

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

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

**AGENDA DATE:** Introduction: November 10, 2015  
Public Hearing: December 1, 2015

**CONTACT PERSON/PHONE:** Larry F. Nichols, (915) 212-1550, [nicholslf@elpasotexas.gov](mailto:nicholslf@elpasotexas.gov)  
Michael McElroy, (915) 212-1612, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance changing the zoning of a portion of Lot 18, Block 26, Regal Crest Unit Five Replat A, 851 Thorn Avenue, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-MU (Residential Mixed-Use), approving a Master Zoning Plan and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 851 Thorn Avenue. Property Owner: Grace Baptist Church. PZRZ15-00005 (**District 1**)

**BACKGROUND / DISCUSSION:**

Applicant requests a rezoning from R-3 (Residential) to R-MU (Residential Mixed-Use) for a church and apartment complex. This is a 211.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) - Approval with conditions recommendation (6-0)  
Open Space Advisory Board (OSAB) – Approval recommendation (9-0)

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

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

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

**DEPARTMENT HEAD:** Larry F. Nichols  
Director, Planning and Inspections Department

**APPROVED FOR AGENDA:**

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

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

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 18, BLOCK 26, REGAL CREST UNIT FIVE REPLAT A, 851 THORN AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-MU (RESIDENTIAL-MIXED USE), APPROVING A MASTER ZONING PLAN AND IMPOSING CONDITIONS. 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 18, Block 26, Regal Crest Unit Five Replat A, 851 Thorn Avenue, 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 **R-3 (Residential) to R-MU (Residential Mixed Use)** and approving a Master Zoning Plan, as defined in Section 20.06.020, such land uses allowed as being reflected in the Master Zoning Plan attached as Exhibit “B” and the Master Zoning Report attached as Exhibit “C” incorporated herein for all purposes, 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 conditions which are necessitated by and attributable to the increased 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. *All structures shall have a height limit of 25 feet*
2. *The property shall have a residential density limit of 24 dwelling units*
3. *A 10’ landscape buffer along all residentially zoned property lines with high profile native trees placed every 25’ on center, shall be installed in addition to the landscape requirements of Title 18 of the El Paso City Code, 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 Chapter 20.24 of the El Paso City Code.

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

**PZRZ15-00005**

**ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**THE CITY OF EL PASO**

\_\_\_\_\_  
Oscar Leeser  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

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

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Larry F. Nichols, Director  
Planning & Inspections Department

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

**PZRZ15-00005**

**PROPERTY DESCRIPTION**

**851 Thorn**

Description of a parcel of land being a remnant portion of Lot 18, Block 26, Regal Crest Unit Five Replat A, City of El Paso, El Paso County, Texas, map of said Regal Crest Unit Five Replat A recorded in book 53, page 29, Plat Records, El Paso County, Texas and also being that parcel recorded in book 1950, page 500, less that parcel recorded in Clerk's File #20060099537, El Paso County Clerks Records, and described as follows;

Commencing for reference at a city monument located at the centerline intersection of Thorn Avenue (90' wide ROW) and Patty Berg Way (60' wide ROW), said monument located North 55°00'00" East a distance of 270.01' from a city monument located at the centerline intersection of said Thorn Avenue and Nita Fey Drive (bearing Basis); Thence, with said centerline of Thorn Avenue, North 55°00'00" East a distance of 148.77' to a point; Thence, leaving said centerline, North 34°50'00" West a distance of 45.00' to an "X" chiseled on concrete found at the southwesterly corner of said parcel recorded in Clerk's File #20060099537, and being the "Point Of Beginning";

Thence, with the northerly ROW line of said Thorn Avenue, South 55°00'00" West a distance of 282.76' to a nail found at the southerly common lot corner of said Lot 18 and Lot 17 of said Block 26;

Thence, with the common lot line of said Lot 18 with Lots 9-17 of said Block 26, the following courses and distances:

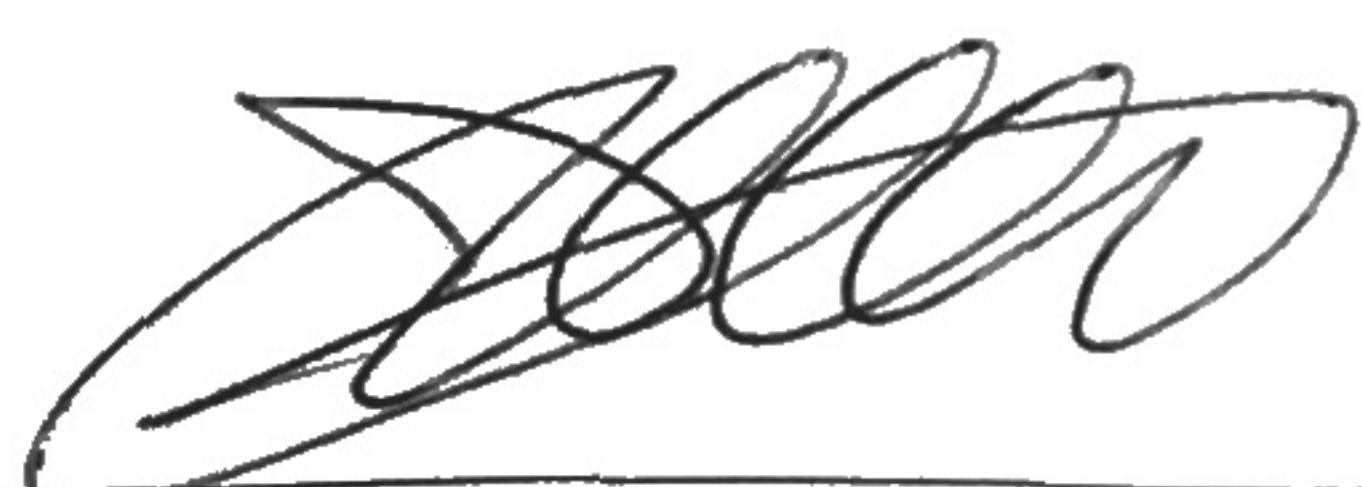
- North 31°01'07" West a distance of 195.85' to an angle point;
- North 32°32'48" West a distance of 134.09' to an angle point;
- North 37°24'46" West a distance of 136.25' to an angle point;
- North 40°25'17" West a distance of 81.87' to the common lot corner of said Lots 9, 18 and Lot 7 of said Block 26;

Thence, with the common lot line of said Lot 18 with Lots 2-7 of said Block 26, the following courses and distances:

- North 89°15'00" East a distance of 248.20' to an angle point;
- North 74°51'43" East a distance of 77.45' to the northwesterly corner of said parcel recorded in Clerk's File #20060099537;

Thence, with the westerly boundary line of said parcel recorded in Clerk's File #20060099537, South 34°50'00" East a distance of 380.98' to the "Point Of Beginning" and containing 123,028 sq. ft. or 2.8243 acres.

Based on a field survey performed under my supervision and dated October 14, 2014.



John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc. TBPLS FIRM #10001200  
13998 Bradley Road  
El Paso, TX. 79938  
915-241-1841



**LANDSCAPE CALCULATION**

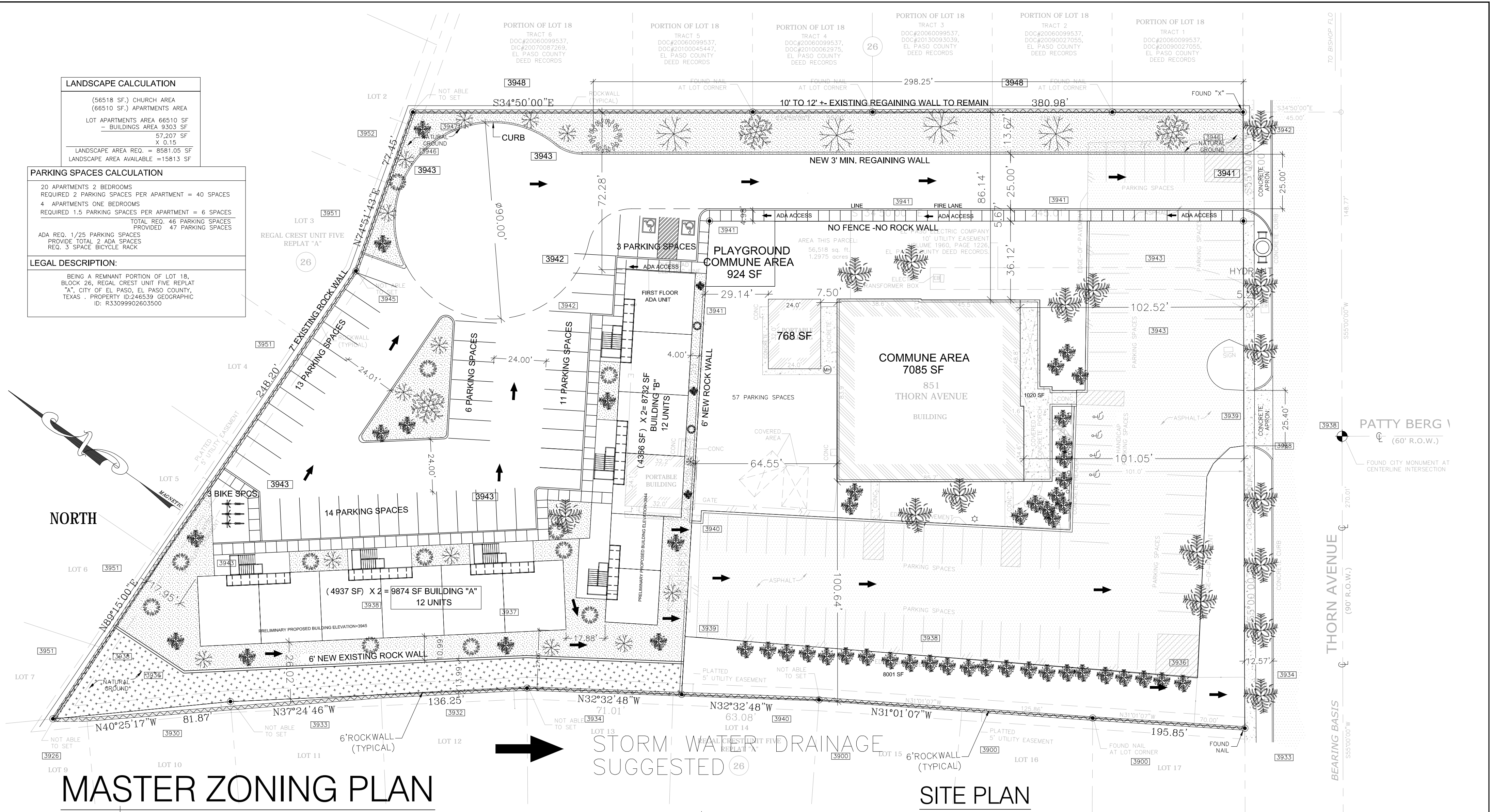
(56518 SF.) CHURCH AREA  
 (66510 SF.) APARTMENTS AREA  
 LOT APARTMENTS AREA 66510 SF  
 - BUILDINGS AREA 9303 SF  
 = 57,207 SF  
 X 0.15  
 LANDSCAPE AREA REQ. = 8581.05 SF  
 LANDSCAPE AREA AVAILABLE = 15813 SF

