

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: May 26, 2020

PUBLIC HEARING DATE: June 23, 2020

CONTACT PERSON NAME AND PHONE NUMBER:

Philip F. Etiwe, (915) 212-1553, EtiwePF@elpasotexas.gov

Adriana Martinez, (915) 212-1611, MartinezAD@elpasotexas.gov

DISTRICT(S) AFFECTED: 4

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

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

SUBJECT:

An Ordinance changing the zoning of Tracts 25C, 25D, and 25K, Section 38, Block 81, Township 1, T&P Railway Surveys, 9787 McCombs Street, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-1 (Commercial). The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. The rezoning meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: 9787 McCombs Street; Owners: McCombs Village LLC. PZRZ20-00003 (District 4)

BACKGROUND / DISCUSSION:

On April 2, 2020, the CPC reviewed and recommended approval of the rezoning request.

SELECTION SUMMARY:

N/A

PROTESTS:

☒ No protest received for this requirement.

COUNCIL REPRESENTATIVE BRIEFING:

Was a briefing provided: ☐ Yes or ☒ No

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



Philip F. Etiwe, Director
Planning and Inspections Department

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 25C, 25D, AND 25K, SECTION 38, BLOCK 81, TOWNSHIP 1, T&P RAILWAY SURVEYS, 9787 MCCOMBS STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO C-1 (COMMERCIAL). 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 Tracts 25C, 25D, and 25K, Section 38, Block 81, Township 1, T&P Railway Surveys, 9787 McCombs Street, located in the City of El Paso, El Paso County, Texas, 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.

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 _____, 2020.

THE CITY OF EL PASO:

Dee Margo, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe, Director
Planning & Inspections Department

MEMORANDUM

DATE: May 14, 2020

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

FROM: Adriana Martinez, Planner

SUBJECT: PZRZ20-00003

An Ordinance changing the zoning of Tracts 25C, 25D, and 25K, Section 38, Block 81, Township 1, T&P Railway Surveys, 9787 McCombs Street, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-1 (Commercial). The Penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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 condition release will not have negative effects on the natural environment, social economic conditions, property values in the vicinity, and the city as a whole.

Planning has not received any communication in support or opposition to the rezoning request; Notices sent to property owners within 300 feet on March 20, 2020.

Property Owner: McCombs Village LLC
Applicant: McCombs Village LLC
Representative: Site Work Engineering

Attachments:
Staff Report

9787 McCombs St.

City Plan Commission — April 2, 2020

REZONING



CASE NUMBER:	PZRZ20-00003
CASE MANAGER:	Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov
PROPERTY OWNER:	McCombs Village LLC.
REPRESENTATIVE:	Site Work Engineering
LOCATION:	9787 McCombs Street
LEGAL DESCRIPTION:	Tracts 25C, 25D, and 25K, Section 38, Block 81, Township 1, T&P Railway Surveys, City of El Paso, El Paso County, Texas; (District; 4)
PROPERTY AREA:	2.64 acres
REQUEST:	To rezone from A-2 (Apartment) to C-1 (Commercial)
RELATED APPLICATIONS:	N/A
PUBLIC INPUT:	Notices sent to property owners within 300 feet on March 20, 2020. Planning has not received any calls in support or opposition to the rezoning request.

SUMMARY OF REQUEST: The property owner is to requesting rezone from A-2 (Apartment) to C-1 (Commercial) to allow the subject property to be used as an apartment complex

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **Approval** of the rezoning request. The proposed development is consistent with the adjacent commercial development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-3, Post-war, use designation of *Plan El Paso* in the Northeast Planning area.

