

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

**DEPARTMENT:** Planning and Inspections Department, Planning Division

**AGENDA DATE:** Introduction: March 24, 2015  
Public Hearing: April 14, 2015

**CONTACT PERSON/PHONE:** Arturo Rubio, (915) 212-1613, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance changing the zoning of a portion of Lot 15 and all of Lot 16, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas, and Lots 11 through 12, Block 266, Campbell Addition, 400 Rio Grande Avenue and 405 Montana Avenue, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-1 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 400 Rio Grande Avenue and 405 Montana Avenue. Property Owner: ASLM, LTD. PZRZ14-00038 (**District 8**)

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (9-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Director, Planning and Inspection Department

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**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 15 AND ALL OF LOT 16, BLOCK 266, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY TEXAS, AND LOTS 11 THROUGH 12, BLOCK 266, CAMPBELL ADDITION, 400 RIO GRANDE AVENUE AND 405 MONTANA AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO C-1 (COMMERCIAL), AND IMPOSING A 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, that the zoning of *a portion of Lot 15 and all of Lot 16, Block 266, Campbell Addition and Lots 11 through 12, Block 266, Campbell Addition, 400 Rio Grande Avenue and 405 Montana Avenue, located in the 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-2 (Apartment)** to **C-1 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the intensity of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

- 1. *That establishments that serve alcohol for consumption on premise shall be prohibited.*

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 \_\_\_\_\_, 2015.

THE CITY OF EL PASO

\_\_\_\_\_  
Oscar Lesser  
Mayor

ORDINANCE NO. \_\_\_\_\_

Zoning Case No: PZRZ14-00038

**ATTEST:**

\_\_\_\_\_  
Richarda D. Momsen  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy, Director  
Planning & Inspections Department

**ORDINANCE NO.** \_\_\_\_\_

**Zoning Case No: PZRZ14-00038**



## MEMORANDUM

**DATE:** March 17, 2015

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

**FROM:** Arturo Rubio, Lead Planner

**SUBJECT: PZRZ14-00038**

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The City Plan Commission (CPC) on February 26, 2015, voted 9-0 to recommend **approval** of rezoning the subject property from A-2 (Apartment) to C-1 (Commercial) with a condition *that establishments that serve alcohol for consumption on premise shall be prohibited*. The request is to allow for a parking lot supporting an adjacent commercial lot.

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 request.

**Property Owner:** ASLM, LTD  
**Representative:** Conde Inc.

**Attachments:**  
Staff Report



## City of El Paso – City Plan Commission Staff Report

**Case No:** PZRZ14-00038 (Related to Special Permit Application PZST14-00027)  
**Application Type:** Rezoning  
**CPC Hearing Date:** February 26, 2015  
**Staff Planner:** Arturo Rubio, 915-212-1613, rubioax@elpasotexas.gov

**Location:** 400 Rio Grande Avenue and 405 Montana Avenue  
**Legal Description:** A portion of Lot 15 and all of Lot 16, Block 266, Campbell Addition, City of El Paso, El Paso County, Texas and Lots 11 through 12, Block 266, Campbell Addition, City of El Paso, El Paso, County, Texas

**Acreage:** 0.539-acre  
**Rep District:** 8  
**Current Zoning:** A-2 (Apartment)

**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** From A-2 (Apartment) to C-1 (Commercial)  
**Proposed Use:** Parking lot to support an adjacent lot

**Property Owner:** ASLM, LTD  
**Representative:** Conde Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** S-D/sp (Special Development/special permit)/Parking Lot  
**South:** C-4 (Commercial)/Retail  
**East:** A-2/sp (Apartment/special permit)/Parking lot/C-4/sp (Commercial/special permit)/Parking lot  
**West:** A-2 (Apartment)/Parking lot/C-4 (Commercial) Parking lot

**PLAN EL PASO DESIGNATION:** G-2 Traditional Neighborhood (Walkable)

**NEAREST PARK:** Houston Park (1,462 feet)

**NEAREST SCHOOL:** El Paso High School (3,424 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

El Paso Central Business Association  
Houston Park Neighborhood Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 10, 2015. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

### **APPLICATION DESCRIPTION**

The applicant is requesting to rezone the subject property from A-2 (Apartment) to C-1 (Commercial). The request is to allow for a parking lot supporting an adjacent commercial lot. The A-2 (Apartment) district does not permit a parking lot for a commercial use and the applicant is requesting a rezoning and related special permit PZST14-00027 to allow the use of an offsite parking lot to satisfy the adjacent commercial lot's parking requirements. The subject property and special permit property is currently owned by the same owner. The subject property is .539-acre in size and is currently vacant. The site plan shows two parking areas that will be developed in phases to support the adjacent commercial development on the adjacent lot. Access to the subject property is proposed from Montana Avenue and Rio Grande Avenue.

## **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from A-2 (Apartment) to C-1 (Commercial).

The recommendation is based on the compatibility of existing commercial zone districts to the North, South, east and west side of the subject property. The C-1 (Commercial) district complies with Plan El Paso Land Use Map Designation G-2 Traditional (Walkable) in the Northwest Planning area.

## **Plan El Paso- Future Land Use Map Designation**

All applications for rezoning shall demonstrate compliance with the following criteria:

G-2 Traditional Neighborhood (Walkable): This sector includes the remainder of Central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly face streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the Smart Code as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the C-1 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.

