

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

DEPARTMENT: Planning and Inspections, Planning Division
AGENDA DATE: Introduction: November 14, 2017
Public Hearing: December 12, 2017

CONTACT PERSON/PHONE: Victor Morrison-Vega, (915) 212-1550, Morrison-vegaVX@elpasotexas.gov
Anne Antonini, (915) 212-1814, antoniniam@elpasotexas.gov

DISTRICT(S) AFFECTED: 3

SUBJECT:
An Ordinance changing the zoning of the property legally described as Lots 25 & 26, Block 2, Bassett Commercial Complex Unit One, City of El Paso, El Paso County, Texas from A-O (Apartment/Office) District to S-D (Special Development) District and approving a Detailed Site Development Plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for retail use as permitted in the S-D (Special Development) Zone District. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6416 Gateway Boulevard East. Property Owner: Kart Hadasht Holdings, LLC. PZRZ17-00005 (District 3)

BACKGROUND / DISCUSSION:
On October 5, 2017, the CPC reviewed and recommended approval of the proposed rezoning.

PRIOR COUNCIL ACTION:
There is no prior City Council action on this proposed amendment.

AMOUNT AND SOURCE OF FUNDING:
N/A

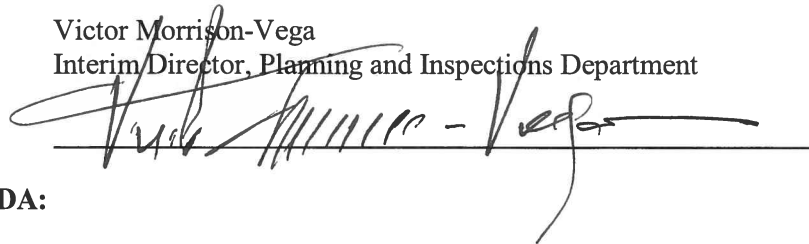
BOARD / COMMISSION ACTION:
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Morrison-Vega
Interim Director, Planning and Inspections Department



APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS LOTS 25 & 26, BLOCK 2, BASSETT COMMERCIAL COMPLEX UNIT ONE, 6416 GATEWAY BOULEVARD EAST, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-O (APARTMENT/OFFICE) DISTRICT TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR RETAIL USE AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Kart-Hadasht Holdings, LLC, (Owner) has applied for a rezoning of property from **A-O (Apartment/Office) District** to **S-D (Special Development)** per Section 20.04.360 of the El Paso City Code; and,

WHEREAS, Owner has also applied for approval of a detailed site development plan pursuant to Sections 20.04.150 and 20.10.360 of the El Paso City Code for retail use, which requires approval from both City Plan Commission and City Council; and,

WHEREAS, a public hearing was held for the rezoning and detailed site plan requests at a City Plan Commission meeting; and,

WHEREAS, City Plan Commission has recommended approval of the subject rezoning and detailed site development plan; and,

WHEREAS, the rezoning and detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of the El Paso City Code.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *Lots 25 & 26, Block 2, Bassett Commercial Complex Unit One, 6416 Gateway Boulevard, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A"*, be changed from **A-O (Apartment/Office) District** to **S-D (Special Development)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.
2. Pursuant to the requirements of the El Paso City Code, the City Council hereby approves the detailed site development plan submitted by the Owner, to allow for retail use as permitted under the **S-D (Special Development)** district regulations of 20.04.150 and 20.10.360.

3. A copy of the approved detailed site development plan, signed by the Owner, the City Manager, and the Secretary of the City Plan Commission, is attached hereto, as **Exhibit "B"** and incorporated herein by reference for all purposes.

4. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **S-D (Special Development)** District regulations.

5. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **S-D (Special Development)** district. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

6. The approval of this detailed site development plan shall automatically be void if construction on the property is not started in accordance with the attached plan **Exhibit "B"** within four (4) years from the date hereof.

7. The penalties for violating the standards imposed through this ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, 2017.

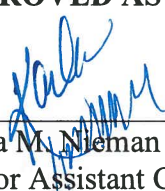
THE CITY OF EL PASO

ATTEST:

Dee Margo
Mayor

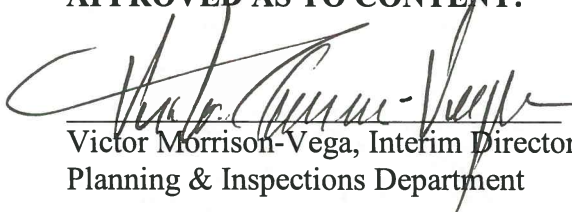
Laura D. Prine
Interim City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Victor Morrison-Vega, Interim Director
Planning & Inspections Department

AGREEMENT

By execution hereof, Kart-Hadasht Holdings, LLC ("Owner"), referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the **S-D (Special Development)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this ____ day of _____, 2017

OWNER: Kart-Hadasht Holdings, LLC

By: _____

(Print name & Title)

ACKNOWLEDGEMENT

THE STATE OF TEXAS)

)

COUNTY OF EL PASO)

This instrument is acknowledged before me on this ____ day of _____, 20Enter Year, by _____, in his legal capacity on behalf of Owner.

My Commission Expires:

Notary Public, State of Texas

EXHIBIT "A"

Lots 25 and 26, Block 2,
Bassett Commercial Complex Unit One,
City of El Paso, El Paso County, Texas
February 17, 2017

METES AND BOUNDS DESCRIPTION 6416-6424 Gateway East Boulevard Exhibit "A"

FIELD NOTE DESCRIPTION of Lots 25 and 26, Block 2, Bassett Commercial Complex Unit One, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found iron rod at the common boundary corner of Lots 24 and 25, same being the southerly right-of-way line of Gateway East Boulevard and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said common boundary corner and along the southerly right-of-way line of Gateway East Boulevard, North 86°46'33" East, a distance of 105.65 feet to a found iron rod for corner;

