



***City of El Paso – City Plan Commission Staff Report***  
**(REVISED)**

**Case No:** PZRZ11-00055  
**Application Type:** Rezoning  
**CPC Hearing Date:** September 10, 2015  
**Staff Planner:** Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

**Location:** 8020 Alameda Avenue  
**Legal Description:** Tracts 17A & 17B, Block 29, Ysleta Grant & Tracts A&B & a portion of Tracts C&D, Henderson Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 5.619 acres (Complied with on-site posting)  
**Rep District:** 7  
**Existing Zoning:** C-1 (Commercial)  
**Existing Use:** Automobile sales / Retail / Single-family dwelling  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** From C-1 (Commercial) to C-3 (Commercial)  
**Proposed Use:** Automobile (sales, service, storage, and rental)

**Property Owners** Finn's Real Estate Venture, LLC.  
**Representative** Casey Finn

**SURROUNDING ZONING AND LAND USE**

**North:** C-3 (Commercial) & A-2 (Apartment) (split zoned) / Cadwallader Elementary School  
**South:** C-3 (Commercial) / Automobile sales  
**East:** C-3 (Commercial) / Restaurant and Laundromat; C-4/sc (Commercial/special contract) / Bus Service  
**West:** R-4 (Residential) / Single-family dwellings

**THE PLAN FOR EL PASO DESIGNATION:** G-3, Post-War (Mission Valley Planning Area)

**NEAREST PARK:** Riverside Park (5,944 feet)

**NEAREST SCHOOL:** Cadwallader Elementary (directly adjacent to the north)

**NEIGHBORHOOD ASSOCIATIONS**

Thomas Manor Neighborhood Association  
Mission Valley Civic Association

**NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on August 11, 2015. The Planning Division received two letters from Mission Valley Civic Association and one resident in opposition to the rezoning request, see Attachment 4. Planning Division also received two phone calls in opposition to the request citing multiple code violations to include the uses such as automobile sales in C-1 zone district, changing oil behind the building, trash, open garage, no rock wall screening adjacent to residential use, painting cars, use of bright lights at night, and parking on an unimproved surface.

**HISTORY CASE**

On November 3, 2011, the applicant submitted an application for rezoning. Upon thorough review of the application, it was determined to be incomplete, missing several items required by City Code. The applicant requested to place the application on hold until further notice and has now requested to reactivate the application after submittal of pending items missing.

## **APPLICATION DESCRIPTION**

The applicant is requesting to rezone the subject property from C-1 (Commercial) to C-3 (Commercial) to allow for automobile sales, storage, and repair. Automobile sale and storage uses are not permitted in the C-1 (Commercial) district. The subject property is 5.619 acres in size. The detailed site development plan shows the existing 27,680 sq. ft. building and a 1,448 sq. ft. single-family dwelling. The detailed site development plan is a rezoning application requirement for properties with existing structures and is not subject to CPC review and approval as per Section 20.04.380 Application Requirement. The applicant will be required to register the existing house as legal non-conforming per Section 20.22.030. Access to the subject property is proposed from Alameda Avenue.

## **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **denial** of rezoning the subject property from C-1 (Commercial) to C-3 (Commercial). The recommendation is based on incompatibility with the adjacent R-4 (Residential) properties to the south and west and the encroachment of the proposed zoning into an established residential area and Cadwallader Elementary School to the north of the subject property. There is current code enforcement action on this property, on a correction notice provided to the property owner, see Attachment 5.

## **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 C-3 (Commercial) district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

## **COMMENTS:**

### **Planning Division - Transportation**

No objections to rezoning. TIA 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.

### **Planning and Inspections Department – Building and Development Permitting**

No objections to proposed rezoning.

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

No objections.

## **TXDOT**

Don't anticipate comments for rezoning only other than if the owner is planning to do anything to the building by changing its footprint, or grading, repaving or modifying the access, then the requestor/owner will have to coordinate with TXDOT and submit the site layout and proposed development plans to TxDOT for review and approval.

