

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: July 24, 2018
Public Hearing: August 21, 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: 8

SUBJECT:

An Ordinance changing the zoning of Lots 10 to 13, Block P-2, Garden Subdivision to East El Paso addition, also known as 2915 & 2923 Central Avenue, City of El Paso, El Paso County, Texas from A-3 (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: 2915 & 2923 Central Avenue. Property Owner: Jose and Martha E. Contreras **PZRZ18-00020 (District 8)**

BACKGROUND / DISCUSSION:

On June 28, 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 (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: *fd* Victor Morrison-Vega
Planning and Inspection Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 10 TO 13, BLOCK P-2, GARDEN SUBDIVISION TO EAST EL PASO ADDITION, ALSO KNOWN AS 2915 & 2923 CENTRAL AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (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, the zoning of Lots 10 to 13, Block P-2, Garden Subdivision to East El Paso Addition, also known as 2915 & 2923 Central Avenue, located in the City of El Paso, El Paso County, Texas, be changed from **A-3 (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 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 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 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:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Victor Morrison-Vega
Planning & Inspections Department

ORDINANCE NO. _____

18-1007-2234 | 802850
2915 & 2923 Central Avenue
OAR

PZRZ18-00020

MEMORANDUM

DATE: July 12, 2018

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

FROM: Armida Martinez, Planner

SUBJECT: PZRZ18-00020

The City Plan Commission (CPC) on June 28, 2018, voted unanimously (5-0) to recommend **approval** of A-3 (Apartment) to C-1 (Commercial) in order to allow for an Office warehouse.

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 received one phone call and a letter of opposition from the same constituent to the rezoning request and two letters of support.

Property Owner: Jose and Martha E. Contreras

Representative: Ray Mancera

Attachments: Staff Report

2915 & 2923 Central Avenue

City of El Paso — Plan Commission — 6/28/2018 **REVISED**



PZRZ18-00020

Rezoning

STAFF CONTACT: Armida Martinez, 915-212-1605,
martinezar@elpasotexas.gov

OWNER: Jose and Martha E. Contreras

REPRESENTATIVE: Ray Mancera

LOCATION: 2915 & 2923 Central Avenue, District 8

LEGAL DESCRIPTION: Lots 10 to 13, Block P-2, Garden, City of El Paso, El Paso County, Texas

EXISTING ZONING: A-3 (Apartments)

REQUEST: To rezone from A-3 (Apartments) to C-1 (Commercial) for Office warehouse

RELATED APPLICATIONS: N/A

PUBLIC INPUT Planning received one phone call and letter of opposition from the same constituent to the rezoning request and 2 letters of support.

STAFF RECOMMENDATION: Approval (see pages 2—4 for basis for recommendation)

SUMMARY OF REQUEST: The applicant is requesting to rezone from A-3 (Apartment) to C-1 (Commercial) to allow for an office warehouse. The subject property is .33 acres in size combined and is currently vacant. The conceptual site plan proposes a 6,000 sq. ft. office warehouse building.

SUMMARY OF RECOMMENDATION: The Planning Division recommends **APPROVAL** of rezoning the property from A-3 (Apartments) to C-1 (Commercial) with a 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.* 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 general area along Central and Paisano. The proposed development meets the intent of the G-2, Traditional Neighborhood (Walkable) land use designation of Plan El Paso, in the Central Planning Area.



