



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

**AN ORDINANCE CHANGING THE ZONING OF LOT 4, BLOCK 11, BEAUMONT ADDITION, 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 *Lot 4, Block 11, Beaumont Addition, 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 \_\_\_\_\_, 2009.**

**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  
Development Services Department  
Planning Division

MEMORANDUM



**DATE:** March 4, 2009  
**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager  
**FROM:** Mirian Spencer, Planner  
**SUBJECT: ZON08-00119**

Mayor  
John F. Cook

City Council

*District 1*  
Ann Morgan Lilly

*District 2*  
Susannah M. Byrd

*District 3*  
Emma Acosta

*District 4*  
Melina Castro

*District 5*  
Rachel Quintana

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Beto O'Rourke

City Manager  
Joyce A. Wilson

The City Plan Commission (CPC), on February 12, 2009, voted **5-0** to recommend **APPROVAL** of rezoning subject property from R-4 (Residential) to C-1 (Commercial).

The property owners are requesting to change the zoning from R-4 (Residential) to C-1 (Commercial) in order to permit the existing floral shop. Access is proposed via **Fred Wilson Drive**. There are no conditions imposed on the property.

The CPC found that the 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 rezoning request is in conformance with The Plan for El Paso because the proposed C-1 (Commercial) zoning district is compatible 2025 projected General Land Use Map for the Central Planning Area which designates the property for mixed-use development.

The CPC also found that the proposed use is compatible with adjacent land use. The property has existing access from Fred Wilson Drive, and the existing use as a floral shop is compatible with the adjacent C-1 (Commercial) development to the east and west. The existing development serves as a buffer between the existing R-4 (Residential) and the traffic at Fred Wilson Drive.

The CPC also determined that the rezoning protects the best interest, health, safety and welfare of the public in general;; 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 no public response to this rezoning application.

**Attachment:** Staff Report, Zoning Map, Aerial Map, Conceptual Site Plan

**Development Services Department**

Victor Q. Torres - Director



*City of El Paso – City Plan Commission Staff Report*

**Case No:** ZON08-00119  
**Application Type** Rezoning  
**CPC Hearing Date** February 12, 2009  
**Staff Planner** Mirian Spencer, (915) 541-4192, spencermd2@elpasotexas.gov

**Location** 4305 Fred Wilson Drive  
**Legal Description** Lot 4, Block 11, Beaumont Addition, City of El Paso, El Paso County, Texas  
**Acreage** 0.1492 acres  
**Rep District** 2  
**Existing Use** Floral Shop  
**Request** R-4 (Residential) to C-1 (Commercial)  
**Proposed Use** Floral Shop

**Property Owners** Alfredo and Celia Espinoza  
**Representative** Luis and Rene De La Cruz

**SURROUNDING ZONING AND LAND USE**

**North:** R-4 (Residential); Single-family Residential  
**South:** A-2 (Apartment); Military Housing Development  
**East:** C-1 (Commercial); Retail Shopping Center  
**West:** C-1 (Commercial); Single-family Residential

**THE PLAN FOR EL PASO DESIGNATION:** Mixed-use (Central Planning Area)

**NEAREST PARK:** Logan Park (3,450 feet)

**NEAREST SCHOOL:** Burnet Elementary (3,115 feet)

**NEIGHBORHOOD ASSOCIATIONS**

The property is not located within the boundaries of any registered neighborhood associations.

**NEIGHBORHOOD INPUT**

Notice of the public meeting was mailed out to all property owners within 300 feet of the subject property on January 18, 2009. The Planning Division has received no public response to the rezoning request.

**APPLICATION DESCRIPTION**

The property owners are requesting to change the zoning from R-4 (Residential) to C-1 (Commercial) in order to permit the existing floral shop. Access is proposed via **Fred Wilson Drive**. There are no conditions imposed on the property.

**DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

The Development Coordinating Committee provides the following comments:  
DCC recommends **APPROVAL** of rezoning the property from R-4 (Residential) to C-1 (Commercial).

**PLANNING DIVISION RECOMMENDATION**

Planning recommends **APPROVAL** of the rezoning request from R-4 (Residential) to C-1 (Commercial).

**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: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- d. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.
- e. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character

The rezoning request is in conformance with The Plan for El Paso because the proposed C-1 (Commercial) zoning district is compatible 2025 projected General Land Use Map for the Central Planning Area which designates the property for mixed-use development. The property has existing access from Fred Wilson Drive, and the existing use as a floral shop is compatible with the adjacent C-1 (Commercial) development to the east and west. The existing development serves as a buffer between the existing R-4 (Residential) and the traffic at Fred Wilson Drive.