## **COMMENTS:**

### **Planning Division - Transportation**

TIA not required; no objections.

### **General Note:**

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

### **Texas Department of Transportation**

Not under TXDOT jurisdiction

### **City Development Department – Building & Development Permitting**

No comments received

### **City Development Department - Land Development**

No comments received

### **Fire Department**

No comments received

### **El Paso Water Utilities**

EPWU does not object to this request.

### **Water:**

1. There is an existing 12-inch diameter water main extending along Rio Grande Ave that is available for service, the water main is located approximately 35-ft north from the northern property line
2. There is an existing 6-inch diameter water main extending along Kansas Street that is available for service, the water main is located approximately 15-ft east from the center line of the right-of-way.

3. There is an existing 4-inch diameter water main extending along Montana Avenue that is available for service, the water main is located approximately 15-ft north from the center line of the right-of-way.
4. There is an existing 12-inch diameter water main extending along Campbell Street that is available for service, the water main is located approximately 15-ft north from the center line of the right-of-way.
5. There is an existing 48-inch diameter water main extending along Rio Grande Avenue, the water main is located approximately 35-ft north from the northern property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
6. EPWU records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 405 Montana Avenue.
7. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 415 Montana Avenue.

**Sewer:**

There is an existing 8-inch diameter sanitary sewer main extending along the alley between Montana and Rio Grande Avenues that is available for service, the sewer main is located approximately 1-ft east from the center line of the right-of-way.

**General:**

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.

**Sun Metro**

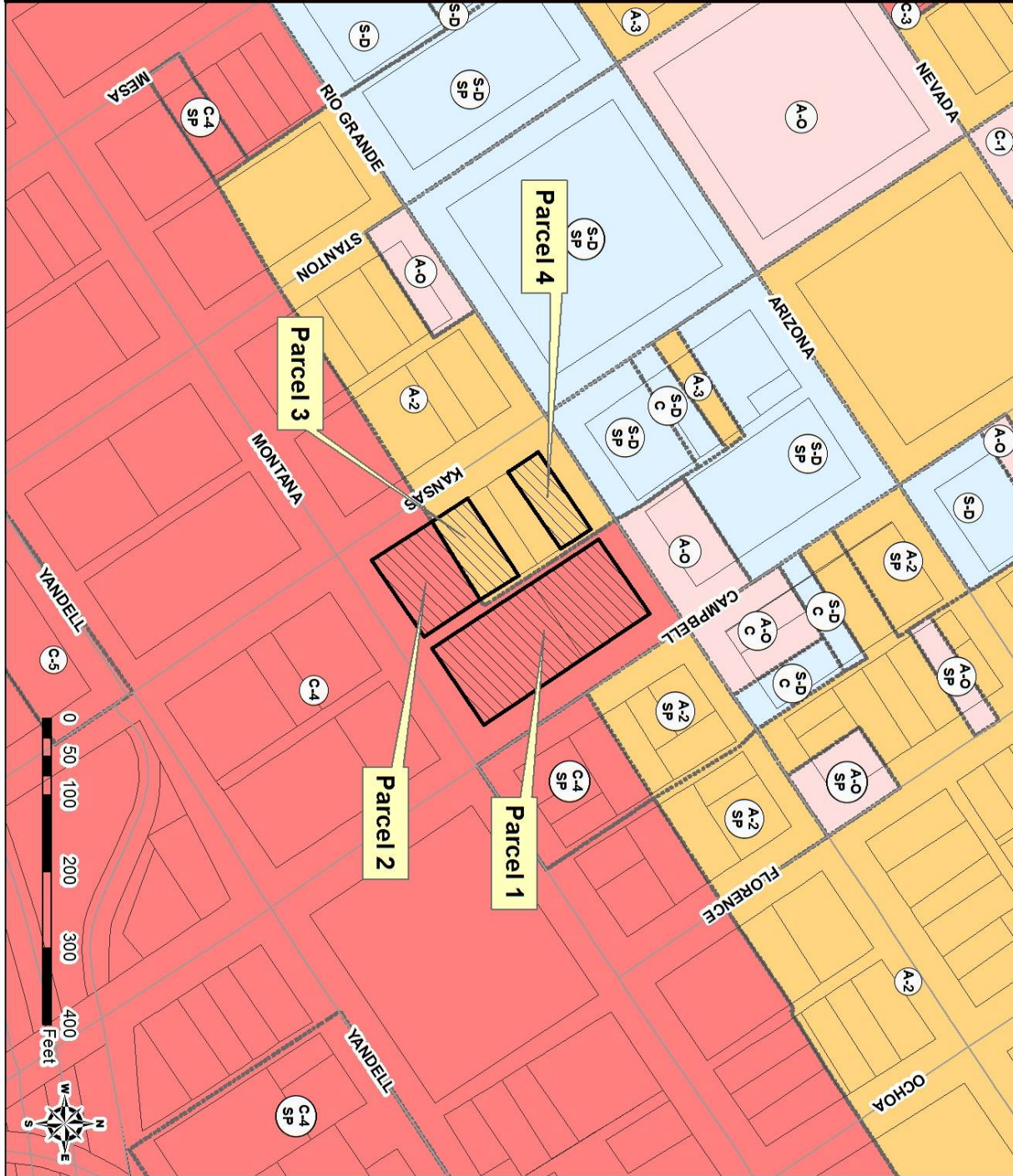
Sun Metro does not oppose this request. Sun Metro has an existing bus stop being serviced by Routes 34 and 36 adjacent to the northwest corner of the property (Rio Grande and Kansas). It is recommended that property owner coordinate site work with Sun Metro staff to mitigate possible disruptions to services and site work.

