

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: 1

SUBJECT:

An Ordinance changing the zoning of a portion of Lots 1 – 7, Block 229, Alexander Addition, City of El Paso, El Paso County, Texas from R-4 (Residential) to C-1 (Commercial) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2904 Stanton Street. Applicant: Nicolas Rich. ZON09-00080 (**District 1**).

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 (7-0)

*****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 A PORTION OF LOTS 1 – 7, BLOCK 229, ALEXANDER ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-1 (COMMERCIAL) AND IMPOSING A CONDITION. 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 *a portion of Lots 1 – 7, Block 229, Alexander Addition, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds in the attached Exhibit “A”, 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.

Further, that the property described above be subject to the following condition which is 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:

No access is permitted from N. Stanton Street.

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

A portion of Lots 1 through 7, Block 229,
Alexander Addition,
City of El Paso, El Paso County, Texas
November 10, 2009,

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of being a portion of Lots 1 through 7, Block 229, Alexander Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE located at the southeast corner of Lot 1, Block 229, same being the westerly right-of-way line of Kansas Street (70' R.O.W.), same being the northerly right-of-way line of Mississippi Avenue (70' R.O.W.) and the **POINT OF BEGINNING** of the herein described parcel;

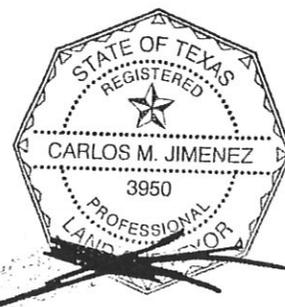
THENCE, leaving said southeast corner, leaving said westerly right-of-line, and along said northerly right-of-way line, South 52°30'00" West, a distance of 117.68 feet to a point;

THENCE, leaving said northerly right-of-way line, North 01°09'44" West, a distance of 198.60 feet to a point;

THENCE, South 37°30'00" East, a distance of 159.98 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 9,413.22 square feet or 0.2161 acres of land more or less.

Carlos M. Jiménez
Registered Professional Land Surveyor
Texas No. 3950

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
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MEMORANDUM

DATE: February 19, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00080

The City Plan Commission (CPC), on January 28, 2010, voted **7-0** to recommend **APPROVAL** of rezoning subject property from R-4 (Residential) to C-1 (Commercial) with the condition that no access is permitted from N. Stanton Street.

The CPC found that the rezoning is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for 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 was **NO OPPOSITION** to this request.

Attachment: Staff report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00080
Application Type: Rezoning
CPC Hearing Date: January 28, 2010
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: 2904 Stanton Street
Legal Description: A portion of lots 1-7, Block 229, Alexander Addition, City of El Paso, El Paso County, Texas
Acreage: 0.216-acre
Rep District: 1
Existing Use: Vacant
Request: R-4 (Residential) to C-1 (Commercial)
Proposed Use: Parking lot for medical office

Property Owner: Rich Leasing, LLC
Applicant: Nicolas Rich
Representative: Carlos Figueroa, P.E.

SURROUNDING ZONING AND LAND USE

North: A-O (Apartment/Office) / Office and Vacant
South: C-1 (Commercial) / Office and A-2 Apartment) / Multi-Family Residential
East: A-O (Apartment/Office) / Vacant and R-5 (Residential) / Single-Family Residential
West: C-1/sc (Commercial/special contract) / Medical Office and Albertson's

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

Nearest Park: Arroyo Park (1,245 Feet)

Nearest School: Mesita Elementary (1,440 Feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area.

NEIGHBORHOOD INPUT

Notice of a public hearing was mailed to all property owners within 300 feet of the subject property on December 13, 2009. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the property from R-4 (Residential) to C-1 (Commercial) in order to permit a parking lot for medical offices. The property is 0.216-acre in size. Access to the property is from Kansas Street. No access is permitted from Stanton Street.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **APPROVAL** of rezoning the property from R-4 (Residential) to C-1 (Commercial).

PLANNING DIVISION RECOMMENDATION

Planning Division recommends **APPROVAL** of rezoning the property from R-4 (Residential) to C-1 (Commercial) with the following condition:

No access is permitted from N. Stanton Street.

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: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The purpose of the C-1 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the district will permit the location of business, professional offices, and retail category uses within adjacent residential areas of medium and high densities.

Development Services Department - Building Permits and Inspections Division

Zoning Review: no objections.

Landscape Review: this project will meet the minimum required landscaping under 18.46.

Development Services Department - Planning Division

The Planning Division recommends **APPROVAL** of rezoning the property from R-4 (Residential) to C-1 (Commercial) with the following condition:

No access is permitted from N. Stanton Street.