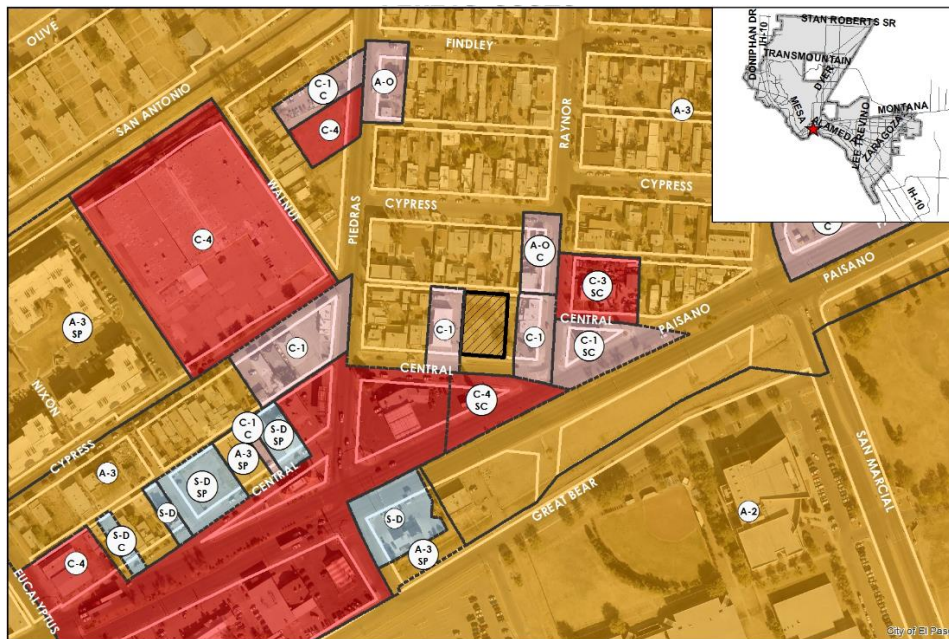
DESCRIPTION OF REQUEST

The property owner is requesting a rezoning from A-3 to C-1 to accommodate a proposed office warehouse. The conceptual site plan shows a proposed 6,000 sq. ft. office-warehouse building. The property is currently vacant. Access to the subject property is from Central Avenue.

REZONING POLICY

POLICY	DOES IT COMPLY?
<u>Compatibility</u> Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.	Yes, properties adjacent to the subject property are zoned C-4/sc, C-1 and A-3. The proposed C-1 district permits both residential and commercial uses, and would thus be compatible with its established neighborhood.
<u>Plan El Paso</u> 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, the proposal contributes to a mix of uses to include commercial uses.

NEIGHBORHOOD CHARACTER AND COMPATIBILITY: The subject property is located in Garden subdivision, recorded in 1908. The site is currently zoned A-3 (Apartment) and is currently vacant. Surrounding land uses include commercial, multi-family dwellings and single-family. The nearest park is Chamizal National Memorial Park (858 feet) and the nearest school is Bowie High School (844 feet).



COMPLIANCE WITH PLAN EL PASO: The purpose of the application is to introduce an office warehouse within G-2, Traditional Neighborhood (Walkable) land use designation.



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

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
G-2- Traditional Neighborhood (Walkable):	Yes, The C-1 zone district permits apartments and low-intensity commercial uses. The

<p>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 faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</p>	<p>configuration of the lot and footprint of the proposed building are consistent with the traditional neighborhood development pattern.</p>
<p>ZONING DISTRICT</p>	<p>DOES IT COMPLY?</p>
<p>C-1 (Commercial) District is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses with adjacent residential areas of medium and high densities.</p>	<p>Yes, an office warehouse is a permitted use in a C-1 district.</p>
<p>POLICY</p>	<p>DOES IT COMPLY?</p>
<p><u>1.2.3:</u> Vacant and underutilized parcels in and around the city's traditional neighborhoods can be excellent locations for redevelopment that adds housing, shopping, employment, entertainment, and recreational options for nearby residents and transit patrons. Redevelopment of such sites should mesh with the scale and character of these existing neighborhoods rather than imposing a suburban or high-rise model on traditional neighborhoods. The City's zoning and development regulations should be modified accordingly. Additional infill incentives should be considered by the city.</p>	<p>The subject property is currently vacant and the proposal will add a commercial use to the established neighborhood.</p>

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The lot is 14,374 sq. ft. (.33 acres). The A-3 (Apartment) zoning district does not allow an office warehouse.

SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING: The subject site is .33 acres in size (14,374 sq. ft.). The proposed use of an office warehouse is allowed under C-1 (Commercial) zoning, and the proposal meets the dimensional requirements of the 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-1 (Commercial) District is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses with adjacent residential areas of medium and high densities. 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 the north side of Central Avenue and along the Alley north of Central Avenue available for service. 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 falls within the boundary of the El Paso Central Business Association and Familias Unidas Del Chamizal and they were contacted as required by section 20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 14, 2018. Planning received no communication in support of or opposition to the proposed development.

