

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: December 23, 2008  
Public Hearing: January 13, 2009

**CONTACT PERSON/PHONE:** Andrew Salloum, 541-4027

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance changing the zoning of a portion of Lot 28, Block 22A, Vista Granada Unit Two Replat B, City of El Paso, El Paso County, Texas from A-2/sc (Apartment/special contract) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Subject Property: South of Taffy Bagley Drive and West of George Dieter Drive. Applicant: Doniphon Property, L.P., ZON08-00083 (District 7).

**BACKGROUND / DISCUSSION:**

**PRIOR COUNCIL ACTION:**

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

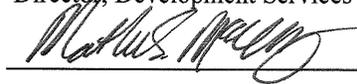
Development Coordinating Committee (DCC) – Unanimous Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation (7-0)

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

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

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

**DEPARTMENT HEAD:** Victor Q. Torres  
Director, Development Services



**APPROVED FOR AGENDA:**

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

**DATE:** \_\_\_\_\_

CITY CLERK DEPT.

08 DEC 15 AM 8:48

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

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 28, BLOCK 22A, VISTA GRANADA UNIT TWO REPLAT B, CITY OF EL PASO, EL PASO COUNTY TEXAS, FROM A-2/SC (APARTMENT/SPECIAL CONTRACT) 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 *a portion of Lot 28, Block 22A, Vista Granada Unit Two Replat B, 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 **A-2/sc (Apartment/special contract)** 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.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

**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  
Development Services Department

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

**ZON08-00083**



# Barragan & Associates

Exhibit "A"

Land Planning & Land Surveying

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax(915) 591-5706

## DESCRIPTION

**DESCRIPTION** of a parcel of land being a portion of Lot 28, Block 22A, Vista Granada Unit Two Replat "B", an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in volume 80, page 69, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

**COMMENCING** for reference at a found city monument located at the centerline intersection of Sabrina Lyn Drive and Taffy Bagley Drive, **THENCE**, S 90°00'00" E, along the centerline of Taffy Bagley Drive, a distance of 426.00 feet to a point; **THENCE**, S 00°00'00" E, a distance of 645.00 feet to a point for the common Westerly corner of Lots 25 and 28, Block 22A, Vista Granada Unit Two Replat "B", **THENCE**, S 00°00'00" E, along the Westerly line of said Lot 28, a distance of 72.00 feet to a set nail, said nail also being the **POINT OF BEGINNING** of this parcel;

**THENCE**, S 90°00'00" E, a distance of 571.95 feet to a found 1/2" rebar on the Westerly right-of-way line of George Dieter Drive for a corner of this parcel;

**THENCE**, along said Westerly right-of-way line of George Dieter Drive, 540.07 feet along the arc of a curve to the right, with a radius of 1260.00 feet, a tangent of 274.24 feet, an interior angle of 24°33'30", and whose chord bears S 17°30'26" W, a distance of 535.94 feet to a found 5/8" rebar for the common Easterly corner of Lot 17, Block 22, Vista Granada Unit Two, an addition to the City of El Paso, El Paso County Texas and said Lot 28 for a corner of this parcel;

**THENCE**, N 84°44'57" W, along the common line of said Lots 17 and 28, a distance of 145.53 feet to a set 5/8" rebar with cap stamped "B&A TX 5615" for a corner of this parcel;

**THENCE**, N 90°00'00" W, continuing along the common line of said Lots 17 and 28, a distance of 315.51 feet to a found nail for the common Westerly corner of Lots 17 and 28 and a corner of this parcel;

**THENCE**, N 15°10'56" E, along said Westerly line of Lot 28, a distance of 114.11 feet to a set nail for a corner of this parcel;

**THENCE**, N 06°52'00" E, continuing along said Westerly line of Lot 28, a distance of 165.81 feet to a set nail for a corner of this parcel;

**THENCE**, N 00°00'00" E, continuing along said Westerly line of Lot 28, a distance of 223.05 feet to the **POINT OF BEGINNING** of this parcel and containing in all 262,406 sq. ft. or 6.02 acres of land more or less.

### Notes:

1. Bearings recited herein are based on the filed plat for Vista Granada Unit Two Replat "B", filed under volume 80, page 69, Plat Records of El Paso County, Texas.
2. A plat of survey of even date accompanies this description.
3. This property may be subject to easements whether of record or not.
4. This description does not intent to be a subdivision process, for owner purposes only.

