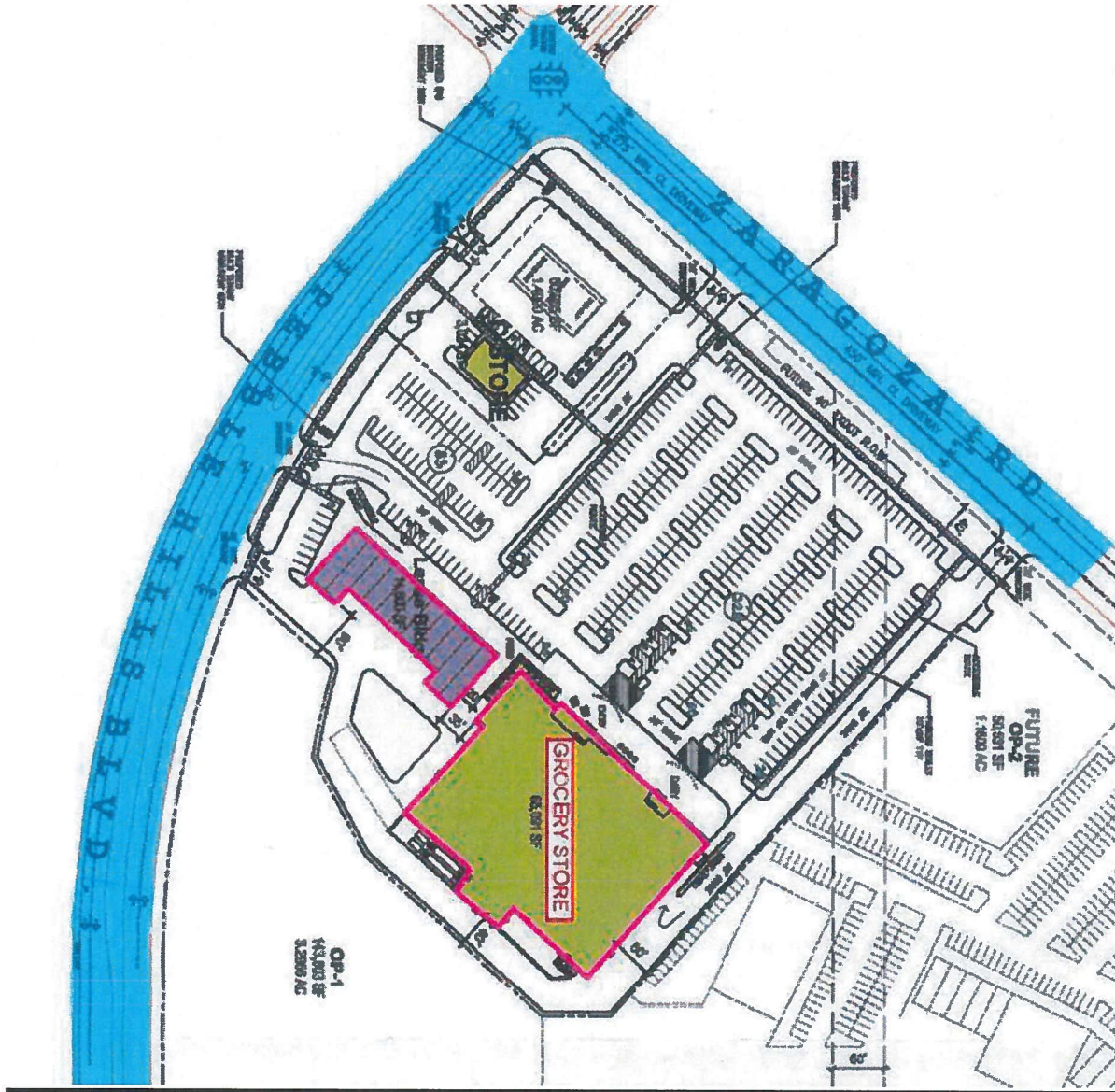
STAFF COMMENTS: No objections to proposed rezoning. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

ATTACHMENTS:

1. Site Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Public Notification Boundary Map

ATTACHMENT 1

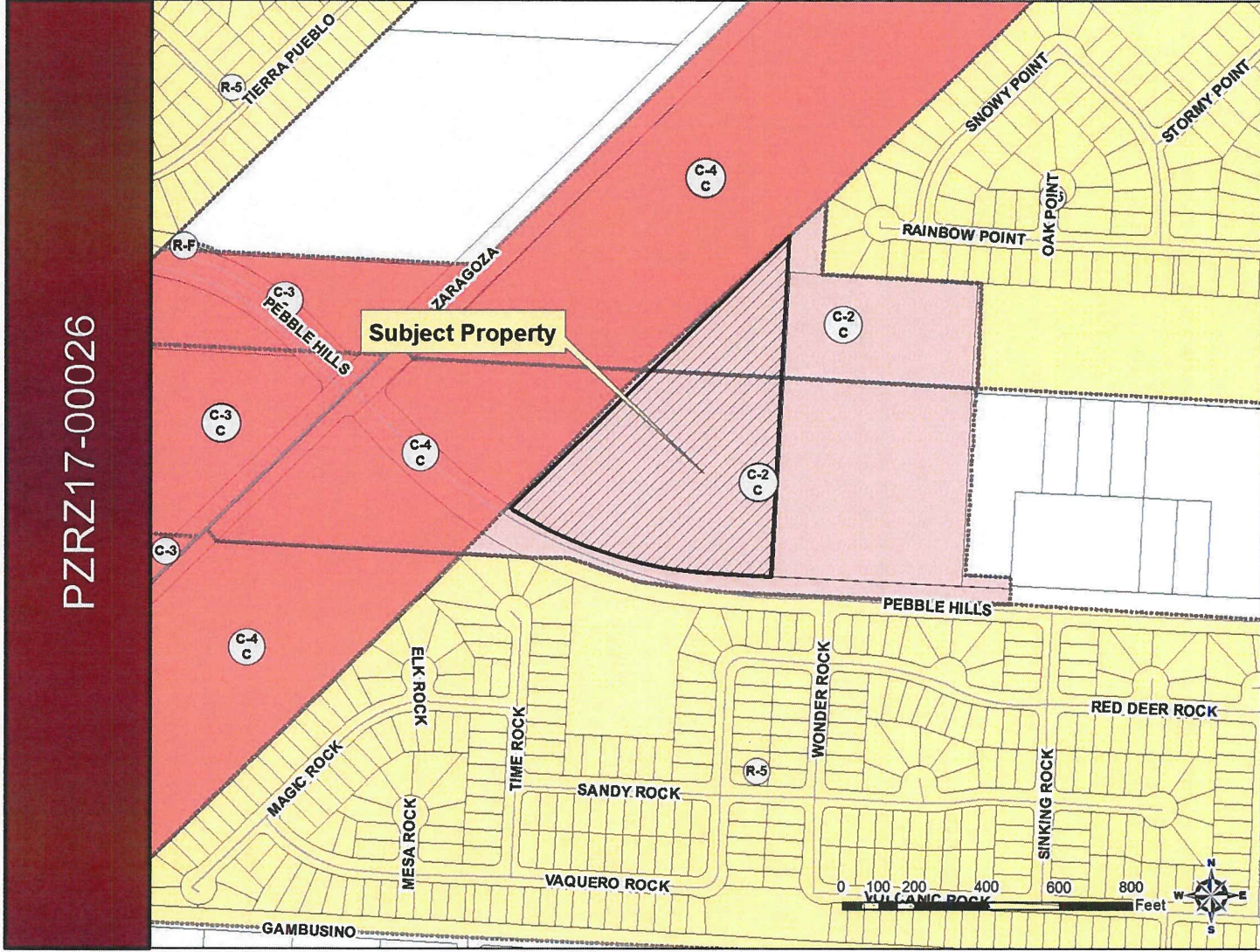
Detailed Site Development Plan



ATTACHMENT 2

Zoning Map