### **Fire Department**

Rezoning does not adversely affect the Fire Department.

### **Police Department**

No adverse comments.

### **Sun Metro**

Sun Metro does not oppose this request. There are 3 existing bus stops within 0.11 miles of subject property; Bus stops are serviced by Route 61. Sun Metro is proposing to construct two Brio RTS stations within 0.09 miles southeast of the subject property; coordination is requested during construction of street enhancements.

### **El Paso Water Utilities**

1. EPWU does not object to this request.

2. Alameda Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Alameda Avenue right-of-way requires written permission from TxDOT.

EPWU-PSB Comments

Water

3. There is an existing 12-inch diameter water main extending along Alameda Avenue that is available for service, the water main is located approximately 8-ft east from the eastern property line.

4. EPWU records indicate an active 1-inch water meter serving the subject property. The service address for this meter is 8026 Alameda Avenue.

5. EPWU records indicate three vacant water services connections (inactive meters) serving the subject property. The addresses for these service are 8018, 8020 and 8028 Alameda Avenue.

6. Previous water pressure from fire hydrant #99 located approximately 15-ft south from the southeastern property line has yield a static pressure of 100 (psi), a residual pressure of 80 (psi), and a discharge of 1,363 gallons per minute.

7. 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:

8. There is an existing 8-inch diameter sanitary sewer main extending along Alameda Avenue that is available for service, the existing sewer main is located approximately 26.5-ft east from the center line of the right-of-way.

General:

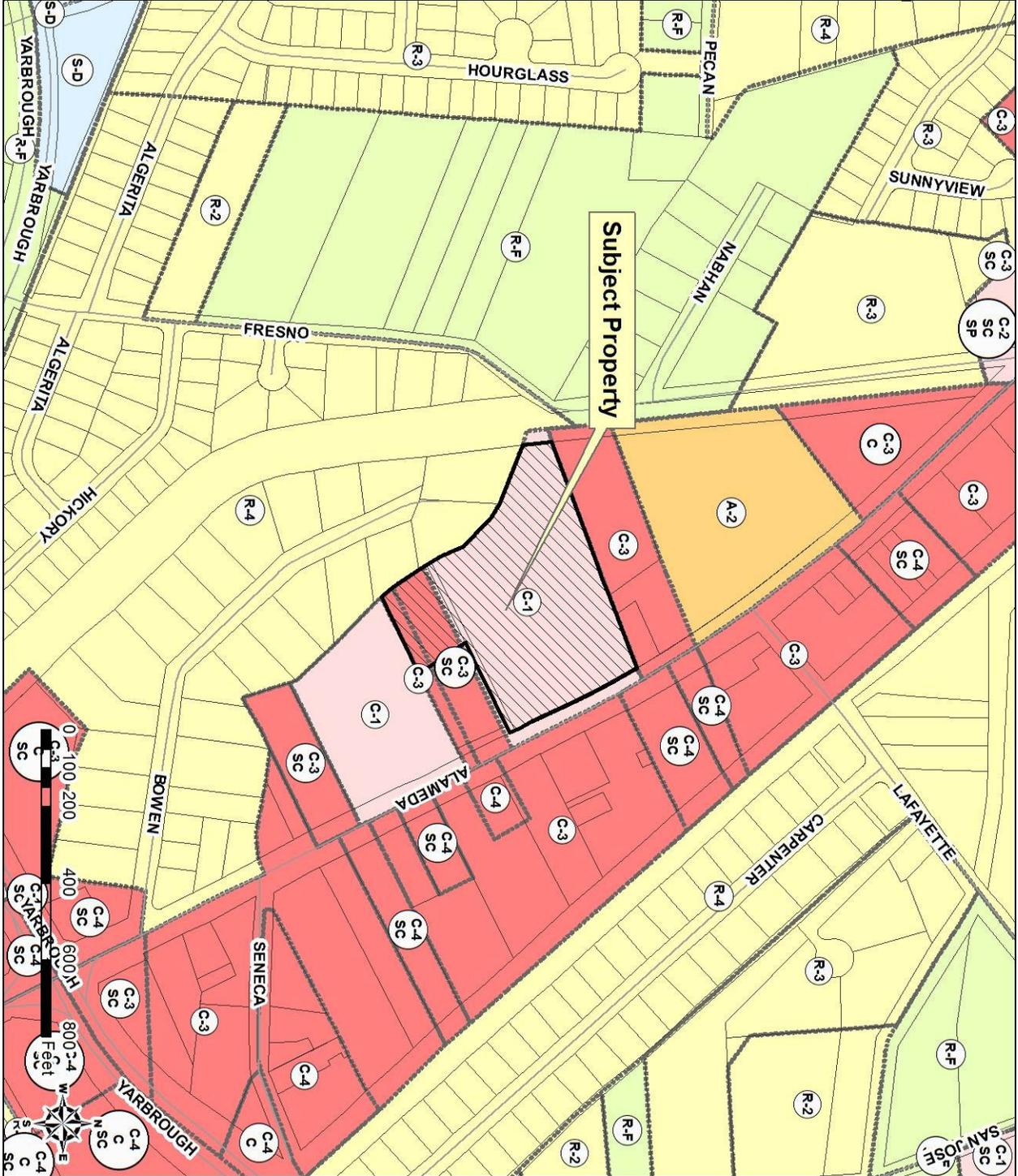
9. Application for new water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current 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.

