

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: February 23, 2010
Public Hearing: March 16, 2010

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance changing the zoning of Lots 1, 2, and the South 8 feet of Lot 3, Block 88, Campbell Addition, City of El Paso, El Paso County, Texas, from C-1 (Commercial) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 719 and 721 S. Oregon Street. Applicant: Rosa Guzman. ZON09-00084 (**District 8**).

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 (6-0)

*****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 1, 2, AND THE SOUTH 8 FEET OF LOT 3, BLOCK 88, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-1 (COMMERCIAL) TO S-D (SPECIAL DEVELOPMENT). 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 1, 2, and the South 8 Feet of Lot 3, Block 88, Campbell Addition, City of El Paso, El Paso County, Texas*, and more particularly described in the metes and bounds attached as Exhibit "A", be changed from **C-1 (Commercial)** to **S-D (Special Development)**, 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 _____, 2010.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

Being Lots 1,2, and the south 8 feet of Lot 3,Block 88,
CAMBELL ADDITION,
City of El Paso, El Paso County, Texas,
August 12, 2009

METES AND BOUNDS DESCRIPTION

Metes and Bounds description of a parcel of land out of Lots 1, 2, and the south 8 feet of Lot 3, Block 88, Cambell Addition, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE, at the centerline intersection of Sixth Street (70' R.O.W. and S. Oregon Street (70' R.O.W.). Thence along the centerline of S.Oregon Street, North 00° 00' 00" East, a distance of 35.00 feet to a point; Thence leaving said centerline, North 90° 00' 00" West, a distance of 35.00 feet to a point also being the Southeasterly corner of Lot 1, Block 88, Cambell Addition and the **POINT OF BEGINNING** of the herein described parcel:

THENCE, along the Northerly right-of-way line of Sixth Street (70' R.O.W.), North 90° 00' 00" West, a distance of 120.00 feet to a set nail being the Southwesterly corner of Lot 1, Block 88, Cambell Addition and also lying on the Easterly right-of-way line of a 20 foot alley;

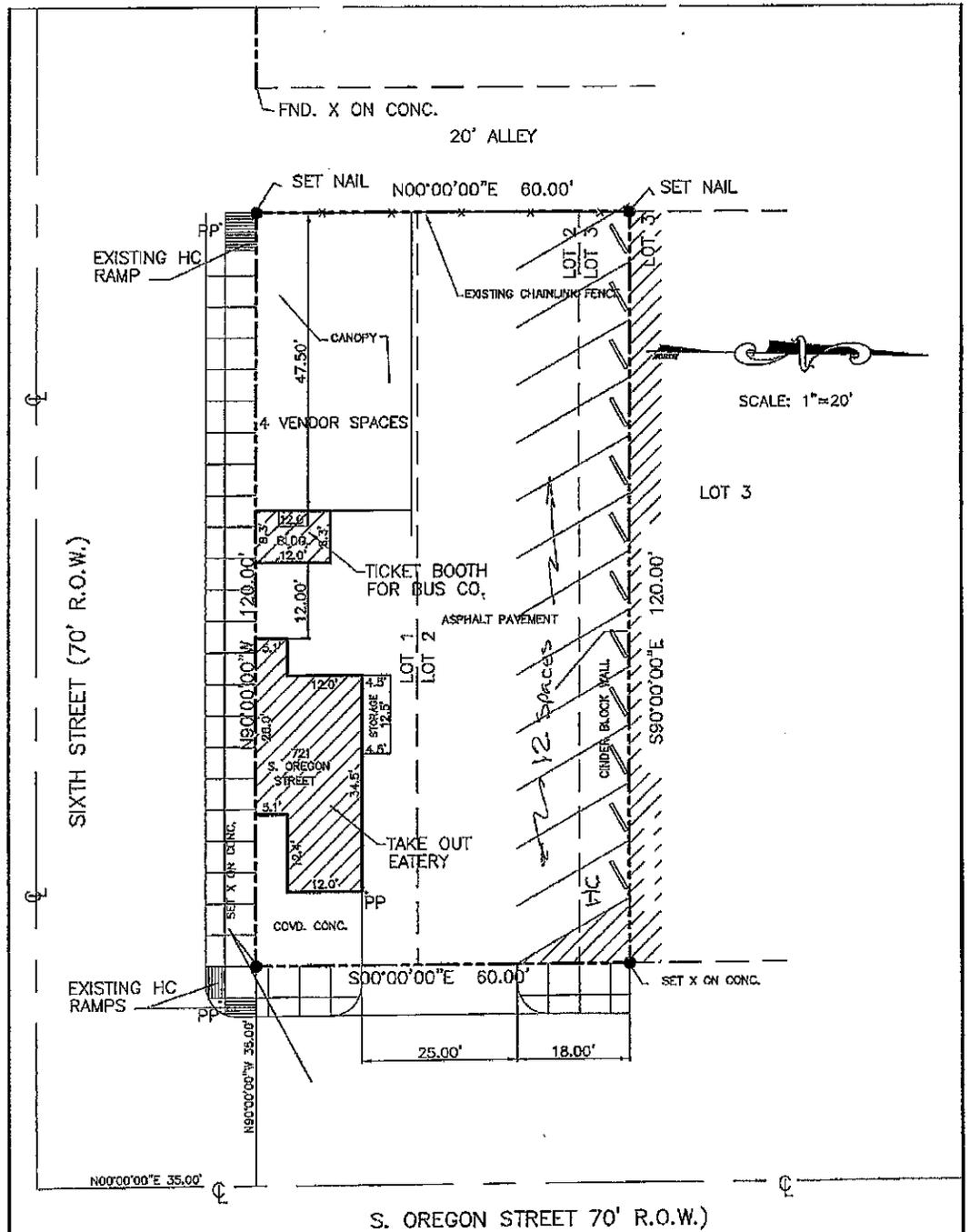
THENCE, leaving said right-of-way line and along said Easterly right-of-way line of a 20 foot alley, North 00° 00' 00" East, a distance of 60.00 feet to a set nail;