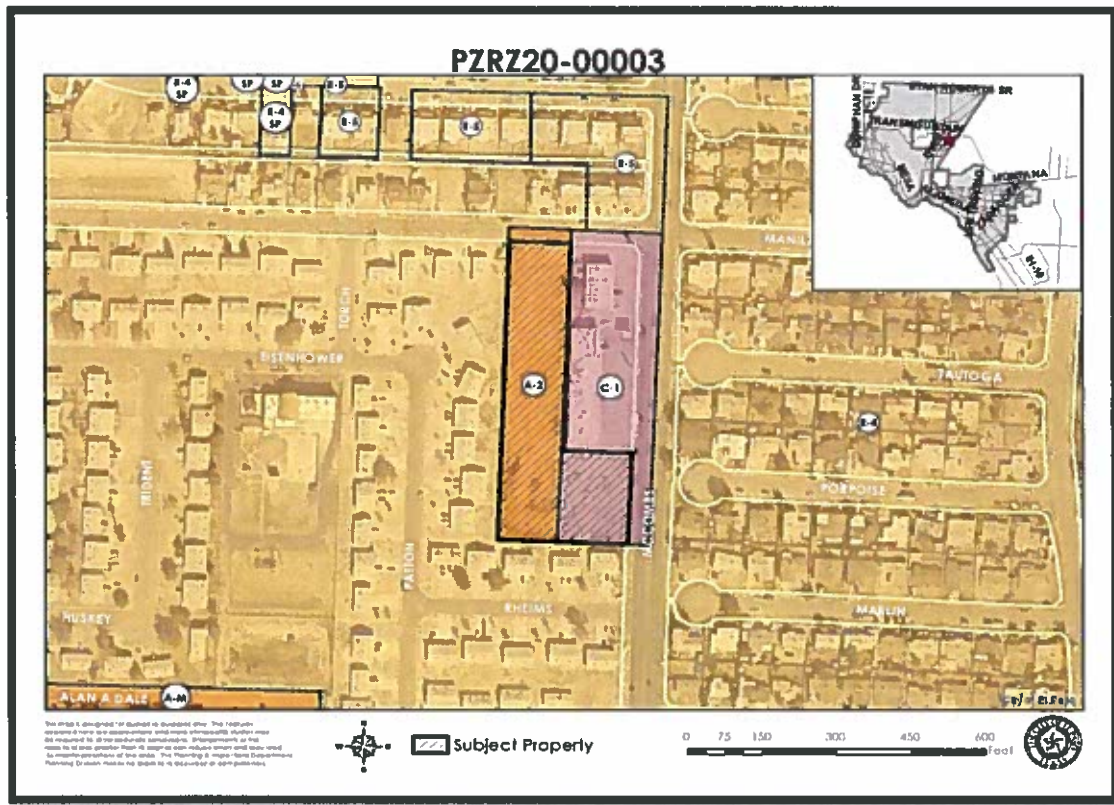


Figure A: Proposed plat with surrounding area

DESCRIPTION OF REQUEST: The property owner is requesting rezone from A-2 (Apartment) to C-1 (Commercial) to allow the subject property to be used as an apartment complex. The property is located at 9787 McCombs Street, within the Northeast Planning Area. The area of the rezoning request is 2.4563 acres in size. The conceptual site plan shows 28,190.01 sq. ft. of apartment buildings, consisting of 32 units. Primary access to the proposed development is from McCombs Street and Manila Avenue.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the adjacent commercial development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-3, Post-war, use designation of *Plan El Paso*, in the Northeast Planning area.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>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.</p>	<p>Yes, the development plan is similar in layout to existing developments to the surrounding areas. The requested zoning district will allow higher density housing to supplement the existing housing stock. The surrounded properties are zoned C-1 (Commercial), R-4 (Residential), and R-5 (Residential). The surrounding area uses vary from single-family dwellings, two-family dwellings, retail, and convenience store with gas pumps.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-1 (Commercial) District: Provide compatible neighborhood convenience goods and services that serve day-to-day needs. Permit locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.</p>	<p>Yes, the proposed development is a permitted use in the C-1 (Commercial) district with the approval of a Detailed Site Development Plan. The existing development is adjacent to commercial and residential uses.</p>
<p>Preferred Development Locations: Is the subject property in a preferred development location, such as along a major arterial?</p>	<p>Yes, the subject property is located along McCombs Street, which is classified as a major arterial.</p>
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	<p>N/A</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:	
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development does not represent any adverse effects on the community. It has the potential to maximize the use of an existing parcel.
Natural Environment: Anticipated effects on the natural environment.	Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	Yes, the proposed development is within an older area of the city, which represent stability within the G-3, Post-war use designation of Plan El Paso.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed use is permitted in the C-1 (Commercial) district.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: There is an existing 12-inch diameter water main that extends along McCombs St., fronting the subject property. This main is located approximately 40-feet east of the west right-of-way line. This water main is available for service.