**PARKING SPACES CALCULATION**

20 APARTMENTS 2 BEDROOMS  
 REQUIRED 2 PARKING SPACES PER APARTMENT = 40 SPACES  
 4 APARTMENTS ONE BEDROOMS  
 REQUIRED 1.5 PARKING SPACES PER APARTMENT = 6 SPACES  
 TOTAL REQ. 46 PARKING SPACES  
 PROVIDED 47 PARKING SPACES  
 ADA REQ. 1/25 PARKING SPACES  
 PROVIDE TOTAL 2 ADA SPACES  
 REQ. 3 SPACE BICYCLE RACK

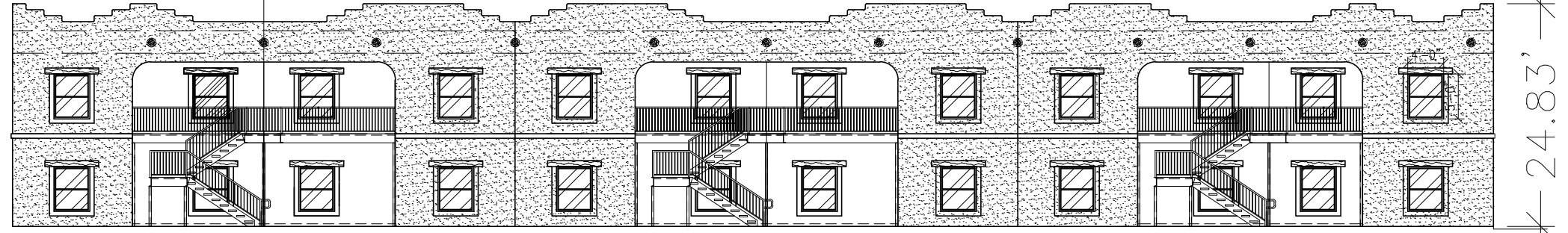
**LEGAL DESCRIPTION:**

BEING A REMNANT PORTION OF LOT 18,  
 BLOCK 26, REGAL CREST UNIT FIVE REPLAT  
 "A", CITY OF EL PASO, EL PASO COUNTY,  
 TEXAS. PROPERTY ID: 246539 GEOGRAPHIC  
 ID: R33099902603500

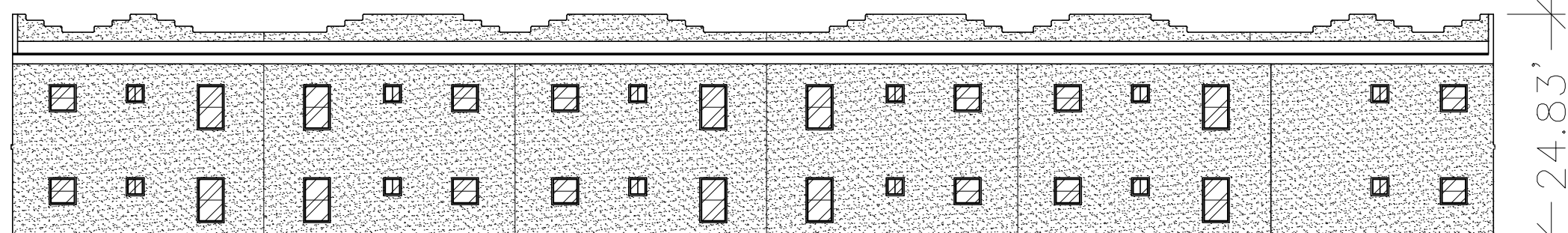


**MASTER ZONING PLAN**

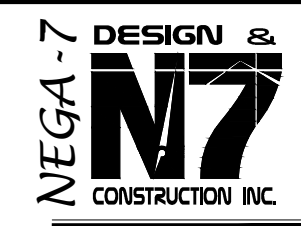
**SITE PLAN**  
 SCALE 1"=30'-0"



1 FRONT ELEVATION BUILDING "A" AND "B"



2 REAR ELEVATION BUILDING "A" AND "B"



648 Bristol El Paso Tx. 79912  
 (915)-253-69-09  
 e.gomar@yahoo.com

**ABER CONSTRUCTION, LLC.**

6616 WIND RIDGE  
 El Paso, TX 79912

DRAWN BY:  
 E.G.T.  
 SCALE:  
 AS SHOWN  
 DATE:  
 3-25-15

PROJECT:  
**851 THORN AVE. APARTMENTS**

SHEET  
**RMU-1a**

# Exhibit "C" Aber Construction LLC.

6616 Wind Ridge DR

El Paso, TX 79912

## Master Zoning Plan for a Residential Mixed Use District 851 Thorn Ave. Grace Baptist Church

### Purpose and Intent:

The purpose of this proposed development is to build an apartment complex consisting of two apartment buildings, parking spaces, and a common playground behind Grace Baptist Church.

### Objective:

The complex will consist of two buildings. Each building will be two stories.  
Building "A" will be 9874 sq. ft. of living area consisting of 12 residential units.  
Building "B" will be 8732 sq. ft. of living area consisting of 12 residential units.

### Access:

The proposed Apartment Complex will have an entrance and exit access drive to Thorn Ave. with a 90 ft diameter cul-de-sac for fire truck turnaround and a 24 ft. wide roadway.

### Setbacks:

The building's rear setback will be 17.95' feet only at corner of building "A" but we use this area for parking spaces for privacy of the single family homes.

The building's west side setback will be more than 20.7' feet with new 6' rock wall at 13.99' approx. of property line for privacy of the single family homes.

East side setback will be 13.67' feet

Front set back is 101.05', and will not be changes.

**Density:** Entire site is 2.82 acres we provide 24 apartments units, the density is 8.57 units an acre

**Landscaping:** The proposed landscaping, amenities and other green areas proposed within this development will be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

### LANDSCAPE CALCULATION

(56518 SF.) CHURCH AREA  
(66510 SF.) APARTMENTS AREA  
LOT APARTMENTS AREA 66510 SF  
      - BUILDINGS AREA 9303 SF  
                                  57,207 SF  
                                  X 0.15  
LANDSCAPE AREA REQ. = 8581.05 SF  
LANDSCAPE AREA AVAILABLE = 15813 SF

**Parking:** There will be 47 Parking spaces for the new apartments. The Church's parking spaces will remain the same.

**Phasing:** The project will be built in one phase in its entirety.

**Time of construction:** 9 to 12 months

**CONTACT TO : TOM ABER (915) 478-3132**  
**aberconstruction@sbcglobal.net**

# Aber Construction LLC.

6616 Wind Ridge DR

El Paso, TX 79912

**Floor Area Ratio calculation:** 26,459 SF total construction area (church and apartments) / 123,028 SF total lot area = 0.22 floor Ratio

## I. Relationship with Plan for El Paso:

This District will enhance the neighborhood's economic and social vitality, and help meet the affordable housing needs of El Paso.