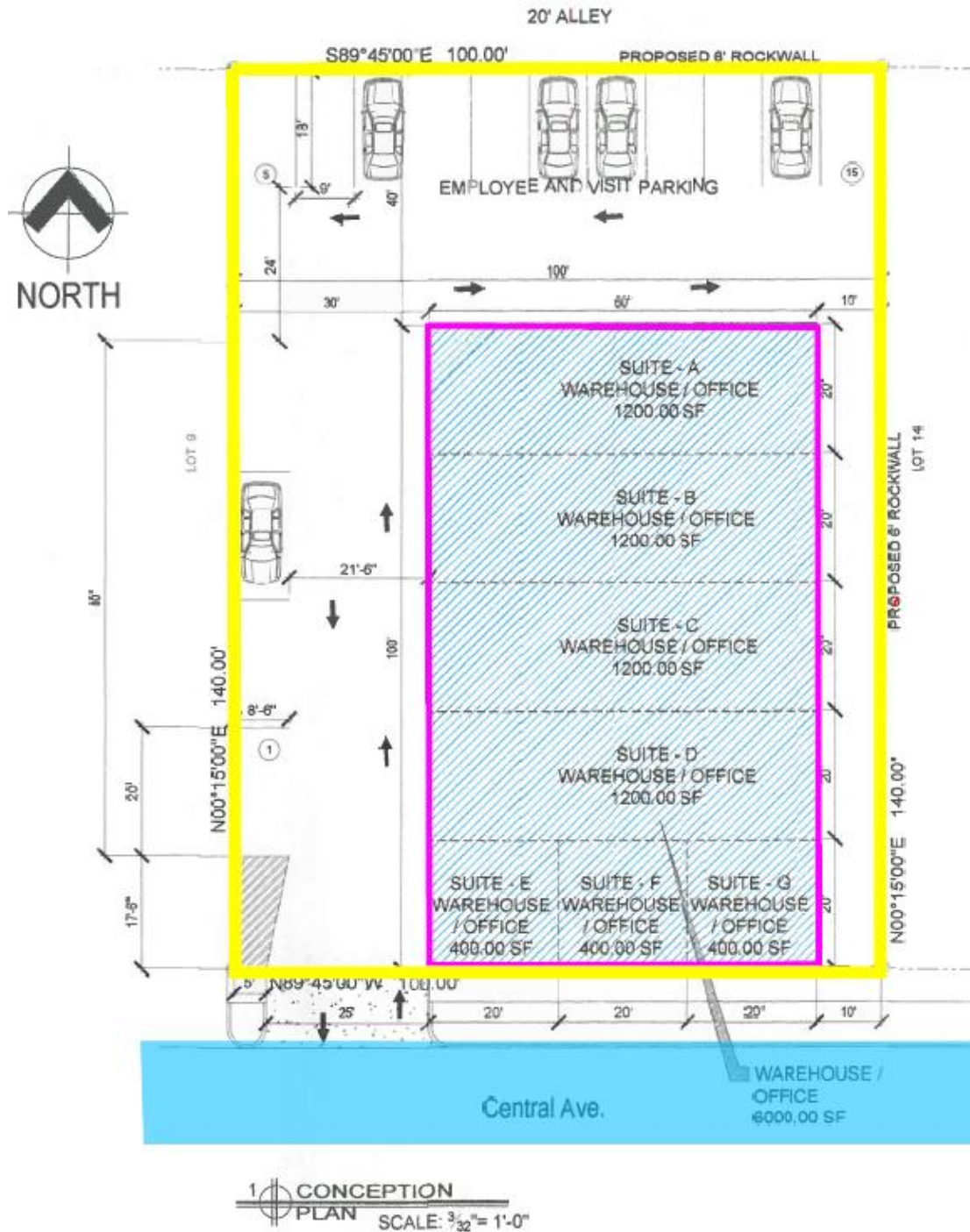
STAFF COMMENTS: No objections to proposed rezoning. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

ATTACHMENTS:

1. Conceptual Development Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Public Notification Boundary Map
6. Letters of Support
7. Letter of Opposition

