

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

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

**AGENDA DATE:** Introduction: May 1, 2018  
Public Hearing: May 29, 2018

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

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance changing the zoning of Lot 2, Arroyo Seco, City of El Paso, El Paso County, Texas - 1035 Vinton Avenue, City of El Paso, El Paso County, Texas from R-3 (Residential) District to C-3 (Commercial) District and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1035 Vinton Avenue. Property Owner: Robert H. and Nancy E Brown **PZRZ18-00002 (District 1)**

**BACKGROUND / DISCUSSION:**

On March 22, 2018, the CPC reviewed and recommended approval of the rezoning request with a condition:

*That a 10ft. landscaped buffer with high-profile 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.*

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval recommendation (7-0)

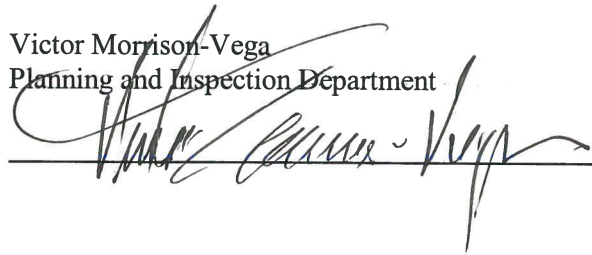
\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

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

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

**DEPARTMENT HEAD:**

Victor Morrison-Vega  
Planning and Inspection Department



**APPROVED FOR AGENDA:**

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

**DATE:** \_\_\_\_\_

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

**AN ORDINANCE CHANGING THE ZONING OF LOT 2, ARROYO SECO, CITY OF EL PASO, EL PASO COUNTY, TEXAS - 1035 VINTON AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) DISTRICT TO C-3 (COMMERCIAL) DISTRICT, 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 **Lot 2, Arroyo Seco, City of El Paso, El Paso County, Texas - 1035 Vinton Avenue**, located in the City of El Paso, El Paso County, Texas, be changed from **R-3 (Residential) District** to **C-3 (Commercial) District**, 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 increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

*That a 10 ft. landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be place 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 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  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Karla M. Nicman  
Senior Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Victor Morrison-Vega  
Planning & Inspections Department

**ORDINANCE NO.** \_\_\_\_\_  
18-1007-2166 | 775979  
1035 Vinton Ave.  
KMN

**PZRZ18-00002**

## MEMORANDUM

**DATE:** April 23, 2018

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

**FROM:** Armida Martinez, Planner

**SUBJECT: PZRZ18-00002**

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The City Plan Commission (CPC) on March 22, 2018, voted unanimously (7-0) to recommend **approval** of R-3 (Residential) to C-3 (Commercial) in order to allow for self-storage and retail.

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:** Robert H. and Nancy E. Brown  
**Representative:** Wildwood Developers, LLC.  
**Representative:** G-3ngineering

**Attachments:** Staff Report

# 1035 Vinton

City of El Paso — Plan Commission — 3/22/2018



**PZRZ18-00002**

## Rezoning

STAFF CONTACT:	Armida Martinez, 915-212-1605, <a href="mailto:martinezar@elpasotexas.gov">martinezar@elpasotexas.gov</a>
OWNER:	Robert H. and Nancy E. Brown
REPRESENTATIVE:	G-3ngineering
LOCATION:	1035 Vinton
LEGAL DESCRIPTION:	Lot 2, Arroyo Seco, City of El Paso, El Paso County, Texas
EXISTING ZONING:	R-3(Residential)
REQUEST:	To rezone from R-3 (Residential) to C-3 (Commercial) for proposed Self-Storage and Retail
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 March 9, 2018.
STAFF RECOMMENDATION:	Approval (see pages 2—4 for basis for recommendation)

**SUMMARY OF REQUEST:** The applicant is requesting to rezone from R-3 (Residential) to C-3 (Commercial) to allow for commercial development. The subject property is 6.022 acres in size and is currently vacant. The conceptual site plan shows a 99,454 sq. ft. self-storage and 7,200sq. ft. of retail. Access will be from South Desert and Vinton.

**SUMMARY OF RECOMMENDATION:** The Planning Division recommends **APPROVAL** of rezoning the property from R-3 (Residential) to C-3 (Commercial) with a condition that a 10 ft. landscape buffer be provided along the westerly property line where it abuts existing residential uses. This requirement shall be in addition to requirements of the Landscaping Ordinance of the El Paso Municipal Code.

The proposed zoning district is consistent with other commercial districts in the area along South Desert Blvd. and along this portion of the I-10 corridor. Further, the proposed development meets the intent of the G-3-Post-War 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 located at 1035 Vinton though the Zoning Section of the Planning and Inspections Department. The property owner is requesting a rezoning from R-3 to C-3 to accommodate a proposed self-storage and retail. The current use of the property is vacant. The concept plan shows a proposed 99,454 sq. ft. self-storage and 7,200sq. ft. commercial building and meets the dimensional requirements of the proposed C-3 (Commercial) zoning district.