**Attachments**

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Site Plan

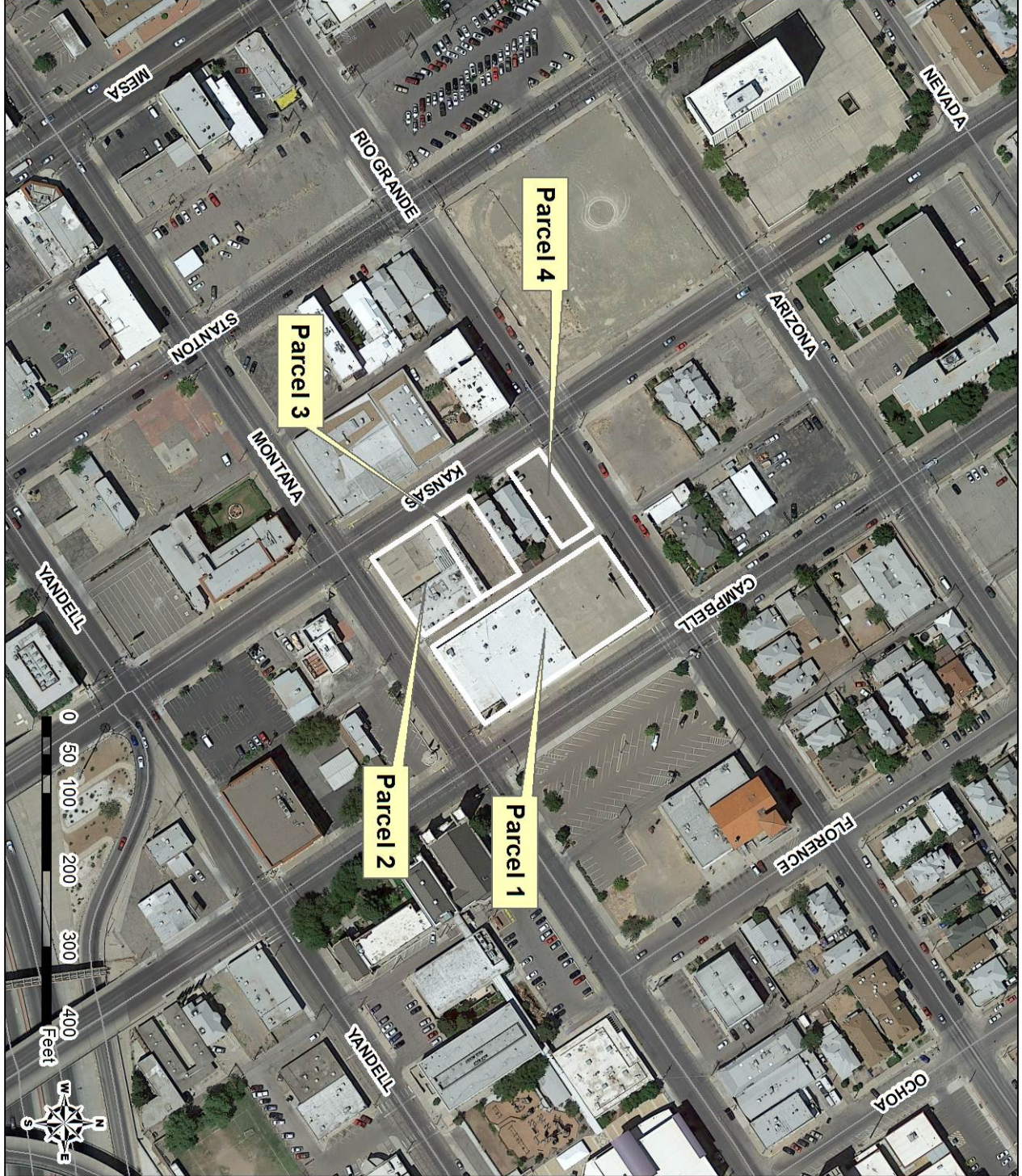
ATTACHMENT 1: ZONING MAP

PZRZ14-00038 & PZST14-00027



ATTACHMENT 2: AERIAL MAP

PZRZ14-00038 & PZST14-00027







## Recommendation/Public Input

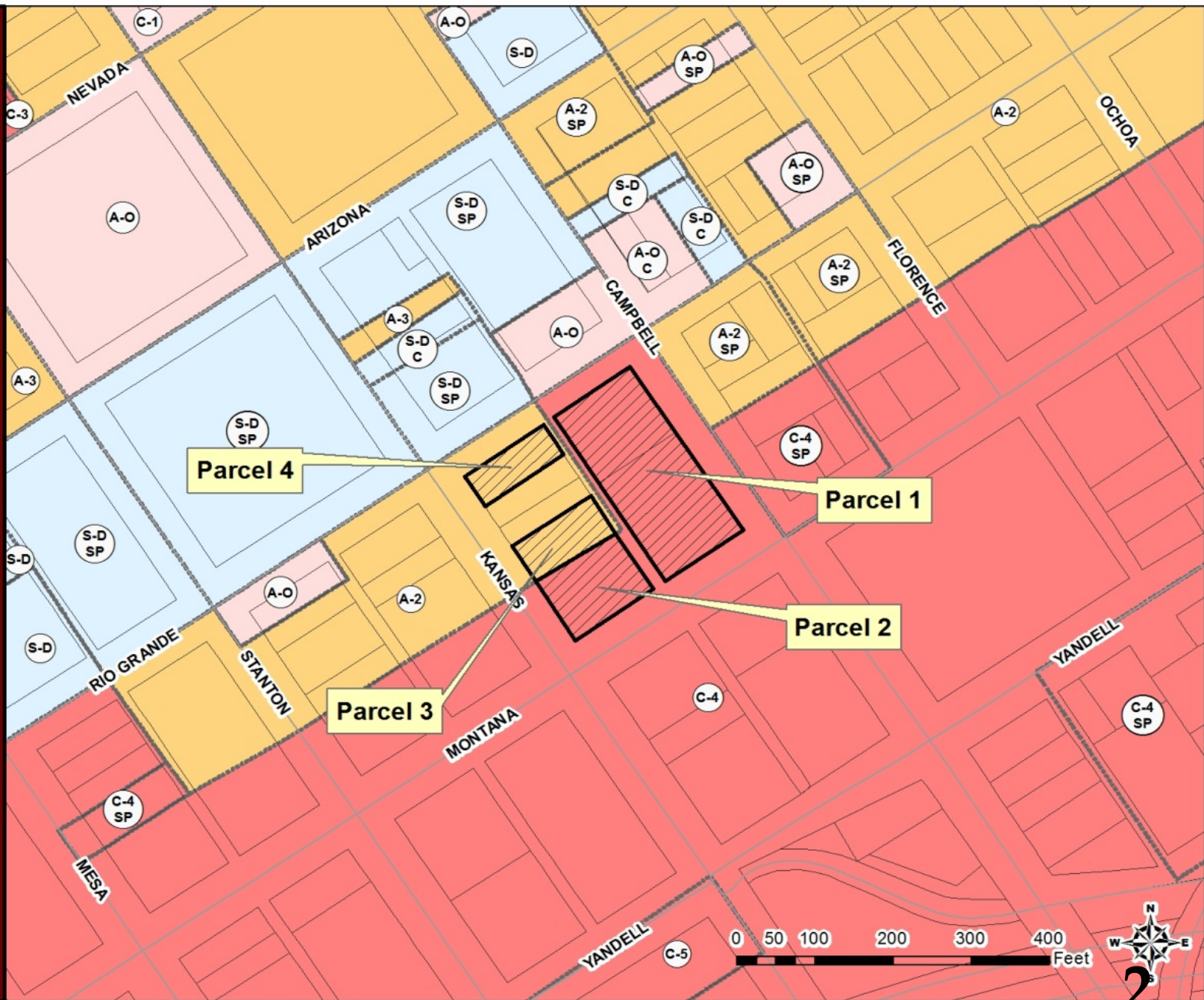
- **Planning Division recommendation: Approval**
- **CPC Vote: Approval Recommendation (9-0) with a condition *that establishments that serve alcohol for consumption on premise shall be prohibited.***
- **Public Input: The Planning Division has not received any communication in support or opposition to the requests (PZRZ14-00038 & PZST14-00027).**

