

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: January 8, 2008
Public Hearing: January 29, 2008

CONTACT PERSON/PHONE: Ernesto Arriola, 541-4723

DISTRICT(S) AFFECTED: 8

SUBJECT:

AN ORDINANCE CHANGING THE ZONING OF LOT 14, BLOCK 63, EAST EL PASO, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO C-1 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

Applicant: Laura and Gary Monteleone. ZON07-00130 (District 8)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

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: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 14, BLOCK 63, EAST EL PASO, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) 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 14, Block 63, East El Paso, City of El Paso, El Paso County, Texas*, be changed from **R-5 (Residential)** 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 _____, 200_____.

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

Kelly Carpenter
Kelly Carpenter, AICP, Deputy Director
Development Services Department –
Planning Division

CITY CLERK DEPT
07DEC 31 PM 12:30

ORDINANCE NO. _____

Zoning Case No: ZON07-00130



**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

MEMORANDUM

DATE: December 31, 2007

TO: The Honorable Mayor and City Council
Joyce Wilson, City Manager

FROM: Ernesto Arriola, Planner

SUBJECT: ZON07-00130

The City Plan Commission (CPC), on December 6, 2007, recommended rezoning the subject property to C-1, concurring with Staff's recommendation.

The applicant requested a rezoning from R-5 (Residential) to C-1 (Commercial). There are no zoning conditions currently on this property.

The CPC found that this 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 this rezoning protects the best interest, health, safety and welfare of the public in general and that the proposed use is compatible with adjacent land uses.

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

Attachment: Staff Report



ZON07-00130

Application Type: Rezoning
Property Owners: Laura and Gary Monteleone
Representative: Same
Legal Description: Lot 14, Block 63, East El Paso, City of El Paso, El Paso County, Texas