ATTACHMENT 1

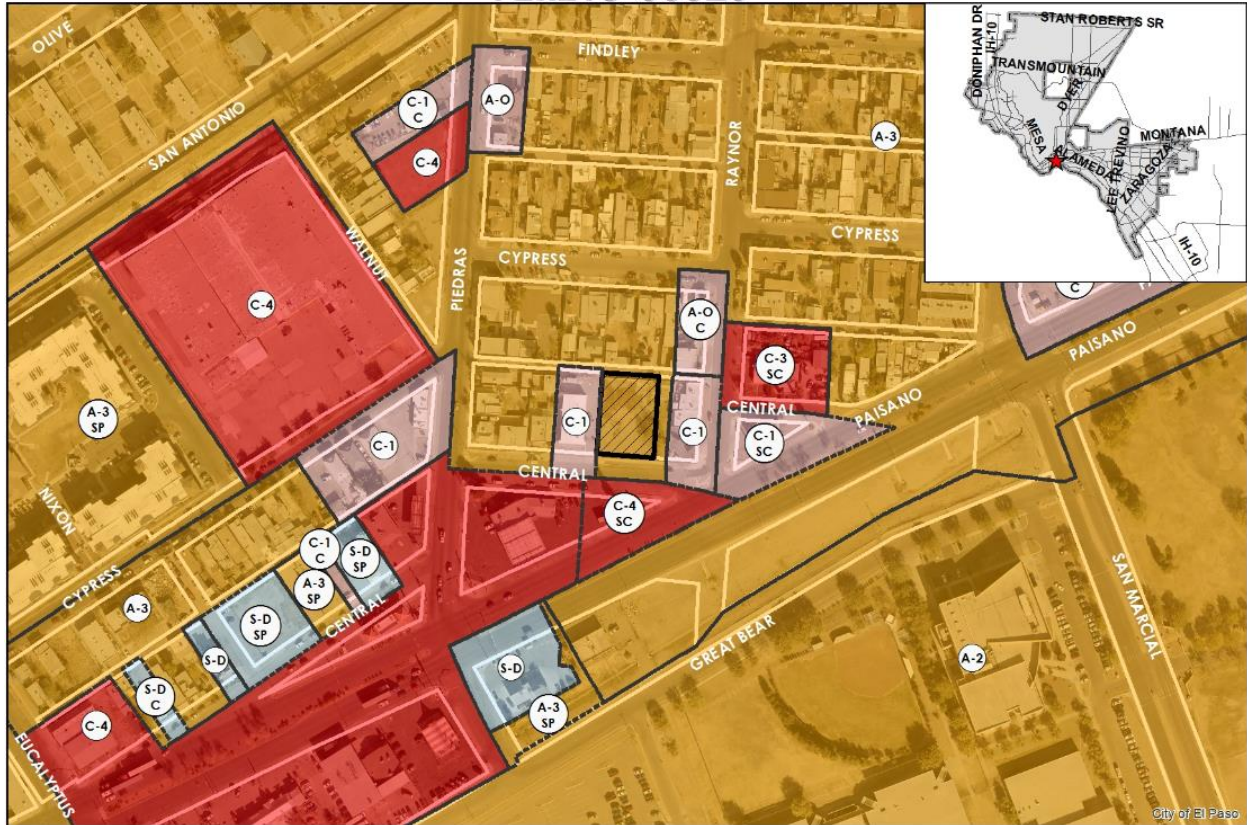
Conceptual Development Plan



ATTACHMENT 2

Zoning Map

PZRZ18-00020



ATTACHMENT 3

Future Land Use Map



ATTACHMENT 4

Department Comments

Planning and Inspections Department- Planning Division

Recommend approval with condition: *that a 10' landscaped buffer with high-profile native trees 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. Also, Conceptual development plan shall be amended to reflect correct labeling of use as "Office warehouse"*

Planning and Inspections Department – BPI and Landscape Review

No objections to proposed rezoning

The generalized site plan is not being reviewed for conformance due to conceptual nature.

Note to applicant:

As shown, the proposed parking lot does not meet landscape requirements.

At the time of submittal for building permits, the project will need to comply with all applicable requirements of the IBC, TAS and local municipal code.

Planning and Inspections Department - Land Development

Add to general notes on the rezoning site plan:

All developed storm water runoff shall be addressed within this subdivision's limits and shall comply with all provisions of (DSC, 19.19.010A and DDM, 11.1).

Sun Metro:

No objections.

Fire Department

Recommend approval.

Police Department

No comments received.

El Paso Water

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

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

Water:

There is an existing 6-inch diameter water main extending along the north side of Central Ave., approximately 22-feet south of and parallel to the northern right-of-way line of Central Ave. This water main is available for services.

There is an existing 4-inch diameter water main extending along the Alley north of Central Ave., between Piedras St. and Raynor St., approximately 4-feet south of and parallel to the northern right-of-way line of this Alley. This water main is available for services.

EPWater records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 2915 Central Avenue.

Previous water pressure from fire hydrant #490 located on the intersection of Central Ave. and Piedras St. has yield a static pressure of 80 (psi), a residual pressure of 60 (psi), and a discharge of 1,463 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 extending along the Alley north of Central Ave., between Piedras St. and Raynor St., approximately 10-feet south of and parallel to the northern right-of-way line of this Alley. This sanitary sewer is available for services.

General:

EPWater - PSB 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.