### **Attachments:**

1. Zoning Map
2. Aerial Map
3. Detailed Site Plan
4. Letter in Opposition
5. Correction Notice E-mail
6. Correction Notice

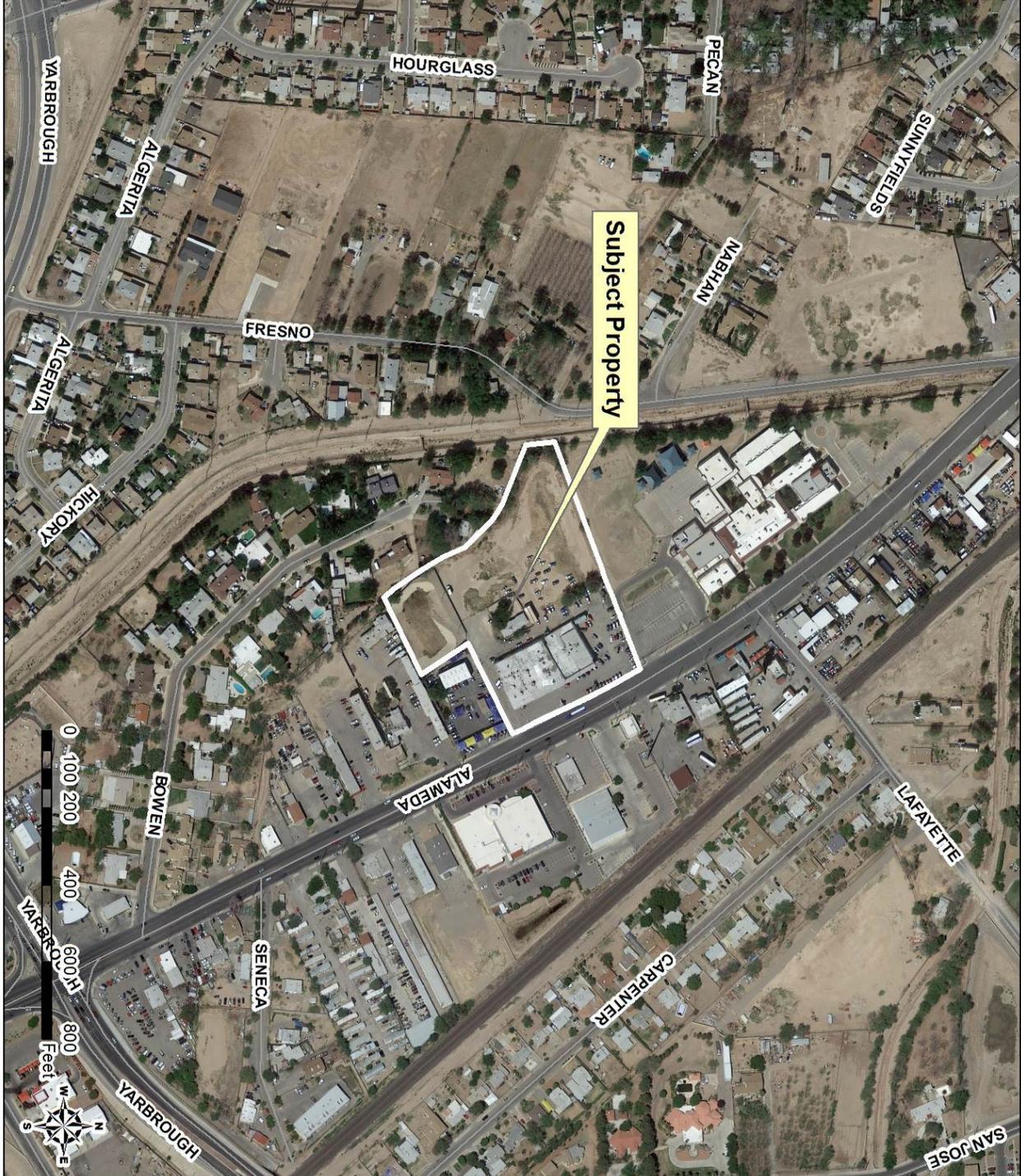
ATTACHMENT 1: ZONING MAP

PZRZ11-00055

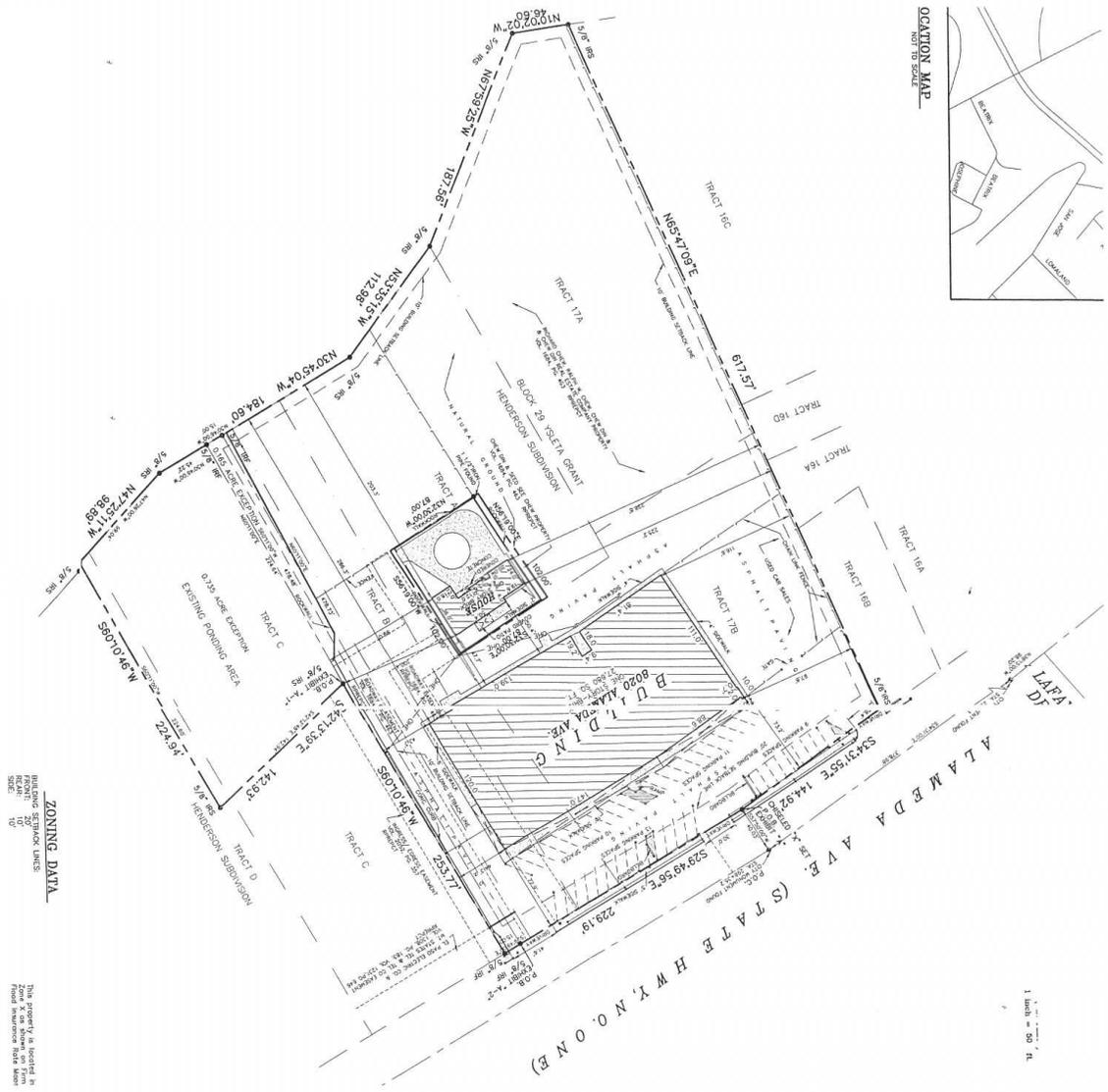


ATTACHMENT 2: AERIAL MAP

PZRZ11-00055



**ATTACHMENT 3: DETAILED SITE PLAN**



**ATTACHMENT 4: LETTER IN OPPOSITION**

June 22, 2015

City Plan Commission  
City Hall  
300 N. Campbell  
El Paso, TX 79901

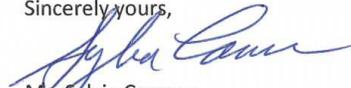