Location: 3021 Gateway West

Representative District: 8

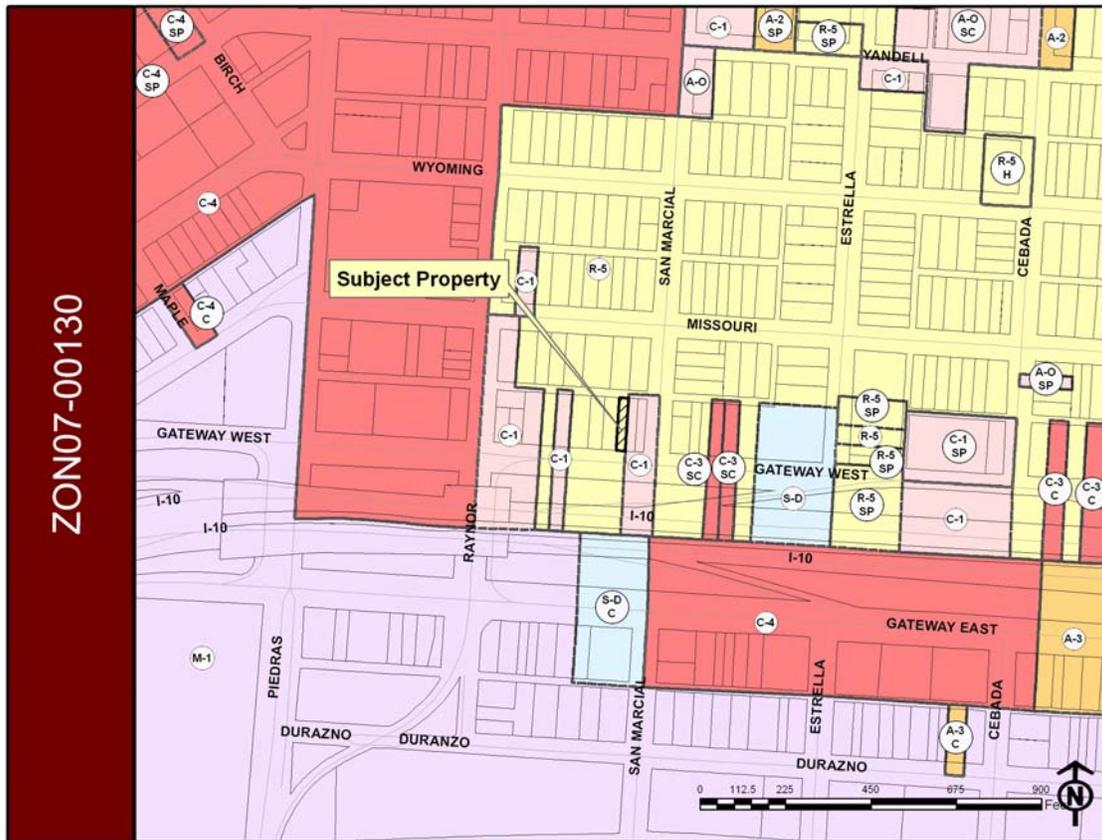
Area: 0.08 Acres

Present Zoning: R-5 (Residential) **Present Use:** Vacant Structure

Proposed Zoning: C-1 (Commercial)

Recognized Neighborhood Associations Contacted: Five Points Neighborhood Association, Presidential Neighborhood Association, Five Points Development Association

Public Response:
Surrounding Land Uses: **North:** R-5 (Residential) **South:** R-5 (Residential) **East:** C-1 (Commercial) **West:** R-5 (Residential)
Year 2025 Designation: **Commercial (Central)**



General Information:

The applicant is requesting a rezoning from R-5 (Residential) to C-1 (Commercial) in order to permit expansion of a restaurant. The property is 0.08 acres in size and is currently a vacant house. The Conceptual site plan shows an existing building, a patio area, and parking to be located on the site. Access is proposed via Gateway West. There are no zoning conditions currently imposed on this property.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **approval** of this request for rezoning from R-5 (Residential) to C-1 (Commercial)

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”
- **The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for **commercial** land uses.
- **C-1 (Commercial) zoning** permits a restaurant expansion and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will the zoning protect the best interest, health, safety and welfare of the public in general?
2. Will restaurant expansion be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city’s Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division:

Zoning Review: Restaurant permitted on proposed C-1 Commercial District

Development Services Department - Planning Division:

Current Planning: Recommends approval

Land Development Review

No comments received

Engineering Department - Traffic Division:

No comments received

Texas Department of Transportation (TxDOT):

Before this project moves to construction stage, If any new driveways are necessary or if there's work to be done on state ROW. The applicant will need to coordinate this with TxDOT.

Submission of plan/site drawing showing requested driveway.

Fire Department:

No comments received.

El Paso Water Utilities:

EPWU does not object to this request.