## REZONING POLICY

POLICY	DOES IT COMPLY?
<b><u>Compatibility</u></b> Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.	Yes, there is commercial zoning within 300 ft. of proposed development. Proposed lot is vacant, abutting properties, although zoned residential and annexed in 1978, remain undeveloped. This rezoning follows existing predominantly commercial zoning and uses along both sides of this portion of the I-10 corridor.
<b><u>Plan El Paso</u></b> 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.	Yes, rezoning will add commercial uses within ½ a mile from existing residential developments located both east and west of I-10.

**NEIGHBORHOOD CHARACTER AND COMPATIBILITY:** The subject property is located in the Arroyo Seco subdivision. The site is currently zoned R-3 (Residential) and is currently vacant. There is commercial development within 300 ft of the proposed development of the subject. The nearest park is Westside Sports Complex (6,615 feet) and the nearest school is Canutillo Elementary (5,243 feet).





**COMPLIANCE WITH PLAN ELPASO:** The purpose of the application is to introduce self-storage and retail 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?
<p><b><u>G-3- Post-War</u></b></p> <p>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.</p>	<p>Yes, this area is vacant. This development will add commercial uses with the potential for multi-family residential uses in the future.</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</p>	<p>Yes, Self-storage and retail are permitted uses and the applicant's uses meets all the applicable dimensional standards.</p>

of types of commercial activity, including light automobile related uses.	
<b>POLICY</b>	<b>DOES IT COMPLY?</b>
<b>1.3.1:</b> 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.	Yes, by the addition of commercial uses to surrounding area will reduce travel and infrastructure needs.

**SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The lot is 262,318.32 sf (6.022 acres), the current R-3 zoning may be developed into single-family residential, however, the location of the site is not ideal for that type of development immediately adjacent to I-10 and within a heavy commercial corridor. Proposed self-storage and retail are not permitted uses in R-3 residential district.

**SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING:** The subject site is 6.022 acres in size (262,318.32 sq. ft.) and within a heavy commercial corridor allowing 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:** A water and sewer main extension will required to provide service to the property. There are existing water and sewer mains along Vinton Avenue available for extension. The applicant will need to coordinate with EPWater to provide 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 does not fall within a boundary of a Civic or Neighborhood Association. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 9, 2018. 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.