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

El Paso Water – Stormwater

We have reviewed the property described above and provide the following comments:

- As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural stormwater management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

TxDOT

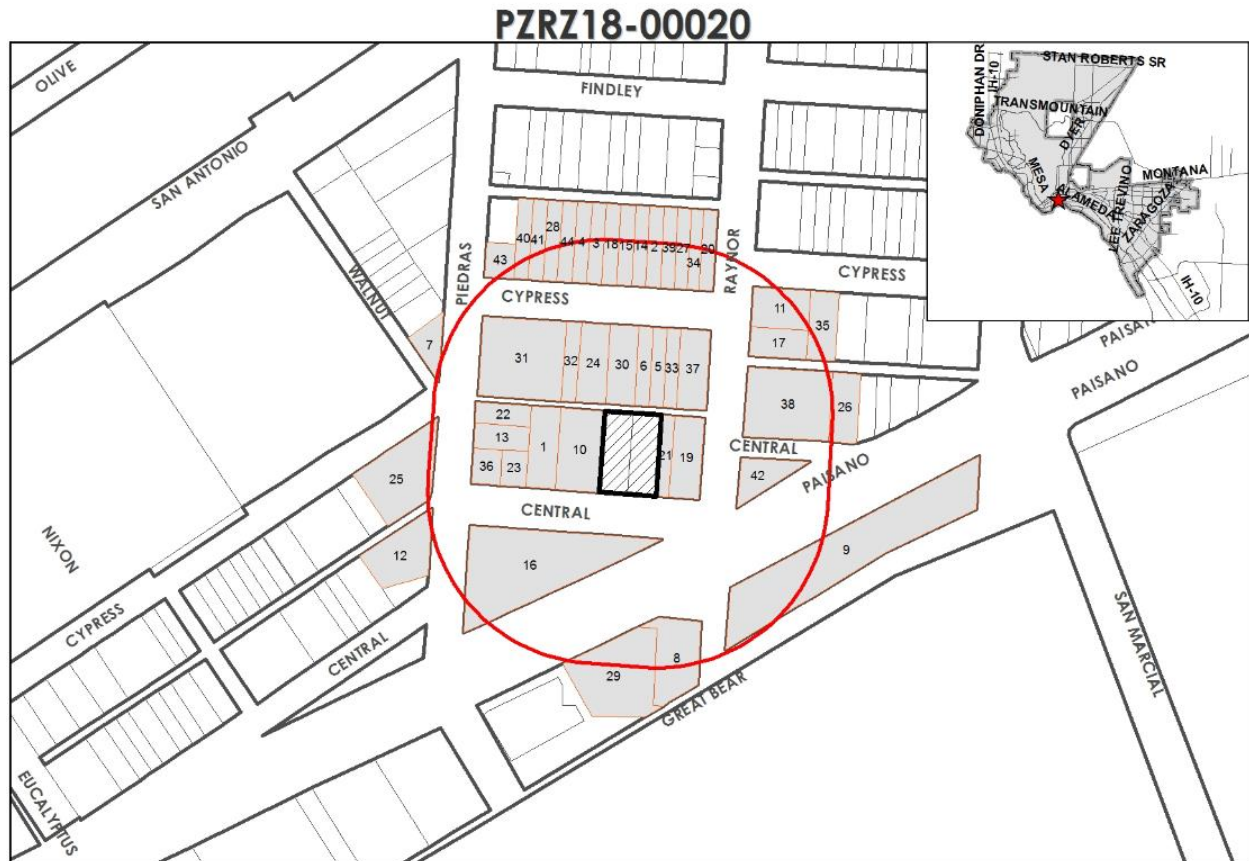
Development is not abutting TxDot Right of Way.

Environmental Services Department

Trash dumpster to store waste will need to be located in an area where trash truck is able to navigate around the parking and building corners.

ATTACHMENT 5

Notification Map



ATTACHMENT 6

Letters of Support

Thursday, June 21, 2018

Belen O. Solis
3007 Central Ave.
El Paso, Texas 79905-4102

CASE NO. PZRZ-00020

CPC c/o Planning Division
P.O. Box 1890
El Paso, Texas 79950-1890

Dear Sirs:

With regard to the above case number/request to change the zoning at 2915 & 2923 Central Ave, El Paso, Texas 79905,

I am very familiar with the property, living about a block away since 1947, I fully support the request without reservation.

