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S E R V I C E S O L U T I O N S S U C C E S S



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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: **Introduction: March 10, 2009**
 Public Hearing: March 31, 2009

CONTACT PERSON/PHONE: Andrew Salloum, 541-4027

DISTRICT(S) AFFECTED:

SUBJECT:

An Ordinance changing the zoning of Lot 14, Ranchland Commercial District Unit Two, an addition to the City of El Paso, El Paso County, Texas From C-1 (Commercial) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7790 Gateway East Boulevard. Applicant: Cimarron Commercial Group, ZON08-00122 (District 3).

BACKGROUND / DISCUSSION:

PRIOR COUNCIL ACTION:

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:** _____

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

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 14, RANGLAND COMMERCIAL DISTRICT UNIT TWO, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-3 (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 14, Ranchland Commercial District Unit Two, an addition to the, City of El Paso, El Paso County, Texas*, be changed from **C-1 (Commercial)** to **C-3 (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 2, 2009

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON08-00122

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
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District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

The City Plan Commission (CPC), on February 12, 2009, voted **6-0** to recommend **APPROVAL** of rezoning subject property from C-1 (Commercial) to C-3 (Commercial).

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 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, zoning map, aerial map, and conceptual site plan.



City of El Paso – City Plan Commission Staff Report

Case No: ZON08-00122
Application Type: Rezoning
CPC Hearing Date: February 12, 2009
Staff Planner: Andrew Salloum, 915-541-4027, salloumam@elpasotexas.gov

Location: 7790 Gateway East Boulevard
Legal Description: Lot 14, Ranchland Commercial District Unit 2, an addition to the City of El Paso, El Paso County, Texas

Acreage: 0.602 acres
Rep District: 3
Existing: Copy Center
Request: C-1 (Commercial) to C-3 (Commercial)
Proposed Use: Automobile Sales

Property Owner: Cimarron Commercial Group
Applicant: Jesus Perea
Representative: Carrera Group Inc.

SURROUNDING ZONING AND LAND USE

North: C-3 (Commercial) Interstate 10 and Gateway East
South: C-4/sc (Commercial/special contract) Self Car Wash
East: C-1 (Commercial) Circle K Convenience Store
West: C-3/c (Commercial/condition), C-4/sc (Commercial/special contract) Texas Car Title & Payday Loan Service Inc. and Saturn Automobile Dealership

THE PLAN FOR EL PASO DESIGNATION: Commercial (Mission Valley Planning Area)

Nearest Park: Lionel Forti Park (740 Feet)

Nearest School: Ranchland Middle (1,285 Feet)

NEIGHBORHOOD ASSOCIATIONS:

None – 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 January 21, 2009. The Planning Division has not received any letters or phone calls in support or opposition of rezoning request.

APPLICATION DESCRIPTION:

The applicant is requesting to rezone property from C-1 (Commercial) to C-3 (Commercial) in order to convert an existing 3,469 sq. ft. copy center building to an automobile sales lot. The existing property is 0.602 acres in size. Access to the property is proposed from **Gateway East Blvd** and **Giles Road**.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION:

The DCC recommends **APPROVAL** of rezoning the property from C-1 (Commercial) to C-3 (Commercial).

PLANNING DIVISION RECOMMENDATION:

The Planning Division recommends **APPROVAL** of rezoning the property from C-1 (Commercial) to C-3 (Commercial). The proposed rezoning is compatible with surrounding C-3 districts to the north, south, east, and west and is in conformance with 2025 General Plan for the Mission Valley Planning Area.

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-3 (Commercial) district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the City. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

Development Services Department - Building Permits and Inspections Division:

Zoning Review:

Proposed Car Sales Business permitted on C-3 district. Meets yard, off-street parking, and loading standards.

Landscape Review:

Landscape not required for this project. Commercial to commercial.

Development Services Department - Planning Division:

Current Planning: Recommends **APPROVAL** of rezoning property from C-1 (Commercial) to C-3 (Commercial). The proposed rezoning is compatible with surrounding C-3 districts to the North, South, East, and West; and rezoning request is compatible to the projected land use map.

Land Development:

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the Development Services Department, Engineering Section.*

- Coordination with TXDOT. *
- Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Flood Zone X, Panel **480214 0041 C**.

***This requirement will be applied at the time of development.**

Engineering Department - Traffic Division:

No objection to proposed zoning change.