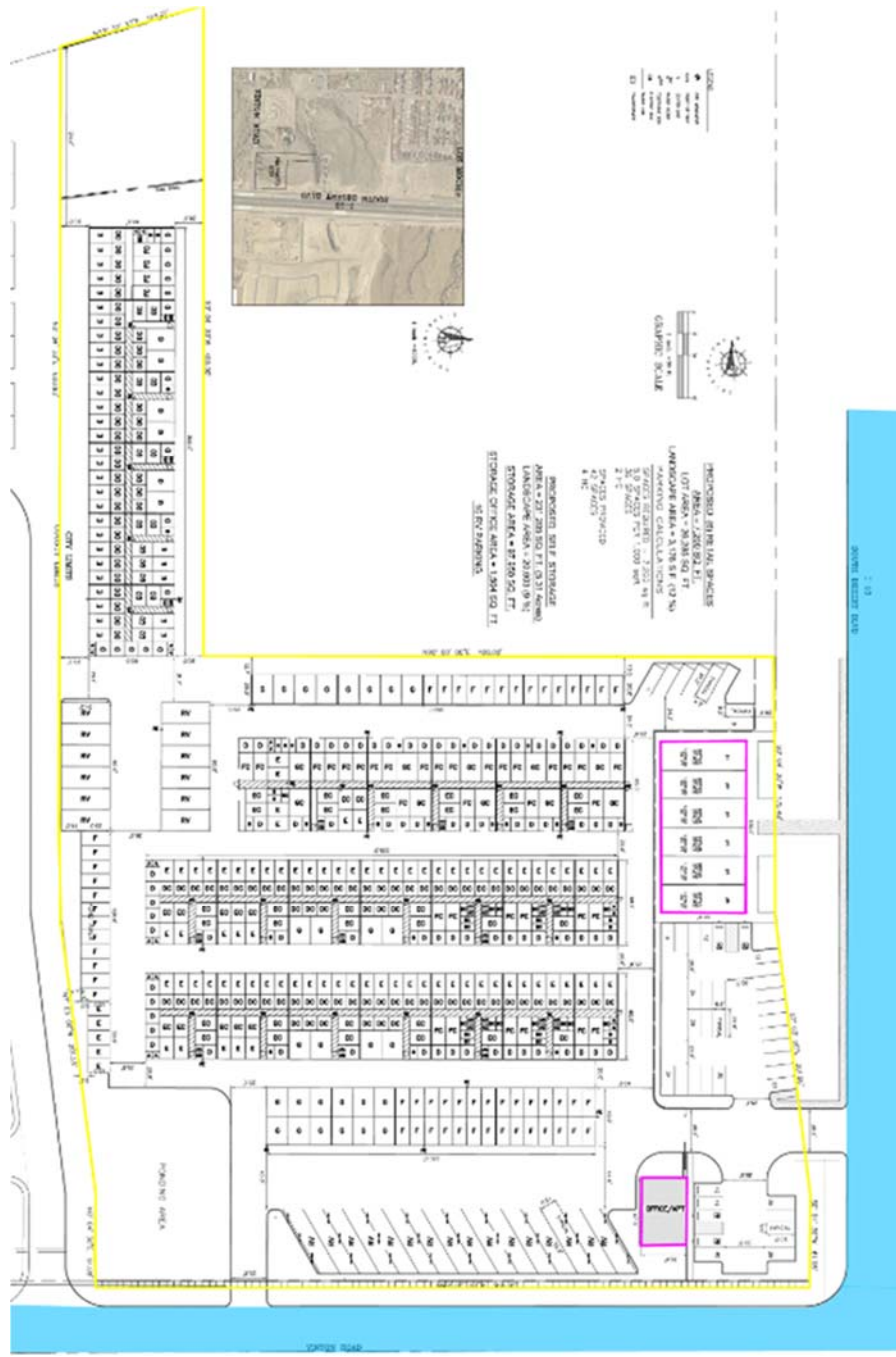
**ATTACHMENTS:**

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



# ATTACHMENT 1

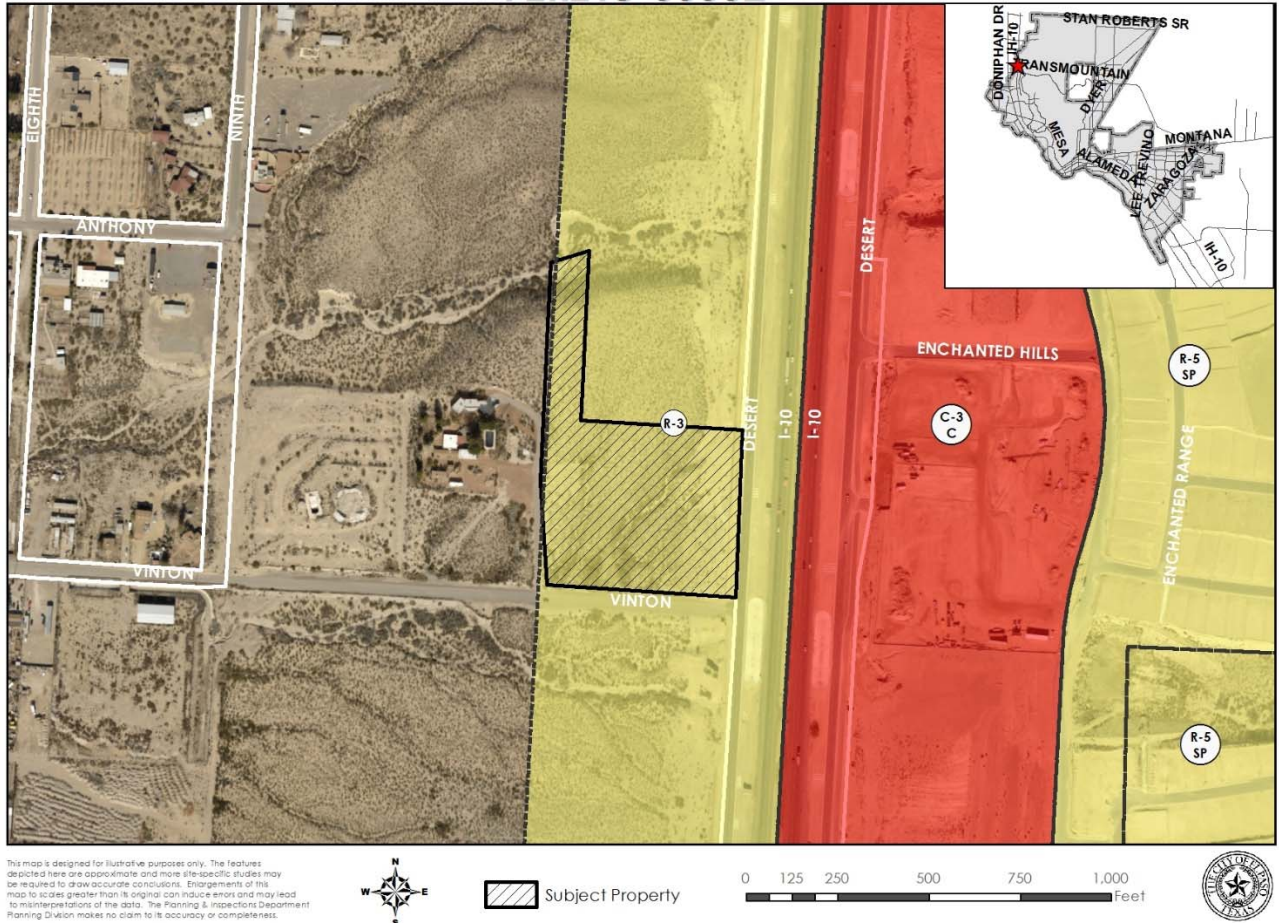
## Conceptual Development Plan



# ATTACHMENT 2

## Zoning Map

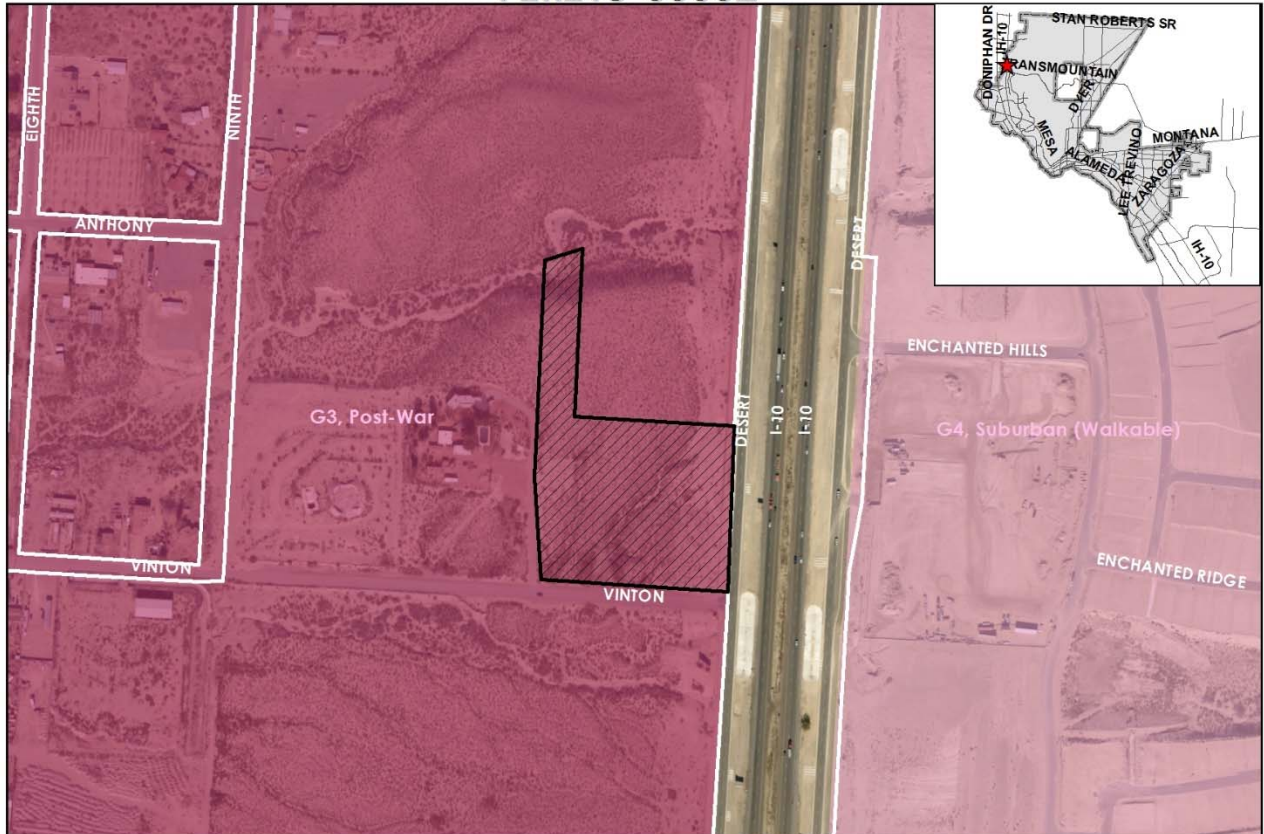
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# ATTACHMENT 3

## Future Land Use Map

PZRZ18-00002



# **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. No objections to proposed rezoning.
2. 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**

No objections

### **Police Department**

No comments received.

### **El Paso Water**

We have reviewed the rezoning referenced above and provide the following comments:

The subject property is located within the City of El Paso Westside Impact Fee Service Area. Impact fees will be assessed at the time of plat and collected after the El Paso Water receives an application for water and/or sanitary sewer services.

Water main extension will be required to provide service to the property. This main will be located within an Intermediate Pressure Zone. Private water pressure regulating devices will be required at the discharge side of each water meter. The Owner 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 Owner shall be responsible for the operation and maintenance of the above-described privately-owned water pressure regulating devices.

Sanitary sewer main extension will also be necessary to provide service to the subject property.