SUMMARY OF DEPARTMENTAL REVIEW 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.

PUBLIC COMMENT: Notices sent to property owners within 300 feet on March 20, 2020. Planning has not received any calls in support or opposition to the rezoning request.

RELATED APPLICATIONS: N/A

CITY PLAN COMMISSION OPTIONS:

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

1. Future Land Use Map
2. Department Comments
3. Neighborhood Notification Boundary Map
4. Conceptual Site Plan

ATTACHMENT 2

Department Comments

Planning and Inspections Department

No objections to the rezoning.

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.

Sun Metro:

Recommended approval.

Fire Department:

Recommended approval.

TxDot:

This section of McCombs is under City of El Paso Jurisdiction.

Streets and Maintenance Department

The Streets and Maintenance Department has no objections.

Land Development:

1. Show proposed drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision. There appear to be depressed areas for large & small dogs.
2. Label if ponding or harvesting rainwater in those areas as well as within the landscaped areas.
3. The Proposed ponding area(s) shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.

EPCWID

The proposed development is out of the boundaries of EPCWID.

El Paso Water

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

Water:

There is an existing 6-inch diameter water main that extends along Manila Dr., fronting the subject property. This main is located approximately 18.5-feet north of the south right-of-way line. This water main is available for service.

There is an existing 12-inch diameter water main that extends along McCombs St., fronting the subject property. This main is located approximately 40-feet east of the west right-of-way line. This water main is available for service.

Previous water pressure from fire hydrant #1463 located at the northwest intersection of Manila Dr. and McCombs St., has yielded a static pressure of 72 psi, a residual pressure of 70 psi, and a discharge of 1,300 gallons per minute. 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:

There is an existing 8-inch diameter sanitary sewer main along Manila Dr., fronting the subject property. This main is located approximately 5-feet north of the south right-of-way line. This sanitary sewer main is available for service.

There is an existing 12-inch diameter sanitary sewer main along McCombs St., fronting the subject property. This main is located approximately 25-feet east of the west right-of-way line. This sanitary sewer main is available for service.

General:

