

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: March 2, 2010
Public Hearing: March 23, 2010

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4029, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance changing the zoning of Lots 17-20, Block 121, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-2 (Apartment) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3830 Johnson Avenue. Applicant: TVP Non-Profit Corporation. ZON09-00090 (**District 2**).

BACKGROUND / DISCUSSION:

N/A

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 (4-3)

*****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: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 17 – 20, BLOCK 121, AMENDED MAP OF MORNINGSIDE HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-2 (APARTMENT) AND IMPOSING CONDITIONS. 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 17 – 20, Block 121, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas*, be changed from **R-5 (Residential)** to **A-2 (Apartment)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

The alley and parking area shall be paved to city standards.

PASSED AND APPROVED this _____ day of _____, 2010.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Matthew S. McElroy,
Deputy Director - Planning
Development Services Department

MEMORANDUM

DATE: February 19, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00090

The City Plan Commission (CPC), on January 28, 2010, voted **4-3** to recommend **APPROVAL** of rezoning subject property from R-5 (Residential) to A-2 (Apartment) with a condition that the alley and parking area shall be paved to city standards.

The CPC found that the rezoning is in conformance with The Plan for El Paso and with the projected land use in the Central Planning Area. 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 were 3 phone calls in **OPPOSITION** to this request.

Attachment: Staff report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00090
Application Type: Rezoning
CPC Hearing Date: January 28, 2010
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: 3830 Johnson Aveune
Legal Description: Lots 17 - 20 Block 121, Amended Map of Morningside Heights Addition, City of El Paso, El Paso County, Texas

Acreage: 0.28-acre
Rep District: 2
Existing Use: Residence/Vacant
Request: R-5 (Residential) to A-2 (Apartment)
Proposed Use: Quadraplex

Property Owner: Veronica S. Jarosz
Applicant: David Gillooly, TVP Non-Profit Corporation
Representative: Wright & Dalbin Architects, Inc

SURROUNDING ZONING AND LAND USE

North: R-5 (Residential) / Multi-Family Residential
South: A-2 (Apartment) / Multi-Family Residential
East: A-2 (Apartment) / Multi-Family Residential
West: R-5 (Residential) / Single-Family Residential

THE PLAN FOR EL PASO DESIGNATION: Residential (Central Planning Area)

Nearest Park: Logan Park (2,855 Feet)

Nearest School: Travis Elementary (590 Feet)

NEIGHBORHOOD ASSOCIATIONS

Central Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 12, 2010. The Planning Division has received 3 phone calls in opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone from R-5 (Residential) to A-2 (Apartment) in order to permit a quadraplex. The site plan shows a 4,996 square-foot quadraplex. Access to the site will be from the alley. The applicant has submitted an application ZON09-00075 special permit for setback and lot size reduction.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from R-5 (Residential) to A-2 (Apartment) with the following conditions:

The alley and parking area shall be paved to city standards.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **APPROVAL** of rezoning the property from R-5 (Residential) to A-2 (Apartment).

The Plan for El Paso-City-Wide Land Use Goals

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.

The purpose of A-2 (Apartment) districts is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

Development Services Department - Building Permits and Inspections Division

Zoning: no objections.

Landscaping: Landscape is not required for this project under 18.46.060

Development Services Department - Planning Division

The Planning Division recommends **APPROVAL** of rezoning the property from R-5 (Residential) to A-2 (Apartment) with the following conditions:

The alley and parking area shall be paved to city standards

Land Development: no comments received.

Engineering Department - Traffic Division

Traffic Division recommends denial of the proposed design unless the applicant paves the alley and the proposed parking area to City standards.

Fire Department

No objections.

El Paso Water Utilities

EPWU does not object to this request.