**Development Services Department - Building Permits and Inspections Division:**

No objections to the rezoning request parking lot permitted on the proposed C-1 (Commercial) zoning district. Shall need to provide a six-foot masonry screening wall along the property line adjacent to the R-4 (Residential) zoning district.

Landscaping: Landscaping meets the requirements of Section 18.46 of the code. The proposed landscaped area will be required at the time of permitting.

**Development Services Department - Planning Division:**

Current Planning: recommends **APPROVAL** of rezoning the property from R-4 (Residential) to C-1 (Commercial).

Engineering: Site location is **not** located within a Special Flood Hazard Area, Flood Zone(s) **C**, Panel(s) **480214 0029B**.

The following will be required at the time of development:

1. ADA accessible sidewalks, wheel-chair ramp(s), and driveway(s).
2. Grading plan and permit will be required at the time of development.
3. Storm water pollution prevention plan and/or permit required at the time of development.
4. Drainage plans must be approved by the Development Services Department, Engineering section at the time of development.

**Engineering Department - Traffic Division:**

Traffic has no objections to the proposed rezoning. Sidewalks shall be provided.

**Fire Department:**

No opposition to the request at this time.

**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:

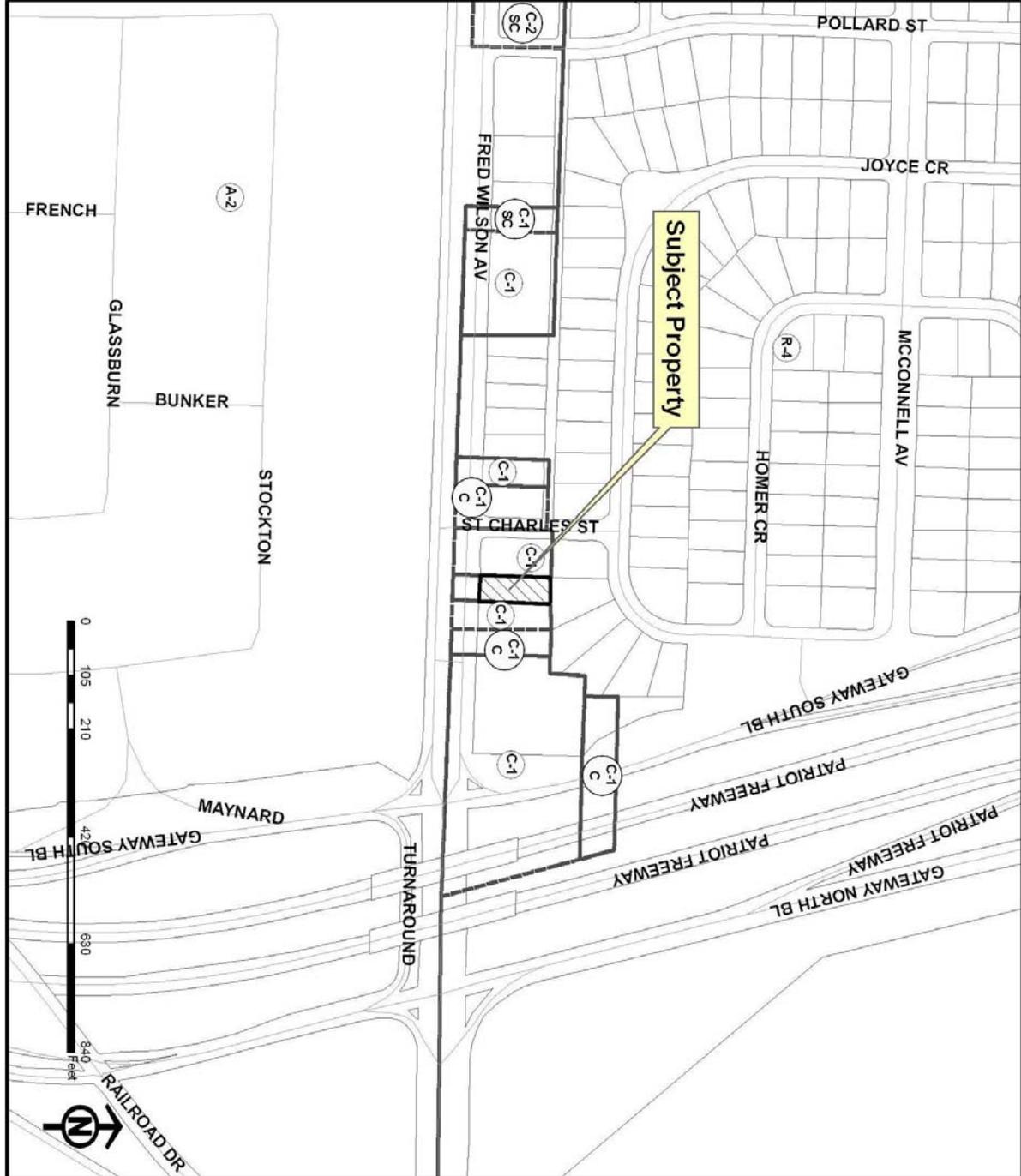
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the rezoning into 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 from the Plan by the CPC.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