### **Strategic Goal #3 Promote the Visual Image of El Paso**

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

PZRZ14-00038 & PZST14-00027





PZRZ14-00038 & PZST14-00027

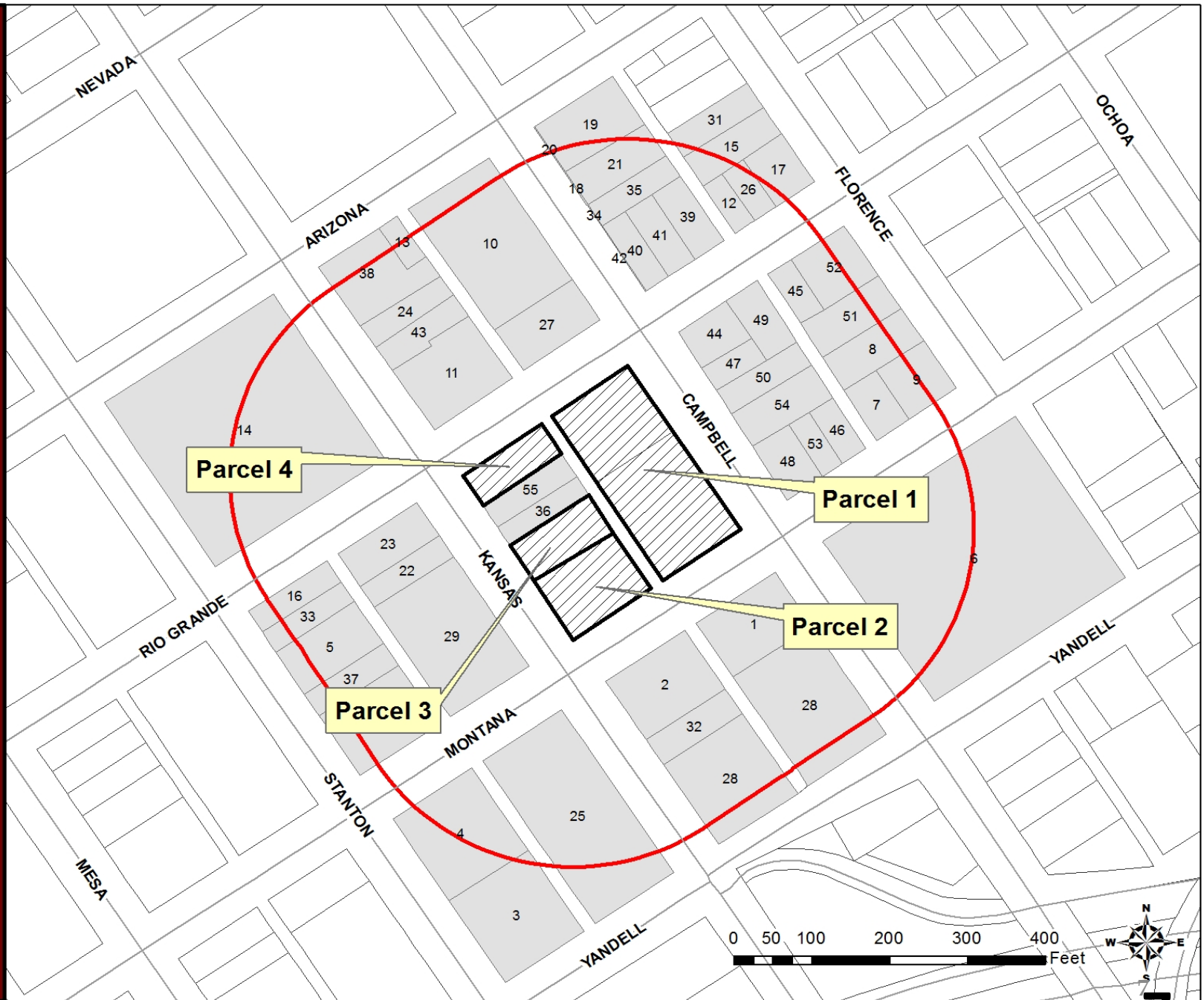




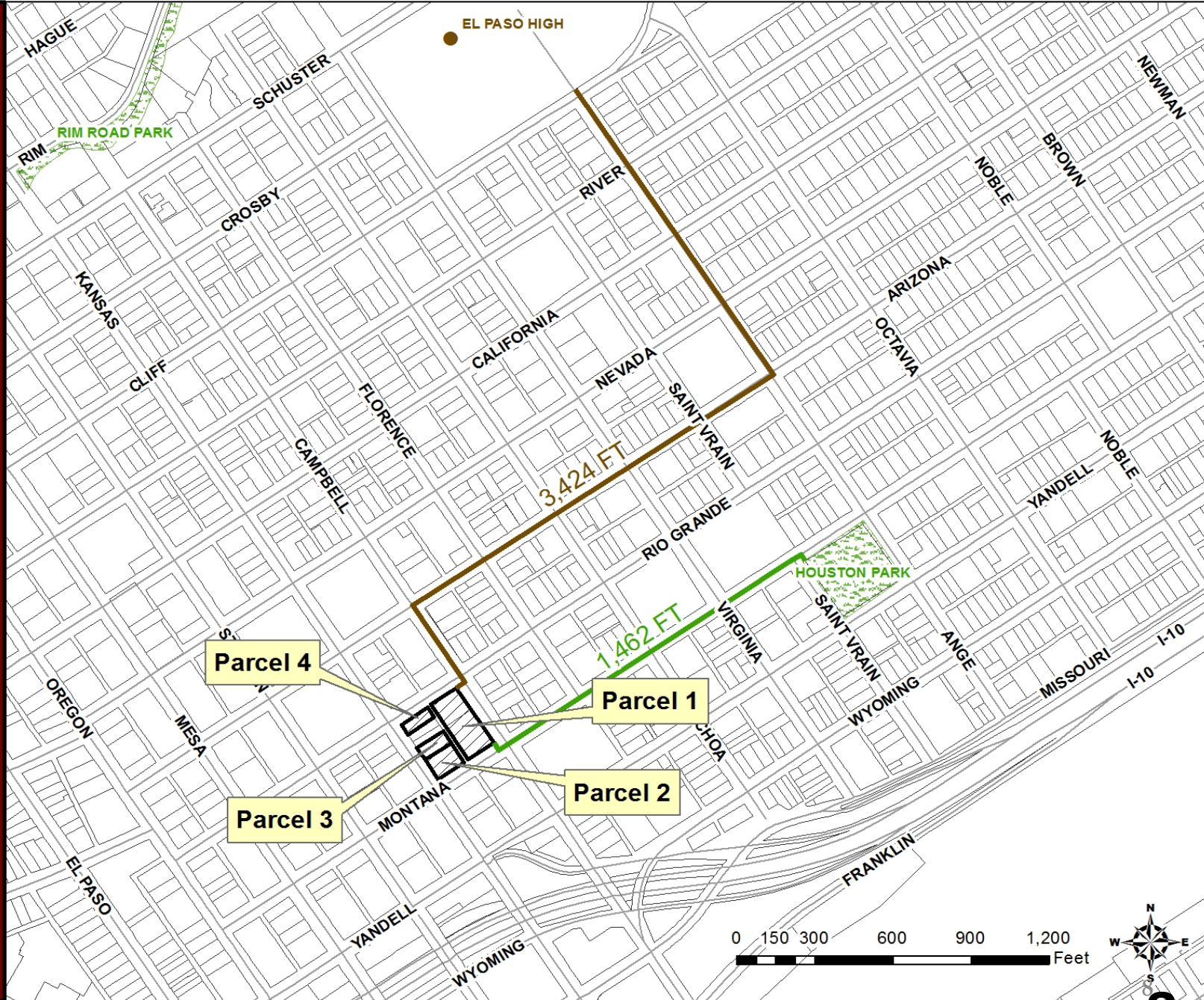
PZRZ14-00038 & PZST14-00027

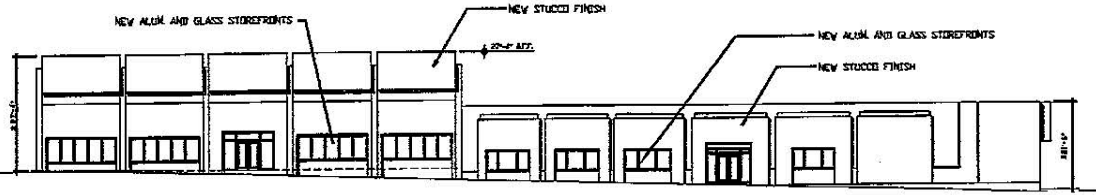


PZRZ14-00038 & PZST14-00027

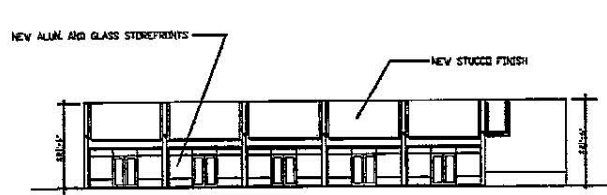


PZRZ14-00038 & PZST14-00027

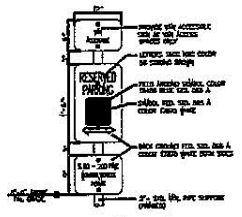




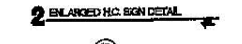
NEW FACADE @ ALLEY SIDE  
WEST ELEVATION @ NEW PARKING LOT



SOUTH ELEVATION ON MONTANA AVE.



PROPOSED PARKING



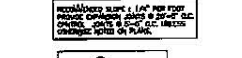