**Water:**

There is an existing 60-inch diameter water transmission main along that extends along Vinton Avenue fronting the subject property. This water main is located approximately 40-feet south of the property's southern boundary line. No direct service connections are allowed to the 60-inch diameter water main as per the El Paso Water Utilities-Public Service Board Rules and Regulations.

There is an existing 16-inch diameter high-pressure water main that extends along an existing 30-foot wide PSB easement along the easternmost property line of Lot 2. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board Rules and Regulations.

There is an existing 6-inch diameter water main that extends along Vinton Avenue. This water main dead-ends at the westernmost property line of Lot 1 (1031 Vinton Avenue). This main is available for main extension. The owner is responsible for the water main extension costs.

**Sanitary Sewer:**

There is an existing 15-inch diameter sanitary sewer main that extends along Desert South Boulevard right of way. This sewer main is located approximately 8-feet east of and parallel to the westernmost Desert South Boulevard right-of-way line. No Direct service connection are allowed to this main.

There is an existing 8-inch diameter sanitary sewer main along Vinton Avenue. This sewer main dead-ends at the intersection of Vinton Avenue and Ninth Street. This main is available for main extension. The Owner is responsible for all sewer main extension costs.

**General:**

EPWU-PSB requires access to the water, sanitary sewer facilities, appurtenances, and meters 24 hours a day, seven (7) days a week.