Attn: Rezoning request: 8020 Alameda Ave-Finn's Discount Autos, Inc

My name is Sylvia Carreon, currently President of the Mission Valley Civic association and I received certified mail from Finn's Discount Autos stating he was requesting zone change on his property from C-1 to C-3 in order to be able to sell automobiles from this location.

Please be advised that our association is against any such action be considered since he already has a car lot on that same block for his business. The location of the new request is next to YISD Elementary school and this type of business will not be suitable for children in the area and furthermore, he already has a car lot business on this same block.

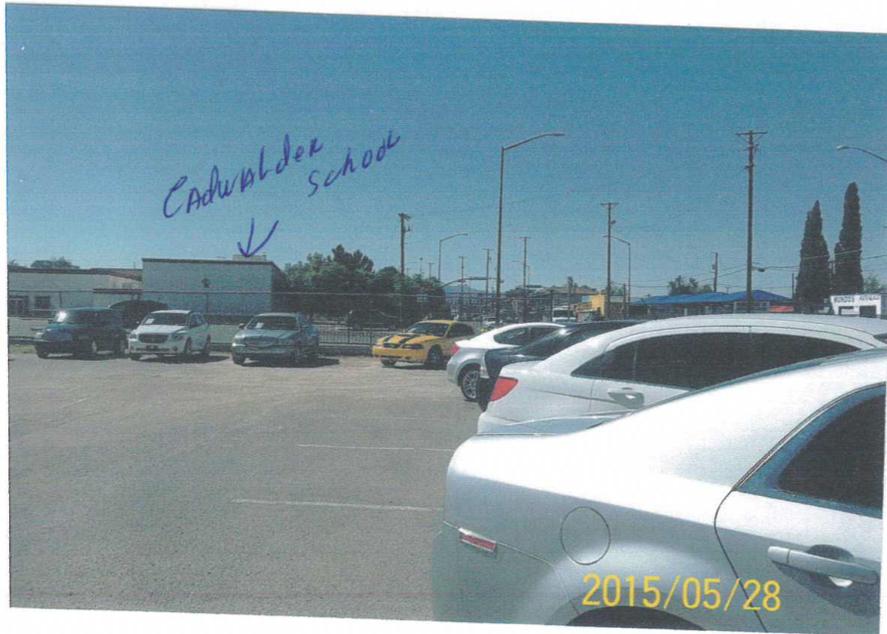
I was advised by Mr. Art Rubio that Mr. Finn's request is not being considered at this time, but I URGE the City not allow any more car lots on Alameda Ave. There are over 180 car lots from Fox Plaza all the way to Zaragoza and this practice needs to stop.