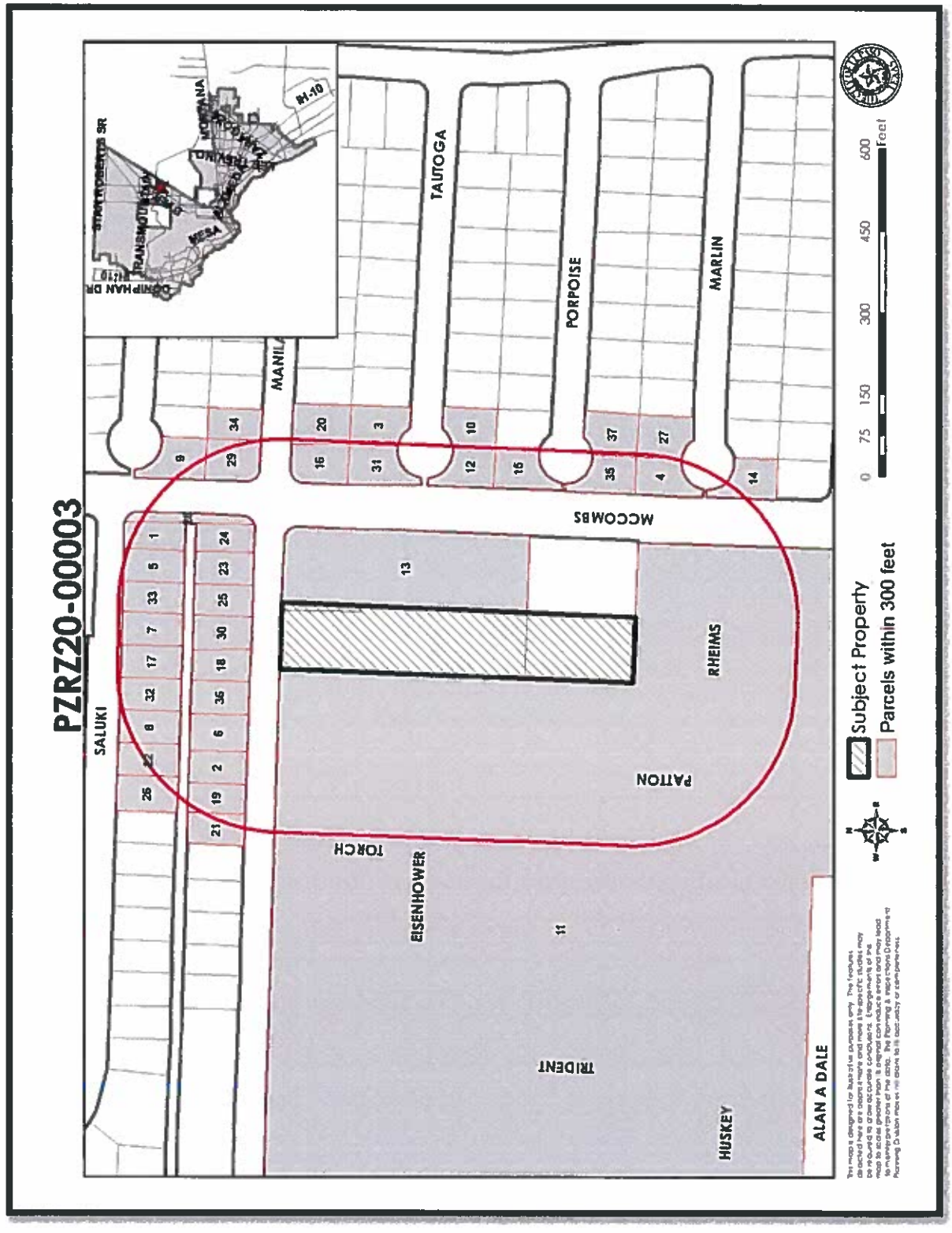
An application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description 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-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.

Stormwater:

No comments received.