During the site improvement work, the Owner/Developer shall safeguard the existing water/sanitary sewer mains and appurtenant structures located within the subdivision. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities and is responsible for the costs of setting appurtenant structures to final grade.

No building, reservoir, structure, parking stalls or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWater-PSB easement without the written consent of EPWater-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, curbs or any structure that will interfere with the access to the PSB easements. There shall be at least 5-foot setback from the easement line to any building, sign or structure. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWater-PSB Easement Policy. The PSB easements shall be improved to allow the operation of EPWater maintenance vehicles. EPWater-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

EPWater requires a new service application to provide additional services 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 EPWater 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.



### **El Paso Water – Stormwater**

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

1. The developer shall be responsible for the additional stormwater runoff generated by the proposed property, and must ensure that the historic runoff volume, peak and duration are maintained. There are two arroyos crossing through this property; the run-off flow must be allowed to cross through this property.
2. 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.

### **Streets and Maintenance**

A TIA would not be required for the property based on the fact that improvements are already constructed that will serve and support the new development.

### **TXDOT**

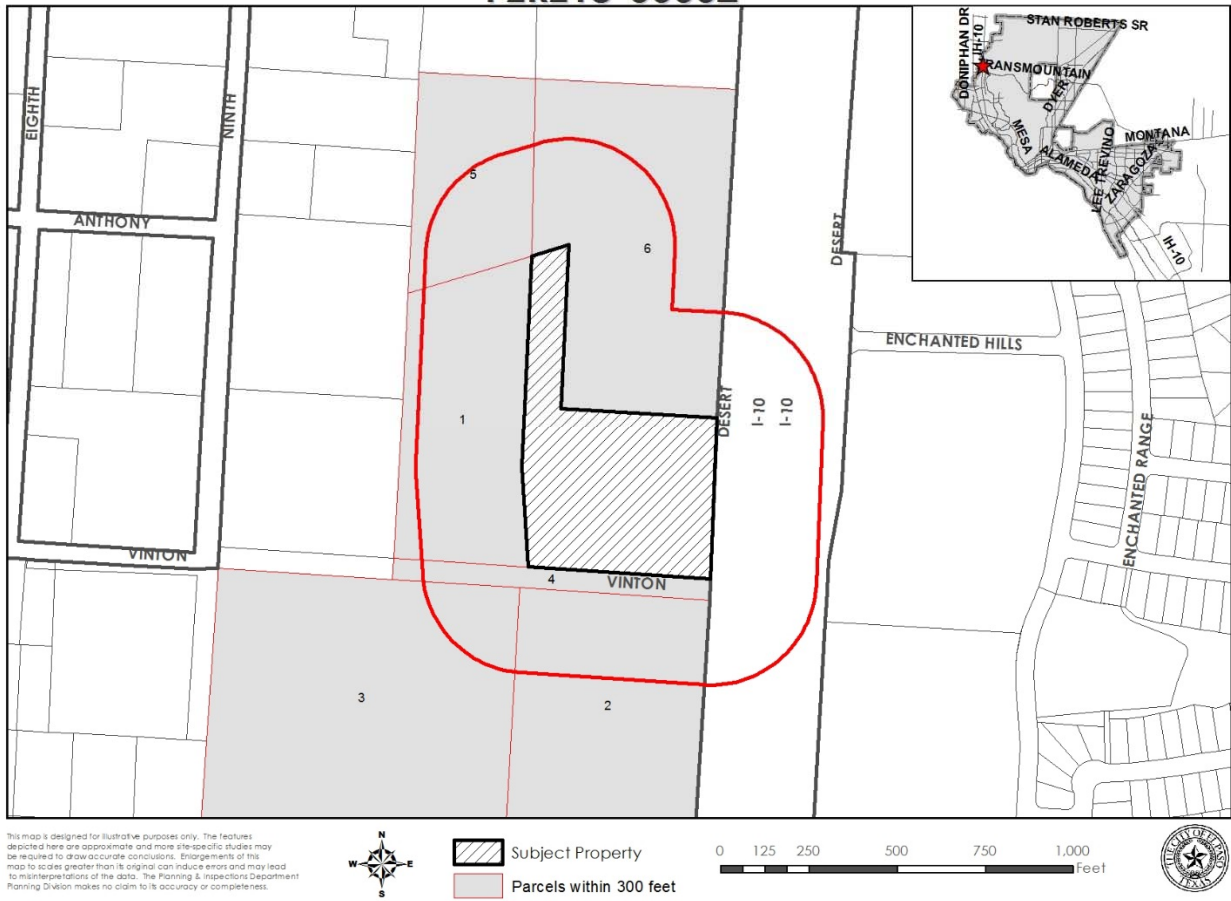
1. Submit an access request and grading and drainage plan for review.
2. Coordinate with TXDOT staff for future project currently in process by TXDOT.
3. Include a deceleration land as well as a sidewalk. If there is a hike/bike plat then include it in proposed plan as to relocate it.



# ATTACHMENT 5

## Notification Map

PZRZ18-00002





## Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (7-0)
- **Public Input:** No communication in support or opposition to the Rezoning request.

