

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: January 6, 2009
Public Hearing: January 27, 2009

CONTACT PERSON/PHONE: Andrew Salloum, 541-4027

DISTRICT(S) AFFECTED:

SUBJECT:

An Ordinance changing the zoning of lots 34 and 35, Save and Except that portion of Lot 35, Pendale Industrial Unit B, City of El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Yermoland Drive and East of Pendale Road. Applicant: Jose and Veronica Gallegos, ZON08-00092 (District 7).

BACKGROUND / DISCUSSION:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

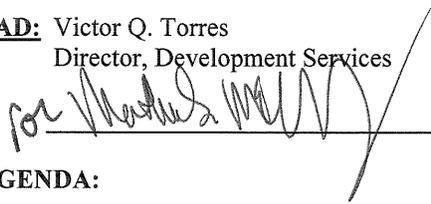
Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (7-0)

*****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.
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ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 34 AND 35, SAVE AND EXCEPT THAT PORTION OF LOT 35, PENDALE INDUSTRIAL UNIT B, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-4 (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 *Lots 34 and 35, Save and Except that portion of Lot 35, Pendale Industrial Unit 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 **P-I (Planned Industrial)** to **C-4 (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
Development Services Department

CITY CLERK DEPT.
08 DEC 29 PM 2:54

ORDINANCE NO. _____

ZON08-00092

Being Lots 34 and 35, Save and Except that portion of Lot 35,
Pendale Industrial Unit B,
City of El Paso, El Paso County, Texas
August 28, 2008

METES AND BOUNDS DESCRIPTION

Exhibit "A"

FIELD NOTE DESCRIPTION of Lots 34 and 35, Save and Except that portion of Lot 35, Pendale Industrial Unit B, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE located on a found iron rod at the common boundary line of Lots 34 and 35, same being the easterly right-of-way line of Pendale Road (90' R.O.W.), and being the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said common boundary line, along said easterly right-of-way line, North $15^{\circ}57'00''$ East, a distance of 80.00 feet to a found iron rod for corner,

THENCE, leaving said easterly right-of-way line, 31.42 feet along the arc of a curve to the right whose radius is 20.00 feet, whose interior angle is $90^{\circ}00'00''$, whose chord bearing is North $60^{\circ}57'00''$ East, a distance of 28.28 feet to a found iron rod for corner;

THENCE, South $74^{\circ}03'00''$ East, 392.56 feet to a set iron rod for corner;

THENCE, South $15^{\circ}57'00''$ West, 200.00 feet to a found iron rod for corner;

THENCE, North $74^{\circ}03'00''$ West, 40.29 feet to a found iron rod for corner;

THENCE, North $59^{\circ}00'51''$ West, a distance of 385.47 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 63,812.44 square feet or 1.4649 acres of land more or less.



Carlos M. Jiménez
Registered Professional Land Surveyor
Texas No. 3950

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
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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 17, 2008
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Andrew Salloum, Planner
SUBJECT: **ZON08-00092**

The City Plan Commission (CPC), on December 04, 2008, voted **7-0** to recommend **APPROVAL** of rezoning subject property from P-I (Planned Industrial) to C-4 (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: ZON08-00092
Application Type: Rezoning
CPC Hearing Date: December 04, 2008
Staff Planner: Andrew Salloum, 915-541-4027, salloumam@elpasotexas.gov

Location: South of Yermoland Drive and East of Pendale Road
Legal Description: Lots 34 and 35, Save and Except that portion of Lot 35, Pendale Industrial Unit B, City of El Paso, El Paso County, Texas

Acreage: 1.4649 Acres
Rep District: 7
Existing: Vacant
Request: From P-I (Planned Industrial) to C-4 (Commercial)
Proposed Use: Motor Vehicle Storage Yard

Property Owner: Jose and Veronica Gallegos
Applicant: Jose and Veronica Gallegos
Representative: Carlos M. Jimenez

SURROUNDING ZONING AND LAND USE

North: P-I (Planned Industrial); warehouse
South: C-4/sc (Commercial/special contract) & P-I (Planned Industrial); vacant
East: C-4 (Commercial) & P-I (Planned Industrial); construction yard
West: C-4/sc (Commercial/special contract); vacant

THE PLAN FOR EL PASO DESIGNATION: Industrial (Mission Valley Planning Area)
NEAREST PARK: Lomaland Park (4,335 Feet)
NEAREST SCHOOL: James R. Vasquez Head Start (4,115 Feet)

NEIGHBORHOOD ASSOCIATIONS:

None – there are no registered neighborhood associations in the area.

NEIGHBORHOOD INPUT:

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 06, 2008. Planning Division did not receive any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION:

The applicant is requesting to rezone property from P-I (Planned Industrial) to C-4 (Commercial) to allow for motor vehicle storage yard development. The property consists of a total of 1.4669 acres. This is an area in transition based on the surrounding zoning and is currently vacant. The proposed access is from **Yermoland Drive**.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION:

The DCC recommends **APPROVAL** of rezoning the subject property from P-I (Planned Industrial) to C-4 (Commercial).

PLANNING DIVISION RECOMMENDATION:

The Planning Division recommends **APPROVAL**. The rezoning request is compatible with the surrounding land uses. The predominant land use in the area is industrial, as will be the proposed 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.