2 ENLARGED H.C. SIGN DETAIL



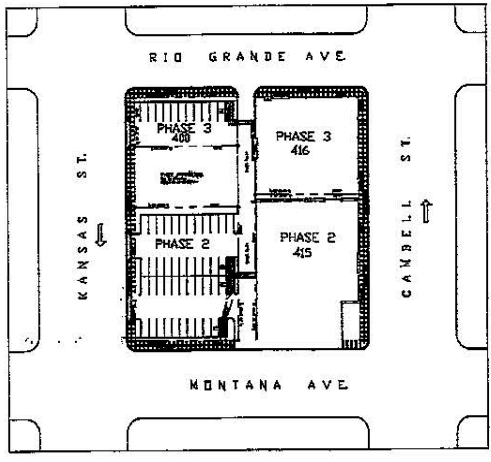
H.C. CURB RAMP < TYP. CITY DETAIL



18 TYP. SIDEWALK SECTION



H.C. SYMBOL



VICINITY MAP



LANDSCAPE CALCULATIONS 2008 YESING	
17,160 (R. 0.075)	= 1,287 SQ. FT.
TOTAL REQUIRED	= 2 L.S. UNITS
TOTAL PROVIDED	= 2,205 SQ. FT.
REQUIRED:	
2 - 2" O.D. PROJECT TREES 10-12 FT	
1 - 1" O.D. SHURB 10"	
1 - 1" O.D. GROUNDCOVER	
1 - 1" O.D. CHERRY TREES 10-12 FT. AS SPACES	
1 - 1" O.D. BUTTER TREES 10-12 FT. FOR 200'	
PROVIDED:	
2 - 2" O.D. PROJECT TREES 10-12 FT	
1 - 1" O.D. SHURB 10"	
1 - 1" O.D. GROUNDCOVER	
1 - 1" O.D. CHERRY TREES 10-12 FT. AS SPACES	
1 - 1" O.D. BUTTER TREES 10-12 FT. FOR 200'	