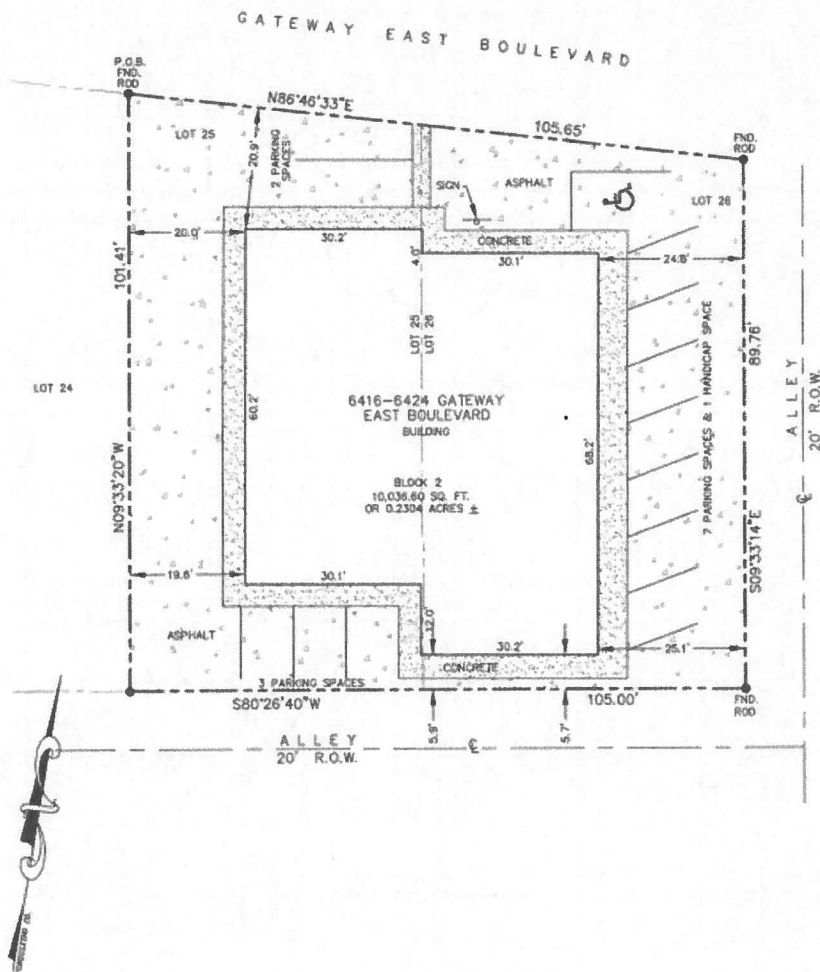
THENCE, leaving said southerly right-of-way line and along the westerly right-of-way line of a 20 feet Alley, South 09°33'14" East, a distance of 89.76 feet to a found iron rod for corner;

THENCE, leaving said westerly right-of-way line of a 20 feet Alley and along the northerly right-of-way line of another 20 feet Alley, South 80°26'40" West, a distance of 105.00 feet to a point;

THENCE, leaving said northerly right-of-way line of a 20 feet Alley, North 09°33'20" West, a distance of 101.41 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 10,036.60 square feet or 0.2304 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive, Suite 503
El Paso, Texas 79936
(915) 633-6422
L:\M&B\2017\17-0280.wpd





MEMORANDUM

DATE: October 10, 2017

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

FROM: Victor Morrison-Vega, Interim Director - Planning & Inspections
Anne Antonini, Planner

SUBJECT: PZRZ17-00005

The City Plan Commission unanimously recommended **approval** (6-0) of the proposed rezoning at its October 5, 2017 meeting.

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 would have no negative effects on the natural environment, socio-economic conditions, and property values in the vicinity or the city as a whole.

As of October 31, 2017, Planning staff has not received any opposition to the proposed rezoning.

Property Owner: Kart-Hadasht Holdings, LLC
Applicant: Ray Mancera

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ17-00005
Application Type: Rezoning and Detailed Site Plan
CPC Hearing Date: October 5, 2017
Staff Planner: Anne Antonini, 905-212-1814, antoniniam@elpasotexas.gov

Location: 6416 Gateway Blvd East
Legal Description: Lots 25 & 26, Block 2, Bassett Commercial Complex Unit One, City of El Paso, El Paso County, Texas
Acreage: 0.23 acres
Rep District: 3
Current Zoning: A-O (Apartment-Office)
Existing Use: Office
C/SC/SP/ZBA/LNC: Legal Nonconforming Registration granted for use of a pole sign in A-O Zoning and for the dimensions of the pole sign
Request: From A-O (Apartment-Office) to S-D (Special Development) District and a reduction in the required rear yard setback
Proposed Use: Commercial Retail (low volume)

Property Owner: Kart-Hadasht Holdings, LLC
Representative: Ray Mancera

SURROUNDING ZONING AND LAND USE

North: A-2/sc (Apartment/special contract) / Interstate 10
South: R-4 (Residential) / Single-family dwellings
East: C-3/sc (Commercial/special contracts) / Commercial retail (low-volume)
West: A-O (Apartment-Office) / Office

PLAN EL PASO DESIGNATION: G-4, Suburban (Walkable) (Central Planning Area)

NEAREST PARK: Edgemere Median Park (3,646 feet)

NEAREST SCHOOL: Bonham Elementary School (4,855 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 5, 2017. The Planning Division has not received any communications from the public in support of or in opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from A-O (Apartment-Office) to S-D (Special Development) for a proposed commercial retail use in the existing 3,840 square foot building. The subject property is 0.23 acres in size and is currently used as an office. The development requires a minimum of 10 parking spaces and the applicant is providing 10 parking spaces to include one van-accessible, ADA stall and 3 bicycle spaces. An administrative parking reduction was granted to allow a 10% parking reduction in the required number of parking spaces from 11 spaces to 10 spaces. A reduction is requested with this rezoning application for the required 10' rear yard setback to 5'9" for the existing building. City Council can approve such dimensional reductions as part of the detailed site plan approval for properties in the S-D (Special Development) District.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from A-O (Apartment-Office) to S-D (Special Development) and the approval of the Detailed Site Plan. The recommendation is based on compatibility of the S-D (Special Development) District and proposed commercial retail use with the surrounding properties directly adjacent to the subject property, and based on the proposal's compliance with the Plan El Paso land use designation G-4, Suburban (Walkable) in the Central Planning Area. This development also complies with the purpose, principles and guidelines of the S-D (Special Development) District.