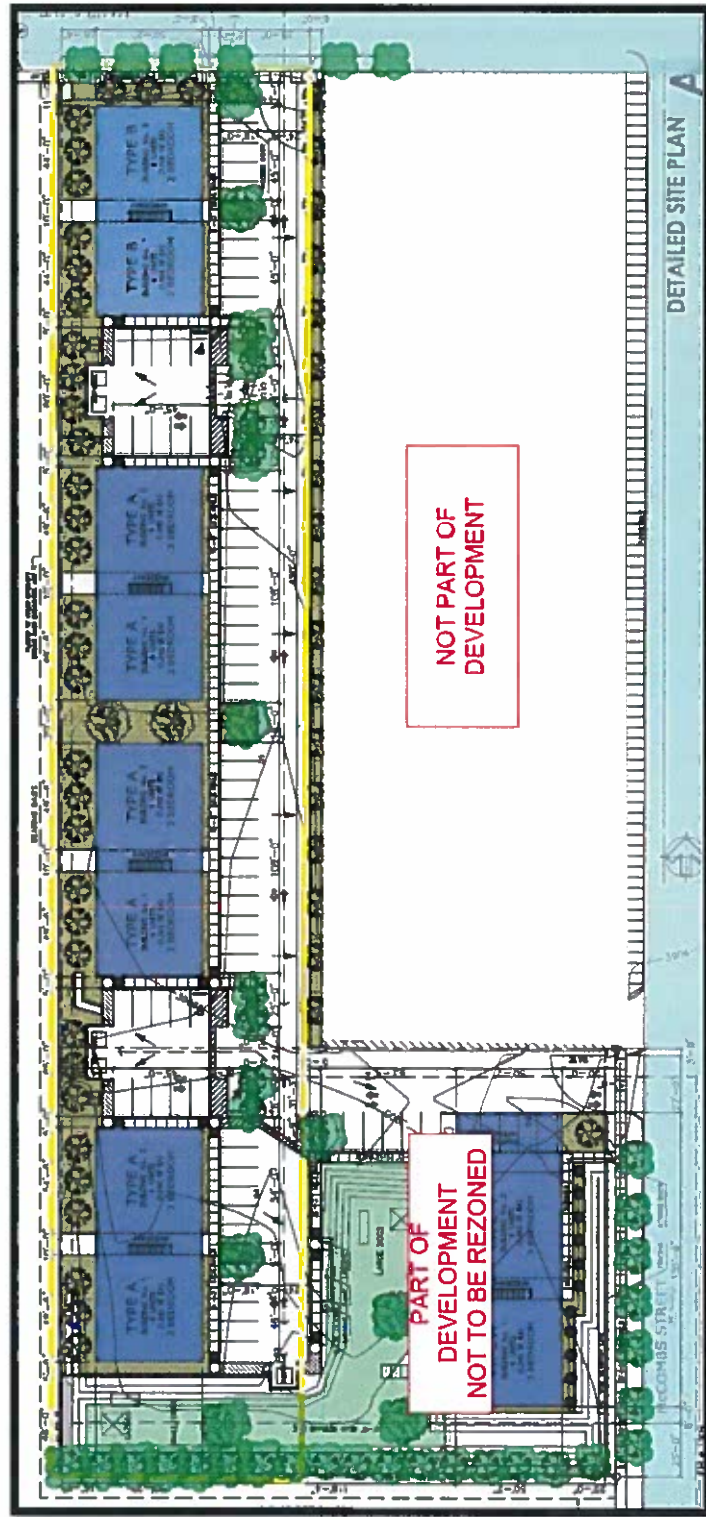
ATTACHMENT 3

Notification Map



ATTACHMENT 4

Conceptual Site Plan



Recommendation | Public Input

1

The City Plan Commission recommendation:

The City Plan Commission recommends Approval of the rezoning request.

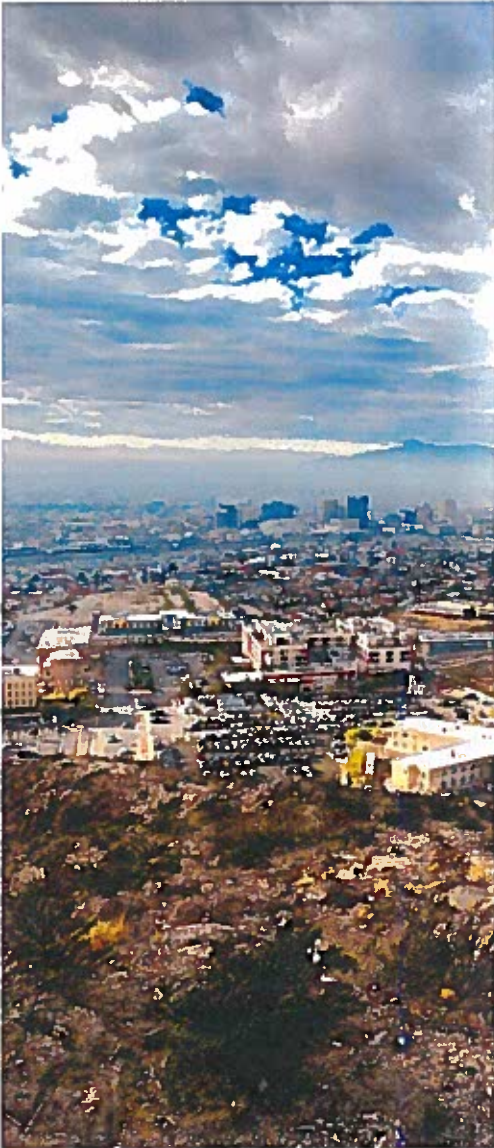
Public Input: Notices sent to property owners within 300 feet on March 20, 2020.