**PARKING CALCULATIONS:**

PARKING CALCULATION FOR 415 MONTANA PHASE 1  
4100 SQ. FT. / 300 = 14 SPACES

PARKING CALCULATION FOR 415 MONTANA PHASE 2  
13,088 SQ. FT. / 300 = 44 SPACES

PARKING CALCULATION FOR 416 RIO GRANDE PHASE 3  
12,480 SQ. FT. / 300 = 42 SPACES

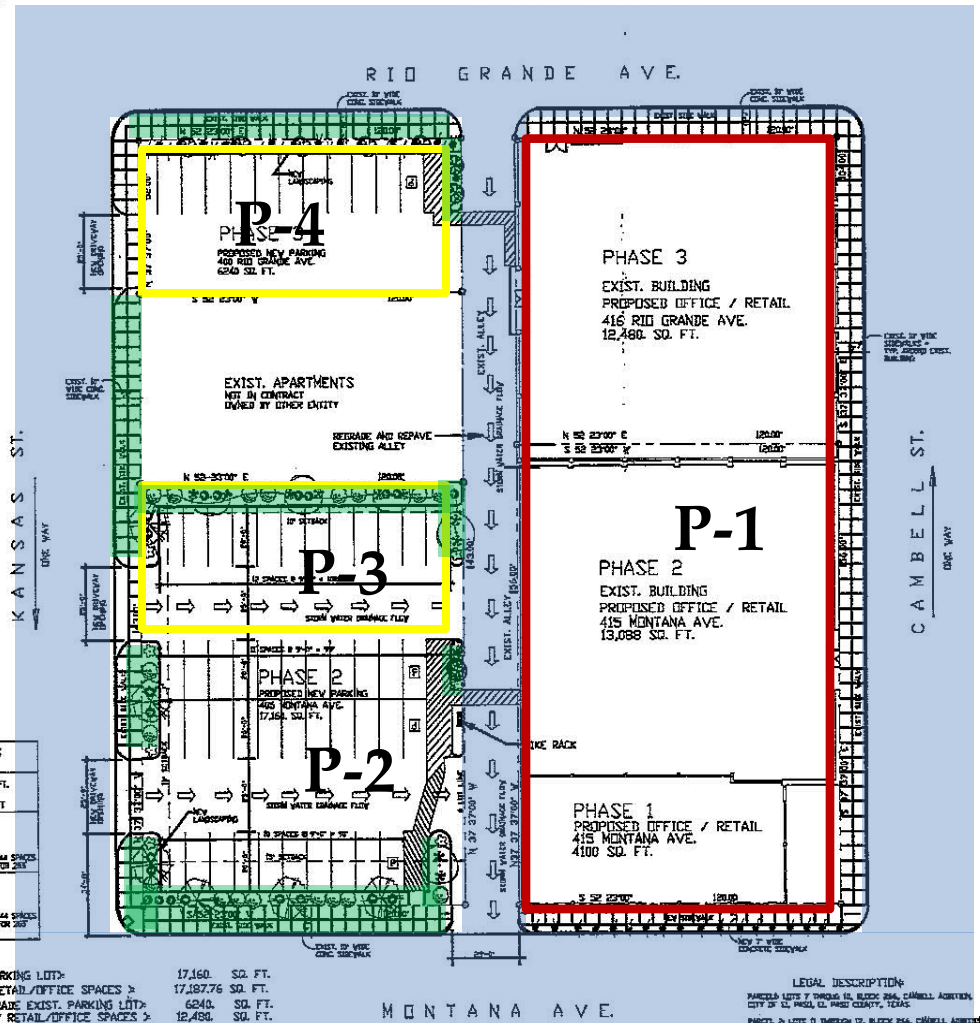
**NEW PARKING PROVIDED:** 44 SPACES  
44 SPACES 30' JIS = 3 REQUIRED

**NEW PARKING PROVIDED:** 44 SPACES  
44 SPACES 30' JIS = 3 REQUIRED

BIKE RACK: PROVIDE NEW BIKE RACK  
44 SPACE 30' JIS = 3 REQUIRED

NOTE: ALL BUILDINGS ARE EXIST. NO EXISTE PARKING HAS EVER BEEN PROVIDED ON THESE SITES

405 MONTANA AVE <NEW PARKING LOT>	17,160	SQ. FT.
415 MONTANA AVE <NEW RETAIL/OFFICE SPACES >	17,187.76	SQ. FT.
480 RIO GRANDE AVE. UPGRADE EXIST. PARKING LOT>	6840	SQ. FT.
416 RIO GRANDE AVE <NEW RETAIL/OFFICE SPACES >	12,480	SQ. FT.
<b>TOTAL PARKING LOT SQUARE FOOTAGE:</b>	<b>23,400</b>	<b>SQ. FT.</b>
<b>TOTAL BUILDING SQUARE FOOTAGE:</b>	<b>29,667.76</b>	<b>SQ. FT.</b>
<b>TOTAL SQUARE FOOTAGE INCLUDING PARKING LOTS</b>	<b>53,067.76</b>	<b>SQ. FT.</b>



MONTANA AVE.