ANALYSIS

Plan El Paso- Future Land Use Map Designation

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

G-4 – Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. 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 Planning Division recommendation is based on the compatibility with the G-4, Suburban (Walkable) land use designation through the similarity of the proposed commercial use to existing commercial and office uses surrounding the subject property, and compatibility with the adjacent residential neighborhood.

The purpose of this district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

The Planning Division recommendation is based on the compliance with the intent of the Special Development District to permit retail and other commercial activity adjacent to existing residential uses in older areas of the city. The subject property was improved in 1973, and the residential neighborhood to the south was established in 1954. The proposed use is retail.

Plan El Paso - Goals & Policies

Goal 1.4: G-3 and G-4 sectors, as depicted on the Future Land Use Map, may be permitted to continue development and uses as are consistent with the surrounding and existing development in the area. Also see goals and policies in the Urban Design Element.

The Planning Division recommendation is based on the similarity of the proposed use with adjacent uses and its compatibility with surrounding residential neighborhood.

Strategies for Addressing Community Concerns – Bassett Place Mall (p. 2.34). “Retail diversity can be increased by introducing smaller footprint buildings, pedestrian-friendly buildings that are visitable by customers arriving by car and by foot, and by reducing building setbacks.”

The existing building is smaller than adjacent commercial strip development and occupies most of its lot. Allowing retail within the existing building will help to achieve this Plan El Paso strategy.

COMMENTS:

Planning and Inspections Department - Planning Division - Transportation

Traffic Impact Analysis is not required.

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.

TXDOT

It is not on State ROW.

Planning and Inspections Department – Building and Development Permitting

No comments received.

Planning and Inspections Department - Land Development

1. No objections.

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.

Fire Department

No objections to rezoning and master zoning plan.

Police Department

There are no objections, comments to add, or police-related concerns.

Sun Metro

Sun Metro does not oppose this request.

Sun Metro route 17 travels along Thorn, as well as, Redd with stops (+/- 652 feet) to the SW, and (+/- 994 feet) walking distance to the east.

Recommend close coordination with Sun Metro with regards to traffic control/lane closers along Thorn during development/construction. Also recommend construction of sidewalks to permit pedestrian access to mass transit options along Thorn and Redd. Additionally Sun Metro reserves the option to provide additional comments to the developer with regards to a possible bus stop enhancement/relocation in front of the subject location.

El Paso Water

1. EPWater does not object to this request.

EPWU-PSB Comments

Water:

2. 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.

3. 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.

4. 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

5. 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:

6. 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:

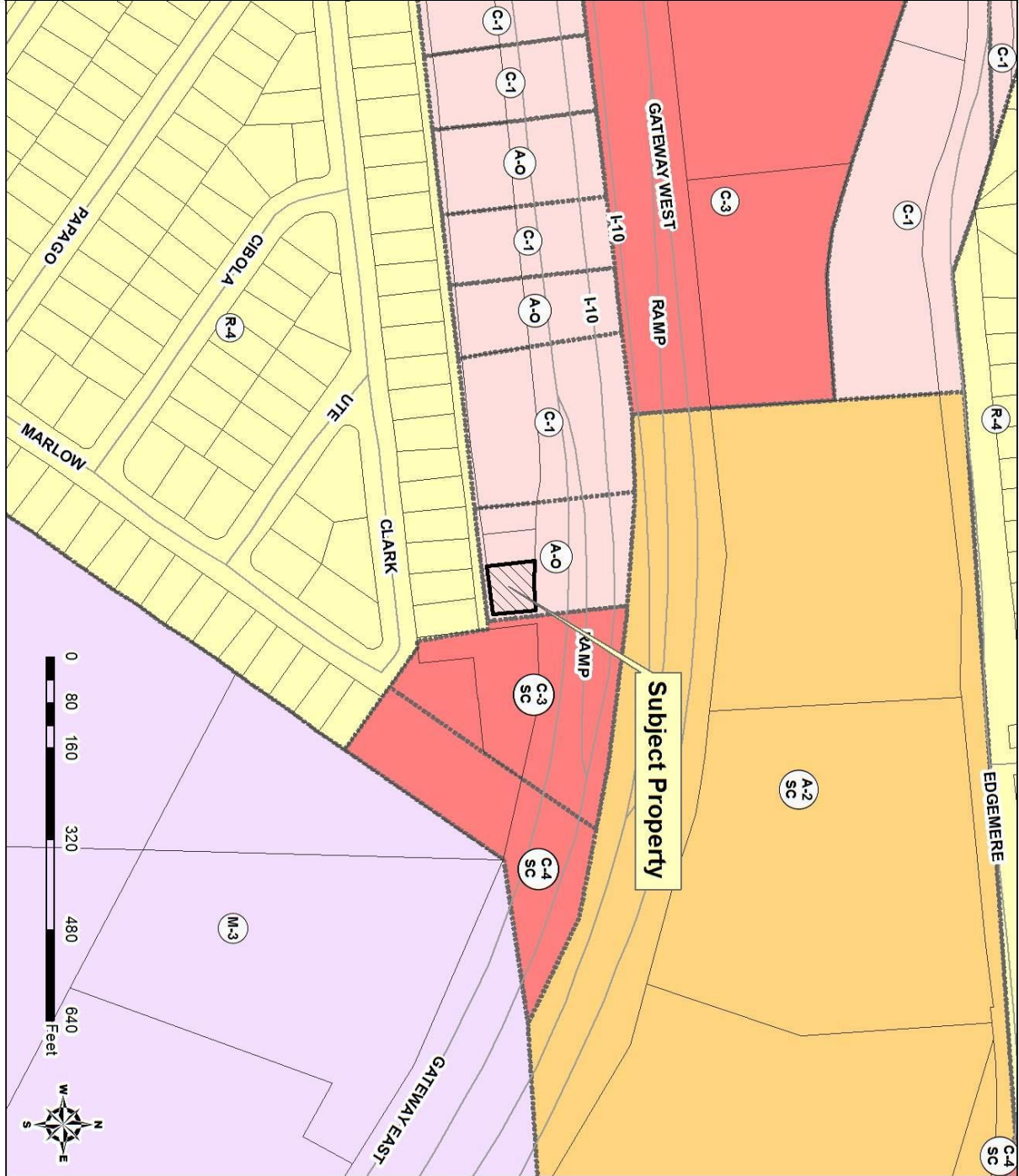
7. EPWU-PSB requires a new service application to provide additional services. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with 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:

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Elevations
6. Parking Reduction Approval Letter

ATTACHMENT 1: ZONING MAP

PZRZ17-00005



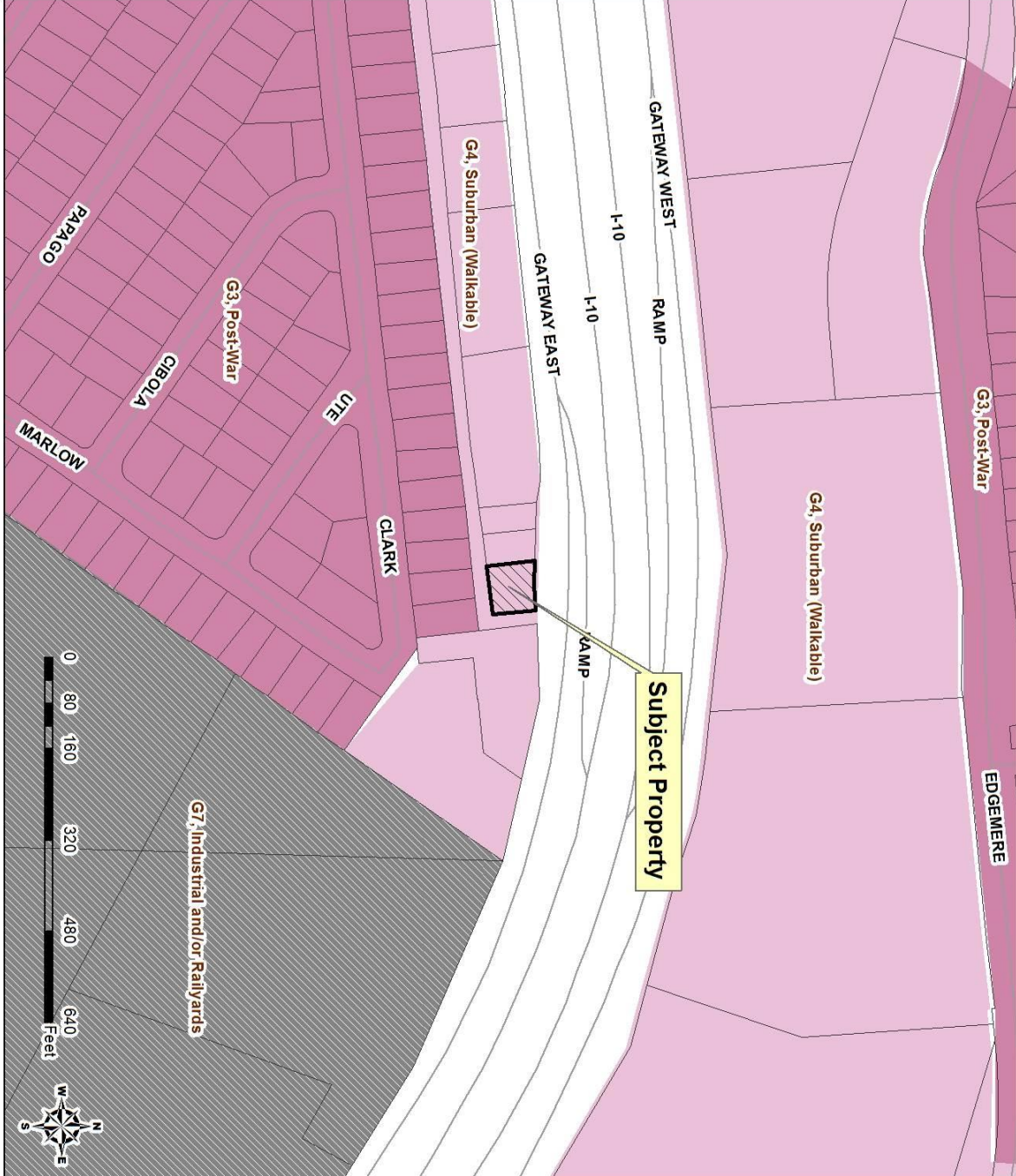
ATTACHMENT 2: AERIAL MAP

PZRZ17-00005

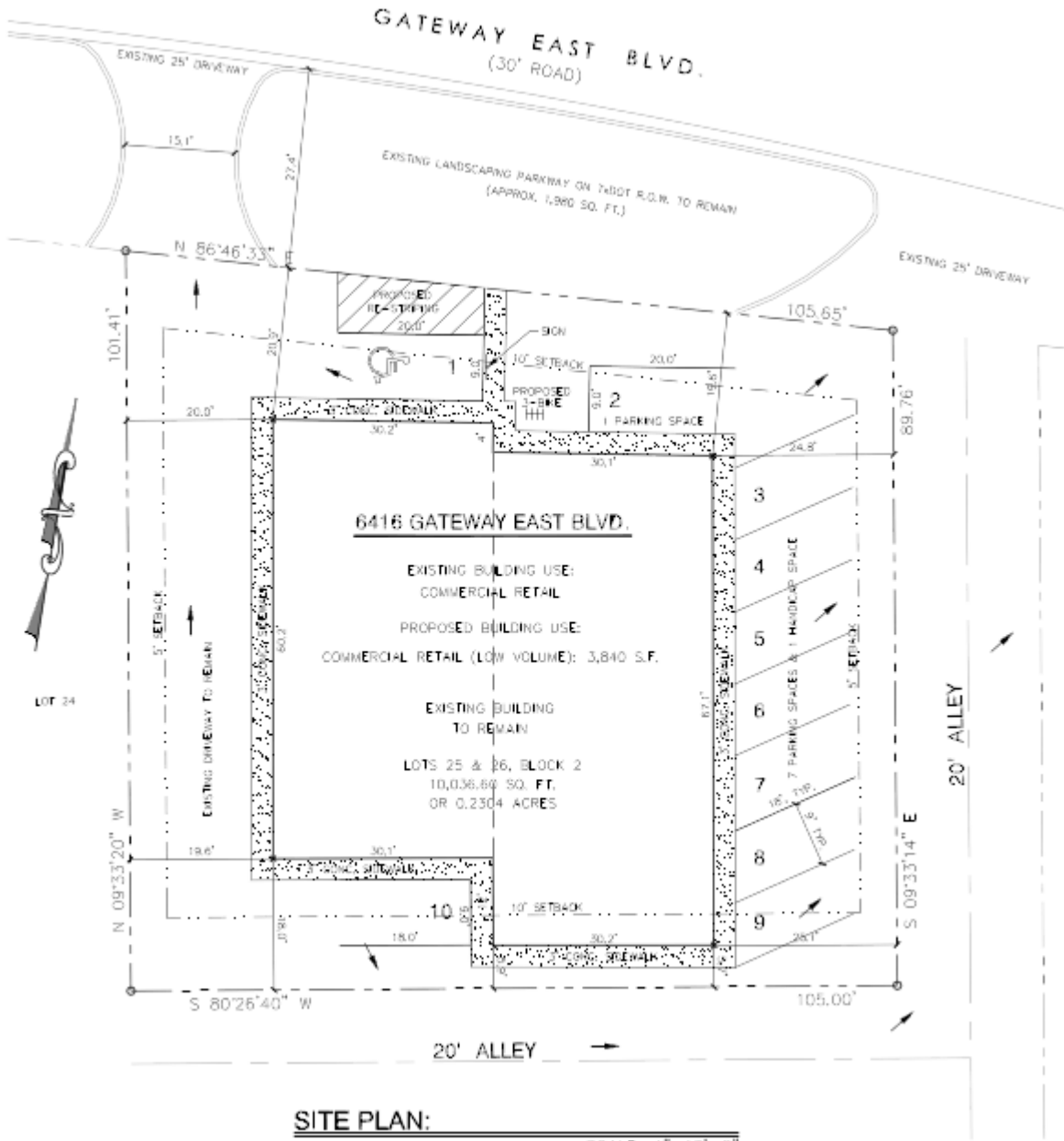


ATTACHMENT 3: FUTURE LAND USE MAP

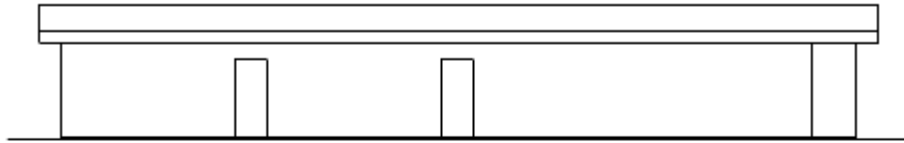
PZRZ17-00005



ATTACHMENT 4: DETAILED SITE PLAN

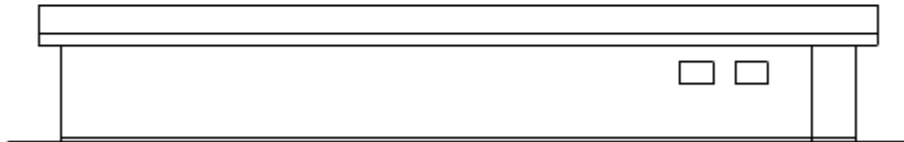


ATTACHMENT 5: ELEVATIONS



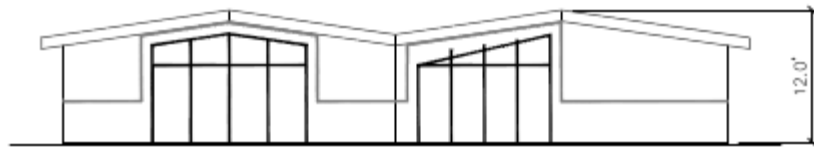
RIGHT SIDE VIEW:

SCALE: 1"=10'-0"



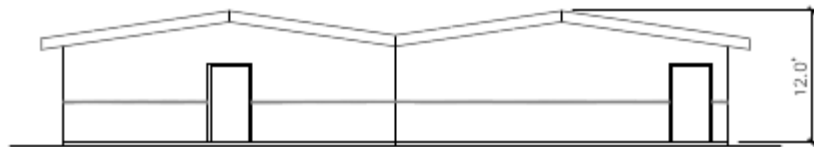
LEFT SIDE VIEW:

SCALE: 1"=10'-0"



FRONT VIEW:

SCALE: 1"=10'-0"



REAR VIEW:

SCALE: 1"=10'-0"

ATTACHMENT 6: PARKING REDUCTION APPROVAL LETTER



Planning & Inspections Department

Mayor
Dee Margo

September 14, 2017

City Council

District 1
Peter Svarzbein

District 2
Alexandra Anello

District 3
Cassandra H. Brown

District 4
Sam Morgan

District 5
Dr. Michiel R. Noe

District 6
Claudia Ordaz
Perez

District 7
Henry Rivera

District 8
Cissy Lizarraga

City Manager
Tommy Gonzalez

Ray Mancera
Mancera Group
1644 Lomaland, Ste. 105
El Paso, TX 79935

Re: 6416 Gateway East, City of El Paso, El Paso County, Texas

Dear Mr. Mancera:

We have received and reviewed your request for administrative approval of a ten percent (10%) reduction in the parking requirements for the above-referenced property. The request complies with section 20.14.070.D of the El Paso City Code, and is approved.

The Code is available online at: www.elpasotexas.gov Government, Municipal Code, Title 20.

If you have any questions regarding this letter, or need additional information, please call me at (915) 212-1643.

Sincerely,

A handwritten signature in blue ink, appearing to read "Raul Garcia".

Raul Garcia, CNU-A
Zoning Administrator

Larry Nichols – Director for Planning & Inspections
City 3 | 801 Texas Avenue | El Paso, Texas 79901 | (915) 212-0088

"Delivering Outstanding Services"

RAY MANCERA
MANCERA GROUP

1644 Lomaland
Suite 105
El Paso, TX 79935

915.532.2444
ray@manceragroup.com
www.manceragroup.com

August 15, 2017

Anne Antonini
Planning Department
City of El Paso

**RE: Administrative Parking Reduction Request for 6416 Gateway EAST
PZRZ17-00005**

Dear Ms. Antonini,

This is to formally request an Administrative Parking Reduction of 10% for rezoning case PZRZ17-00005.