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:

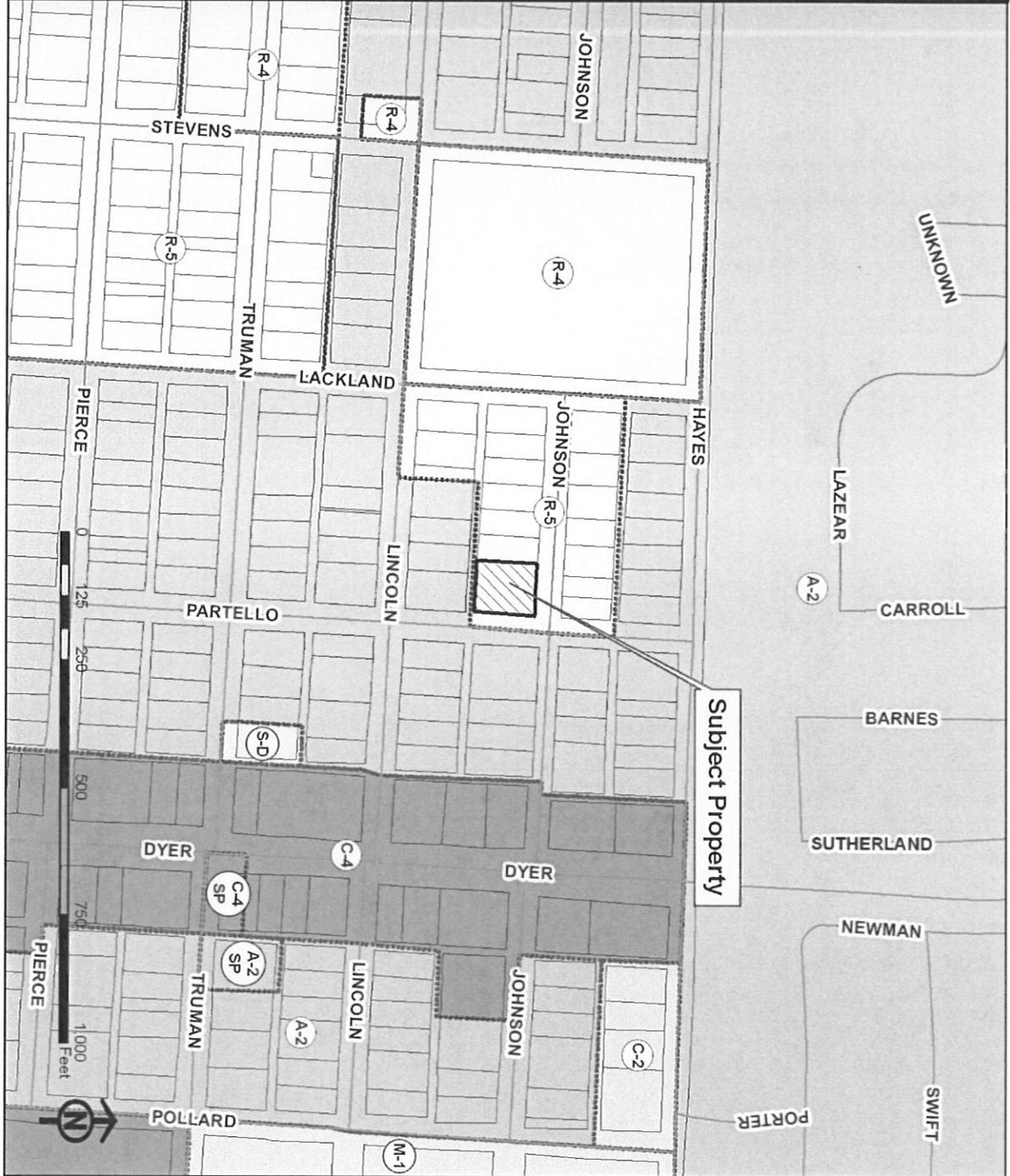
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

ZON09-00090



ATTACHMENT 2: AERIAL MAP

ZON09-00090



ATTACHMENT 3: CONCEPTUAL SITE PLAN