DETAILED SITE DEVELOPMENT PLAN

SCALE: 1/8" = 1'-0"

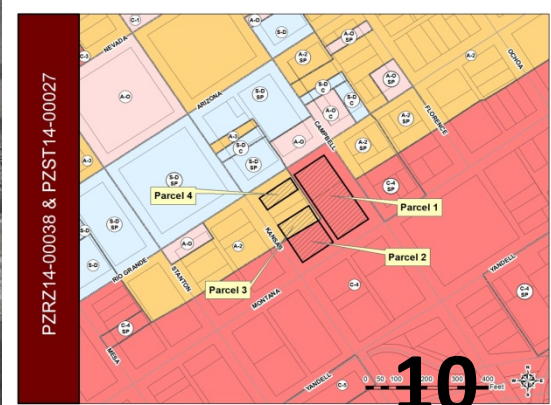
**LEGAL DESCRIPTION:**  
PARCELS LOTS 7 THROUGH 12, BLOCK 256, CAMBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS  
PARCELS 2 & LOTS 11 THROUGH 13, BLOCK 256, CAMBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS  
PARCELS 3 & LOTS 1 THROUGH 5, BLOCK 256, CAMBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS  
PARCELS 4 & LOTS 16 THROUGH 20, AND THE SOUTH 1/2 OF LOT 15, BLOCK 256, CAMBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS

DETAILED SITE DEVELOPMENT PLAN & PROPOSAL FOR REZONING  
405 & 415 MONTANA AVE.  
EL PASO, TEXAS

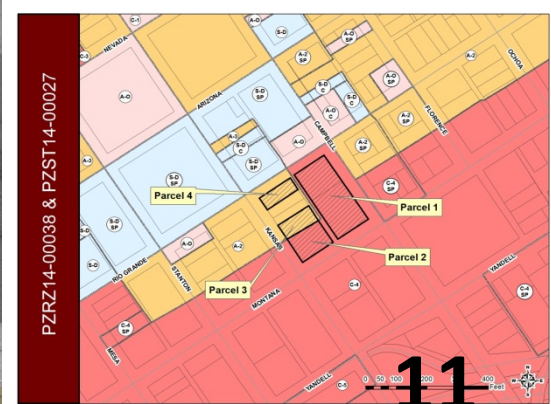
ARCHITECT  
MICHAEL VALDEZ  
3001 TEXAS PL.  
EL PASO, TX  
910 753-4667

10/10/2014 10:24  
10/10/2014 10:24

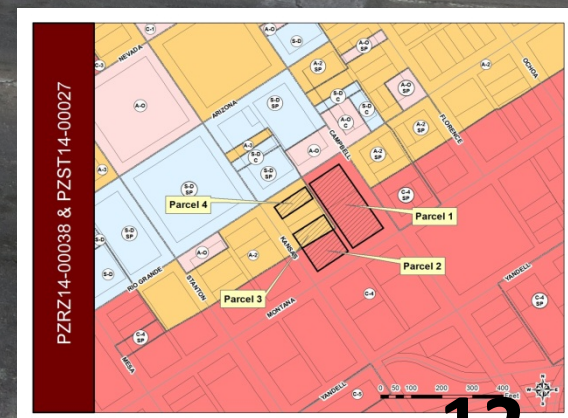
# Subject Property Campbell and Rio (Parcel 1)



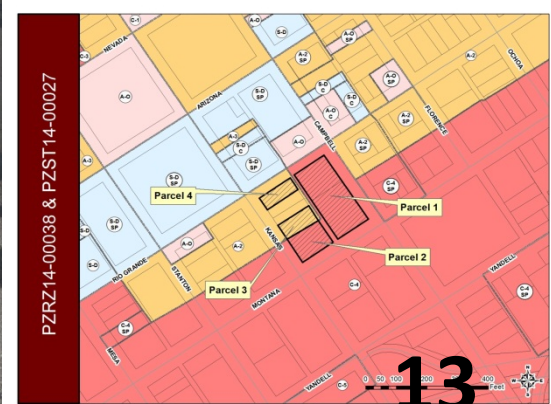
# Subject Property Kansas and Montana (Parcel 1)



# Subject Property Kansas and Montana (Parcel 2 & 3)

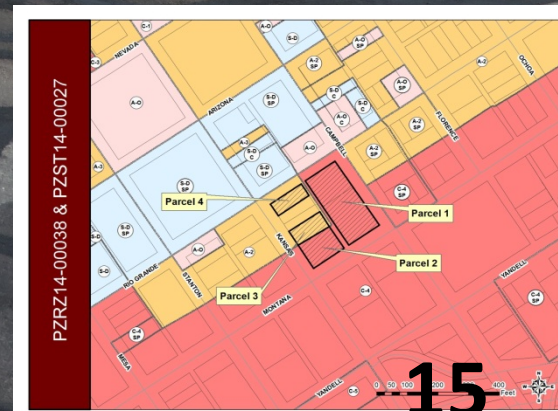


# Subject Property Kansas and Rio G (Parcel 4)





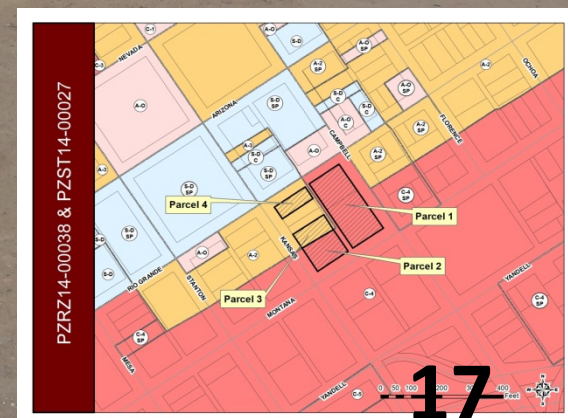
East





# West

L PASO  
PORT CO.  
Shipments from Around the World



PZRZ14-00038 & PZST14-00027

