

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

**DEPARTMENT:** Development Services / Planning Division  
**AGENDA DATE:** Introduction 02/06/07; Public Hearing 02/27/07  
**CONTACT PERSON/PHONE:** Esther Guerrero, Planner – 541-4720  
**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance changing the zoning of Lots 1 - 3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas from A-3 (Apartment) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code.

Subject Property: 3301 Pera Avenue. Applicant: City of El Paso, ZON06-00150 (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) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

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

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

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

**DEPARTMENT HEAD:** Alan Shubert

**APPROVED FOR AGENDA:**

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

**AN ORDINANCE CHANGING THE ZONING OF LOTS 1 - 3, BLOCK 12, EAST EL PASO SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) TO A-O (APARTMENT/OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 1 - 3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas*, be changed from **A-3 (Apartment)** to **A-O (Apartment/Office)**, 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 \_\_\_\_\_, 2007.**

**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

\_\_\_\_\_  
*Kimberly Forsyth*  
Kimberly Forsyth, Senior Planner  
Development Services Department



**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**KELLY CARPENTER**  
DEPUTY DIRECTOR, PLANNING

**CITY COUNCIL**

ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

January 29, 2007

**TO:** The Honorable Mayor and City Council  
Ms. Joyce A. Wilson

**FROM:** Esther Guerrero, Planner

**SUBJECT: ZON06-00150**

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The City Plan Commission (CPC), on December 7, 2006, voted **(6-0)** to recommend **approval** of the rezoning from A-3 (Apartment) to A-O (Apartment/Office) for a proposed dental clinic, concurring with staff's recommendation.

The property is currently the Rawlings Health Clinic which is vacant and the City of El Paso is proposing the new construction of a dental clinic.

A related special permit (ZON06-00151) for this property will be heard with this rezoning request. The special permit request if approved will allow a 67% parking reduction. The proposed dental clinic requires 18 parking spaces but will provide only 6 parking spaces on site.

The CPC found that this rezoning request 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, which designates the subject property for residential land uses. The CPC also determined that the rezoning request 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 effects of the rezoning will have no effects 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 in opposition to this application.

**STAFF REPORT**

**Rezoning Case:** ZON06-00150

**Property Owner(s):** City of El Paso

**Representative(s):** Javier Reyes, City Engineering Department

**Legal Description:** Lots 1 to 3, Block 12, East El Paso Subdivision, City of El Paso, El Paso County, Texas

**Location:** 3301 Pera Avenue

**Representative District:** # 8

**Area:** 0.24 Acres

**Present Zoning:** A-3 (Apartment)

**Present Use:** Health Clinic

**Proposed Zoning:** A-O (Apartment/Office)

**Proposed Use:** Dental Clinic

**Recognized Neighborhood Associations Contacted:** A Presidential Neighborhood Association  
Alameda Business Association  
Estrella Neighborhood Association  
Chamizal Neighborhood Association

**Surrounding Land Uses:**

<b>North -</b>	C-4 (Commercial) / Apartments
<b>South -</b>	A-3 (Apartment) / Single-family Residential
<b>East -</b>	A-3 (Apartment) / Apartments
<b>West-</b>	A-3 (Apartment) / Single-family Residential

**Year 2025 Designation:** Residential (Central Planning Area)

**CITY PLAN COMMISSION HEARING, DECEMBER 7, 2006,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2<sup>nd</sup> FLOOR, CITY HALL**

**REZONING APPLICATION: ZON06-00150**

**GENERAL INFORMATION:**

The applicant is requesting a rezoning from A-3 (Apartment) to A-O (Apartment/Office) in order to permit a dental clinic. The property totals 0.24 acres in size and is currently the Rawlings Health Clinic which is vacant. The site plan shows the construction of a new dental clinic that will include 6 parking spaces on site with access from the alley to the rear (west) of this property.

There are no zoning conditions currently imposed on this property. A related special permit request for a parking reduction will also be considered for this property. (See ZON06-00151)

**INFORMATION TO THE COMMISSION:**

The Development Services Department – Planning Division has received no calls or letters in support or opposition to this application.

**STAFF RECOMMENDATION:**

The Development Coordinating Committee (DCC) unanimously recommends **approval** of this request for rezoning request.

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “develop a balanced and complete community which contains a mix of land uses”; provide designated locations for commercial and office 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 Residential land uses.

A-O (Apartment/Office) zoning permits a dental clinic and **is** compatible with adjacent development.

The Commission must determine the following:

1. Will the rezoning protect the best interest, health, safety and welfare of the public in general?
2. Will the rezoning 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?

**INFORMATION TO THE APPLICANT:**

**Development Services Department - Planning Division Notes:**

- A. The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property as Residential.

- B. A-O (Apartment/Office) zoning will allow a dental clinic and **is** compatible with surrounding land uses.
- C. A special permit for a parking reduction will be required to satisfy additional parking needed for this site.