Land Development: no comments received.

Engineering Department - Traffic Division

No Objections

Fire Department

We have no opposition at this time.

El Paso Water Utilities

EPWU does not object to this request.

Sun Metro:

Sun Metro does not oppose the rezoning request.

Street Department:

No Objections.

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

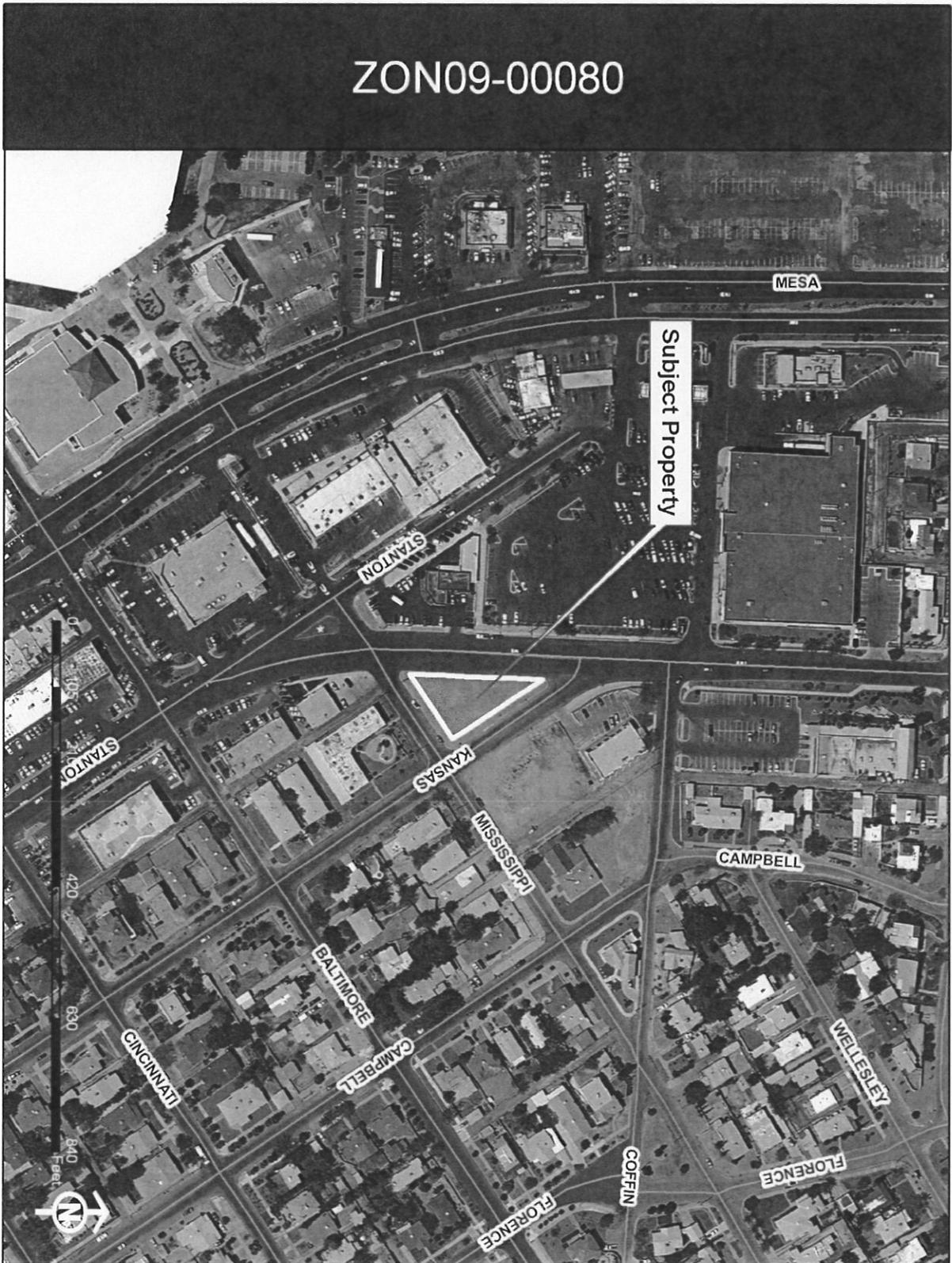
Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ZON09-00080



ATTACHMENT 3: CONCEPTUAL SITE PLAN

INSURANCE RATED
 CANTON LINE IN
 EEL # 00408

property is within
 of 100 feet
 of any
 and
 subject to
 the
 provisions
 of
 the
 City
 of
 Canton
 Ordinance
 No. 480216 0045 &

