

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: December 14, 2010
Public Hearing: January 4, 2011

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance changing the zoning of Lot 48, Block B, Bassett Addition, City of El Paso, El Paso County, Texas from A-3 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2125 Central Avenue. Property Owner: Martin Beltran. ZON10-00077 (**District 8**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 48, BLOCK B, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) TO C-1 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

That the zoning of *Lot 48, Block B, Bassett Addition, City of El Paso, El Paso County, Texas*, be changed from **A-3 (Apartment) to C-1 (Commercial)**, within the meaning of the zoning ordinance, 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 adjacent property owners and the residents of this City:

That the alley be paved to city standards if used for ingress or egress.

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department

#60381/ Planning/ORD/ Rezoning

ORDINANCE NO. _____

Zoning Case No: ZON10-00077



Date: December 6, 2010
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: ZON10-00077

The City Plan Commission (CPC) on November 4, 2010, voted **7-0** to recommend **approval** of this rezoning request with the condition that the alley be paved to city standards if used for ingress or egress. The applicant is proposing a parking lot that will serve as additional parking for an abutting commercial property to the south.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

The CPC found that the rezoning is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Central Planning Area. The CPC also determined that the rezoning protects the best interest, health, safety, and welfare of the public in general; and will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no one present at the meeting to speak in favor or in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00077
Application Type: Rezoning
CPC Hearing Date: November 4, 2010
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 2125 Central Avenue
Legal Description: Lot 48, Block B, Bassett Addition, City of El Paso, El Paso County, Texas
Acreage: 0.0631 acre
Rep District: 8
Existing Use: Vacant

Request: A-3 (Apartment) to C-1 (Commercial)
Proposed Use: Parking Lot
Property Owner: Martin Beltran
Representative: Plaza Engineering

SURROUNDING ZONING AND LAND USE

North: A-3 (Apartment) / Single-family Residential
South: C-4 (Commercial) / Insurance Company
East: S-D/sp (Special Development/special permit) / Commercial Day Care
West: A-3/sp (Apartment/special permit) / Apartments

The Plan for El Paso Designation: Commercial (Central Planning Area)

Nearest Park: Chamizal National Memorial (1,594 feet)

Nearest School: Bowie High (874 feet)

NEIGHBORHOOD ASSOCIATIONS

Magoffin Neighborhood Association, El Paso Central Business Association

NEIGHBORHOOD INPUT

Notices of the November 4, 2010 City Plan Commission hearing were mailed out to property owners within 300 feet of the subject property on October 25, 2010. The Planning Division has received no calls or letters in favor or in opposition to this request.

APPLICATION DESCRIPTION

The request is to change the zoning from A-3 (Apartment) to C-1 (Commercial) to allow a parking lot that will serve as additional parking for the property located at 2121 Paisano Drive which is zoned C-4 (Commercial) and owned by the applicant. Title 20, Zoning, Chapter 20.14, Off-Street Parking, Loading and Storage Standards prohibits a property which is zoned R, A, or RMU to be used for access to a parking area on a separate site for a use that is not permitted in the R, A or RMU zone. The applicant is requesting the rezoning in order to comply with parking requirements.

PLANNING DIVISION RECOMMENDATION

Recommend **approval** of the rezoning with the condition that *“the alley be paved to city standards if used for ingress or egress.”*

The Plan for El Paso-City-Wide Land Use Goals

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

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land use.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.

The purpose 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 within adjacent residential areas of medium and high densities.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for approval.

Transportation Department

-No objection to rezoning

-Notes to applicant: gates cannot impede on city r-o-w; mark aisle as one-way; alley must be improved to city standards if used for access.

Engineering Construction Management-Land Development

- 1. ADA accessible sidewalks, wheel-chair ramp(s), and driveway(s) will be required.*
- 2. Grading plan and permit shall be required.*
- 3. Storm water pollution prevention plan and/or permit required.*
- 4. Drainage plans must be approved by the Development Services Department, Engineering Section.*
- 5. The Subdivision is within Flood Zone C - "Areas of minimal flooding, (no shading)." - Panel # 480214 0039B, dated October 15, 1982.

* This requirement will be applied at the time of development.

Engineering Construction Management Plan Review

No objections.

Fire Department

No objections to rezoning.

El Paso Water Utilities

- 1. EPWU does not object to this request.