851 THORN MIX USE TABLE							
Use	Minimum Lot Area	Lot Coverage		Minimum Lot Width	Minimum Lot Depth	Max Building Height	
		Minimum Lot Coverage	Maximum Lot Coverage			Primary Structure	Accessory Structure
Art Gallery	2,500 sq. ft.	n/a	n/a	25'	30'	30'	30'
Child Daycare	3,600 sq. ft.	n/a	n/a	25'	40'	30'	30'
Community Recreation	3,600 sq. ft.	n/a	n/a	25'	40'	30'	30'
Offices	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Professional services offices	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Outpatient clinic	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Schools	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Barber shop	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Beauty salon	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Laundromat	3,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Drv Cleanine	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Deli Type	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Bakery	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Lecture Hall	3,600 sq. ft.	n/a	n/a	30'	40'	40'	30'
Church	3,600 sq. ft.	n/a	n/a	30'	40'	40'	30'
Athletic facility	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Exercise facility	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Open space	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Park/ Playground	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Swimming pool (indoor)	n/a	n/a	n/a	n/a	n/a	45'	35'
Swimming pool	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Tennis Club	n/a	n/a	n/a	n/a	n/a	30'	30'
One Story Single Family Dwelling	2,400 sq. ft.	n/a	n/a	20'	60'	30'	30'
Two Story Single Family Dwelling	2,400 sq. ft.	n/a	n/a	30'	60'	30'	30'

**CONTACT TO : TOM ABER (915) 478-3132**  
**aberconstruction@sbcglobal.net**

## MEMORANDUM

**DATE:** October 27, 2015

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

**FROM:** Michael McElroy, Senior Planner

**SUBJECT: PZRZ15-00005**

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The City Plan Commission (CPC), on May 21, 2015, voted 6-0 to recommend **approval with conditions** of rezoning the subject property from R-3 (Residential) to R-MU (Residential Mixed-Use) as follows:

1. *All structures shall have a height limit of 25 feet*
2. *The property shall have a residential density limit of 24 dwelling units*
3. *A 10' landscape buffer along all residentially zoned property lines with high profile native trees placed every 25' on center, shall be installed in addition to the landscape requirements of Title 18 of the El Paso City Code, 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 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 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 1 letter and 1 petition with 67 signatures in opposition to the rezoning request. Additionally, 1 person spoke in opposition to the rezoning at the City Plan Commission hearing. This case is a 211.

**Attachment:**  
Staff Report



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

**Case No:** PZRZ15-00005  
**Application Type:** Rezoning  
**CPC Hearing Date:** May 21, 2015  
**Staff Planner:** Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov  
**Location:** 851 Thorn Avenue  
**Legal Description:** Portion of Lot 18, Block 26, Regal Crest Unit 5 Replat “A”, City of El Paso, El Paso County, Texas  
**Acreage:** 2.84 acres  
**Rep District:** 1  
**Existing Zoning:** R-3 (Residential)  
**Existing Use:** Church  
**C/SC/SP/ZBA/LNC:** LNC: Non-conforming monument sign in R-3 (Residential) zoning district  
**Request:** From R-3 (Residential) to R-MU (Residential Mixed Use)  
**Proposed Use:** Church and Apartments  
**Property Owner:** Grace Baptist Church  
**Representative:** Tom Aber

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

**North:** R-3 (Residential) / Single-family dwellings  
**South:** R-3 (Residential) / Single-family dwellings  
**East:** R-3A (Residential) / Single-family dwellings  
**West:** R-3 (Residential) / Single-family dwellings

**PLAN EL PASO DESIGNATION:** G-3, Post-War (Northwest Planning Area)

**NEAREST PARK:** Three Hills Park (758 feet)

**NEAREST SCHOOL:** Rosa Guerrero Elementary (1,648 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Upper Valley Improvement Association  
Upper Mesa Hills Neighborhood Association  
Coronado Neighborhood Association  
Save the Valley

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 15, 2015. The Planning Division received one letter (Attachment 5) and a petition with 67 signatures in opposition (Attachment 6). Additionally, 1 person spoke in opposition to the rezoning at the City Plan Commission hearing.

### **CASE HISTORY**

The subject property is in the Hillside Development Area. On May 6, 2015, the Open Space Advisory Board (OSAB) voted 9-0 to approve the rezoning.

### **APPLICATION DESCRIPTION**

The applicant is requesting to rezone the subject property from R-3 (Residential) to R-MU (Residential Mixed-Use) and approval of a Master Zoning Plan (MZP) Report. The proposed district includes an existing church and a proposed apartment complex inclusive of 24 dwelling units. The proposed apartment square

footage totals 18,606 square feet. The mix of uses proposed is detailed in the Master Zoning Plan Report (Attachment 4). A shared use playground is provided between the church and the proposed apartments. The development requires 46 spaces, and proposes 47, to include two ADA and three bicycle spaces. The development proposes 8,581 square feet of new landscaping, in addition to the new installation of street trees parallel to Thorn. Vehicular access is proposed from Thorn Drive.

**ANALYSIS**  
20.10.360(G)

Residential, General and Industrial Mixed Use Districts (R-MU, GMU and IMU). Uses permitted in a mixed-use development are as approved by city council through a master zoning plan. A mixed-use development may be authorized to encourage use schemes such as but not limited to, residential, entertainment, medical, and employment centers. The following principles and requirements shall apply to a mixed-use development and shall serve as the basis for approval of a master zoning plan.

1. General Design Principles. These design principles shall serve as guidelines only, and compliance with any guideline within a mixed-use development shall be determined on a case by case basis as part of the master zoning plan and mixed use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design guidelines.
  - a. Development Perspective.
    - i. That the natural infrastructure and visual character of the development area be retained as derived from existing topography, riparian corridors and other environmentally sensitive areas.
    - ii. That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods.
    - iii. That proposed development contiguous to urban areas be organized as town centers and neighborhoods, and be integrated with the existing urban pattern.
    - iv. That proposed development noncontiguous to urban areas be organized in the pattern of an isolated community consisting of a complete town center serving the neighborhood(s).
    - v. That a mixture of housing types and densities be distributed throughout the mixed-use development.
    - vi. That transportation corridors be planned and reserved in coordination with land use patterns.
    - vii. That natural or man-made green corridors and open space areas be used to define and connect neighborhoods to other facilities within the development, and that these areas allow for connectivity outside of the development where feasible.
    - viii. That the development include a framework of transit, pedestrian and bicycle systems that provide alternatives to the automobile.
    - ix. That neighborhoods with town centers be the preferred pattern of development and that developments specializing in single use be discouraged.
    - x. That neighborhoods be compact, pedestrian-friendly, and mixed use.
    - xi. That ordinary activity of daily living occurs within walking distance of most dwellings.
    - xii. That interconnected networks of streets be designed to disperse and reduce the length of vehicle trips.
    - xiii. That within neighborhoods, a range of housing types and price levels be provided to accommodate people of diverse ages and incomes.
    - xiv. That appropriate building densities and land use be provided within walking distance of transit stops.
    - xv. That civic, institutional and commercial activity be embedded, and not isolated, in the development.
    - xvi. That a range of open space including parks, squares, and playgrounds be distributed within the development.

- xvii. That a development have sufficient size to accommodate the mixed-use concentration of uses.
- b. Building Perspective.
  - i. That buildings and landscaping contribute to the physical definition of streets as civic places.
  - ii. That the design of streets and buildings reinforce safe environments.
  - iii. That architecture and landscape design grow from local climate, topography, history and building practice.
  - iv. That public gathering spaces be provided in locations that reinforce community identity.
  - v. That the preservation and renewal of historic buildings be facilitated.
  - vi. That principal buildings and facades, where possible, be located parallel to the frontage line to encourage a community-friendly environment.

*The applicant complies with Section 20.10.360(G)(1)*

- 2. General Design Elements. A mixed-use development is characterized by any combination of the design elements described below. These design elements shall serve as guidelines only, and compliance with any design element within a mixed-use development shall be determined on a case-by-case basis as part of the master zoning plan and mixed-use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design elements.
  - a. Neighborhoods limited in size and oriented toward pedestrian activity.
  - b. A variety of housing types, jobs, shopping, services, and public facilities.
  - c. Residences, shops, workplaces, and other buildings interwoven within the neighborhood, all within close proximity.
  - d. A network of interconnecting streets and blocks that maintain respect for the natural landscape.
  - e. Natural features and undisturbed areas that are incorporated into the open space of the neighborhood.
  - f. A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles.
  - g. Well-configured squares, plazas, greens, landscaped streets, preserves, greenbelts, or parks dedicated to the collective social activity, recreation, and visual enjoyment of the neighborhood.
  - h. Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
  - i. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character and landscaping to establish a livable and harmonious environment.
  - j. Classification of uses deploying a range from rural-to-urban to arrange in useful order the typical context groupings of natural and urban areas to ensure compatibility of land uses.

*The applicant complies with Section 20.10.360(G)(2)*

- 3. Architectural Objectives. As part of the review of the mixed-use development plan the architectural design shall achieve the following objectives:
  - a. Architectural compatibility;
  - b. Human scale design;
  - c. Integration of uses;
  - d. Encouragement of pedestrian activity;
  - e. Buildings that relate to and are oriented toward the street and surrounding buildings;
  - f. Residential scale buildings in any mixed residential area;
  - g. Buildings that contain special architectural features to signify entrances to the mixed-use

- development; and
- h. Buildings that focus activity on a neighborhood open space, square or plaza.

*The applicant complies with Section 20.10.360(G)(3)*

4. Roadway Design. The roadway designs, whether public or private, used within a mixed-use development may vary depending on the proposed function of the roadway, the anticipated land uses, and the anticipated traffic load. A variety of designs to lend character to the neighborhood are encouraged. The requirements of Title 19 (Subdivisions) of this Code shall apply in all instances.

