

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: January 17, 2012
Public Hearing: February 7, 2012

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 1

SUBJECT:

An ordinance changing the zoning of a portion of Tract 20-C, J.L. Johannsen Survey No. 185, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-4 (Commercial). The penalty is as provided for in chapter 20.24 of the El Paso City Code. Subject Property: 6010 Doniphan Drive. Applicant: Warren M. and Theresa F. Pulner. PZRZ11-00054 (**District 1**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

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

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 20-C, J.L. JOHANNSEN SURVEY NO. 185, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) 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 *a portion of Tract 20-C, J.L. Johannsen Survey No. 185, 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 **R-3 (RESIDENTIAL) 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 _____, 2012.

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

Prepared For: Pulner Warren M & Theresa F
JOHANNSEN SURVEY 185 ABST 2789 TR 20-C
City of El Paso, El Paso County, Texas
November 01, 2011
W.O. 090911-2

METES AND BOUNDS DESCRIPTION

Description of a parcel of land 0.0574 acre Parcel being A portion of Tract 20-C, Of J. L. JOHANNSEN SURVEY No.185, A Subdivision in El Paso, Texas as recorded in Volume 630, Page 259, Plat Records, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows to wit:

Commencing at an iron rod located on the Easterly Right of Way line of U.S. Highway No. 80, and said iron rod marks the Southwesterly corner of said Tract 20 and the Northwesterly corner of Tract 19, All in said JOHANNSEN SURVEY No. 185. Thence leaving Northwest corner of Tract 19, North 18°19'00" West a distance of 100.00 feet to a set point, said point being the "True Point of Beginning";

Thence North 18°19'00" West a distance of 100.00 feet to a set point;

Thence North 71°41'00" East a distance of 250.00 feet to a set point;

Thence South 18°19'00" East a distance of 100.00 feet to a set point;

Thence South 71°41'00" West a distance of 250.00 feet to a set point, and back to the "True Point of Beginning," containing in all 24,999.08 square feet or 0.0574 acres of land more or less.


BRADLEY ROE, R.P.L.S. 2449
Roe Engineering, L.C.
(Not a Ground Survey)





NO SCALE

DONIPHAN DRIVE

(TEXAS STATE HIGHWAY 20)

100.00'

N18°19'00"W

00'00.1
M.00,6LBIN

TRUE POINT OF BEGINNING

FOUND ROD IRON

TRACT 20B3

(R-3)

N71°41'00"E

250.00'

TRACT 20-C

S71°41'00"W

250.00'

100.00'

S18°19'00"E

TRACT 20B

(R-3)

(R-3)

TRACT 20B

SCALE

HOR: N/A VER: N/A
FILE NAME: 6010 DONIPHAN
W.O. 090911-2
DATE: NOVEMBER 2, 2011
DRAWN BY: J.Z.

A PARCEL OF LAND IN TRACT 20-C
J.L. JOHANNSEN SURVEY
185 ABST 2789 TR 20-C, IN
CITY OF EL PASO,
EL PASO COUNTY, TEXAS

PREPARED FOR:
WARREN M. PULNER

Doniphan Roe Engineering, L.C.

601 N. Cotton St. Suite No. 6 El Paso, Tx, 79902
(915) 533-1418 - FAX: (915) 533-4972
EMAIL: roeeng@swbell.net

ENGINEERING/LAND DEVELOPMENT/PLANNING/SURVEYING

MEMORANDUM

DATE: January 9, 2012

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

FROM: Andrew Salloum, Planner

SUBJECT: PZRZ11-00054

The City Plan Commission (CPC), on December 15, 2011, voted 5-0 to recommend **approval** of rezoning the subject property from R-3 (Residential) to C-4 (Commercial).

The CPC found that the rezoning is in conformance with the Plan for El Paso. 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 negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There is no opposition to this request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00054
Application Type: Rezoning
CPC Hearing Date: December 15, 2011
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 6010 Doniphan Drive
Legal Description: A portion of Tract 20-C, J.L. Johannsen Survey No. 185, City of El Paso, El Paso County, Texas
Acreage: 0.574- acre
Rep District: 1
Zoning: R-3 (Residential)
Existing Use: Vacant
Request: From R-3 (Residential) to C-4 (Commercial)
Proposed Use: Farm Supply Store, Heavy Equipment Sales, Storage and Repair, General Warehouse, and Contractor's Yard

Property Owners Warren M. and Theresa F. Pulner
Applicant Warren M. and Theresa F. Pulner
Representative Roe Engineering, LC

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Wholesales
South: R-3 (Residential) / Self-storage facility
East: R-3 (Residential) / Self-storage facility
West: P-I/sc (Planned Industrial/special contract) / General warehouse

THE PLAN FOR EL PASO DESIGNATION: Commercial (Northwest Plan Area)

NEAREST PARK: Ruby Coates Park (3,756 feet)

NEAREST SCHOOL: Herrera Elementary (4,215 feet)

NEIGHBORHOOD ASSOCIATIONS

Save the Valley
Coronado Neighborhood Association
Upper Area Hills Neighborhood Association
Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 30, 2011. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

CASE HISTORY

On May 12, 1987, City Council approved an annexation agreement which incorporated subject property into the city with a base zone of R-3 (Residential). The owner of the subject property registered this property as non-conforming for manufacturing use after the annexation agreement. The registered non-conforming use was lost when the non-conforming use stopped for over 120 days as per City Code. There are other properties adjacent to subject property registered as non-conforming uses.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the property from R-3 (Residential) to C-4 (Commercial) to allow for a farm supply store, heavy equipment sales, storage and repair, general warehouse, and contractor's yard. The proposed access is from Doniphan Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to C-4 (Commercial). The rezoning request is compatible to the 2025 Projected Land Use Map, and compliments existing land uses, and the Doniphan corridor in this area has transitioned to commercial uses.