Benito Barragan R.P.L.S. 5615, August 4, 2008  
VISTA GRANADA UNIT TWO





**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**VICTOR Q. TORRES**  
DIRECTOR, DEVELOPMENT SERVICES

**MATHEW S. McELROY**  
DEPUTY DIRECTOR, PLANNING

**CITY COUNCIL**

ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
RACHEL QUINTANA, DISTRICT 5  
EDDIE HOLGUIN, JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**

**MEMORANDUM**

**DATE:** December 15, 2008  
**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager  
**FROM:** Andrew Salloum, Planner  
**SUBJECT:** **ZON08-00083**

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The City Plan Commission (CPC), on November 20, 2008, voted **7-0** to recommend **APPROVAL** of rezoning subject property from A-2/sc (Apartment/special contract) to C-1 (Commercial)

The CPC found that the rezoning is in conformance with The Plan for El Paso and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. 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 effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was **NO OPPOSITION** to this request.

**Attachment:** Staff report, zoning map, aerial map, and conceptual site plan.



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

**Case No:** ZON08-00083  
**Application Type:** Rezoning  
**CPC Hearing Date:** November 20, 2008  
**Staff Planner:** Andrew Salloum, 915-541-4027, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**Location:** South of Taffy Bagley Drive and West of George Dieter Drive  
**Legal Description:** A portion of Lot 28, Block 22A, Vista Granada Unit Two Replat B, City of El Paso, El Paso County, Texas

**Acreage:** 6.02 acres  
**Rep District:** 7  
**Existing Use:** Vacant  
**Request:** From A-2/sc (Apartment/special contract) to C-1 (Commercial)  
**Proposed Use:** Medical Office/Retail

**Property Owner:** Doniphan Property, L.P.  
**Applicant:** Doniphan Property, L.P.  
**Representative:** Eduardo Torres

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

**North:** A-2/sc/sp (Apartment/special contract/special permit), C-1/sc/sp (Commercial/special contract/special permit), C-1/sc (Commercial/special contract); Hospital

**South:** C-1 (Commercial), P-R II/sc (Planned Residential II/special contract); Restaurant

**East:** C-1 (Commercial), C-3 (Commercial); Vacant

**West:** P-R II/sc (Planned Residential II/special contract), P-R II (Planned Residential II); Duplex and Single-Family Dwellings.

**THE PLAN FOR EL PASO DESIGNATION:** Residential/Mixed Use (East Planning Area)

**NEAREST PARK:** Zaragoza Park (3,970 Feet)

**NEAREST SCHOOL:** James R. Vasquez Head Start (968 Feet)

### **NEIGHBORHOOD ASSOCIATIONS:**

East Side Civic Association

Las Palmas Neighborhood Association

### **NEIGHBORHOOD INPUT:**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on October 22, 2008. Planning Division did not receive any letters or phone calls in support or opposition of rezoning request.

### **APPLICATION DESCRIPTION:**

The applicant is requesting to rezone the subject property from A-2/sc (Apartment/special contract) to C-1 (Commercial) to allow for office medical/retail development. The property consists of 6.02 acres and is currently vacant. The proposed access is from **George Dieter Drive**. This rezoning request is associated with Special Contract Release case ZON08-00084.

**CASE HISTORY:**

On September 1, 1987, the subject property was rezoned from R-3 (Residential) to A-2 (Apartment) to permit development of duplexes and apartments uses. The following conditions were imposed on property by Ordinance No. 7903 dated November 8, 1983: a) no building permits will be issued for construction on Parcel 3 until 120 feet of right of way adjacent to Parcel 3 is dedicated and improved for Rojas Drive, b) no certificates of occupancy shall be issued by the City until all of the portion of George Dieter Drive as shown on Exhibit “D” that is presently owned by Pendale but not improved, has been dedicated and improved,

**DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION:**

The DCC recommends **APPROVAL** of rezoning property from A-2/sc (Apartment/special contract) to C-1 (Commercial).

**PLANNING DIVISION RECOMMENDATION:**

The Planning Division recommends **APPROVAL**. The rezoning request is compatible with the surrounding land uses and the 2025 projected land use.

**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 uses.
- b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city’s neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood’s residential character.

The purpose of the C-1 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood conveniences 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 Services Department - Building Permits and Inspections Division:**

Zoning Review:

Medical Office/Retail permitted on the proposed C-1 (Commercial) District. Insufficient data submitted to determine compliance with proposed district's yard, off-street parking and loading standards. Shall need to provide a six foot high masonry screening wall along the property line(s) abutting Planned Residential District.

Landscape Review:

No comments received.