Sincerely yours,



Ms. Sylvia Carreon  
925 Richard Dr.  
79907- (915) 227-2738

Cc Representatives from District 6 and 7



He is ALREADY  
selling cars in  
violation!

**Salloum, Andrew M.**

---

**From:** M Carr <mmcarr008@gmail.com>  
**Sent:** Tuesday, August 25, 2015 12:51 PM  
**To:** Salloum, Andrew M.  
**Subject:** Fwd: 8020 Alameda Proposed Zoning (08/27/15)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

----- Forwarded message -----

From: "M Carr" <[mmcarr008@gmail.com](mailto:mmcarr008@gmail.com)>  
Date: Aug 25, 2015 12:49 PM  
Subject: 8020 Alameda Proposed Zoning (08/27/15)  
To: <[sallouman@elpasotexas.gov](mailto:sallouman@elpasotexas.gov)>  
Cc:

To Whom it may Concern,

I am writing this letter to voice my opposition to the proposed zoning change from C-1 to C-3. I reside directly behind and parallel to this property I am located at 8001 Bowen Rd. Unfortunately, these property owners are currently selling, painting, fixing, parking junked cars on the dirt without any pavement, cement, or gravel on the 5 acre premises. The property doesn't have a fence dividing my property and their property the only division is an irrigation ditch and my fence. The property has never been maintained the growth of weeds, trees and fallen trees have just been pushed to edge of the Franklin Canal and the ditch. It is for these reasons I think proposed zoning should be denied. and enforce the present codes that are set out by the City for matters such as the ones that are stated above.

Sincerely,  
Mariano Carrillo  
[\(915\)309-1787](tel:(915)309-1787)

**ATTACHMENT 5: CORRECTION NOTICE E-MAIL**

**Salloum, Andrew M.**

---

**From:** Ortiz, Cesar  
**Sent:** Tuesday, September 01, 2015 3:12 PM  
**To:** Rubio, Arturo; Salloum, Andrew M.  
**Cc:** Cahalan, Sonya M.; Padilla, Anthony A.  
**Subject:** 8020 ALAMEDA  
**Attachments:** CORRECTION NOTICE.pdf; PICS 9-1-15.pdf

Mr. Rubio and Mr. Salloum,

I conducted the inspection today with inspector Anthony Padilla. We did find a mobile home office, metal car port and two car lifts w/electrical. All don't have permits. We also discussed the open service bay door. He advised it has been like that for 50 years. I explained to him that there are no permits for the building alteration, but that he will have to obtain one due to the fact that he would have to enclose that part of the building and create a new service bay door facing away from the residential district. We also found several vehicles parked on an unapproved surface and no mandatory masonry wall separating the listed address and the abutting residential district. As expected, he is conducting an auto sales lot in a C1 zone. He provided a copy of the valid city license for motor vehicle dealer. He did argue that since the city gave him that license, he believes he is legally conducting the business. During our investigation, we did not find any evidence nor did we witness any major auto repair. He stated that he uses those lifts for simple oil change and other minor auto repair. We did find some scattered auto parts, but unfortunately we can't link that to any major auto repair. We also could not find any evidence of any vehicle spray painting or a spray booth. He did not have any vehicle paint, spray gun nor any other tools related to auto body spray painting. The property owner advised that he sub-contracts and sends the vehicles to other locations for any major auto repair and spray painting if needed. The car wash is minor. He has a small pressure washer with buckets full of water. He advised all they do is spray the vehicle with water and wipe them down using the buckets of water and rags. He was advised of registering the existing residential home as legal non-conforming. He did advise that its rented out to a tenant. He did advise that all he wants to do is run a car sales lot. He advised that he does not want to do any spray painting or major auto repair even though he knows he would be able to in a C3 zone and that he will continue to sub-contract any major auto repair. He advised that he has no problem meeting any requirements or having any restrictions with the zoning change. Attached is the correction notice and today's inspection photos. If you have any questions you can contact me.