THENCE, leaving said Easterly right-of-way line of said 20 foot alley, North 90° 00' 00" East, a distance of 120.00 feet to a set x on conc. lying on the Westerly right-of-way line of S. Oregon Street (70' R.O.W.);

THENCE, along said Westerly right-of-way line of S. Oregon Street (70' R.O.W.), South 00° 00' 00" East, a distance of 60.00 feet to the **POINT OF BEGINNING** of the herein described parcel of land and containing 7,200 square feet or 0.1653 acres of land more or less.


ENRIQUE A. REY
R.P.L.S.
TX. 3505





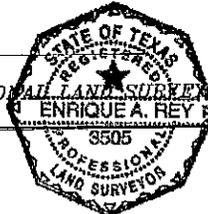
LOT AREA:
 7,200 SQ. FT.
 0.1653 ACRES
 PLAT OF SURVEY BEING LOTS 1, 2, AND THE SOUTH
 6 FEET OF LOT 3, BLOCK 88, CAMBELL ADDITION,
 CITY OF EL PASO, EL PASO COUNTY TEXAS.

NOTE:
 THIS PROPERTY LIES IN ZONE C, AS DESIGNATED BY THE
 F.I.A. FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No.
 480214 0039B, DATED, OCTOBER 15, 1982, EL PASO
 COUNTY, TEXAS

PREPARED BY AND UNDER THE SUPERVISION OF

Enrique A. Rey

ENRIQUE A. REY
 REGISTERED PROFESSIONAL LAND SURVEYOR
 TEXAS No. 3505



JOE: 721 OREGON DATE: AUG-13-2009
REY ENGINEERING
 CONSULTING ENGINEERING-SURVEYING-LAND PLANNING
 11348 BOB MITCHELL DR., EL PASO, TEXAS 79936
 (915) 309-1889

MEMORANDUM

DATE: February 15, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00084

The City Plan Commission (CPC), on January 28, 2010, voted **6-0** to recommend **APPROVAL** of rezoning subject property from C-1 (Commercial) to S-D (Special Development).

The CPC found that the rezoning is in conformance with The Plan for El Paso. There is no projected land use map. 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 was one letter in **SUPPORT** to this request.

Attachment: Staff report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00084
Application Type: Rezoning
CPC Hearing Date: January 28, 2010
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: 719 and 721 S. Oregon Street
Legal Description: Lots 1, 2, and the South 8 Feet of Lot 3, Block 88, Campbell Addition, City of El Paso, El Paso County, Texas
Acreage: 0.1654-acre
Rep District: 8
Existing Use: Tents/flea market and concession stand
Existing Zoning: C-1 (Commercial)
Request: C-1 (Commercial) to S-D (Special Development)
Proposed Use: New Retail Building

Property Owner: Rosa Guzman
Applicant: Rosa Guzman
Representative: Rosa Guzman

SURROUNDING ZONING AND LAND USE

North: SRR (Special Residential Revitalization) / Bus Express
South: C-4 (Commercial) / Governmental
East: SRR (Special Residential Revitalization) / Multi-Family Residential
West: C-4 (Commercial) / Retail

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

Nearest Park: Lions Plazita (760 Feet)
Nearest School: Aoy Elementary (1,300 Feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business 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 a phone call and a letter in support to the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting to rezone the property from C-1 (Commercial) to S-D (Special Development) in order to permit a retail building. The property is 0.1654-acre in size and a new 5,981 square-foot retail building is proposed. The property owner has also submitted detailed site development plan review application ZON09-00085.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **APPROVAL** of rezoning the property from C-1 (Commercial) to S-D (Special Development).