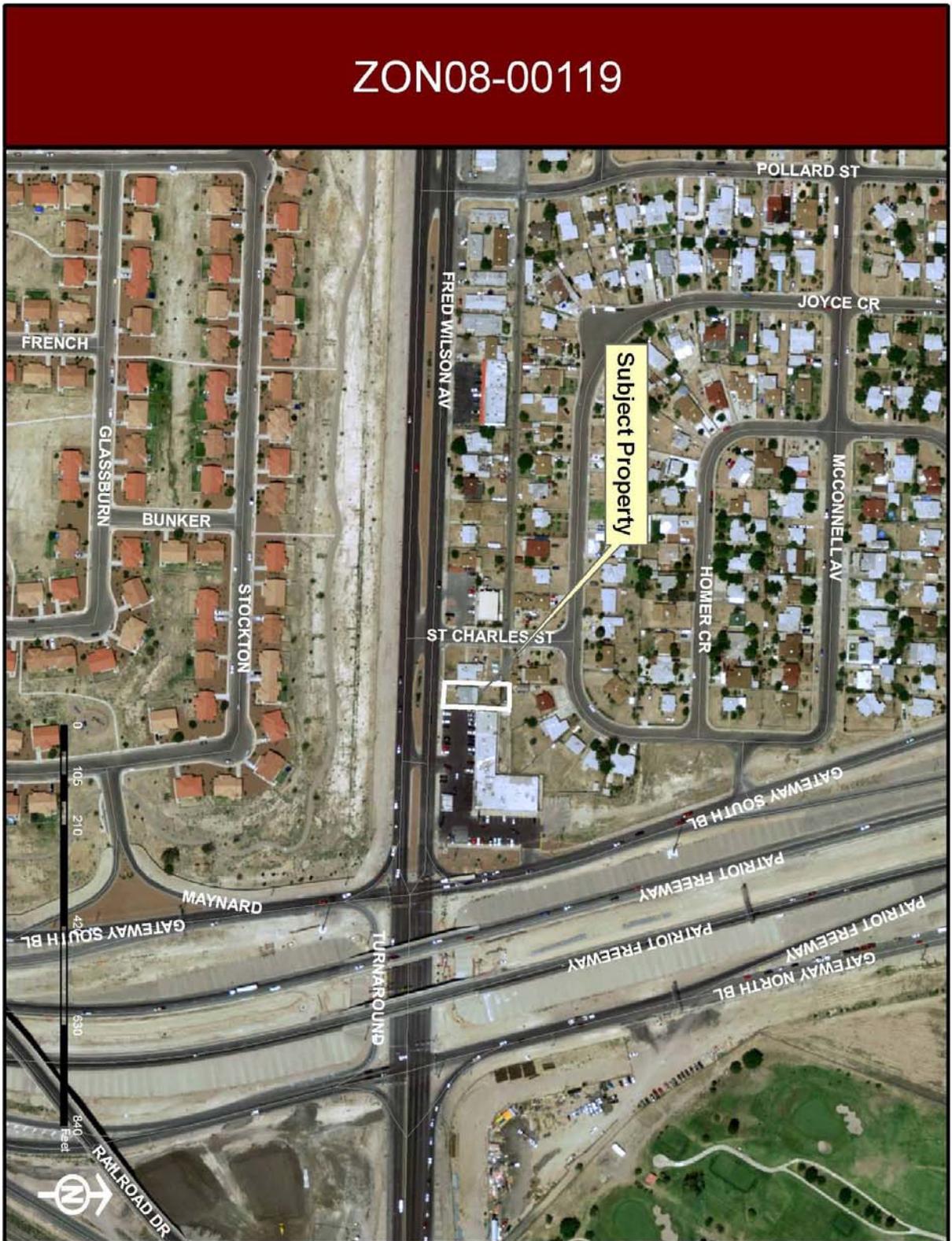
ATTACHMENT 1: ZONING MAP

# ZON08-00119



ATTACHMENT 2: AERIAL MAP

ZON08-00119



ATTACHMENT 3: CONCEPTUAL SITE PLAN

