

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Regular: March 16, 2010

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

A Resolution approving a detailed site development plan for Lots 1, 2, and the South 8 feet of Lot 3, Block 88, Campbell Addition, City of El Paso, El Paso County, Texas, imposed by Ordinance No. ZON09-00085. 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. ZON09-00085 (**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:** _____

RESOLUTION

A RESOLUTION APPROVING A DETAILED SITE DEVELOPMENT PLAN, FOR LOTS 1, 2, AND THE SOUTH 8 FEET OF LOT 3, BLOCK 88, CAMPBELL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO A ZONING CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, ROSA GUZMAN, (the "Applicant") has applied for approval of a detailed site development plan pursuant to a zoning condition, which requires City Plan Commission and City Council approval, to permit the construction and development of a retail building; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has approved and herein recommends Council approval of the subject detailed site development plan; and

WHEREAS, the City Council finds that the detailed site development plan meets all applicable requirements of the El Paso City Code;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to requirements imposed by a zoning condition, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of a retail building on the following described property which is located in an S-D (Special Development) District:

Lots 1, 2, and the South 8 Feet of Lot 3, Block 88, Campbell Addition, City of El Paso, El Paso County, Texas, as more particularly described by metes and bounds on the attached Exhibit "A" and incorporated herein by reference.

A copy of the approved detailed site development plan, signed by the Applicant, the City Manager and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the S-D (Special Development) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the S-D (Special Development) District. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

ADOPTED 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:

Mathew S. McElroy,
Deputy Director – Planning
Development Services Department

(Agreement on following page)

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

EXHIBIT "A"

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



MEMORANDUM

DATE: February 19, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00085

The City Plan Commission (CPC), on January 28, 2010, voted **6-0** to recommend **APPROVAL** of detailed site development plan.

The CPC found that the detailed site development plan is in conformance with all applicable requirements of the El Paso City Code, 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 the detailed site development plan 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 detailed site development plan 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 **NO OPPOSITION** to this request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00085
Application Type: Detailed Site Development Plan
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: Detailed Site Development Plan review per S-D (Special Development) district
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 the public hearing not required on detailed site development plan per El Paso City Code.

APPLICATION DESCRIPTION

The property owner is requesting an approval of a detailed site development plan to allow a retail building in the S-D (Special Development) district. The detailed site development plan shows a 5,981 square-foot retail building. The property owner has submitted an application ZON09-00084 to rezone this property from C-1 (Commercial) to S-D (Special Development).

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

DCC recommends **APPROVAL** of the proposed detailed site development plan.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the proposed detailed site development plan.

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: no objections.

Landscaping: 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

Current Planning: Recommends **APPROVAL** of the proposed detailed site development plan.

Land Development: no comments received.

Engineering Department - Traffic Division

No objections.

Street Department

We have reviewed the above mentioned application and are offering the following comments:
All existing / proposed paths of travel, accessible sidewalks, wheel chair 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

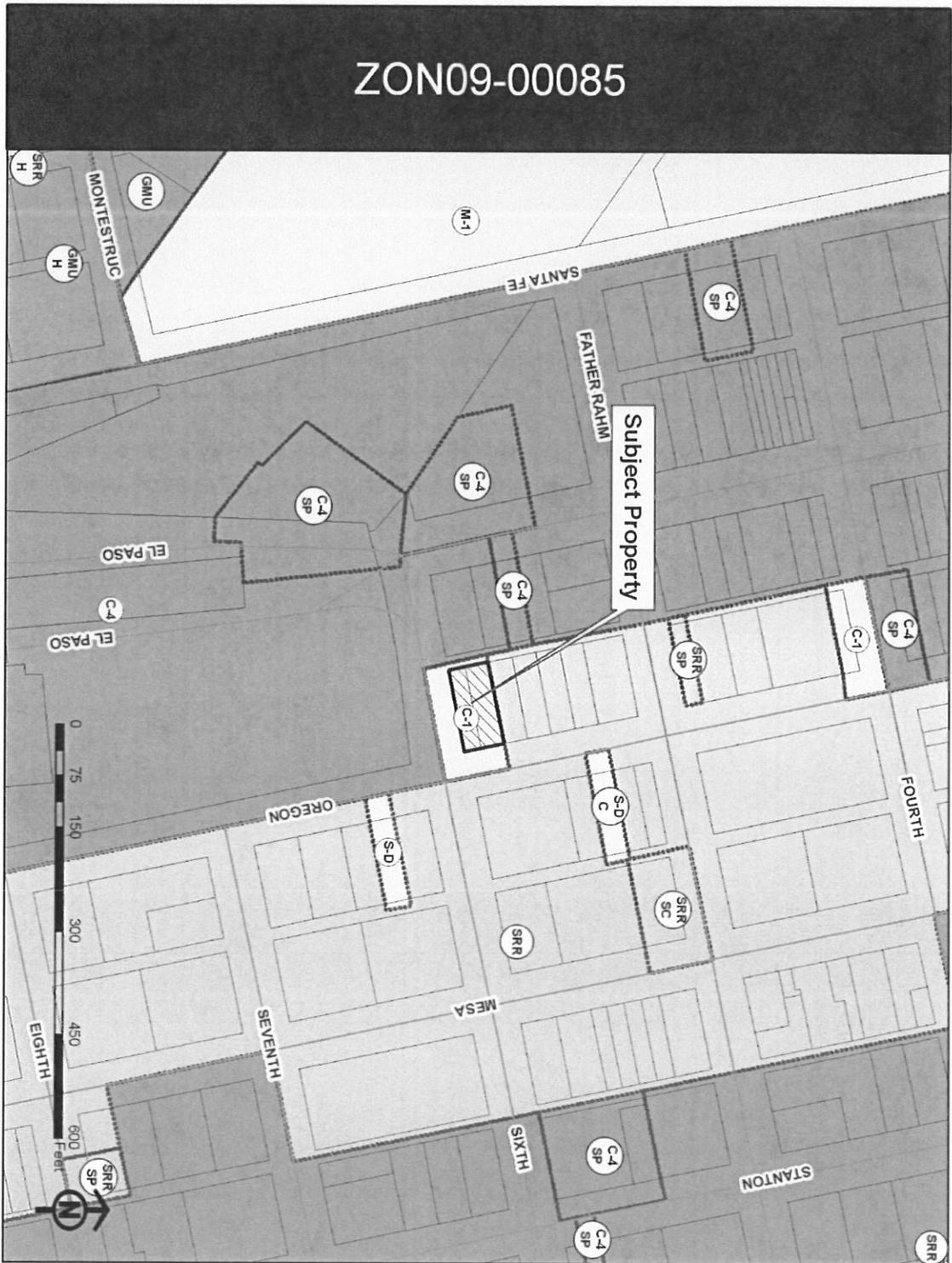
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the special permit and detailed site development plan application:

1. Recommend approval of the application finding that the special permit and detailed site development plan 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 special permit and detailed site development plan 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 special permit and detailed site development plan does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Location Map
2. Aerial Map
3. Detailed Site Plan
4. Elevations

ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 4: ELEVATIONS