Sincerely,



Belen O. Solis

Thursday, June 21, 2018

Edward J. Solis
3001 Central Ave.
El Paso, Texas 79905-4102

CASE NO. PZRZ-00020

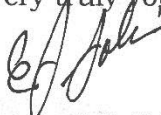
CPC c/o Planning Division
P.O. Box 1890
El Paso, Texas 79950-1890

Dear Sirs:

I am a lifelong resident of the area, as such, I am very familiar with the subject property and am acquainted with the owners.

I urge the Chairman and all the sitting members of The City Plan Commission, to approve the requested change in zoning as per the referenced case above.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'E. J. Solis', is written over the closing 'Very truly yours,'.

Edward J. Solis

ATTACHMENT 7
Letter of Opposition

TOMAS T. GONZALES
2931 CENTRAL AVE., APT. #2
EL PASO, TEXAS 79905

JUNE 26, 2018

CITY PLAN COMMISSION
C/O PLANNING DIVISION
P.O. BOX 1890
EL PASO, TEXAS 79950-1890

CASE NUMBER PZRZ 18-00020

RE: REQUEST BY JOSE & MARTHA
CONTRERAS TO CHANGE THE
ZONING OF 2915-2923 CENTRAL
AVENUE FROM A-3 TO C-1.

SIR(s)

MY RESPONSE MY POSITION
TO THE REQUEST IS
NO! NEGATIVE!