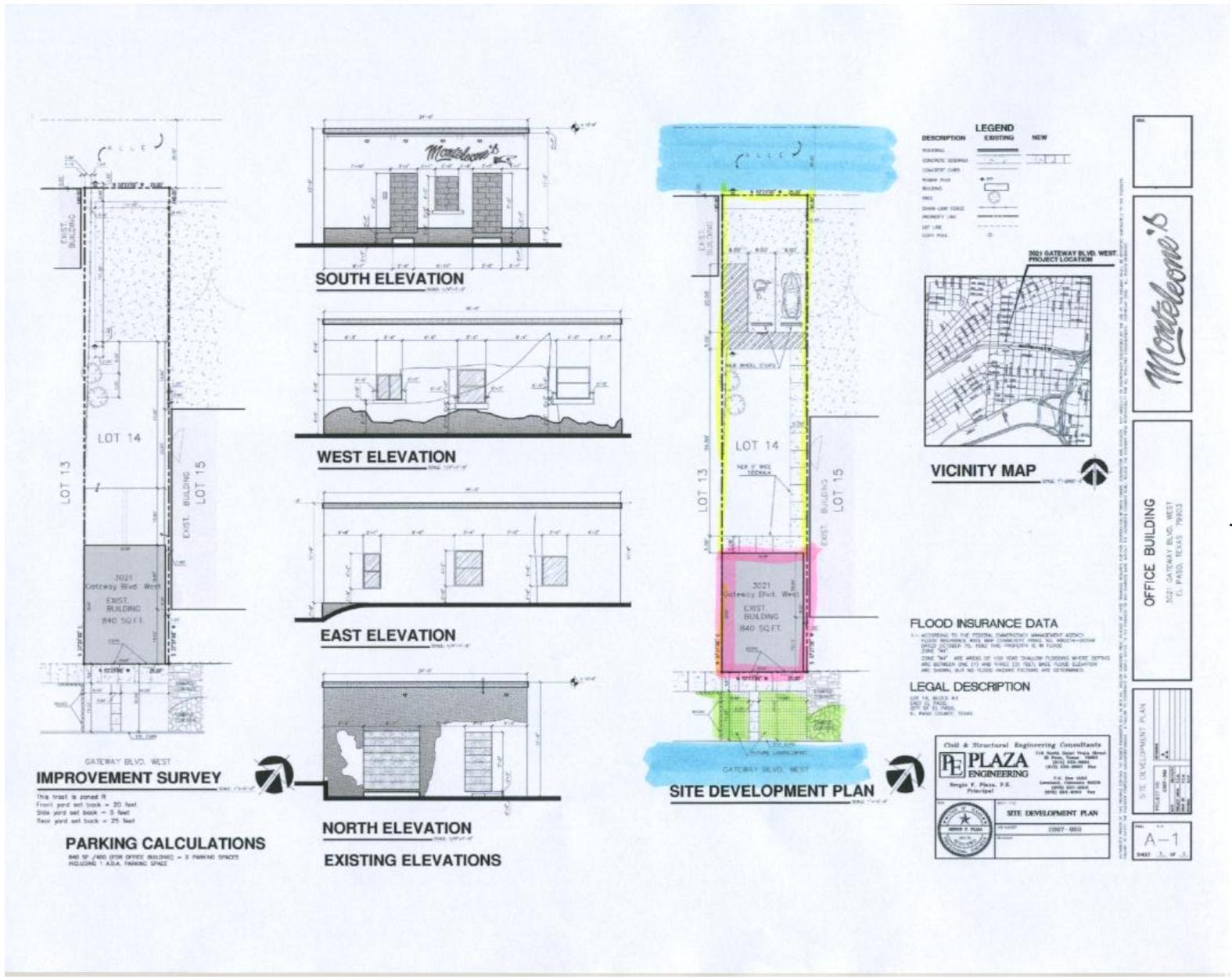
Arial



List of Attachments:

Attachment 1: Conceptual Site Development Plan

Attachment 2: Application



Attachment 1 : Conceptual Site Plan

Attachment 2: Application



REZONING APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

City of El Paso, Texas
2 Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

CITY CLERK DEPT
OCT 21 11 AM '07

1. CONTACT INFORMATION

PROPERTY OWNER(S): Laura & Gary Monteleone
ADDRESS: _____ ZIP CODE: _____ PHONE: _____
E-MAIL ADDRESS: _____ @.net FAX: _____
REPRESENTATIVE(S): SAME
ADDRESS: _____ ZIP CODE: _____ PHONE: _____
E-MAIL ADDRESS: _____ FAX: _____

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: E01499906304600
LEGAL DESCRIPTION: 63 EAST EL PASO LOT 1A
STREET ADDRESS OR LOCATION: 3021 GATEWAY WEST REP DISTRICT: 8
ACREAGE: .0803 PRESENT ZONING: R-5 PRESENT LAND USE: HOME/VACANT
PROPOSED ZONING: C-1 PROPOSED LAND USE: RESTAURANT EXPANSION

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
LEGAL DESCRIPTION: _____
STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
PROPOSED ZONING: _____ PROPOSED LAND USE: _____

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
LEGAL DESCRIPTION: _____
STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
PROPOSED ZONING: _____ PROPOSED LAND USE: _____

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
Printed Name: Laura Monteleone Signature: [Signature]
Printed Name: Gary Monteleone Signature: [Signature]
Printed Name: _____ Signature: _____

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

****OFFICE USE ONLY****
ZON 07-00130 RECEIVED DATE 10/9/07 APPLICATION FEE \$ 750.00
DCC REVIEW DATE: 10/31/07 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 12/6/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: [Signature]

Revised 9/2006