Water:

- 2. There is an existing 6-inch diameter water main that extends along the alley between Central Avenue and Cypress Avenue fronting the northern boundary of the subject property (2125 Central Avenue).
- 3. EPWU records indicate a killed service at 2125 Central Avenue.
- 4. Previous water pressure readings from fire hydrant #8724 located at the northwest corner of the intersection of Eucalyptus Street and Paisano Drive have yielded a static pressure of 86 (psi) pounds per square inch, a residual pressure of 50 (psi) pounds per square inch and a discharge of 1501 (GPM) gallons per minute.
- 5. 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.

Sewer:

- 6. There is an existing 8-inch sanitary sewer main that extends along the alley between Central Avenue and Cypress Avenue fronting the northern boundary of the subject property (2125 Central Avenue).

General:

7. EPWU 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.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

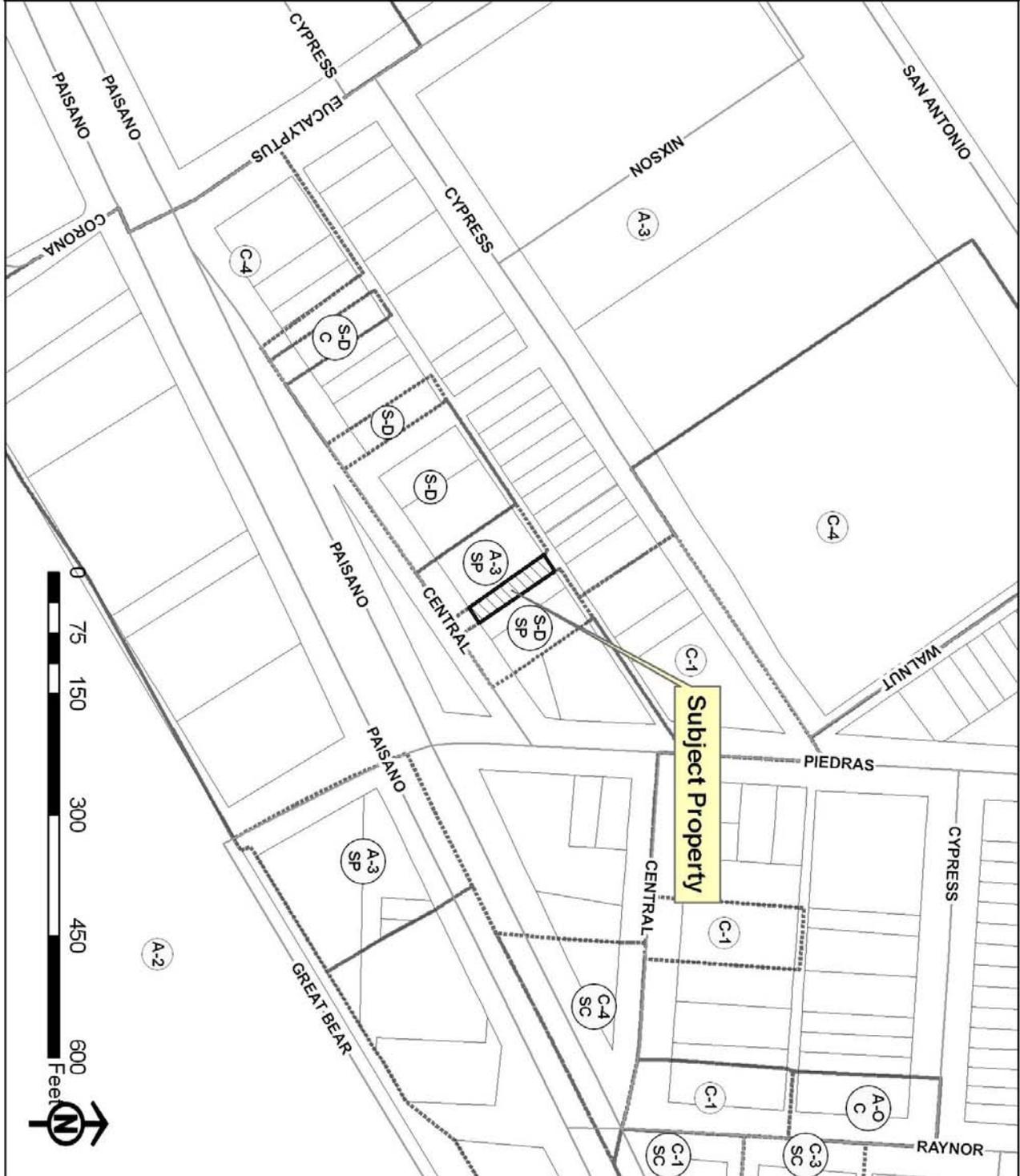
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

ZON10-00077



ATTACHMENT 2: AERIAL MAP

ZON10-00077



ATTACHMENT 3: CONCEPTUAL SITE PLAN