We have submitted an application to change the zoning from A-O to S-D for the property located at 6416 Gateway East. Constructed in 1973, the building setbacks and number of parking spaces, were made for an office complex. We now wish to convert the land use to retail and the parking spaces required are 11 spaces. Since we only have 10 parking spaces we are requesting an Administrative Parking Reduction of one space.

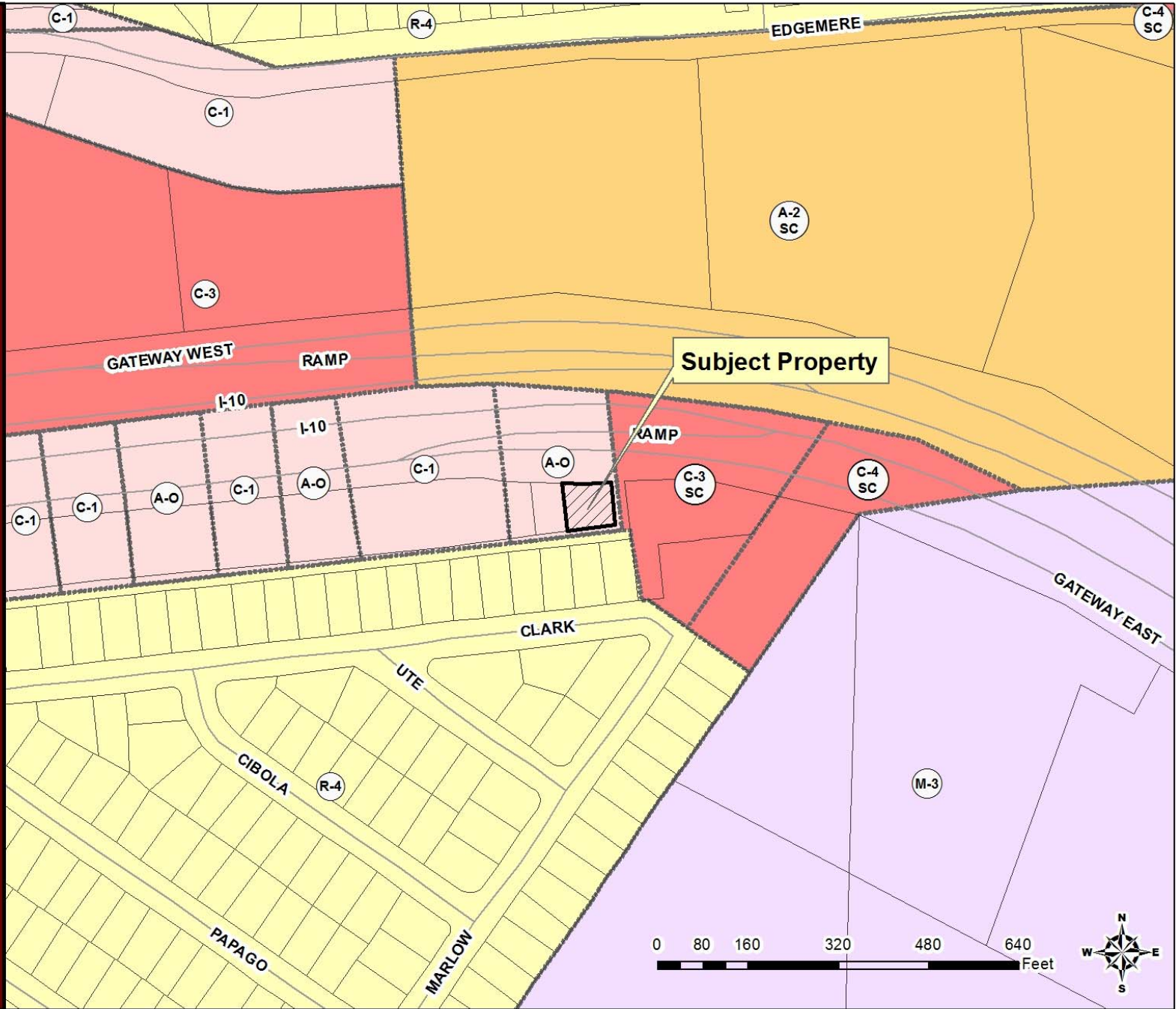
Thank you in advance for your positive approval of our request.