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-4 (Commercial) district is to provide for 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 Coordinating Committee Review

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

Engineering & Construction Management Services Department – Plan Review

No objections to zone change.

Engineering & Construction Management Service Department - 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. Coordination with TXDOT. 6. No water runoff allowed outside the proposed development boundaries, (On-site ponding required). 7. The property is within Flood Zone C, "Areas of minimal flooding"- Panel # 480214 0021D, date January 03 1997.

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

Department of Transportation

Department of Transportation does not object to the proposed rezoning request.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with the current City of El Paso Design Standards for Construction and shall be ADA/TAS compliant.

El Paso Water Utilities

We have reviewed the rezoning referenced above and provide the following comments:

1. EPWU does not object to this request.

EPWU-PSB Comments

Water

2. There is an existing 60-inch diameter water main that extends along Doniphan Drive fronting the western boundary of the subject property (6010 Doniphan Drive). No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

3. There is an existing 16-inch diameter water main that extends along Doniphan Drive fronting the western boundary of the subject property (6010 Doniphan Drive).

4. EPWU records indicate an active ¾-inch water meter at the subject property. The service address for this meter is 6010 Doniphan Drive.

Sanitary Sewer:

5. There is an existing 21-inch diameter sanitary sewer main that extends along Doniphan Drive fronting the western boundary of the subject property (6010 Doniphan Drive).

General:

6. Application for new water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. 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.

Fire Department

No comments received.

Sun Metro

Sun Metro does not oppose this request. Recommends the construction of sidewalk to permit pedestrian access to mass transit opportunities.

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 in the Plan by the CPC.

Attachments:

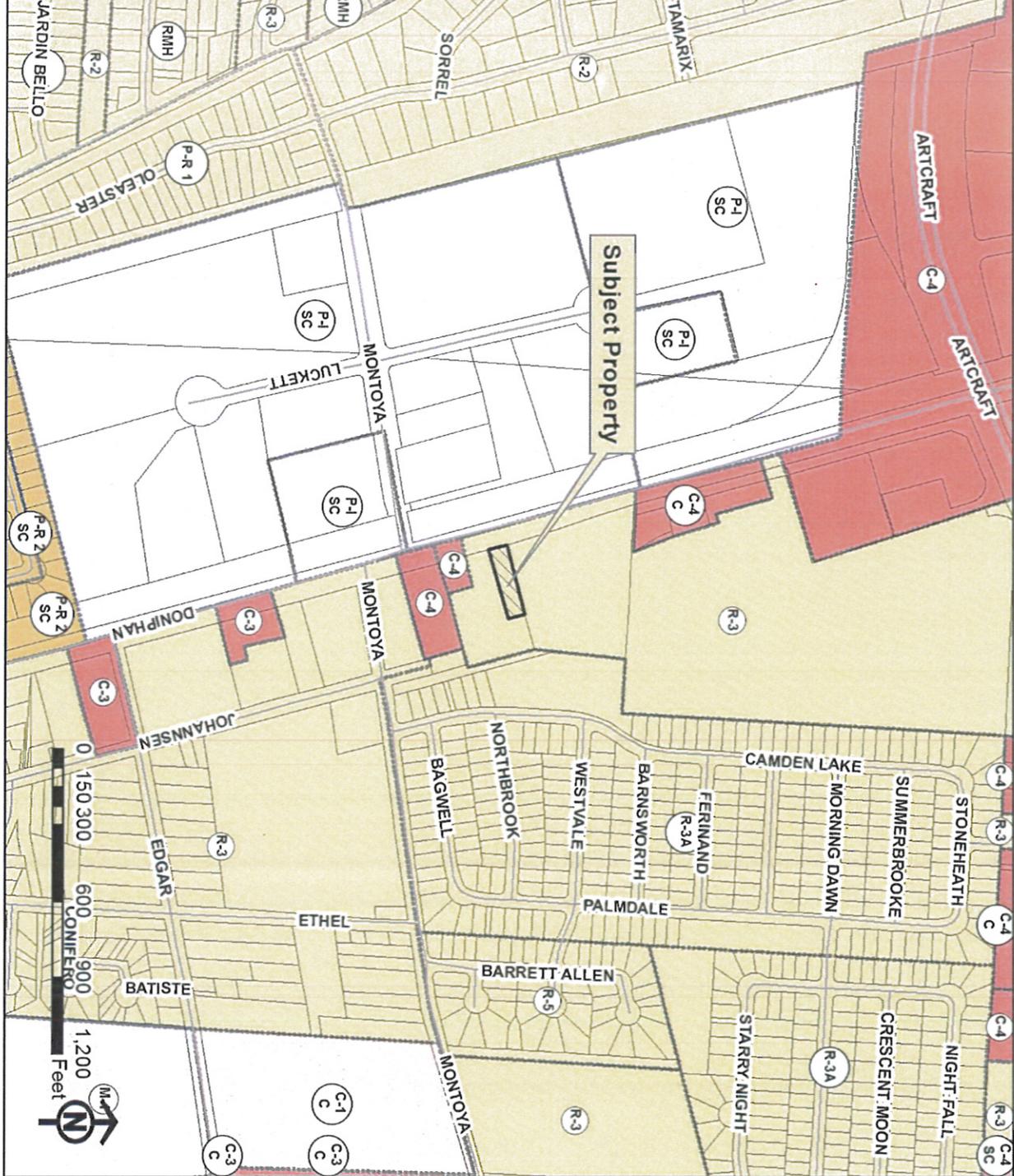
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

PZRZ11-00054



ATTACHMENT 2: AERIAL MAP

PZRZ11-00054