Planning has not received any calls 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



ITEM 8

Rezoning



9787 McCombs St.

PZRZ20-00003

PZRZ20-00003



This map is designed for illustrative purposes only. The features depicted here are approximate and more specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



 Subject Property



PZRZ20-00003



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Subject Property



PZRZ20-00003

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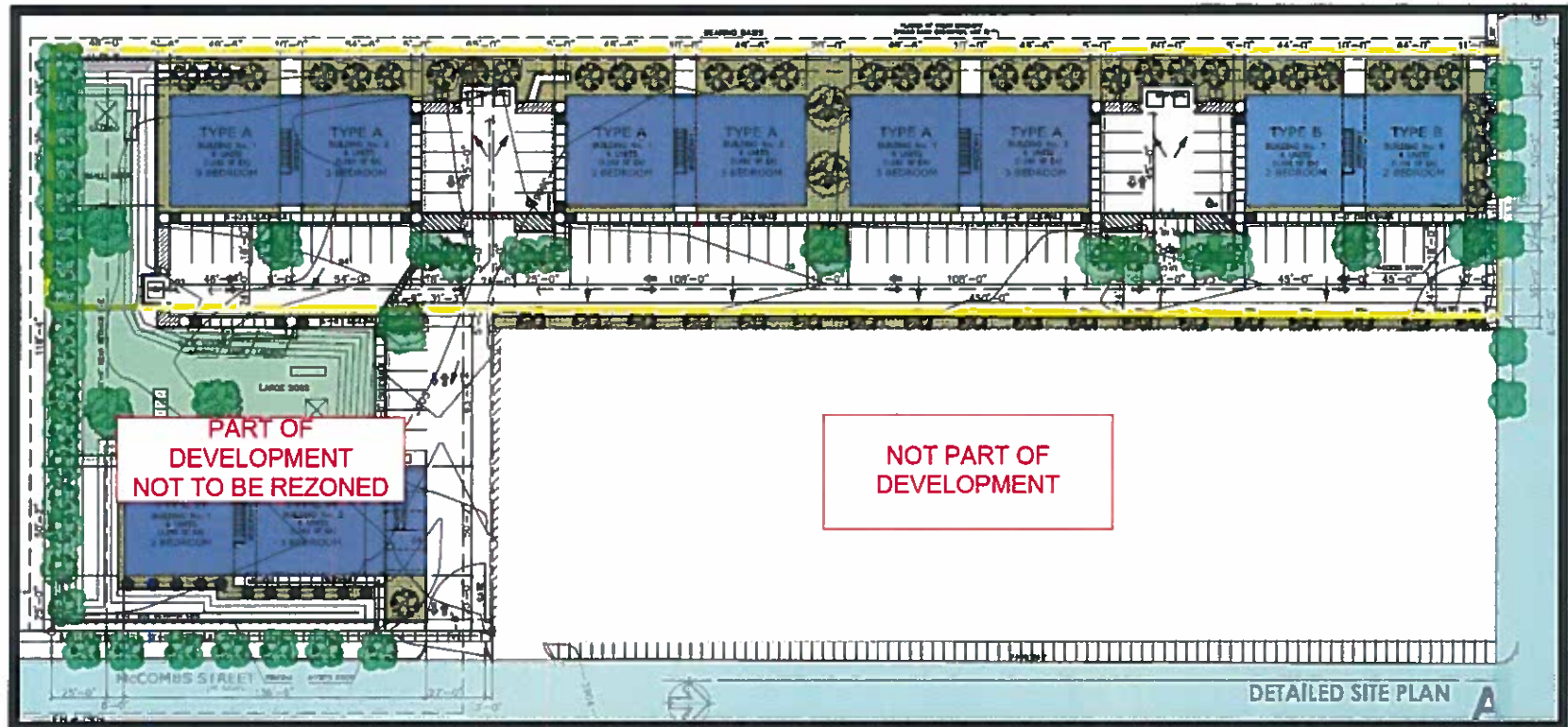