*20.10.360(G)(4) is not applicable to the proposed development.*

5. Parking. The off-street parking requirements in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall apply for purposes of calculating required spaces. Community-parking facilities or shared parking shall be encouraged in lieu of traditional off-street parking design. This concept would permit the collocation of required parking for individual uses in order to promote pedestrian activity within the neighborhood. In instances where shared parking is proposed, a shared parking study shall be reviewed by the city along with any traffic engineering and planning data that are appropriate to the establishment of parking requirements for the uses proposed. A shared parking study shall include, but not be limited to, estimates of parking requirements based on recommendations in studies such as those from the Urban Land Institute, the Institute of Traffic Engineers, or the Traffic Institute, and based on data collected from uses or combinations of uses that are the same or comparable to the proposed uses. The shared parking analysis shall be based on the mixture of uses and corresponding peak demand for all uses. The study shall document the source of data used to develop recommendations.

*The development requires 46 spaces, and proposes 47, to include two ADA and three bicycle spaces.*

6. Setbacks. Properties within a mixed-use development shall be allowed zero setbacks for all uses, unless otherwise required by the city council as part of the review of the master zoning plan.

*The applicant complies with Section 20.10.360(G)(6)*

7. Landscaping. Uses within a mixed-use development shall not be required to conform to the landscaping requirements of Title 18 (Building and Construction) of the El Paso City Code. Landscaping, streetscape, and other green areas proposed within the mixed-use development shall be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

*The development proposes 8,581 square feet of new landscaping, in addition to the new installation of street trees parallel to Thorn, in conformance with the requirements of new construction in Title 18 of the El Paso City Code.*

#### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to R-MU (Residential Mixed Use) and the approval of the Master Zoning Plan. The approval recommendation is based on the compatibility with existing apartment zoning in the area, as well as the developments supplementation of the limited housing stock identified in the G-3 Post-War growth sector 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-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.

The purpose of the R-MU (Residential Mixed Use) district is to provide neighborhood-serving residential and commercial land uses, provide service to a neighborhood with uses compatible with the residential areas that the uses serve, and to allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

## **COMMENTS:**

### **Planning and Inspections Department- Planning Division - Transportation**

Recommend approval. A TIA is not required. 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.

### **Planning and Inspections Department – City Development & Permitting**

No objections.

### **Planning and Inspections Department - City Development & Permitting- Landscape**

No objections.

### **Planning and Inspections Department - Land Development**

No objections.

### **Fire Department**

Recommend approval.

### **El Paso Water Utilities**

EPWU does not object to this request.

### **EPWU-PSB Comments**

#### **Water:**

1. There is an existing 12-inch diameter water main that extends along Thorn Ave. located approximately 10 feet north of the right-of-way centerline. This main is available for service.
2. Previous water pressure tests from fire hydrant #4871 located at the northeast corner of Thorn Ave. and Bishop Flores Dr., have yielded a static pressure of 120 (psi) pounds per square inch, a residual pressure of 115 (psi) pounds per square inch, and a discharge of 1244 (gpm) gallons per minute.
3. 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
4. EPWU records indicate an active 3/4-inch water meter serving the subject property. The service address for this meter is 851 Thorn Ave.

#### **Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main that extends along Thorn Ave. located approximately 5 feet south of the right-of-way centerline. This main is available for service.

#### **General:**

EPWU-PSB requires a new service application to provide additional services. New service applications

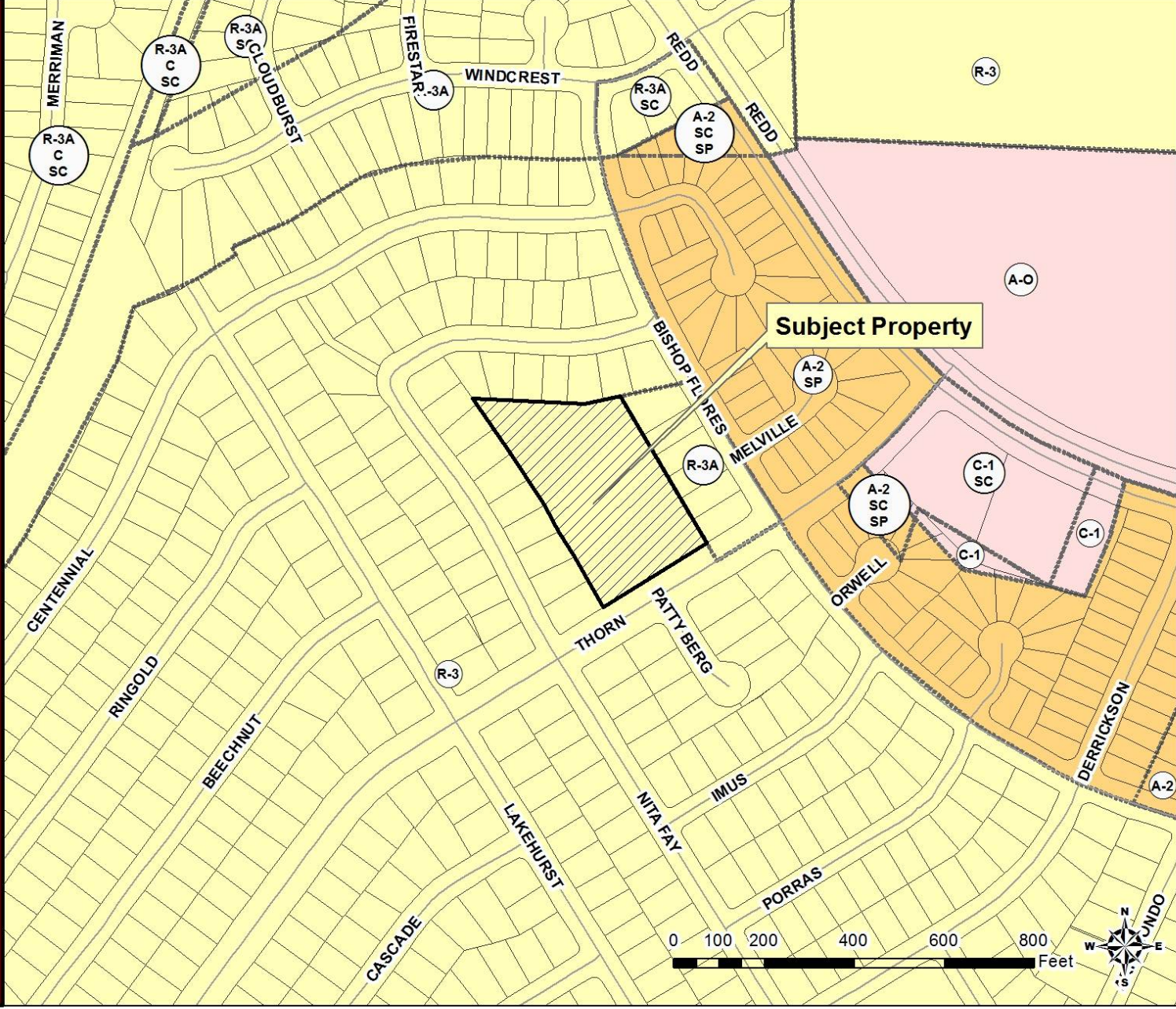
should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (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.

**Attachments:**

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Master Zoning Plan (MZP)
- Attachment 4: Master Zoning Plan (MZP) Report
- Attachment 5: Opposition Letter
- Attachment 6: Opposition Petition