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from C-1 (Commercial) to S-D (Special Development).

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: 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.
- d. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character

The purpose of the S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years

Development Services Department - Building Permits and Inspections Division

Zoning Review: no objections.

Landscape Review: Property owner has chosen to buy out the landscaping per 18.45.150. The \$5,000.00 shall be paid at time of permit.

Development Services Department - Planning Division

The Planning Division recommends **APPROVAL** of rezoning the property from C-1 (Commercial) to S-D (Special Development).

Land Development: no comments received.

Engineering Department - Traffic Division

Traffic has no objection to zoning change.

Street Department:

- We offer no objections to change of Zoning.
- All existing / proposed paths of travel, accessible sidewalks, wheelchair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Fire Department

No adverse comments or objections.

El Paso Water Utilities

EPWU does not object to this request.

Sun Metro:

Sun Metro has no opposition to the 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:

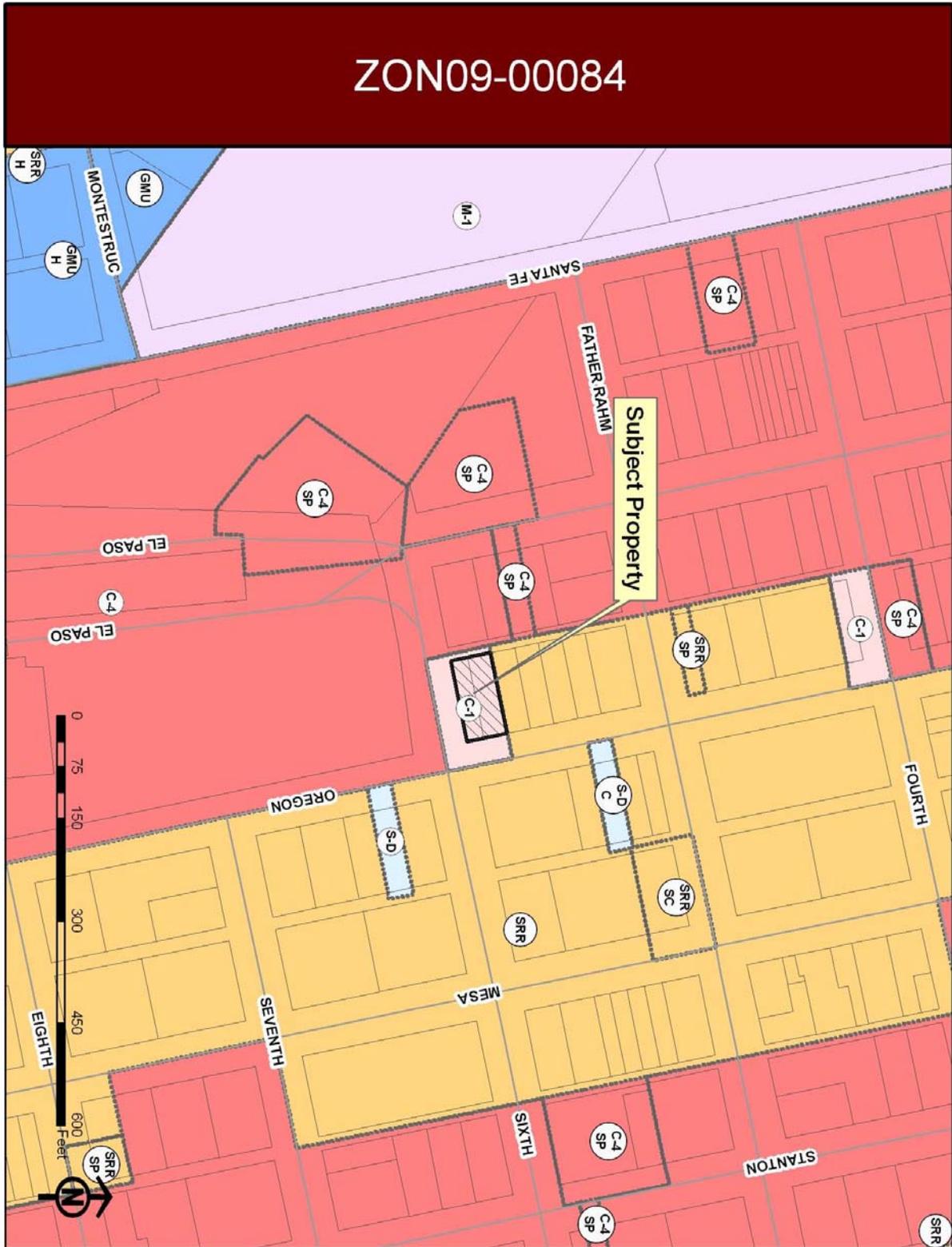
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