Subject Property



Detailed Site Development Plan

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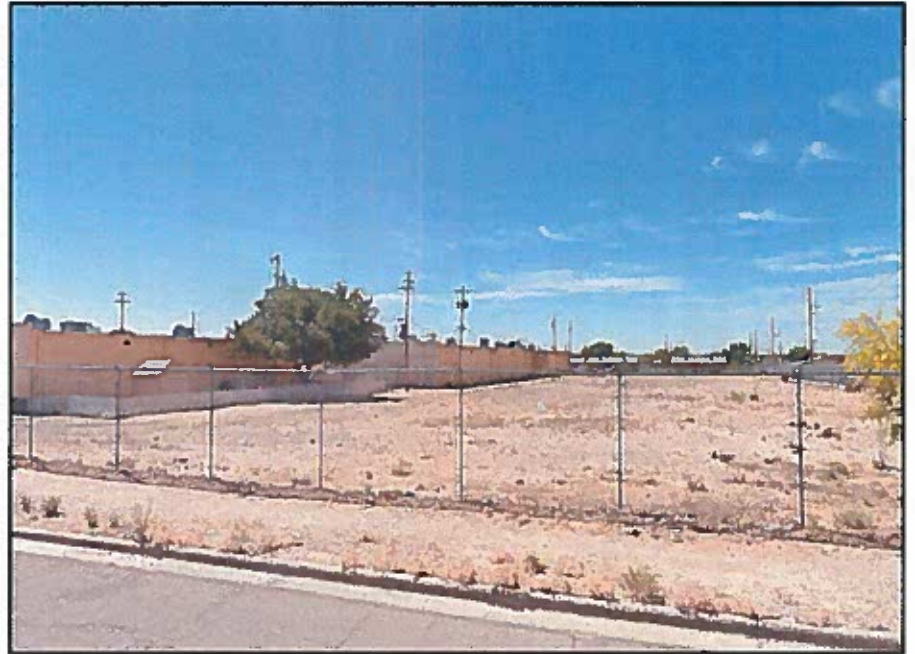
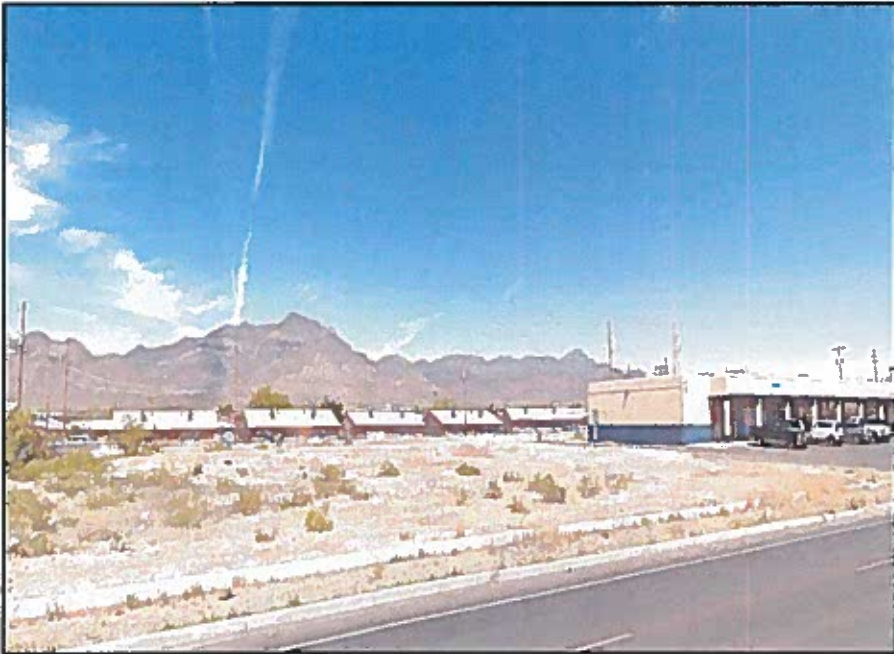
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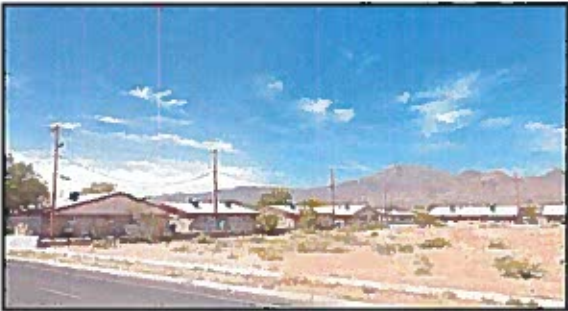


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Subject Property

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THANK YOU