ATTACHMENT 1: ZONING MAP

PZRZ15-00005

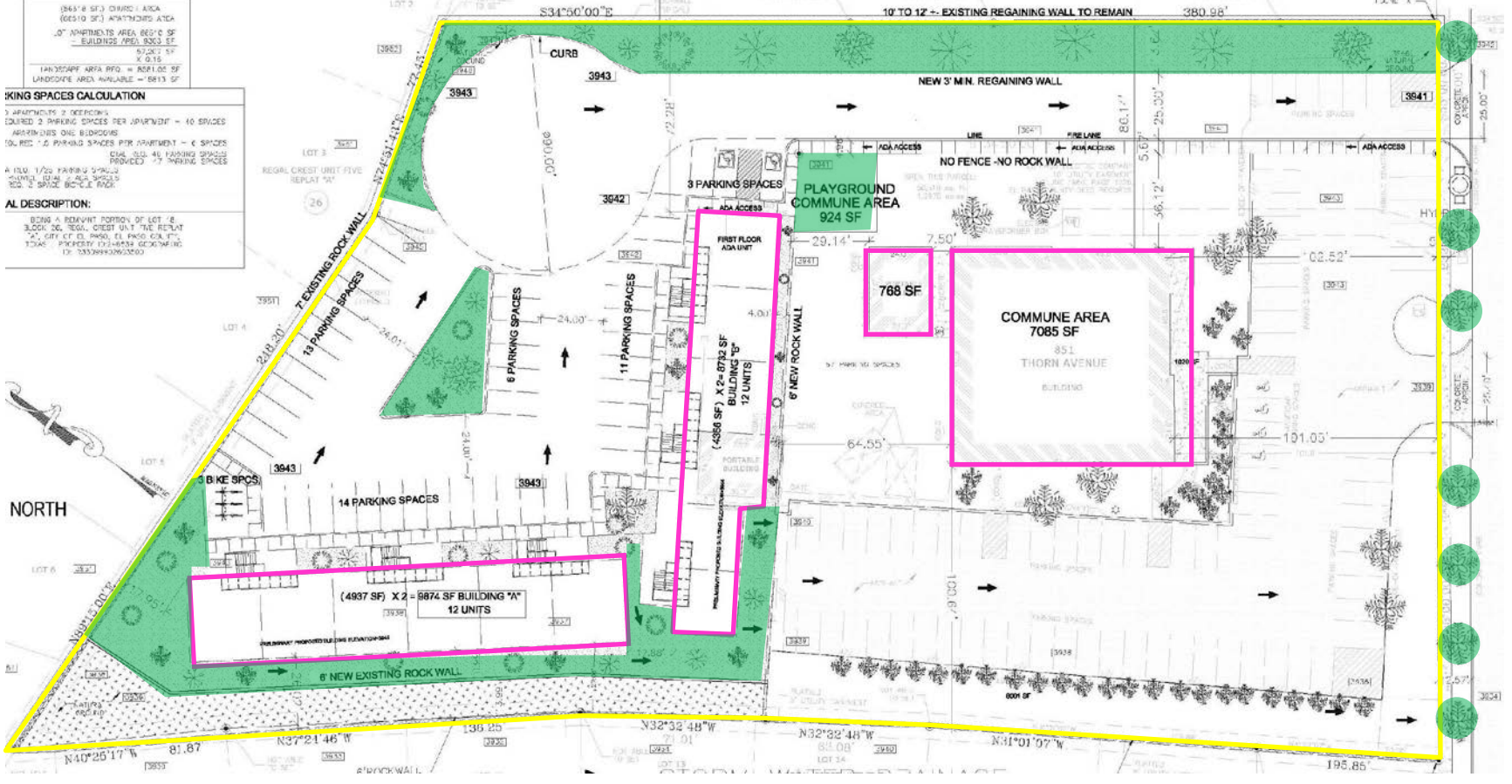


ATTACHMENT 2: AERIAL MAP

PZRZ15-00005

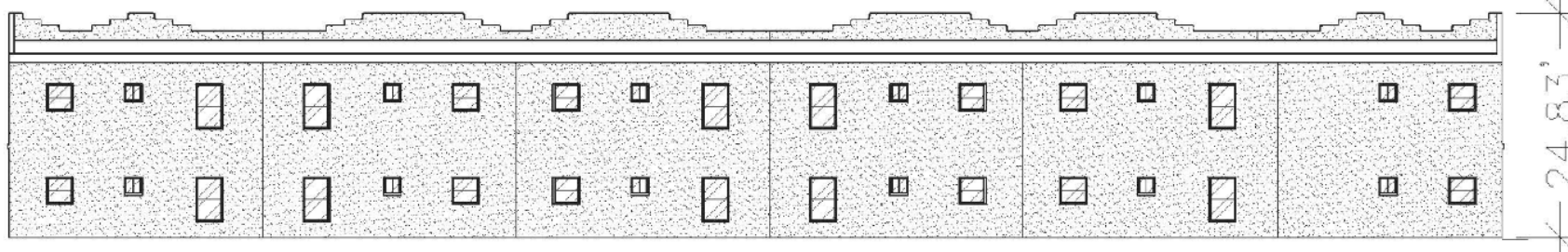


**ATTACHMENT 3: MASTER ZONING PLAN (MZP)**





① FRONT ELEVATION BUILDING "A" AND "B"



② REAR ELEVATION BUILDING "A" AND "B"

**ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT**

**Aber Construction LLC.**

6616 Wind Ridge DR

El Paso, TX 79912

**Master Zoning Plan for a Residential Mixed Use District  
851 Thorn Ave.  
Grace Baptist Church**

**Purpose and Intent:**

The purpose of this proposed development is to build an apartment complex consisting of two apartment buildings, parking spaces, and a common playground behind Grace Baptist Church.

**Objective:**

The complex will consist of two buildings. Each building will be two stories.  
Building "A" will be 9874 sq. ft. of living area consisting of 12 residential units.  
Building "B" will be 8732 sq. ft. of living area consisting of 12 residential units.

**Access:**

The proposed Apartment Complex will have an entrance and exit access drive to Thorn Ave. with a 90 ft diameter cul-de-sac for fire truck turnaround and a 24 ft. wide roadway.

**Setbacks:**

The building's rear setback will be 17.95' feet only at corner of building "A" but we use this area for parking spaces for privacy of the single family homes.

The building's west side setback will be more than 20.7' feet with new 6' rock wall at 13.99' approx. of property line for privacy of the single family homes.

East side setback will be 13.67' feet

Front setback is 101.05', and will not be changed.

**Density:** Entire site is 2.82 acres we provide 24 apartment units, the density is 8.57 units an acre

**Landscaping:** The proposed landscaping, amenities and other green areas proposed within this development will be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

**LANDSCAPE CALCULATION**

(56518 SF.) CHURCH AREA
(66510 SF.) APARTMENTS AREA
LOT APARTMENTS AREA 66510 SF
<u>      - BUILDINGS AREA 9303 SF</u>
57,207 SF
X 0.15
LANDSCAPE AREA REQ. = 8581.05 SF
LANDSCAPE AREA AVAILABLE = 15813 SF

**Parking:** There will be 47 Parking spaces for the new apartments. The Church's parking spaces will remain the same.

**Phasing:** The project will be built in one phase in its entirety.

**Time of construction:** 9 to 12 months

**CONTACT TO : TOM ABER (915) 478-3132  
aberconstruction@sbcglobal.net**

**ATTACHMENT 4: MASTER ZONING PLAN (MZP) REPORT (CONTINUED)**

**Aber Construction LLC.**

6616 Wind Ridge DR

El Paso, TX 79912

**Floor Area Ratio calculation:** 26,459 SF total construction area (church and apartments) / 123,028 SF total lot area = 0.22 floor Ratio

**I. Relationship with Plan for El Paso:**

This District will enhance the neighborhood's economic and social vitality, and help meet the affordable housing needs of El Paso.

851 THORN MIX USE TABLE							
Use	Minimum Lot Area	Lot Coverage		Minimum Lot Width	Minimum Lot Depth	Max Building Height	
		Minimum Lot Coverage	Maximum Lot Coverage			Primary Structure	Accessory Structure
Art Gallery	2,500 sq. ft.	n/a	n/a	25'	30'	30'	30'
Child Daycare	3,600 sq. ft.	n/a	n/a	25'	40'	30'	30'
Community Recreation	3,600 sq. ft.	n/a	n/a	25'	40'	30'	30'
Offices	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Professional services offices	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Outpatient clinic	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Schools	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Barber shop	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Beauty salon	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Laundromat	3,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Dry Cleaning	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Deli Type	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Bakery	1,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Lecture Hall	3,600 sq. ft.	n/a	n/a	30'	40'	40'	30'
Church	3,600 sq. ft.	n/a	n/a	30'	40'	40'	30'
Athletic facility	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Exercise facility	2,500 sq. ft.	n/a	n/a	25'	40'	30'	30'
Open space	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Park/ Playground	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Swimming pool (indoor)	n/a	n/a	n/a	n/a	n/a	45'	35'
Swimming pool	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Tennis Club	n/a	n/a	n/a	n/a	n/a	30'	30'
One Story Single Family Dwelling	2,400 sq. ft.	n/a	n/a	20'	60'	30'	30'
Two Story Single Family Dwelling	2,400 sq. ft.	n/a	n/a	30'	60'	30'	30'

**CONTACT TO : TOM ABER (915) 478-3132  
 aberconstruction@sbcglobal.net**

## ATTACHMENT 5: OPPOSITION LETTER

**From:** Jordan, Jeremy  
**Sent:** Tuesday, May 05, 2015 3:40 PM  
**To:** McElroy, Mathew; Gallinar, Carlos; Acosta, Maria D  
**Cc:** [books@elpasosports.us](mailto:books@elpasosports.us); Westin, Cary S.; Niland, Cortney  
**Subject:** Rocio Munoz Rezoning Opposition

Mathew,

Can you provide the details regarding this rezoning please and courses of action to go on record of opposition please.

Ms. Niland,  
Good day to you and your staff! I am Rocio Munoz, a resident under your District, my address is 882 Nita Fay (79912) and I am writing this to you for help. Two weeks ago I received a letter in the mail, of a rezoning project for a lot that is directly behind my house, and not only behind mine it is behind about 20 other neighbors. In this lot there is a Baptist church already, and the notice was to announce that there is the possibility of building an apartment complex in the space adjacent to my property. I have all the information for the lot, but I don't have information on the builders or any access to the plans of this complex. I reach to you in hopes that I can get some advice as to what we (the affected residents) can do to prevent this construction in our residential area. The church is exactly on Thorn street a block before you get to Redd road. I know my property will lose value with a construction of this kind next to it, but more importantly I'm really worried about the safety, hygiene and security reasons, we are a safe and well established neighborhood, and I know this type of complex will only bring problems and disturbances. My situation as a single mother, middle class working woman is hard, and I have invested my time and money in my house, I need to protect this asset and the neighborhood I belong in. I have participated in a petition that one of the neighbors requested, but I need to know what else I can do to speak out and exercise our right to vote on issues like these, so I am asking for your assistance or guidance as to what we can do. I greatly appreciate your response and hopefully I can see some options for this issue. I will gather more information on the lot number and what type of information the other neighbors have received. Thank you for your time

*Rocio Muñoz  
El Paso Events- Accounting Dept  
El Paso County Coliseum  
4100 E Paisano Dr  
El Paso, TX 79905  
915-534-4229*

Jeremy Jordan  
Legislative Aide  
Rep. Niland, Mayor Pro Tem

**ATTACHMENT 6: OPPOSITION PETITION**

PETITION TO OPPOSE REZONING  
CASE NUMBER PZRZ15-00005

To: CITY DEVELOPMENT DEPARTMENT –PLANNING DIVISION (EL PASO)

Owner: GRACE BAPTIST CHURCH  
Property Subject to Petition: 851 Thorn Avenue  
Proposed Zoning Change: From R-3 to R-MU

We, the undersigned owners of property affected by the requested zoning change described in the above-referenced file do hereby protest against any change, which would rezone the property to any classification other than R-3. This property directly adjoins residential property and we oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We also feel that any change in zoning of this property would negatively affect the value of our homes.