Sincerely,

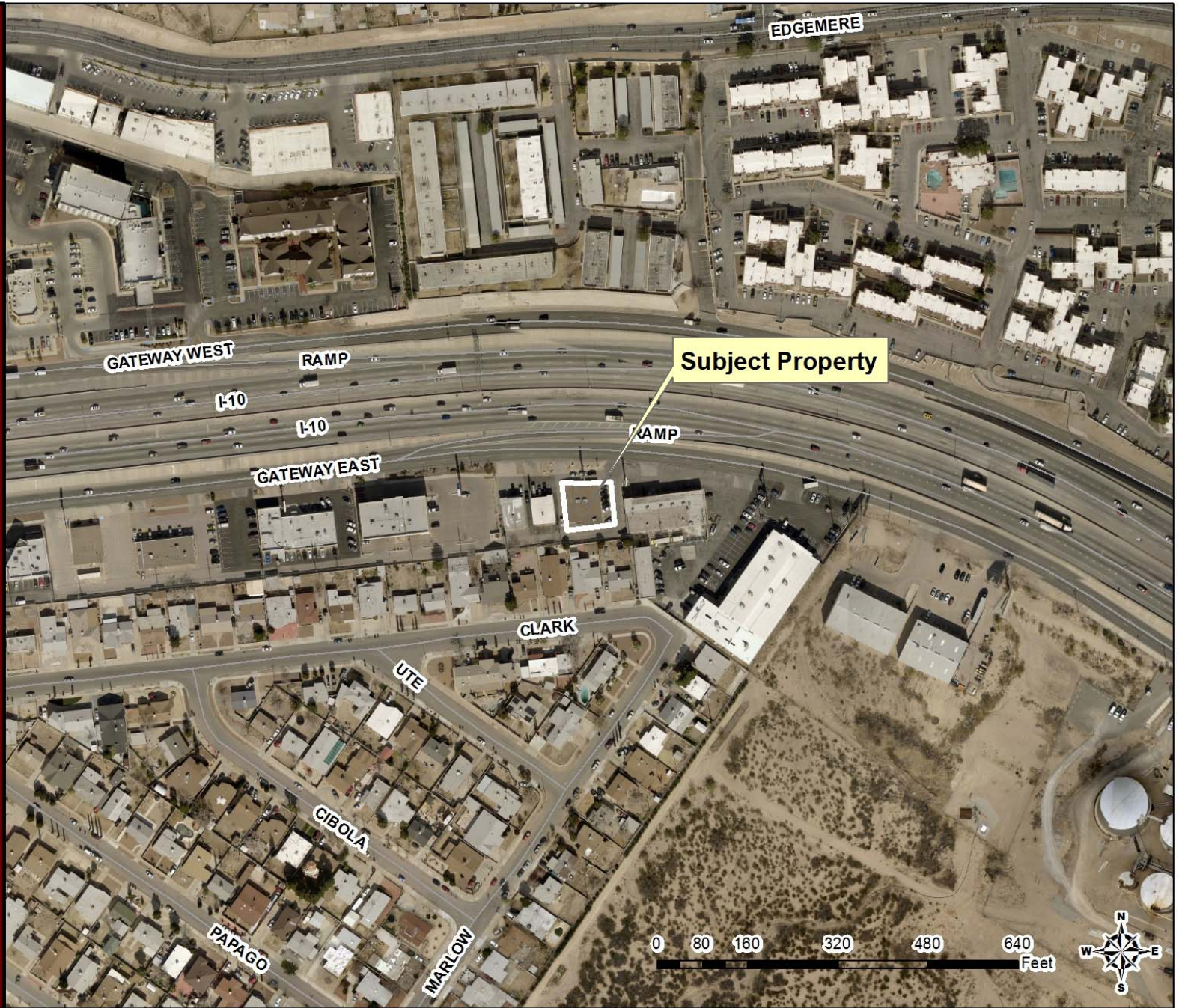


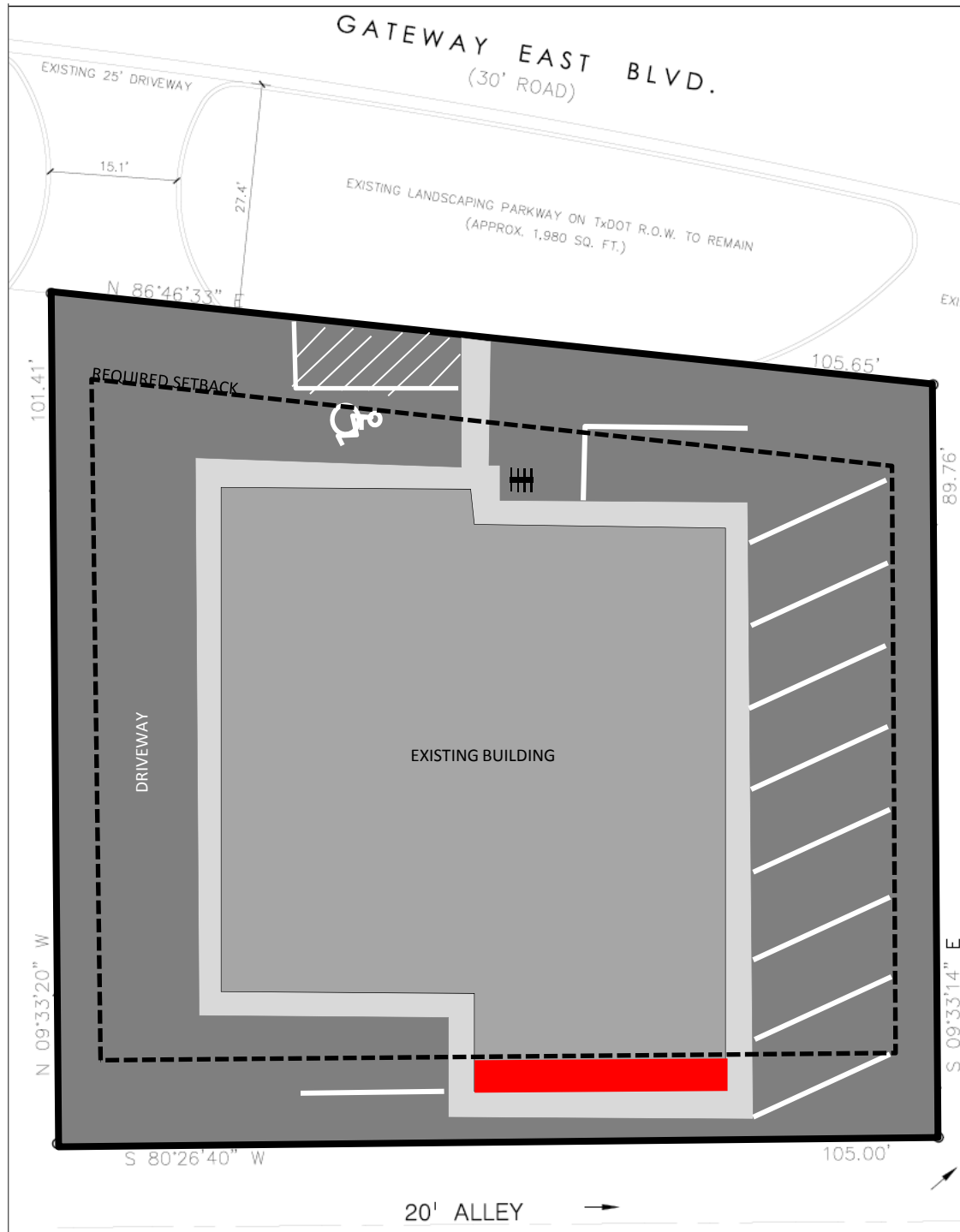
Ray Mancera
Owner Representative

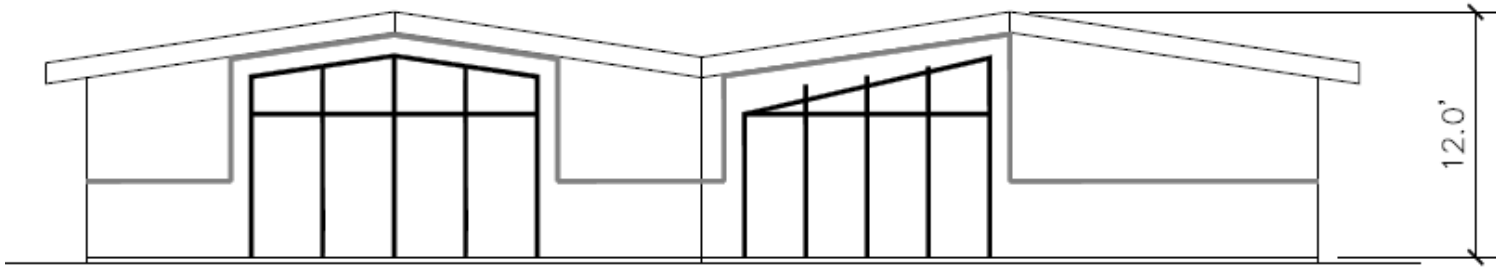
PZRZ17-00005



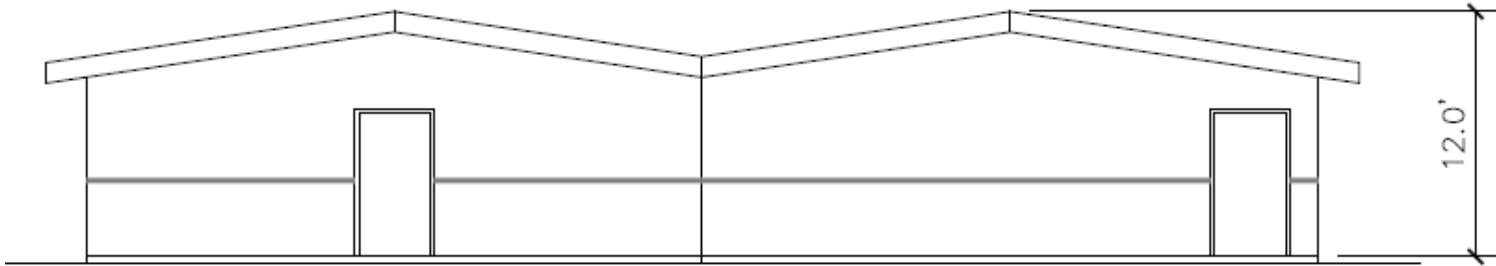
PZRZ17-00005





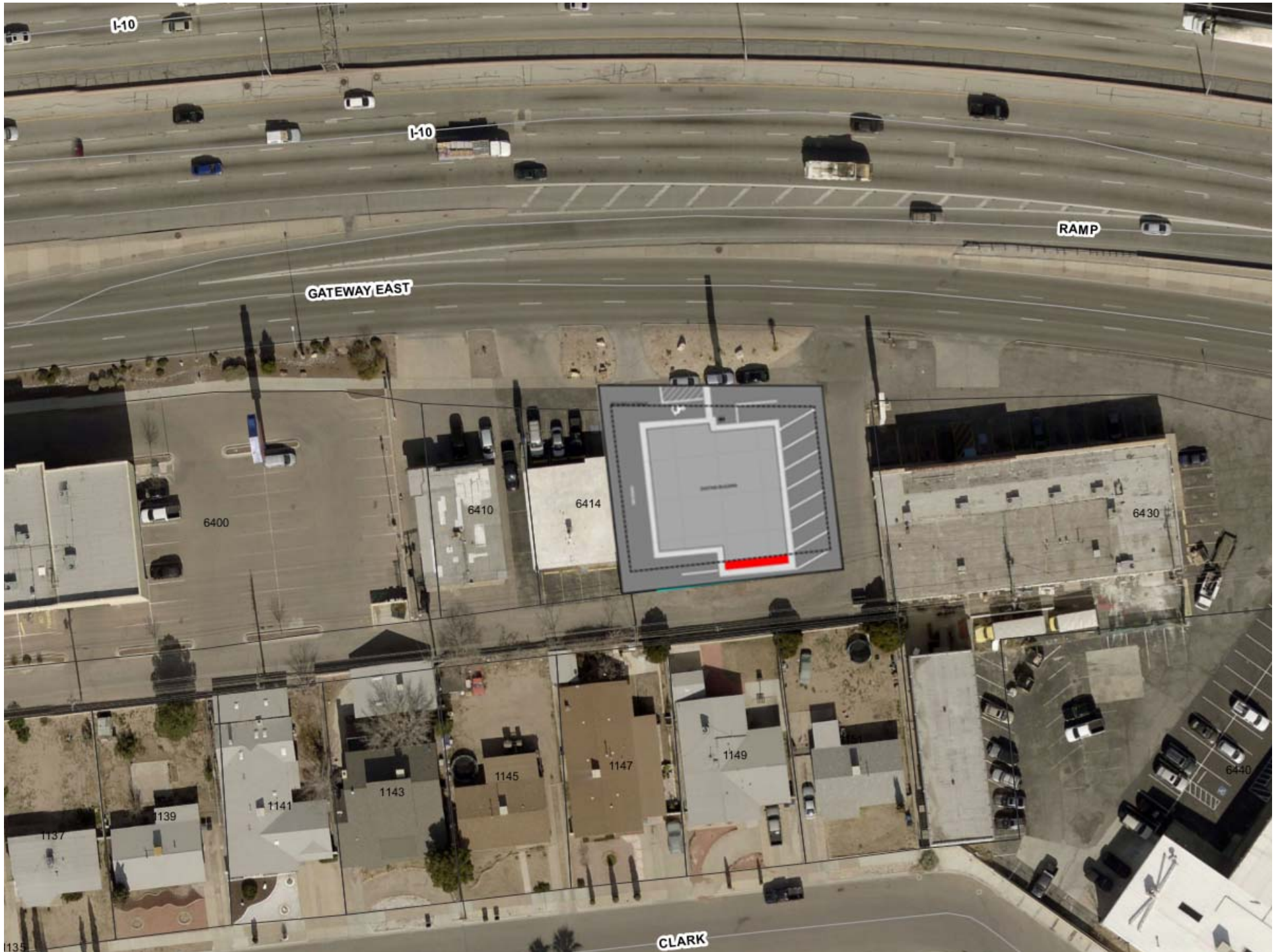


FRONT VIEW:



REAR VIEW:

"Delivering Outstanding Services"









Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (6-0)
- **Public Input:** The Planning Division received one letter in 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