

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: March 4, 2008  
Public Hearing: March 25, 2008

**CONTACT PERSON/PHONE:** Arturo Rubio, 541-4633

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance changing the zoning of Tract 70, S.A. & M.G. Railroad Company Survey No. 267, City of El Paso, El Paso County, Texas from R-4 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 161 Miranda Court. Applicant: E. Peinado Development Co. ZON07-00158 (District 1).

**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 (6-0)

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

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

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

**DEPARTMENT HEAD:** Pat D. Adatao, Deputy City Manager  
Development & Infrastructure Services

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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

AN ORDINANCE CHANGING THE ZONING OF TRACT 70, S.A. & M.G. RAILROAD COMPANY SURVEY NO. 267, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (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 *Tract 70, S.A. & M.G. Railroad Company Survey No. 267, City of El Paso, El Paso County, Texas*, be changed from **R-4 (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 \_\_\_\_\_, 2008.

THE CITY OF EL PASO

ATTEST:

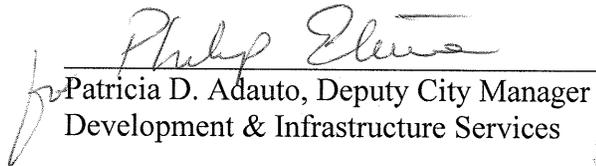
\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

  
\_\_\_\_\_  
Patricia D. Aduato, Deputy City Manager  
Development & Infrastructure Services

CITY CLERK DEPT.  
09 FEB 25 AM 10:22

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

Zoning Case No: ZON07-00158



**CITY COUNCIL**

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

**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**PAT D. ADAUTO**  
DIRECTOR, DEVELOPMENT SERVICES

**PAT D. ADAUTO**  
DEPUTY DIRECTOR, PLANNING

**DEVELOPMENT SERVICES  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** February 22, 2008  
**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager  
**FROM:** Arturo Rubio, Planner  
**SUBJECT:** **ZON07-00158**

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The City Plan Commission (CPC), on January 31, 2008, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from R-4 (Residential) to C-1 (Commercial):

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, 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.

Applicant originally submitted a request to rezone to C-3 (Commercial). Planning staff recommended denial of a C-3 (Commercial). Planning Staff and DCC recommended approval of C-1 (Commercial). The C-1 (Commercial) district is the lowest commercial intensity and would accommodate applicant's request for development. Planning Staff and DCC recommended C-1 to minimize impact to abutting residential districts.

There were no letters of support or opposition to this request.

**Attachment:** Staff Report



**General Information:**

The applicant is requesting a rezoning from R-4 (Residential) to C-1 (Commercial). The property is 0.708 acres and is currently vacant. The non-binding conceptual site plan shows storage units. The primary access to the site is via Miranda Court and there are no conditions on the property.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **Denial** of C-3 (Commercial) and recommended **Approval** of C-1 (Commercial).

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends 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 North West Planning Area designates this property for **Residential and Commercial** land use.
- **C-1 zoning** permits commercial development and **is compatible** with adjacent commercial development to the South and less impactfull on abutting residential districts.

**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 commercial development 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: Self storage warehouses permitted in C-1 (Commercial) district. Insufficient data submitted to determine compliance with parking requirements. Applicant will be required a 10 foot side set-back and a six foot high screening wall abutting residential districts.

Landscape Review: No comments received.

**Development Services Department - Planning Division:**

Current Planning: Recommends approval of C-1 (Commercial). Request is compatible to commercial land use to the South of subject property.

Land Development: No Comments Received

**Engineering Department - Traffic Division:**

No apparent traffic concerns with the proposed zoning change.

**Fire Department**

No comments received.

**El Paso Water Utilities:**

EPWU does not object to this request.

**Parks & Recreation Department:**

No comments received.