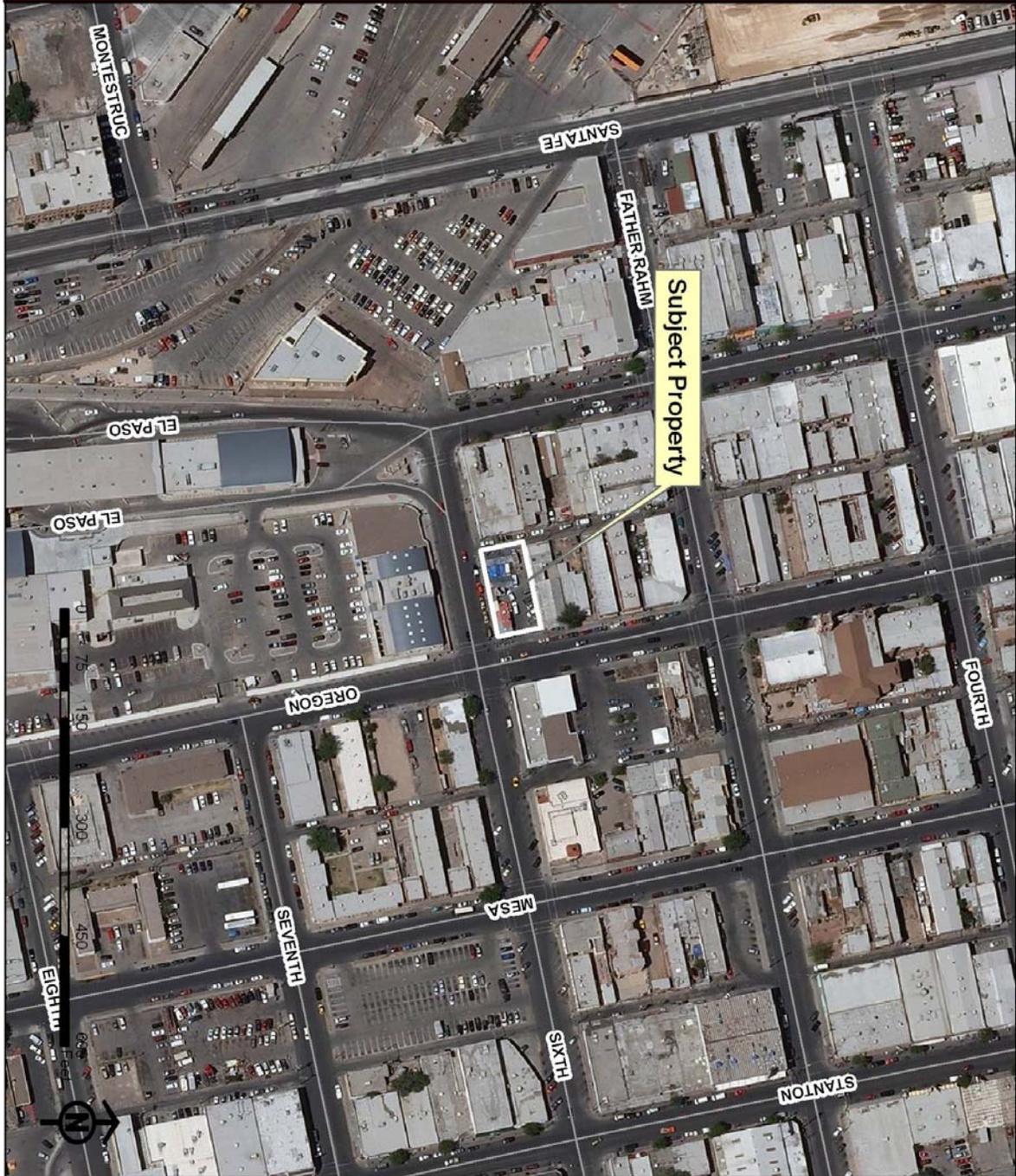
Attachment 4: Support Letter

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ZON09-00084



ATTACHMENT 4: SUPPORT LETTER

Salom Investments

807 W. El Paso St.
El Paso, TX 79901
Tel.: (915) 532-2032 Fax: (915) 533-6665

18 January 2010

Mr. Andrew Salloum
City Plan Commission
Planning Division, 5th floor
2 Civic Center Plaza
El Paso, Texas 79901-1196

RE: Case ZON09-00084

Mr. Salloum,

Please note that I George E. Salom, Jr support the request to change the zoning from C-1 to S-D on property located at 719 and 721 S. Oregon St. If you have any further question please do not hesitate to contact me.

Thank you,

GSI-FAM, L.P.
By: GESO, L.L.C.
Its: General Partner

By: 
Its: Manager