Printed Name	Signature	Address	Date
LOURDES TAMEZ	[Signature]	861 Nita Fay	5-2-15
RAFAEL TAMEZ	[Signature]	861 Nita Fay	5-2-15
Julia McClendon	[Signature]	866 Nita Fay	5-2-15
Jose Chaniz	[Signature]	860 Nita Fay	5-2-15
Laura Chaniz	[Signature]	860 Nita Fay	5-2-15
Tere [unclear]	[Signature]	870 Nita Fay	5-2-15
ROSE SILVA	[Signature]	752 Nita Fay	5-2-15
Maria SILVA	[Signature]	752 Nita Fay	5-2-15
Jose Favela	[Signature]	748 Nita Fay	5/2/15
Laura Favela	[Signature]	748 Nita Fay	5/2/15
Tina Engelbrecht	[Signature]	7280 Patti Berg	5/2/15
Bethany Trambler	[Signature]	7284 Patti Berg	5/2/15
William Menapace	[Signature]	7380 Patti Berg	5-2-15
Rafaela Menapace	[Signature]	7381 Patti Berg	5-2-15
William Menapace	[Signature]	7380 Patti Berg	5/2/15
Rafaela Menapace	[Signature]	7380 Patti Berg	5/2/15
William Menapace	[Signature]	7388 Patti Berg	5/2/15
Rafaela Menapace	[Signature]	7388 Patti Berg	5/2/15
OSWALDO GONCALVES	[Signature]	7365 Patti Berg	5/2/15
Sidra Nunez	[Signature]	7392 Patti Berg	5/2/15
EMMA FLORES	[Signature]	7303 Patti Berg	5/2/15
Dora AVILA	[Signature]	7390 Bishop Flores	5-2-15
[unclear]	[Signature]	7364 Bishop Flores	5-2-15
[unclear]	[Signature]	738 Patti Berg	5-2-15
Anabel Basilio	[Signature]	874 Nita Fay	5-4-15
Vanessa Basilio	[Signature]	874 Nita Fay	5-4-15
Anna McClendon	[Signature]	866 Nita Fay	5-4-15

For questions please call Michael McElroy, AICP, CNU-A at (915) 212-1569 City Development Dept – Planning Div.

**ATTACHMENT 6: OPPOSITION PETITION (CONTINUED)**

PETITION TO OPPOSE REZONING  
CASE NUMBER PZRZ15-00005

To: CITY DEVELOPMENT DEPARTMENT - PLANNING DIVISION (EL PASO)

Owner: GRACE BAPTIST CHURCH

Property Subject to Petition: 851 Thorn Avenue

Proposed Zoning Change: From R-3 to R-MU

We, the undersigned owners of property affected by the requested zoning change described in the above-referenced file do hereby protest against any change, which would rezone the property to any classification other than R-3. This property directly adjoins residential property and we oppose any zoning that will increase the noise and traffic that would detrimentally affect the peaceful enjoyment of our homes. We also feel that any change in zoning of this property would negatively affect the value of our homes.

Printed Name	Signature	Address	Date
LOURDES TAMEL	<i>L. TameL</i>	861 Nita Fay	5-2-15
RAFAEL TAMEL	<i>Rafael TameL</i>	861 Nita Fay	5-2-15
John McChomón	<i>John McChomón</i>	866 Nita Fay	5-2-15
José CHANIZ	<i>José Chaniz</i>	860 Nita Fay	5-2-15
Laura Chaniz	<i>Laura Chaniz</i>	860 Nita Fay	5-2-15
Tony (Wickie)	<i>Tony Wickie</i>	870 Nita Fay	5-2-15
ROSE SILVA	<i>Rose Silva</i>	752 Nita Fay	5-2-15
Maria de SILVA	<i>Maria de Silva</i>	752 Nita Fay	5-2-15
Jose Favela	<i>Jose Favela</i>	748 Nita Fay	5/2/15
LEURA FAVELA	<i>Leura Favela</i>	748 Nita Fay	5/2/15
Tom Engelbrecht	<i>Tom Engelbrecht</i>	7280 Party Lane	5/2/15
Bethany Trambler	<i>Bethany Trambler</i>	7284 Party Lane	5/2/15
William Menendez	<i>William Menendez</i>	7280 Party Lane	5-2-15
Patricia Menendez	<i>Patricia Menendez</i>	7281 Party Lane	5-2-15
William Menendez	<i>William Menendez</i>	7282 Party Lane	5/2/15
Patricia Menendez	<i>Patricia Menendez</i>	7280 Party Lane	5/2/15
William Menendez	<i>William Menendez</i>	7288 Party Lane	5/2/15
Patricia Menendez	<i>Patricia Menendez</i>	7288 Party Lane	5/2/15
Orlando Gonzalez	<i>Orlando Gonzalez</i>	7365 Party Lane	5/2/15
Orlando Gonzalez	<i>Orlando Gonzalez</i>	7362 Party Lane	5/2/15
Sidra Nunez	<i>Sidra Nunez</i>	7303 Party Lane	5/2/2015
William Lopez	<i>William Lopez</i>	7300 Bishop Flores	5-2-15
Dede Avila	<i>Dede Avila</i>	7304 Bishop Flores	5-2-15
Richard Avila	<i>Richard Avila</i>	7304 Bishop Flores	5-2-15
Dolores Galvan	<i>Dolores Galvan</i>	852 Orwell	5-4-15
Rigoberto Hernandez	<i>Rigoberto Hernandez</i>	856 Orwell Way	5/4/15
Miriam Ferrer	<i>Miriam Ferrer</i>	854 Orwell Way	5/4/15
Carla Velez	<i>Carla Velez</i>	856 Orwell Way	5/4/15
Carla Velez	<i>Carla Velez</i>	858 Orwell Way	5/4/15
Alde Madrid	<i>Alde Madrid</i>	857 Orwell Way	5/4/15
Angel Ferr	<i>Angel Ferr</i>	853 Orwell Way	5/4/15

For questions please call Michael McElroy, AICP, CNU-A at (915) 212-1569 City Development Dept - Planning Div.







City Zoning Dept / City Council 11-30-2015

Please take this request to postpone the agenda item marked 20.1 until the date of Dec. 22<sup>nd</sup>.

This is the rezoning request for Grace Baptist Church.  
This is identified as code P2RZ 15-00005

Sincerely,

Kevin Hickabee  
Kevin Hickabee, Trustee

CITY CLERK DEPT  
2015 NOV 30 PM 12:56



## Recommendation/Public Input

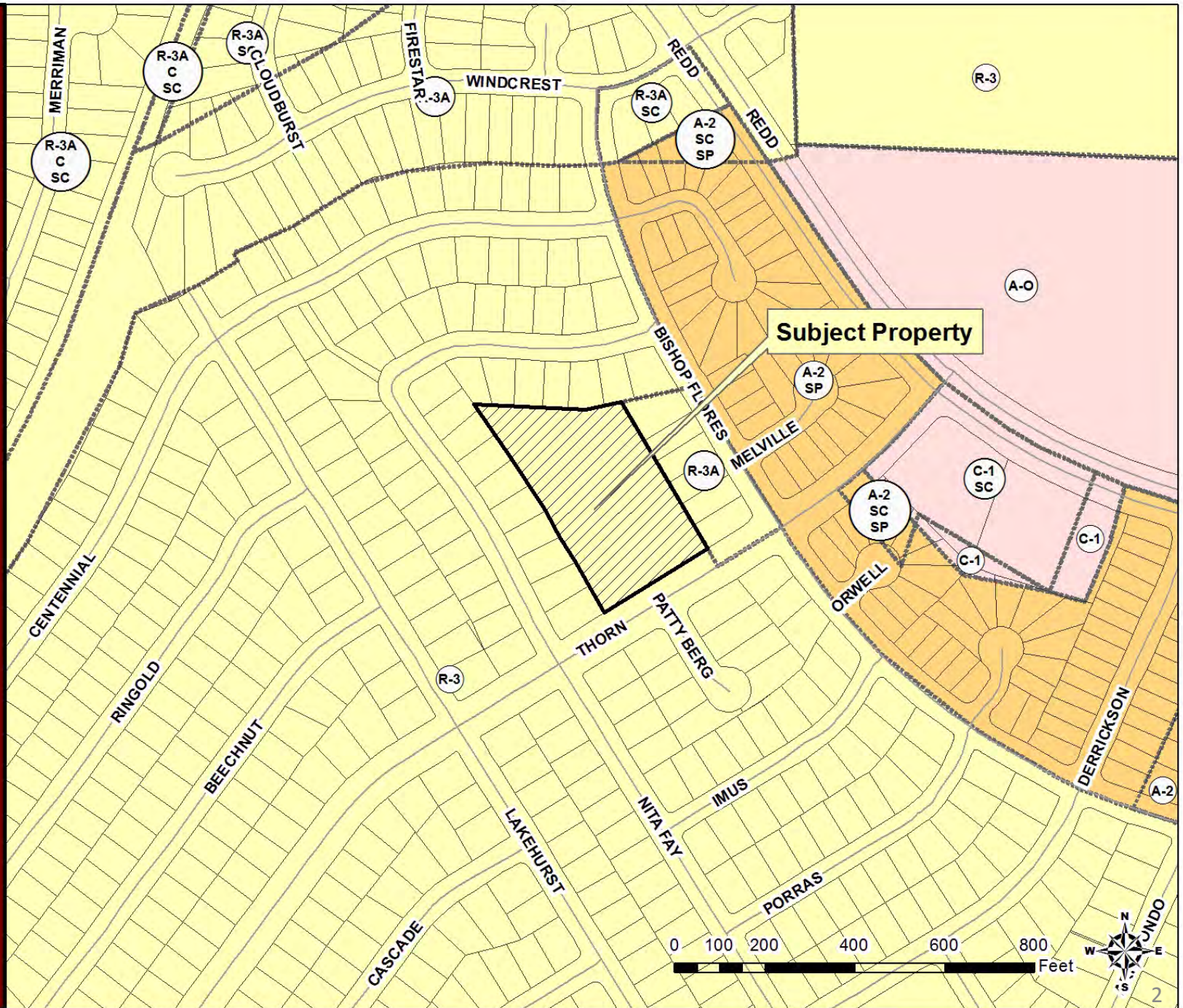
- Planning Division recommendation: Approval
- CPC Vote: Approval with conditions  
Recommendation (6-0)
- OSAB Vote: Approval (9-0)
- Public Input: 211. 1 letter and 1 petition with 67 signatures in opposition. 1 persons spoke in opposition.