RESPECTFULLY SUBMITTED

Tomas T. Gonzales

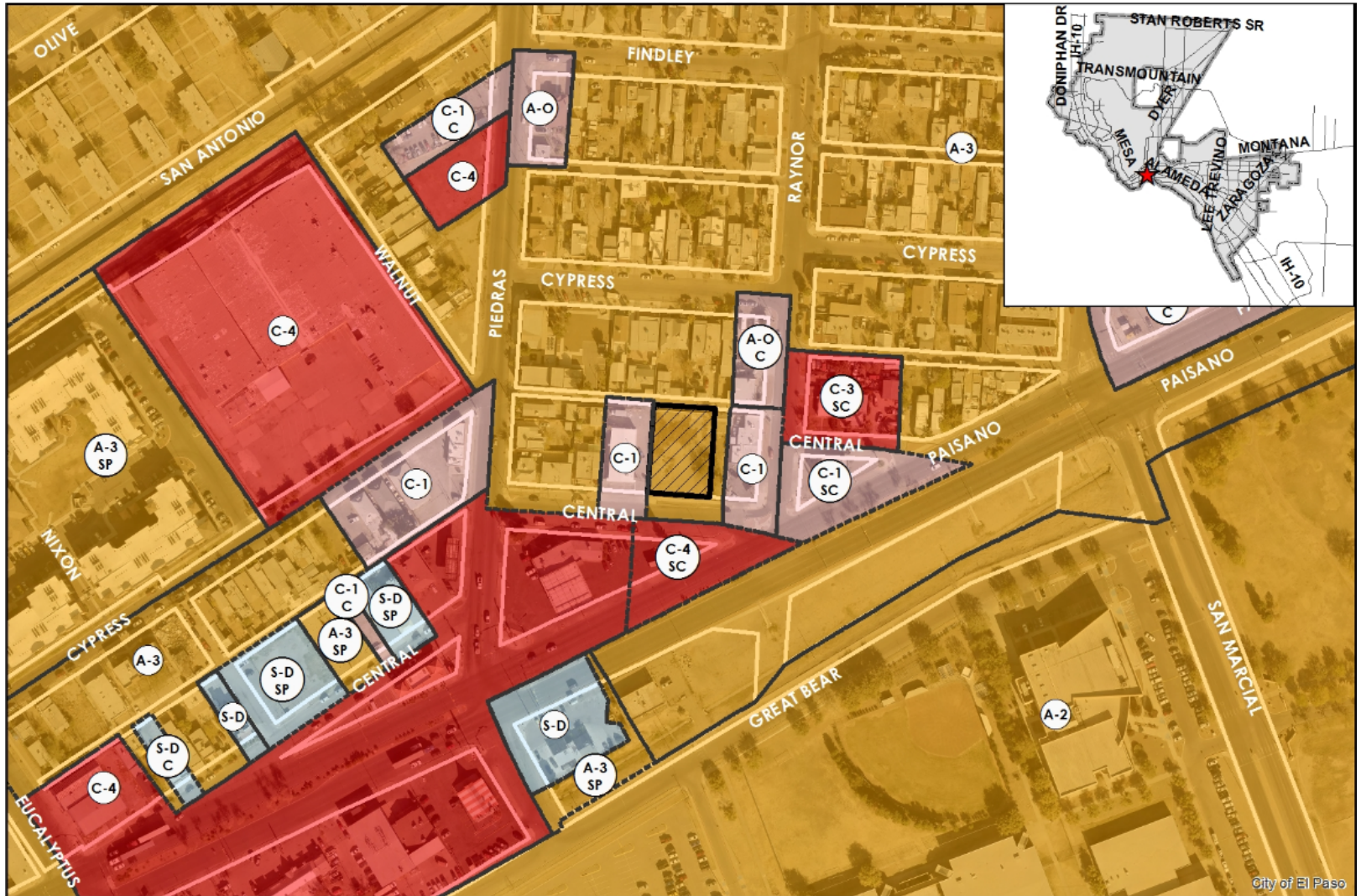


Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (5-0)
- **Public Input:** The Planning Division received one phone call and a letter of opposition from the same constituent to the rezoning request and two letter of support.

Strategic Goal #3 Promote the Visual Image of El Paso

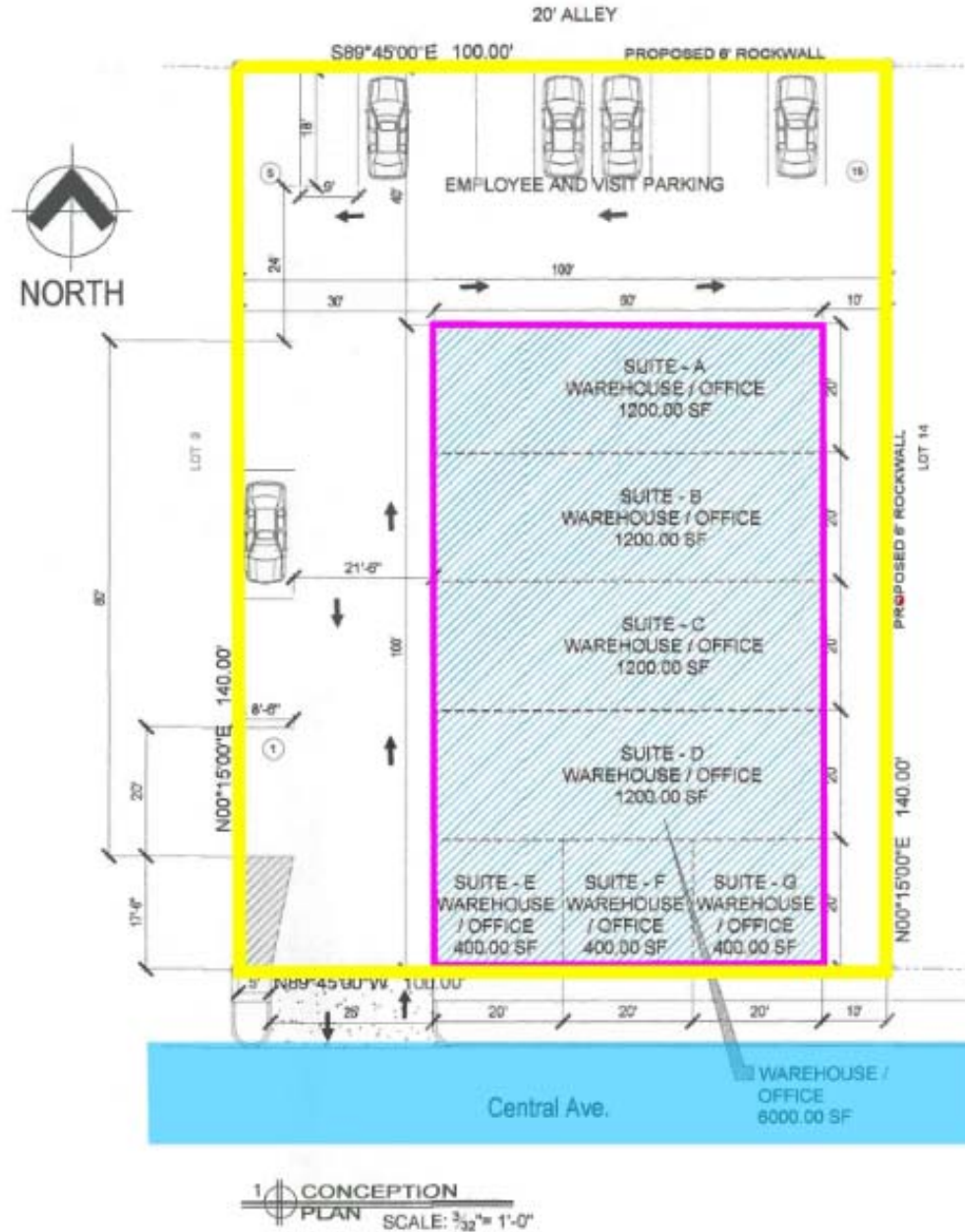
- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community