**Development Services Department - Building Permits Division Notes:**

**Zoning Review:**

Dental clinic permitted on proposed A-O Apartment/Office district. Project meets minimum setback and development standards. Project requires 18 on-site parking spaces, with only six being provided.

**Landscape Review:**

Landscape required for this project, no calculations provided.

**Development Services Department - Subdivision Plan Review Notes:**

No objections.

**Engineering Department - Traffic Division Notes:**

No major traffic concerns with the proposed zoning change.

**Fire Department Notes:**

No comments received.

**El Paso Water Utilities Notes:**

**Water**

- A. There is an existing 8-inch diameter water main along Pera Avenue.
- B. Also, there is an existing 4-inch diameter water main along the alley located behind the subject property.
- C. EPWU records indicate that the subject property has an active 1½-inch water meter connection from the above described 4-inch water main.

**Sewer**

- A. There is an existing 18-inch diameter sanitary sewer main located along Cebada Street. No direct service connections are allowed from this main as per the El Paso Water Utilities Public Service Board Rules and Regulations.
- B. There is an existing 8-inch diameter sewer main along the alley located behind the subject property

**General**

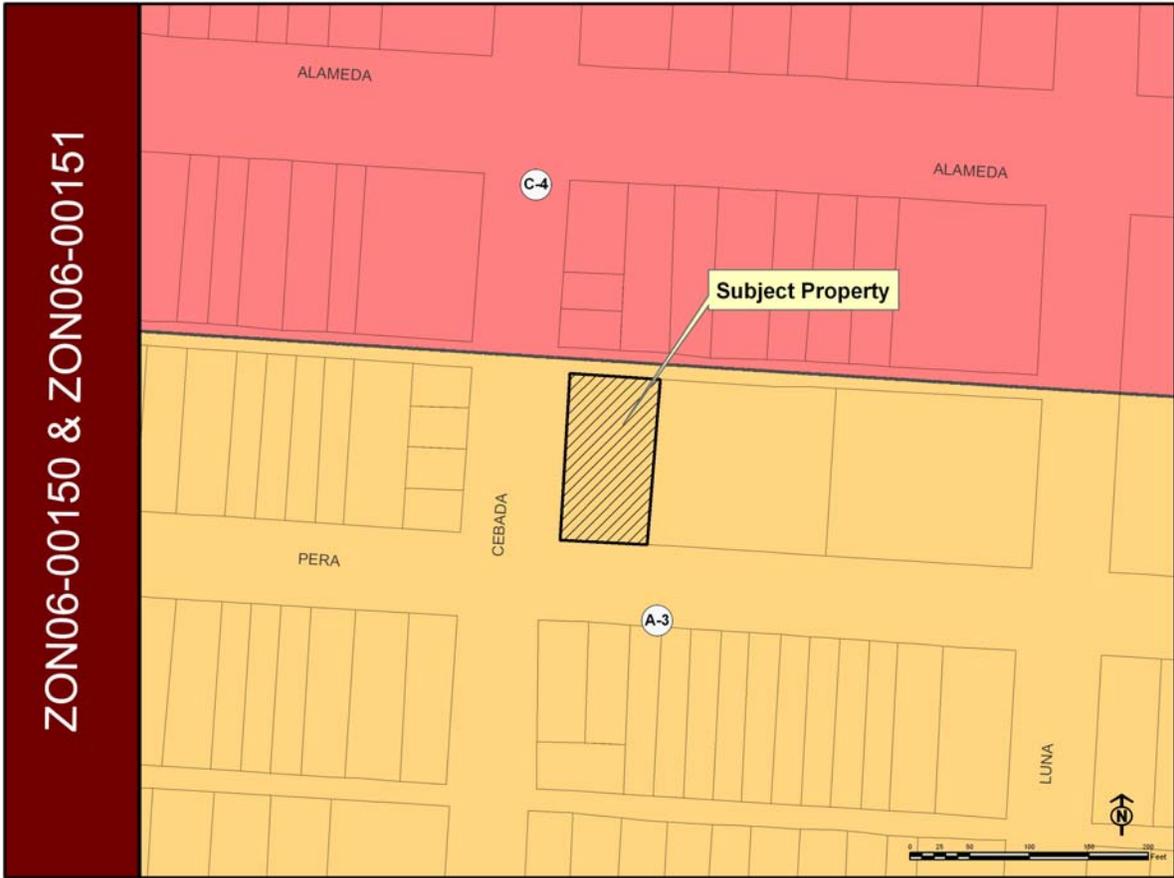
- A. A privately-owned water pressure regulating device and a backflow prevention device are required at the discharge side of each water meter. The property Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating and backflow prevention devices.
- B. A new service application for additional water/sewer service connections is required. New

service installation applications are received at 1154 Hawkins, 3<sup>rd</sup> Floor. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application.

EPWU does not object to this request.

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION (915) 541-4056.

# LOCATION MAP



AERIAL

ZON06-00150 & ZON06-00151