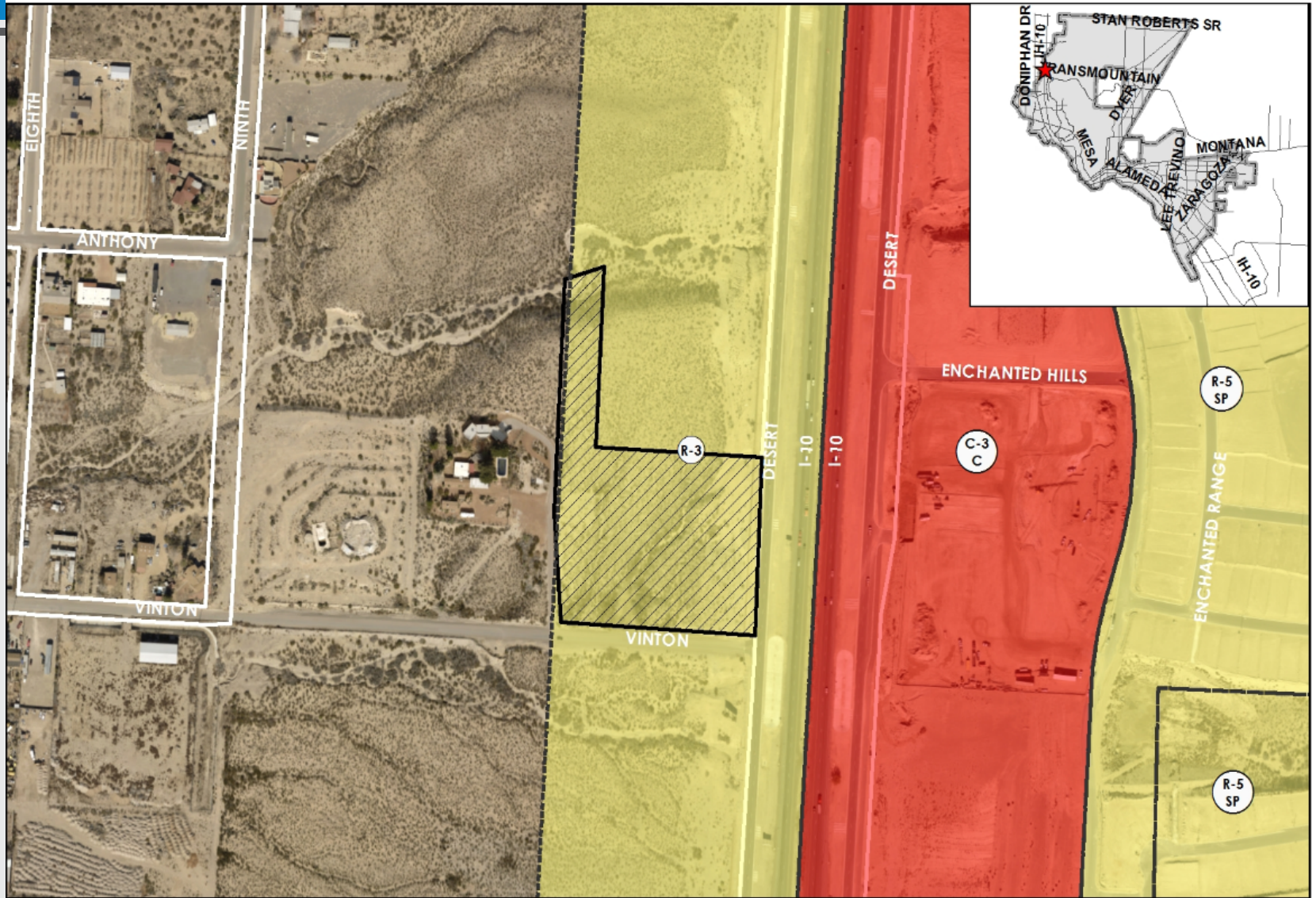
### Strategic Goal #3 Promote the Visual Image of El Paso

- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community

*"Delivering Outstanding Services"*



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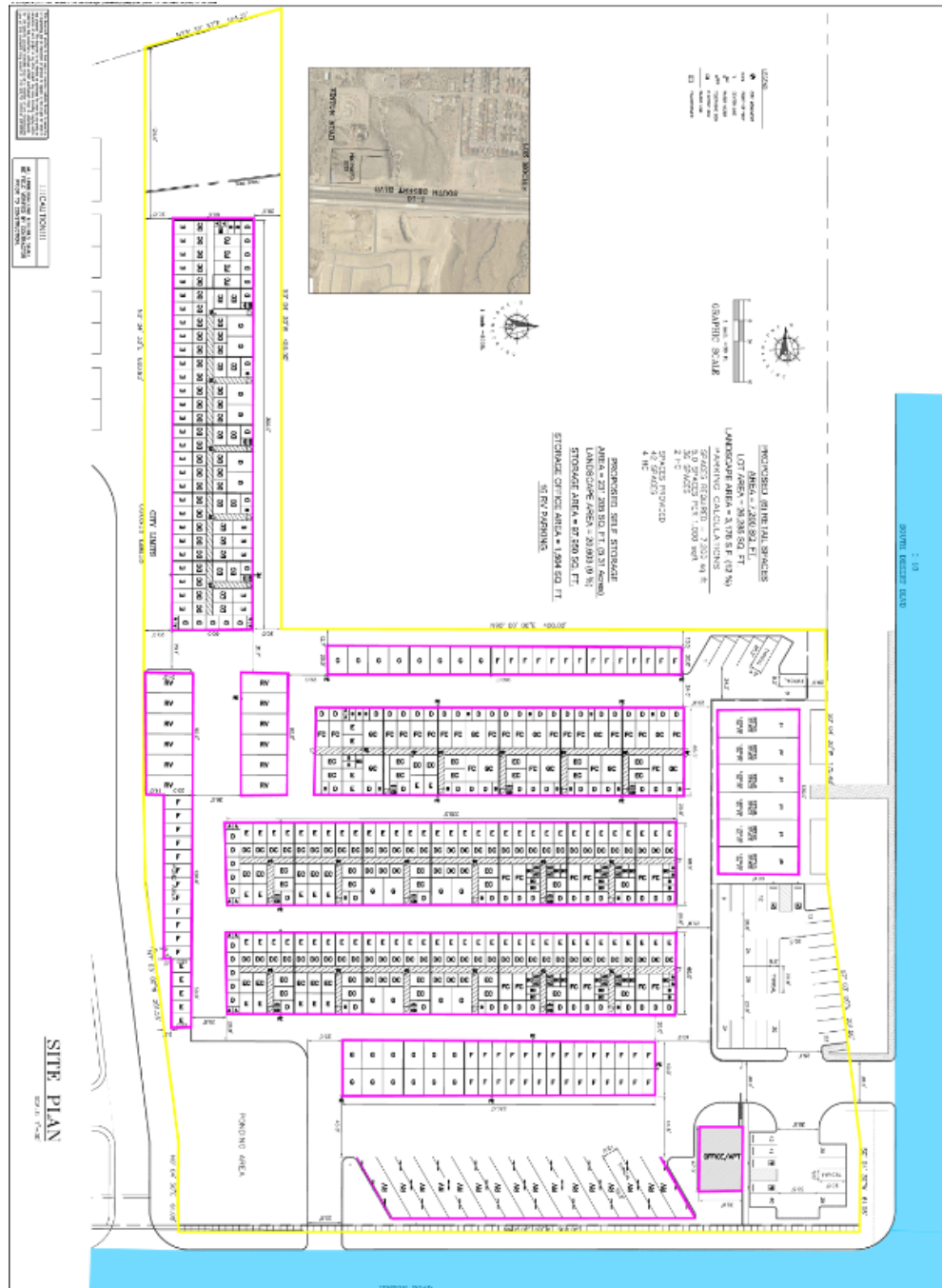


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## ***"Delivering Outstanding Services"***





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*"Delivering Outstanding Services"*





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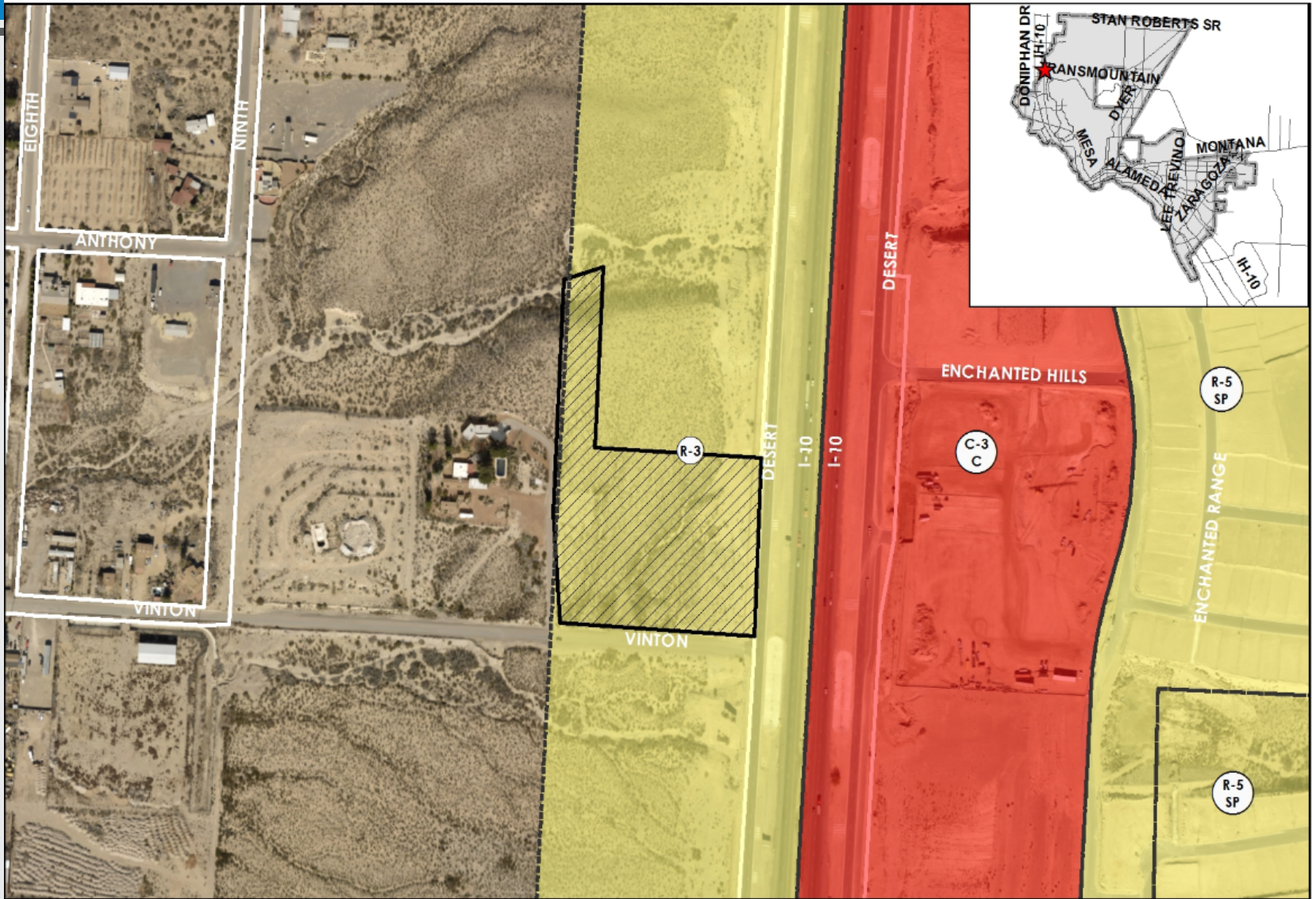