The purpose of the C-4 (Commercial) district is to provide locations for the most intensive commercial uses intended to serve the entire City. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses and to accommodate major locations of commerce, service and employment activities.

Development Services Department - Building Permits and Inspections Division:

Zoning Review:

Motor Vehicle Storage Yard permitted on proposed C-4 (Commercial) District. Shall need to comply sec. 20.10.90 & 20.10.240 Zoning Ordinance Provisions.

Landscape Review:

No comments received

Development Services Department - Planning Division:

Current Planning: Recommends **APPROVAL** of rezoning the subject property from P-I (Planned Industrial) to C-4 (Commercial). The proposed rezoning is compatible with the surrounding C-4 zone districts to the South, West, and East and the projected land use map designates the property for industrial land use.

Land Development:

- ADA accessible sidewalks, Wheel-chair ramps and driveways will be required.*
- Grading plan and permit shall be required. *
- Storm Water Pollution Prevention Plan and/or permit be required.*
- Drainage plans must be approved by the Development Services Department, Engineering Section.*
- 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:

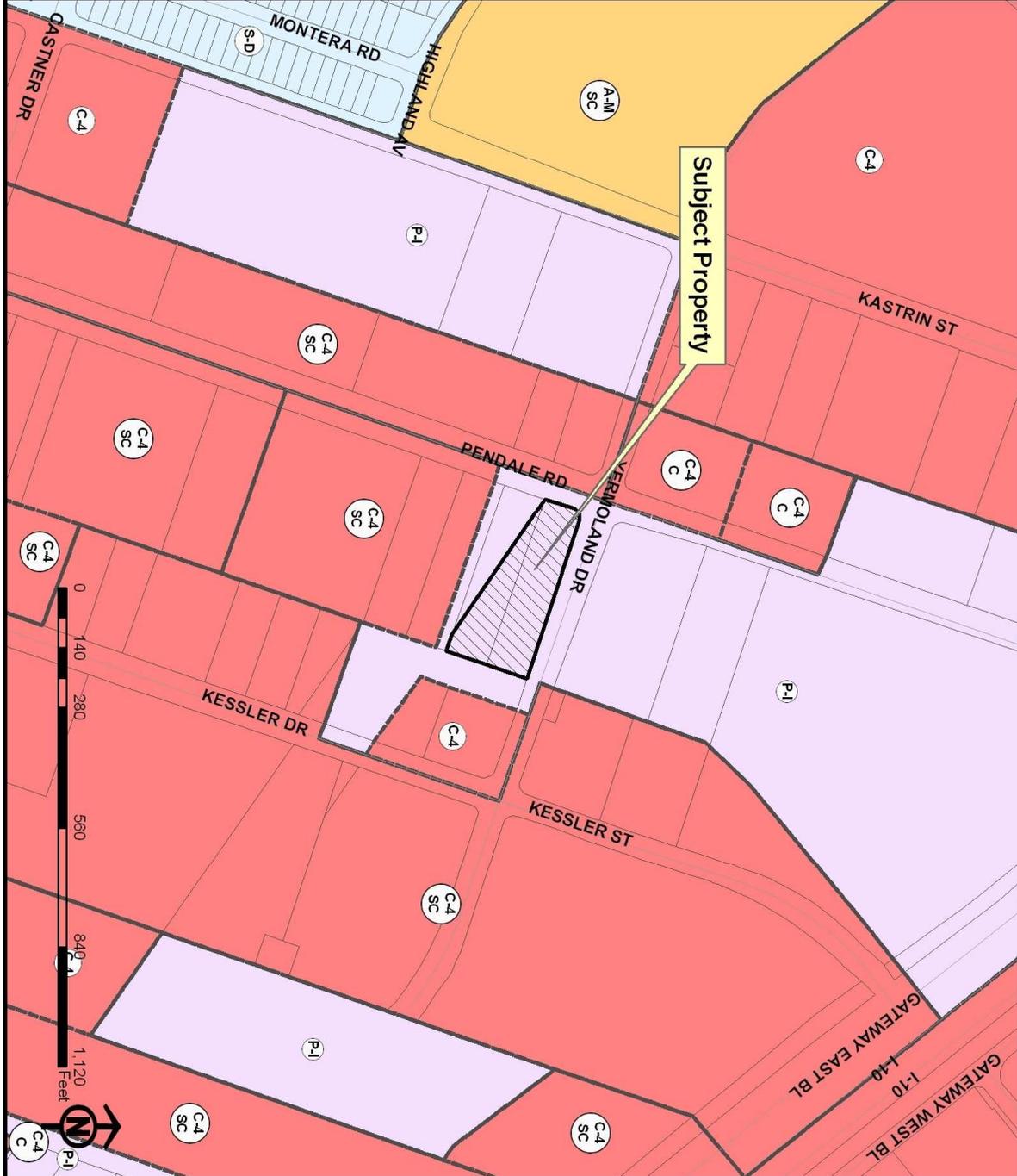
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

ZON08-00092



ATTACHMENT 2: AERIAL MAP

ZON08-00092



ATTACHMENT 3: CONCEPTUAL SITE PLAN