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

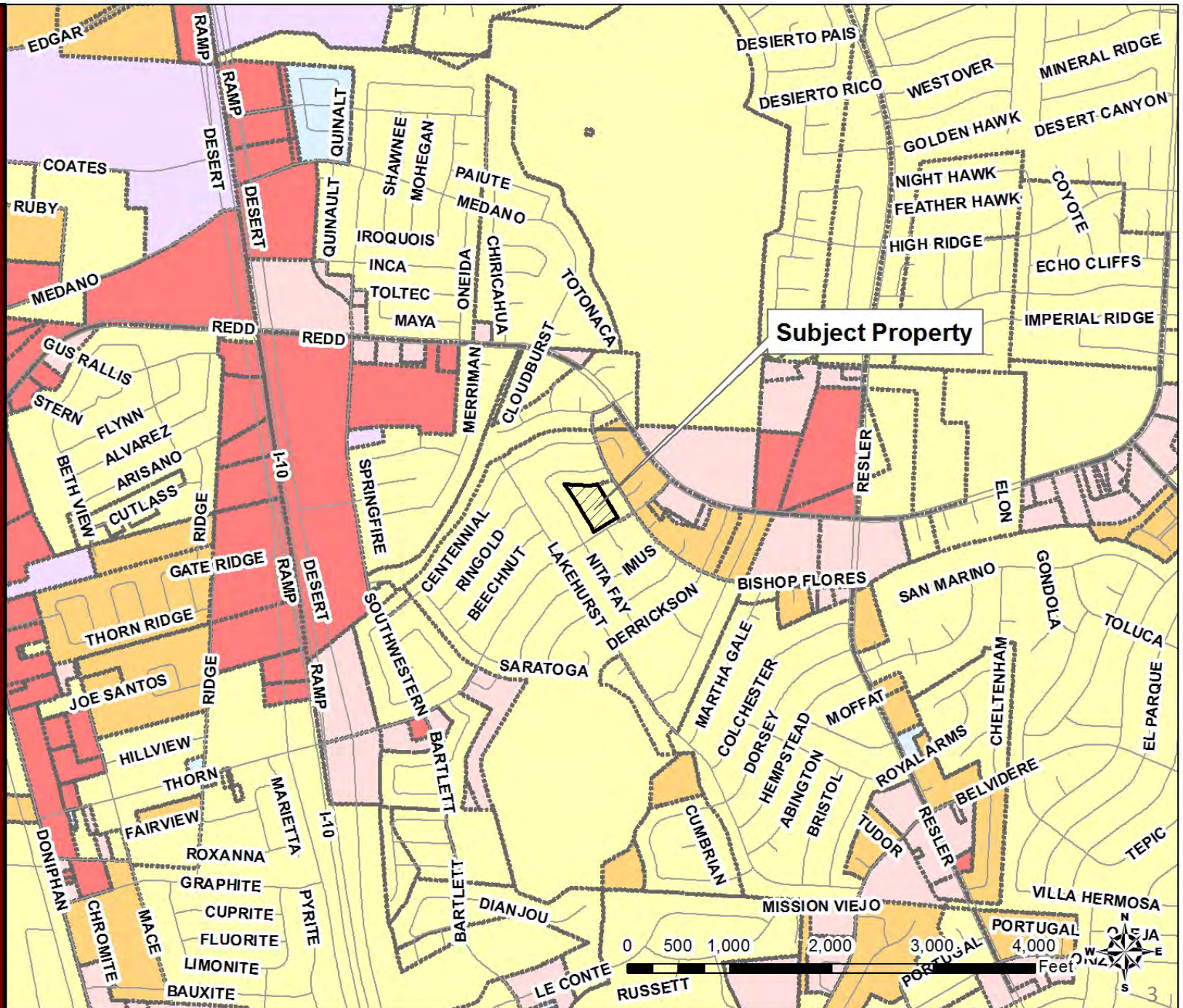
3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

PZRZ15-00005



PZRZ15-00005



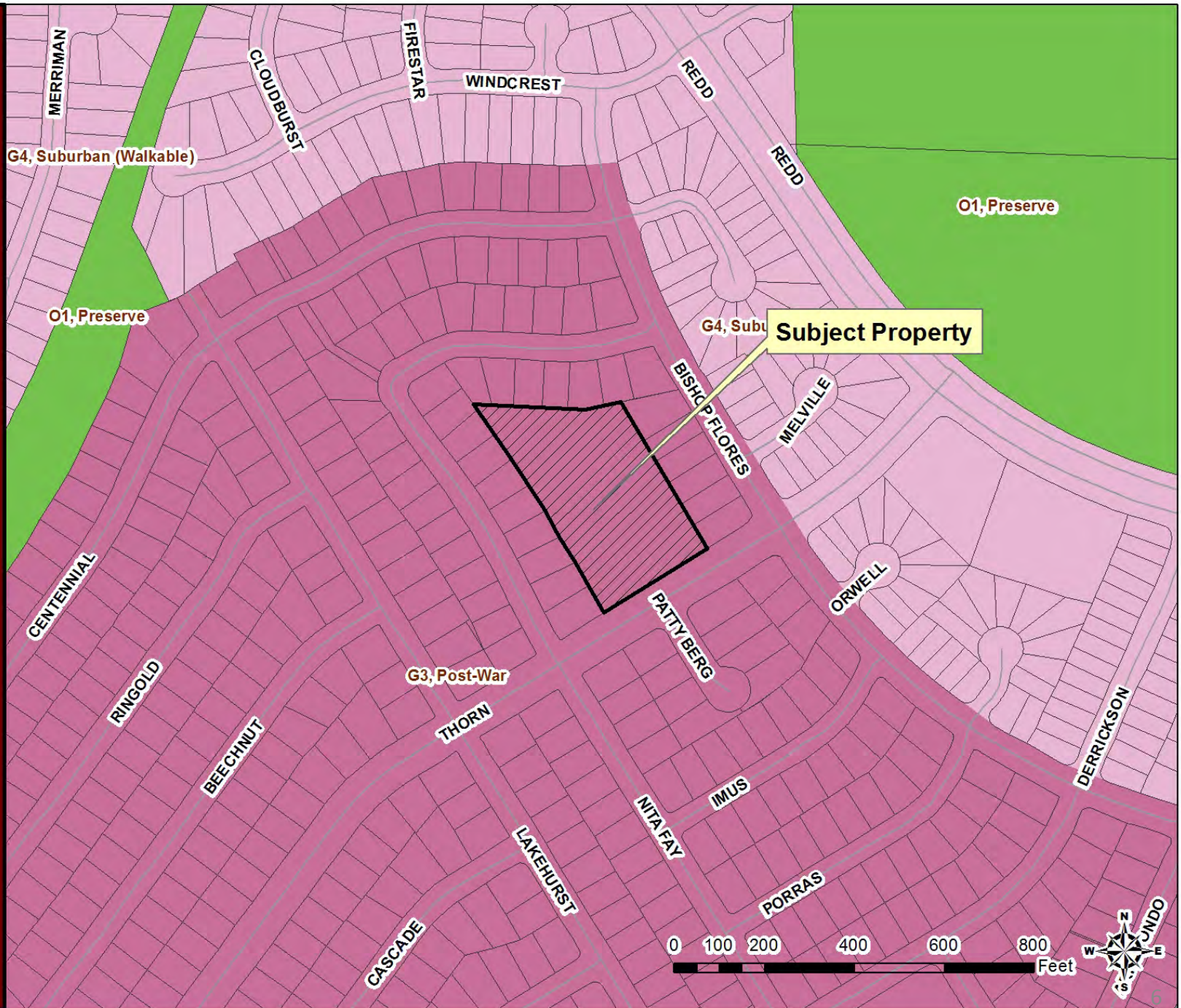
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PZRZ15-00005



PZRZ15-00005



G4, Suburban (Walkable)