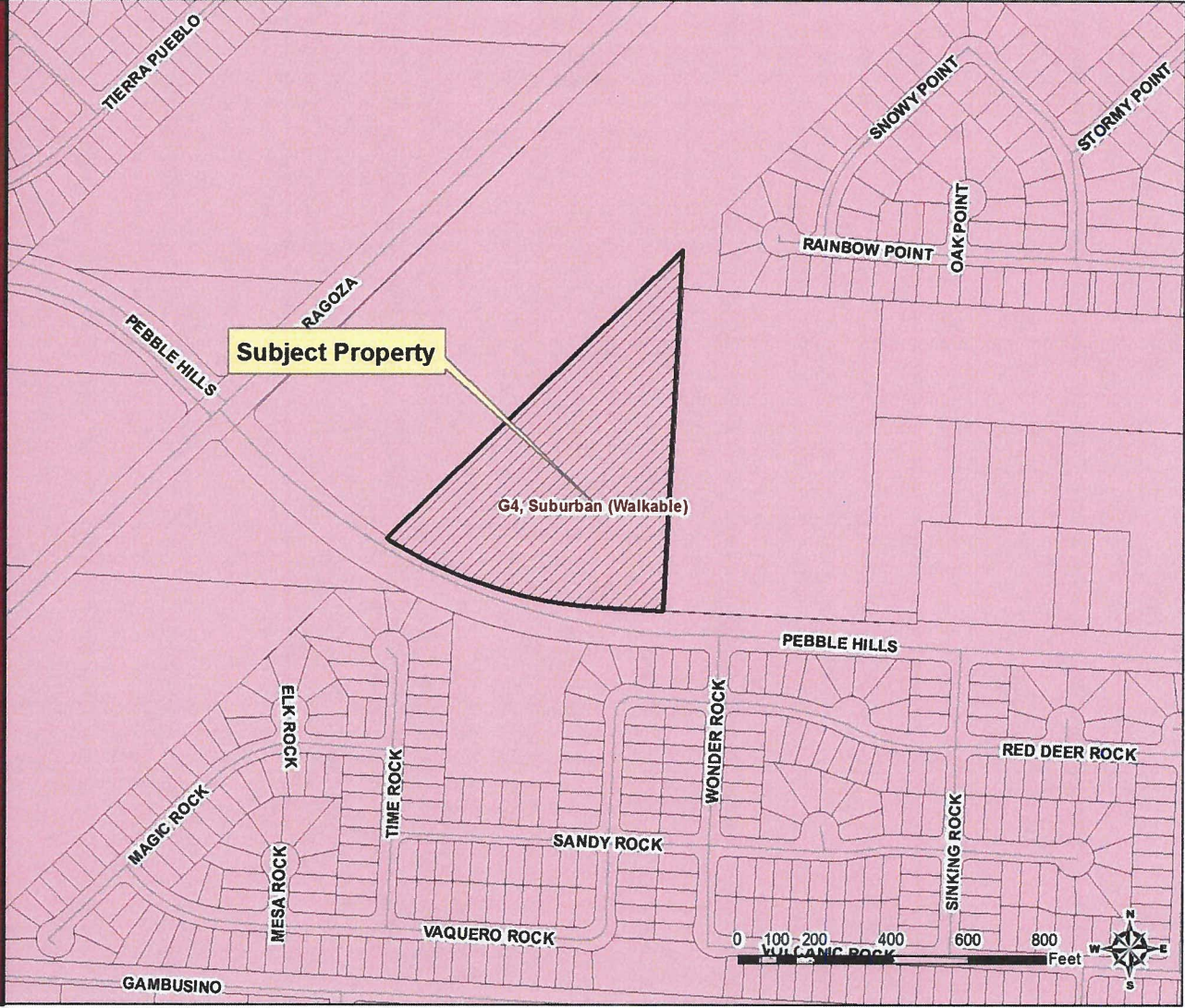
PZRZ17-00026



ATTACHMENT 3

Future Land Use Map

PZRZ17-00026



ATTACHMENT 4

Department Comments

Planning and Inspections Department- Planning Division

No objections to rezoning.