**Development Services Department - Planning Division:**

Current Planning: Recommends **APPROVAL** of rezoning property from A-2/sc (Apartment/special contract) to C-1 (Commercial). The proposed rezoning is compatible to surrounding C-1 districts to the North, South and East and the projected land use map designates the property for residential and mixed use land use.

Land Development:

- ADA accessible Sidewalks, Wheel-chair ramps, and Driveways will be required.\*
- Grading plan and permit required.\*
- Storm Water Pollution Prevention plan and/or permit required.\*
- Drainage plans must be approved by the Development Services, Engineering Section.\*
- On-site ponding will be required for Development run-off, as per Engineering Department.\*
- Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Flood Zone X Panel **480214 045C**.

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

**Engineering Department - Traffic Division:**

No objections to proposed zoning change.

**Fire Department:**

No comments received.

**El Paso Water Utilities:**

EPWU does not object to this request.

**Parks:**

No comments received.

**Sun Metro:**

No comments received.

**School Districts:**

No comments received.

**CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning 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:**

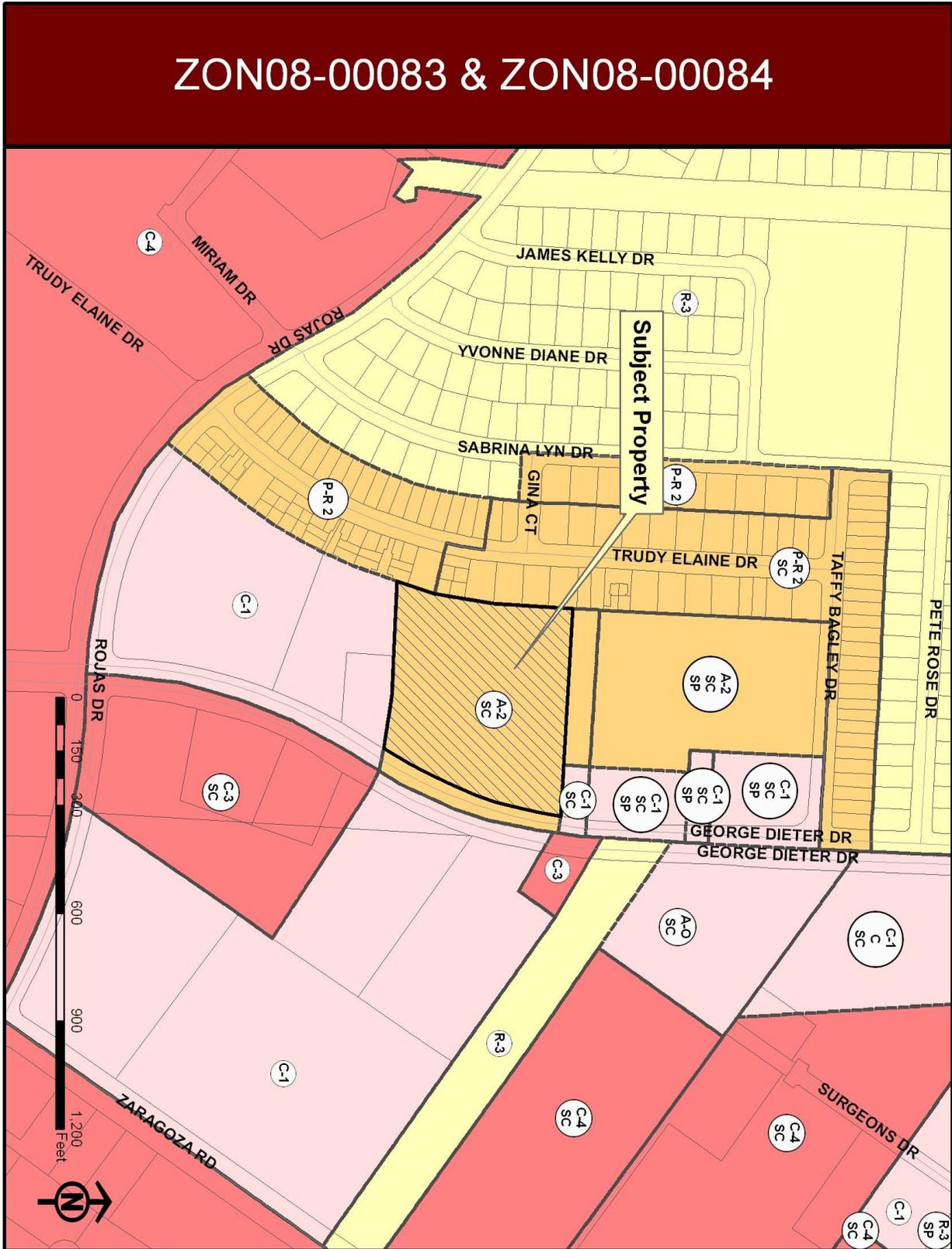
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