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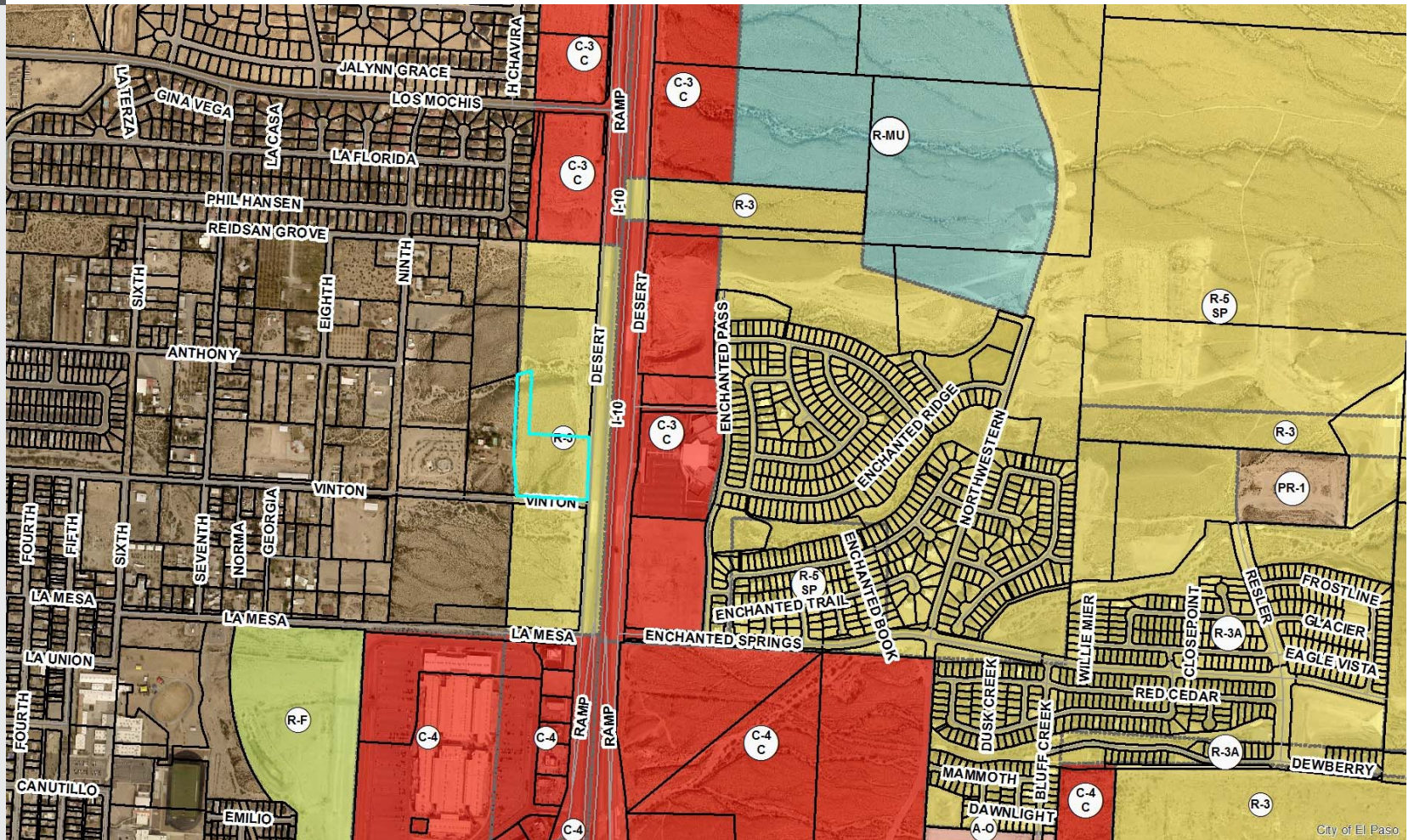






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