Respectfully,

**Cesar Ortiz**  
Code Enforcement Officer (Zoning) | Building Safety Division  
Planning & Inspections Department | City of El Paso  
City 3 - 801 Texas Avenue  
El Paso, TX 79901  
Cell: (915) 329-4258  
Fax: (915) 212-0068



**ATTACHMENT 6: CORRECTION NOTICE**

pg 1 of 2

**CITY OF EL PASO**



**CITY DEVELOPMENT DEPARTMENT**

- CORRECTION NOTICE
- STOP WORK ORDER
- DISAPPROVAL NOTICE

Job Address: 8020 Alameda Permit No. \_\_\_\_\_

BLDG.  COMBO  C.H.P.  ELEC  HVAC  PLBG  SIGNS  ZONING  FIRE

INSPECTION THIS DATE INDICATES THAT THE FOLLOWING ITEMS REQUIRE YOUR IMMEDIATE ATTENTION:

Car sales lot business being conducted in a C1 zone. Owner provided City dealers license LCDL15-00010. Currently in the process of getting property rezoned to C3. A mandatory wall must be erected in the rear abutting the residential district. If zoning is approved requirements will need to be addressed:

1. Approved surface paving for the parked vehicles at the rear.
2. Permits must be obtained for the mobile office and car lifts, and metal car port.

CONSTRUCTION- MAY  MAY NOT  PROCEED PRIOR TO CORRECTION OF ABOVE.

RE-INSPECTION- IS NOT REQUIRED  IS REQUIRED  RE-INSPECTION FEE

REC'D BY: \_\_\_\_\_ DATE/TIME: 9/1/15

INSPECTOR: Cesar Ortiz PHONE: 329-4258

**DO NOT REMOVE THIS NOTICE**

pg 1 of 2

CITY OF EL PASO



CITY DEVELOPMENT DEPARTMENT

- CORRECTION NOTICE
- STOP WORK ORDER
- DISAPPROVAL NOTICE

Job Address: 8020 Alameda Permit No. \_\_\_\_\_

BLDG.  COMBO  C.H.P.  ELEC  HVAC  PLBG  SIGNS  ZONING  FIRE

INSPECTION THIS DATE INDICATES THAT THE FOLLOWING ITEMS REQUIRE YOUR IMMEDIATE ATTENTION:

*Car sales lot business being conducted in a C1 zone. Owner provided City dealers license LCDL15-00010. Currently in the process of getting property rezoned to C3. A mandatory wall must be erected in the rear abutting the residential district. If zoning is approved requirements will need to be addressed:*

- 1. Approved surface paving for the parked vehicles at the rear.*
- 2. Permits must be obtained for the mobile office and cas. l. A's, and metal car port.*

CONSTRUCTION- MAY  MAY NOT  PROCEED PRIOR TO CORRECTION OF ABOVE.

RE-INSPECTION- ~~IS NOT~~ REQUIRED  IS REQUIRED  RE-INSPECTION FEE

REC'D BY: [Signature] DATE/TIME: 9/1/15

INSPECTOR: Cesar Ortiz PHONE: 329-4258

DO NOT REMOVE THIS NOTICE