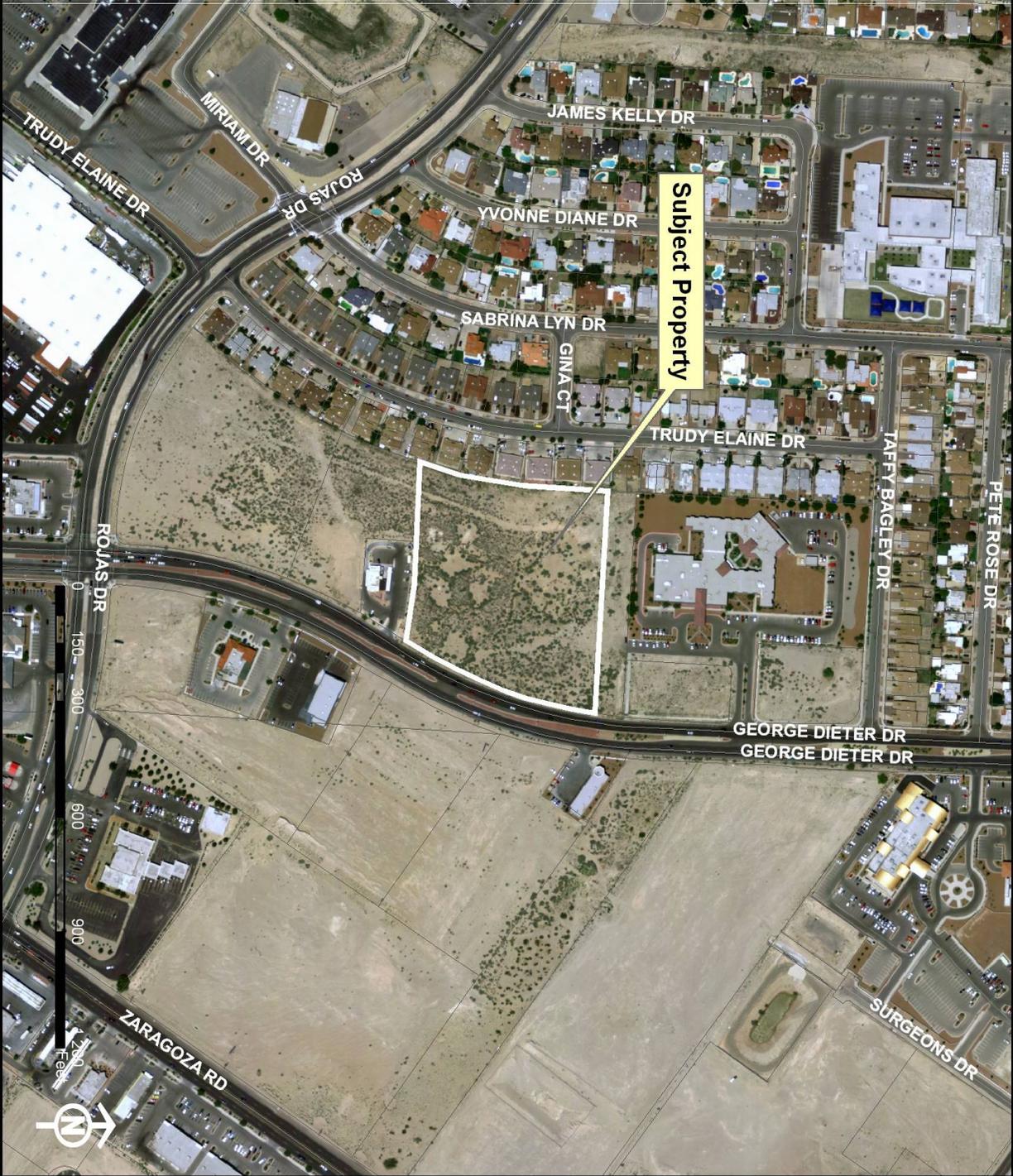
ATTACHMENT 1: ZONING MAP

ZON08-00083 & ZON08-00084



ATTACHMENT 2: AERIAL MAP

ZON08-00083 & ZON08-00084



# ATTACHMENT 3: CONCEPTUAL SITE PLAN