O1, Preserve

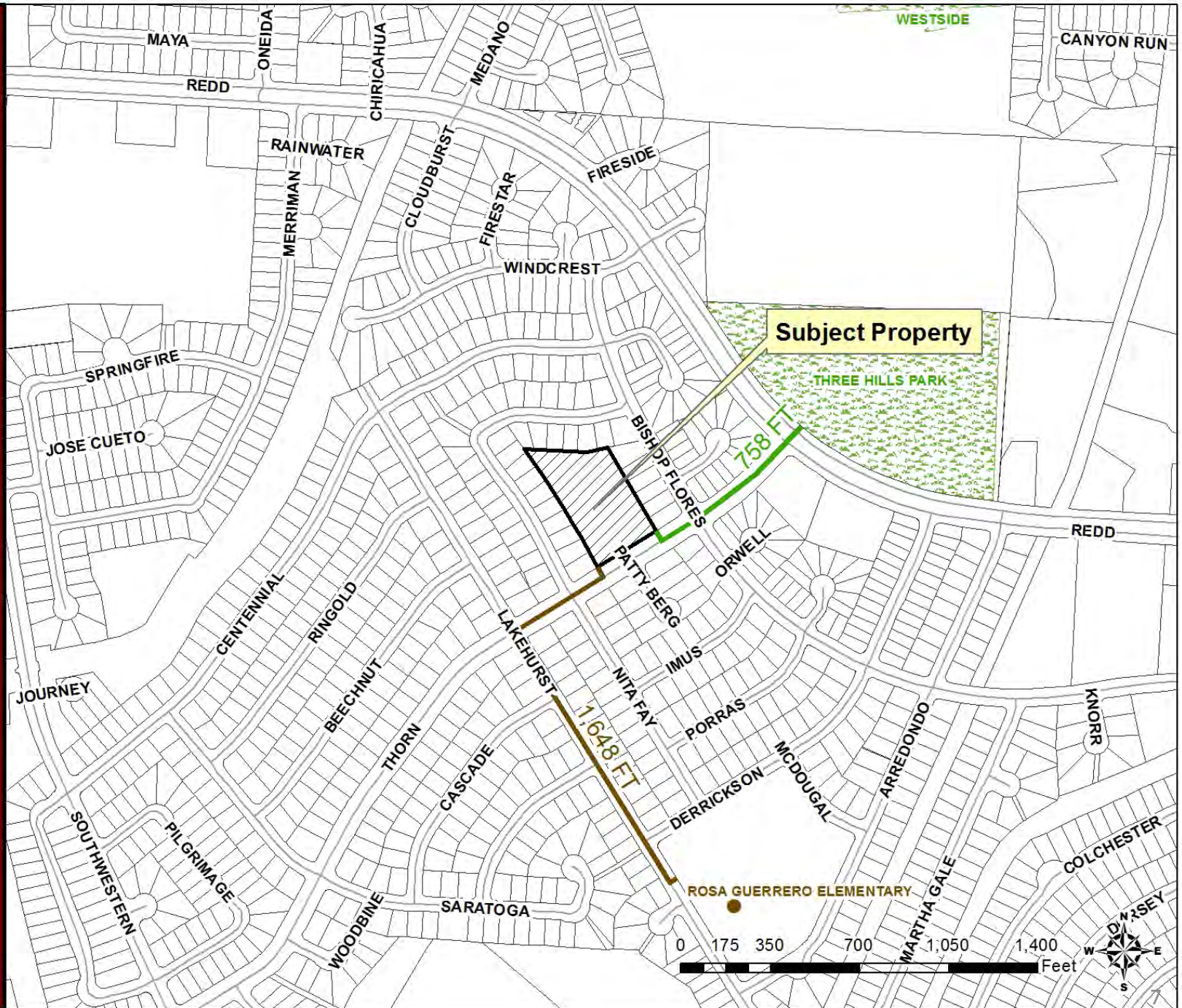
O1, Preserve

G4, Subu

**Subject Property**

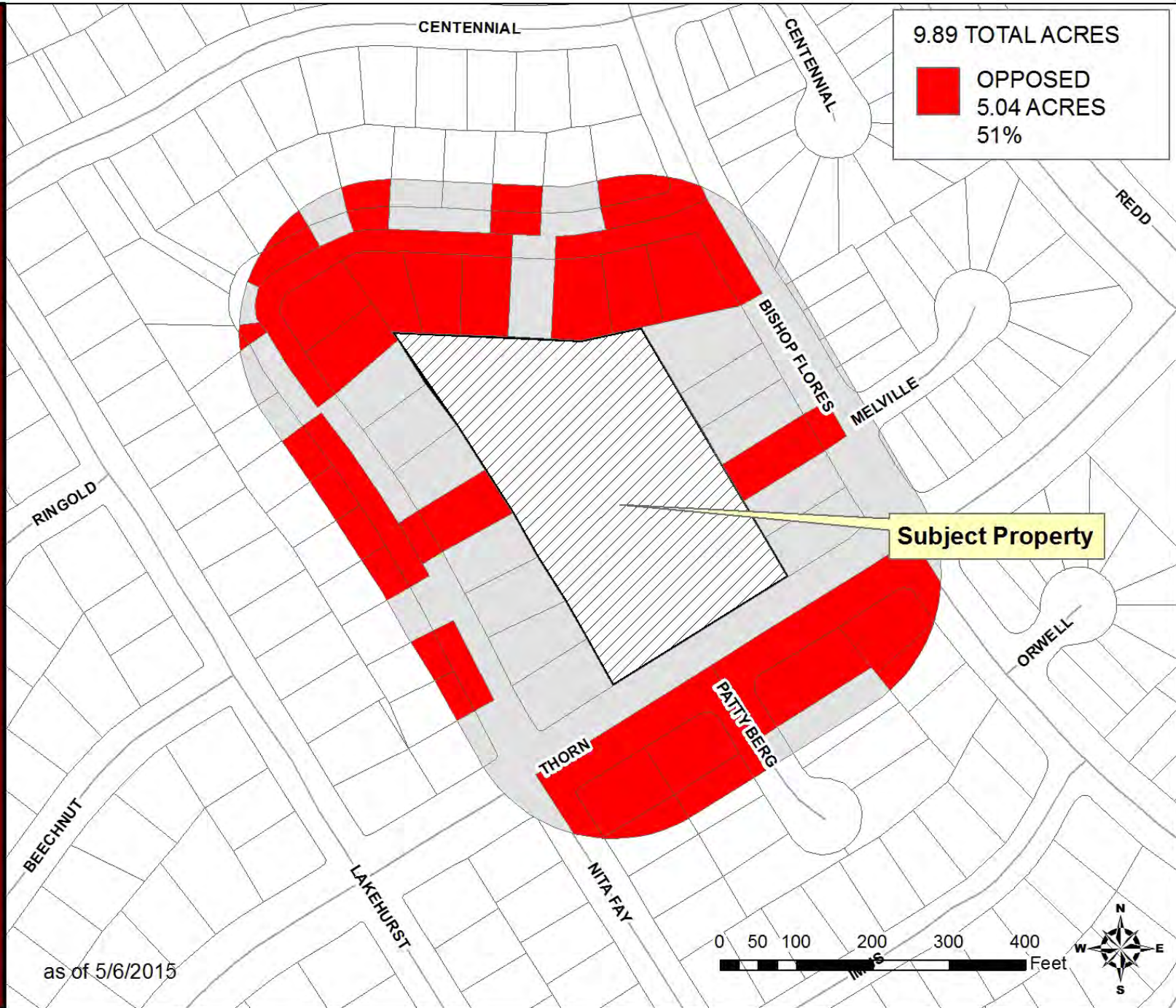
G3, Post-War

PZRZ15-00005





PZRZ15-00005  
211 MAP



# Rendering



# Rendering



# Rendering

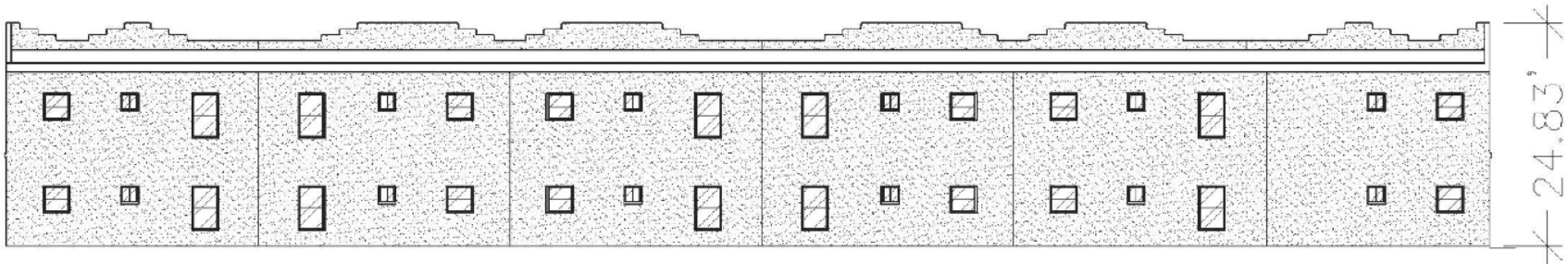




# Elevations



① FRONT ELEVATION BUILDING "A" AND "B"



② REAR ELEVATION BUILDING "A" AND "B"



Subject Property



Subject Property



North



South



East



GraceLife.tv<sup>QL</sup>  
584-7368 851 Thorn  
elPraise lorship.it

East



West



North - Inward



West - Inward



882

South - Inward



East - Inward

PZRZ15-00005