Planning and Inspections Department - City Development & Permitting- Landscape

No objections to proposed rezoning due to conceptual nature of zoning plan, the plans submitted were not reviewed for conformance with any applicable provisions of municipal code, IBC or TAS.

Note: At the time of submittal for permits each phase will be required to comply with all applicable provisions of the IBC, TAS and local municipal code.

Planning and Inspections Department - Land Development

We have reviewed subject plans and recommend that the applicant addresses the following comments.

1. Add note to site plan: The retention of all storm-water runoff discharge volumes is required within this subdivision's limits in compliance with all provisions of (DSC, Municipal Code Chapter 19.19.010A and DDM, 11.1).
2. Show proposed drainage flow patterns on detailed site plan. Show how runoff arrows enter the ponding location(s) for storm-water runoff retention on site and label if ponding is to be private.
3. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that storm-water is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Sun Metro:

Sun Metro does not oppose this request.

Fire Department

Recommends approval

Police Department

El Paso Police Department has no objections.

El Paso Water Utilities

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

EPWater does not object to this request.

Water

Along Pebble Hills Boulevard, between Zaragoza Road and Sinking Rock Place, there is an existing twenty-four (24) inch diameter water transmission main. This 24-inch diameter water transmission main is located approximately 25 feet north of the center line of Pebble Hills

Boulevard. This main is not available for service; no direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations.

Within Pebble Hills Boulevard, approximately 30 feet east of Zaragoza Road there is an existing eight (8) inch diameter water main stub-out aligned towards the north. The stub-out originates from the above-described 24-inch diameter water transmission main. The stub-out dead ends approximately at the north right-of-way line of Pebble Hills Boulevard. The sub-out is available for main extensions towards the subject property.

Within Pebble Hills Boulevard, approximately 460 feet east of Zaragoza Road there is an existing eight (8) inch diameter water main stub-out aligned towards the north. The stub-out originates from the above-described 24-inch diameter water transmission main. The stub-out dead ends approximately at the north right-of-way line of Pebble Hills Boulevard. The sub-out is available for main extensions towards the subject property.

Service to the subject Property is anticipated to be provided by means of extensions originating from the above described stub-outs creating a looped water system to include stub-outs aligned towards the north to enable extensions in the future within the northern portion of Tierra Commercial Unit Five (5).

Sanitary Sewer

From the intersection of Pebble Hills Boulevard and Zaragoza Road along Pebble Hills Boulevard towards Wonder Rock Place there is an existing eight (8) inch diameter sanitary sewer main. This main initiates at approximately 100 feet east of the easternmost right-of-way line of Zaragoza Road and flows towards the east fronting Tierra Commercial Unit 5. This main is located at approximately 50 feet north of the southernmost Right-of-Way line of Pebble Hills Boulevard and it is available for service.

Immediately east of the subject Property, within the Tierra Del Este Unit 52 there is an existing twelve (12) inch diameter sanitary sewer stub-out. This stub-out is located inside a twenty (20) foot wide PSB Easement located within Lot 62, Block 202, Tierra Del Este Unit Fifty Two (52). This stub-out discharges into the existing main located along Snowy Point Drive. The described stub-out is available for main extensions to serve the future developments of Tierra Commercial Unit 5 north of the subject Property.

Sanitary sewer service is anticipated to be provided by means of the extension of sanitary sewer mains to discharge unto the described existing sanitary sewer main that extends along Pebble Hills Boulevard.

General

Easements within the subject Property will be required to accommodate the proposed water and sanitary sewer mains.

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 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.

EPWater-PSB requests the Developer to refrain from constructing rock walls, signs or any structure that will interfere with the access to the PSB easements.

Annexation fees are due at the time of new service application for individual water meters within the subject property.

Zaragoza Road is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Zaragoza Road right-of-way requires written permission from TxDOT

EPWU 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 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.

EPW-Stormwater Engineering reviewed the property described above and has no objections to the request. However, we recommend 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.

ATTACHMENT 5

Notification Map