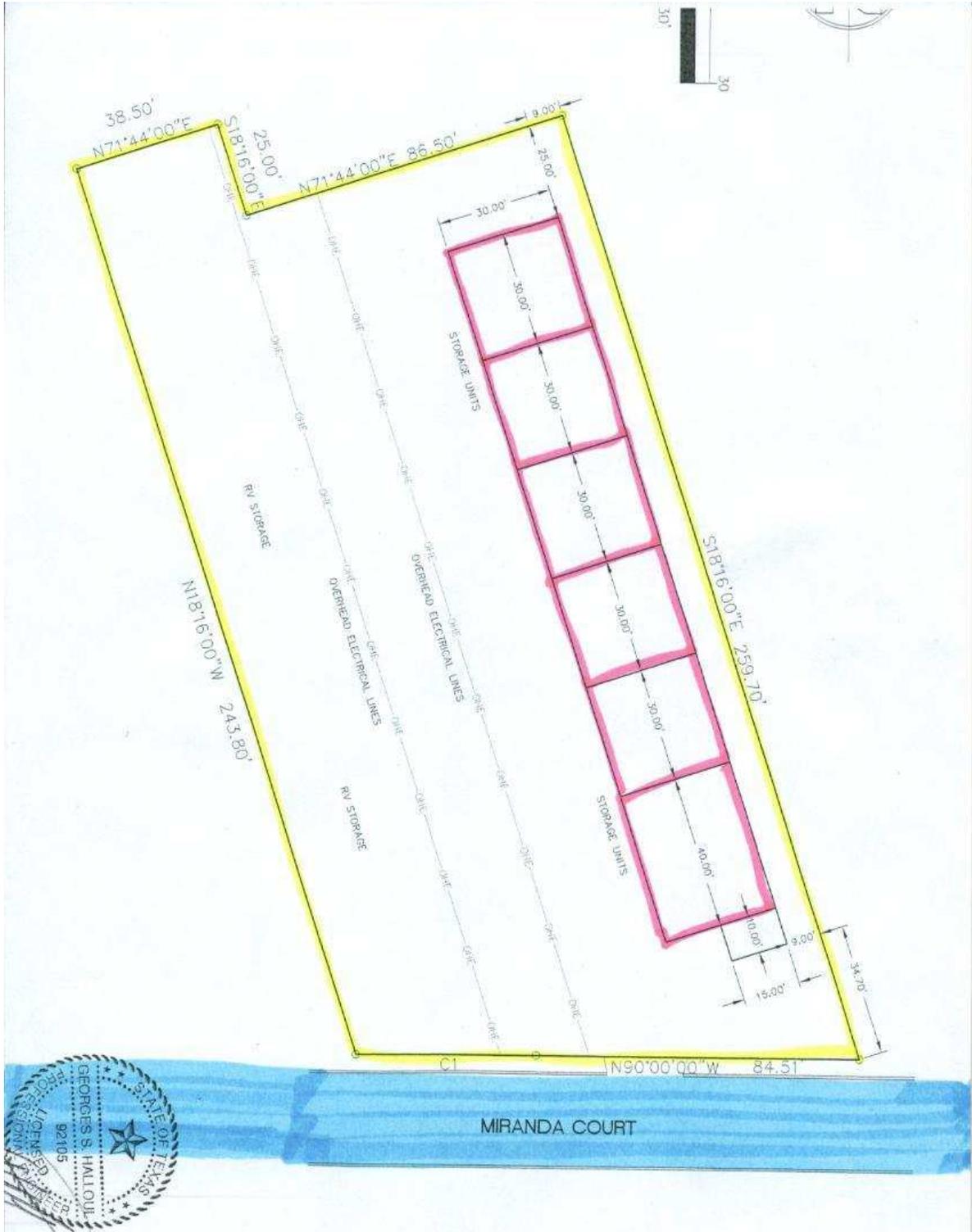


**List of Attachments:**

Attachment 1: Conceptual Site Plan

Attachment 2: Application

Attachment 1: Non-Binding Conceptual Site Plan



Attachment 2: Application



**REZONING APPLICATION**  
**PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT**  
**CITY OF EL PASO, TEXAS**

NJV 29 2007

**1. CONTACT INFORMATION**

PROPERTY OWNER(S): E. Peinado Development Co.  
 ADDRESS: 125 Graphite Suite 1 ZIP CODE: 79932 PHONE: (915)585-8616  
 APPLICANT(S): Richard Peinado  
 ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 REPRESENTATIVE(S): SCI Engineering 6600 Westwood Dr  
 ADDRESS: 6600 Westwood Dr ZIP CODE: 79912 PHONE: 584-4457  
 E-MAIL ADDRESS: \_\_\_\_\_ FAX: 581-7756

**2. PARCEL ONE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: X267999S00E1100  
 LEGAL DESCRIPTION: SA & MG RR Co. Survey No. 267 City of El Paso, El Paso County Texas  
 STREET ADDRESS OR LOCATION: 161 Miranda REP DISTRICT: 1  
 ACREAGE: 0.708 acres PRESENT ZONING: R4 PRESENT LAND USE: Bare Land  
 PROPOSED ZONING: C3G1 PROPOSED LAND USE: Storage Units or R.V. Storage  
GH 1-3-08

**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: E. Peinado Development Co. Signature: [Signature]  
 Printed Name: \_\_\_\_\_ 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 07-00158 08 RECEIVED DATE: 11/29/07 APPLICATION FEE: \$ 750.00  
 DCC REVIEW DATE: 01/02/08 8:30 am, Planning Department Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
 CPC REVIEW DATE: 01/31/08 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
 ACCEPTED BY: [Signature] FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004