"Delivering Outstanding Services"



"Delivering Outstanding Services"



"Delivering Outstanding Services"



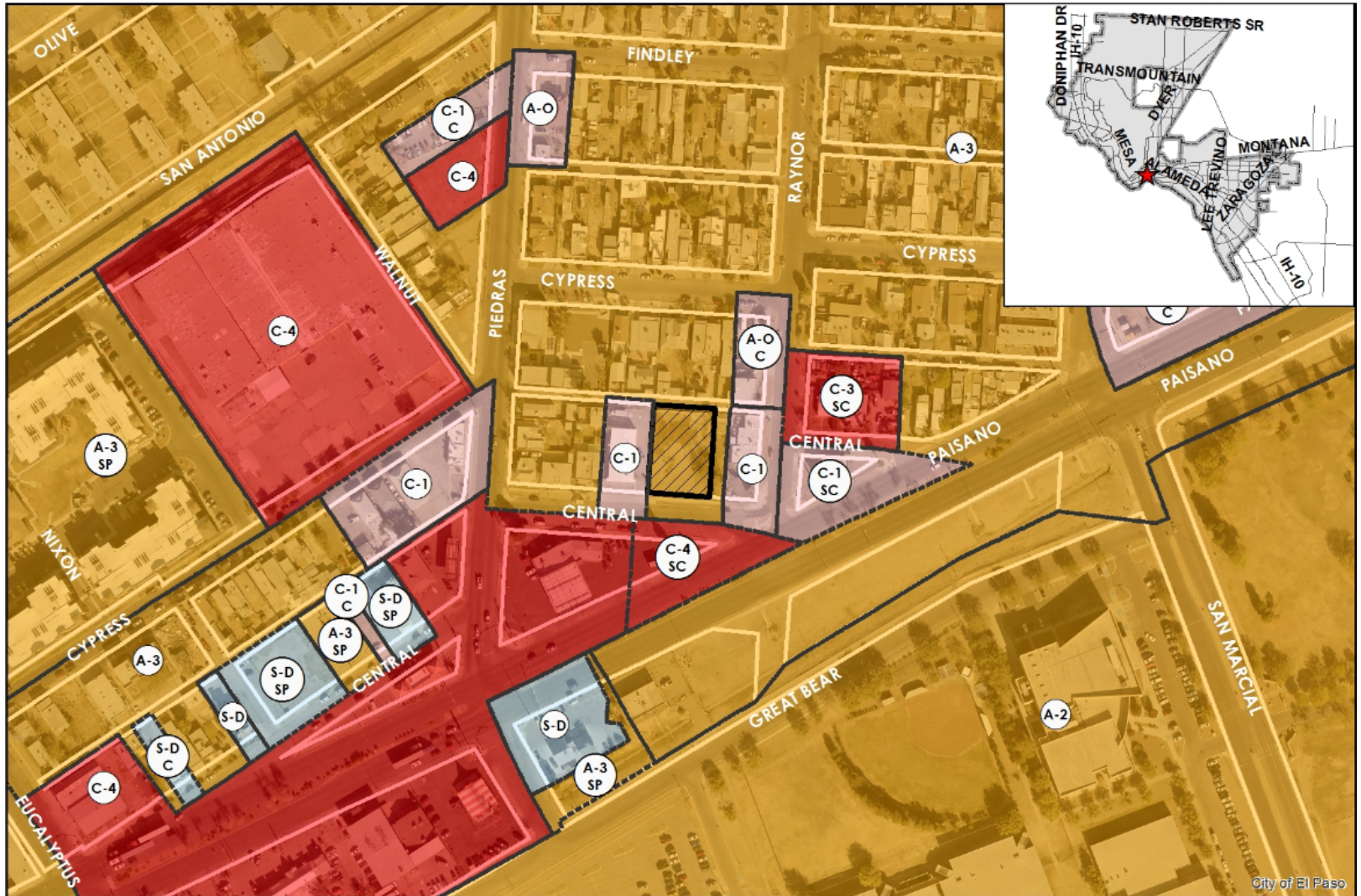


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"Delivering Outstanding Services"





"Delivering Outstanding Services"