Note: Access to Gateway East shall be coordinated with the Texas Department of Transportation. Driveways shall comply with City's Ordinance.

Fire Department:

We have no opposition at this time.

El Paso Water Utilities:

EPWU does not object to this request.

Parks:

No comments received.

Sun Metro:

No comments received.

School Districts:

No comments received.

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:

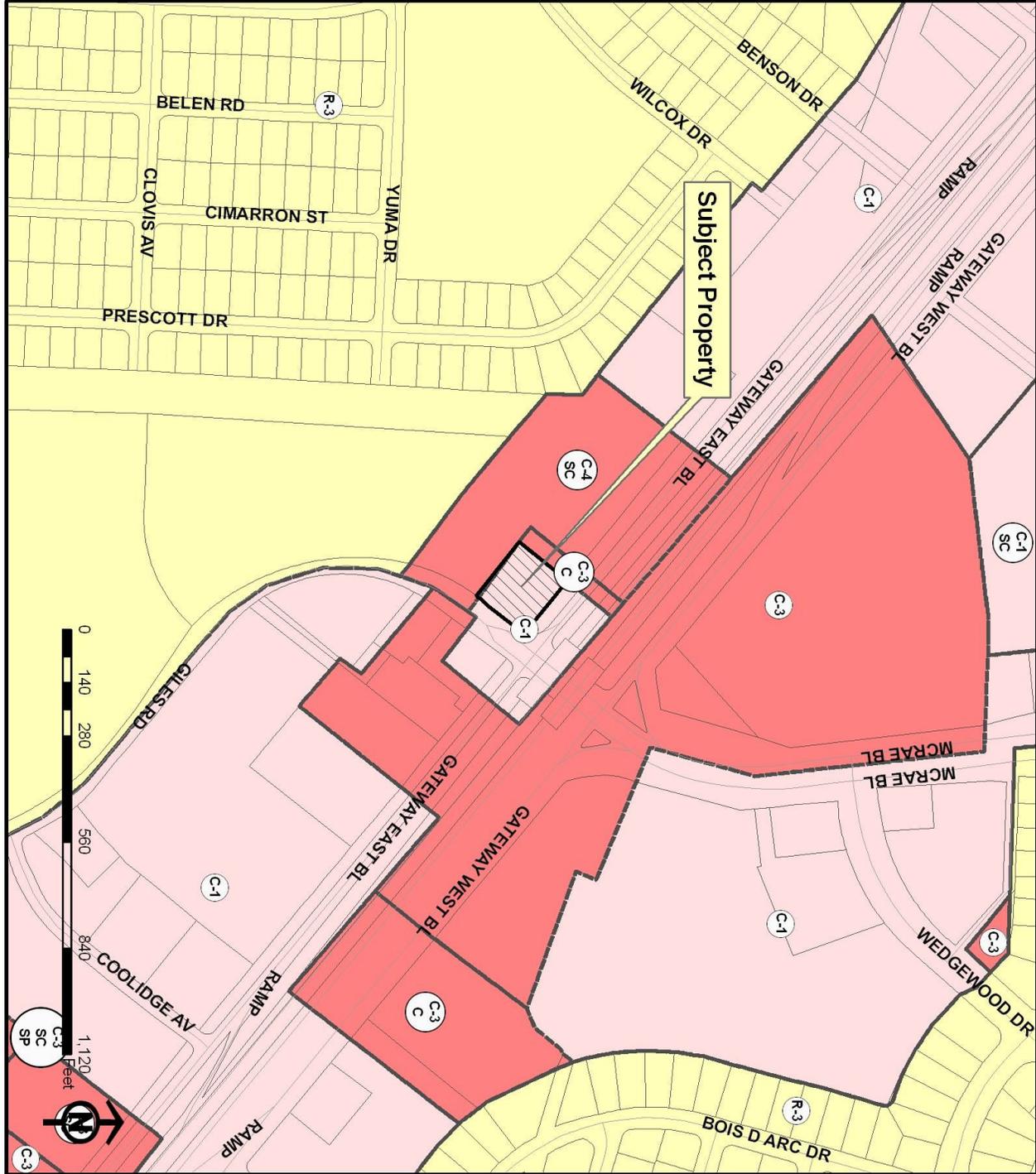
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

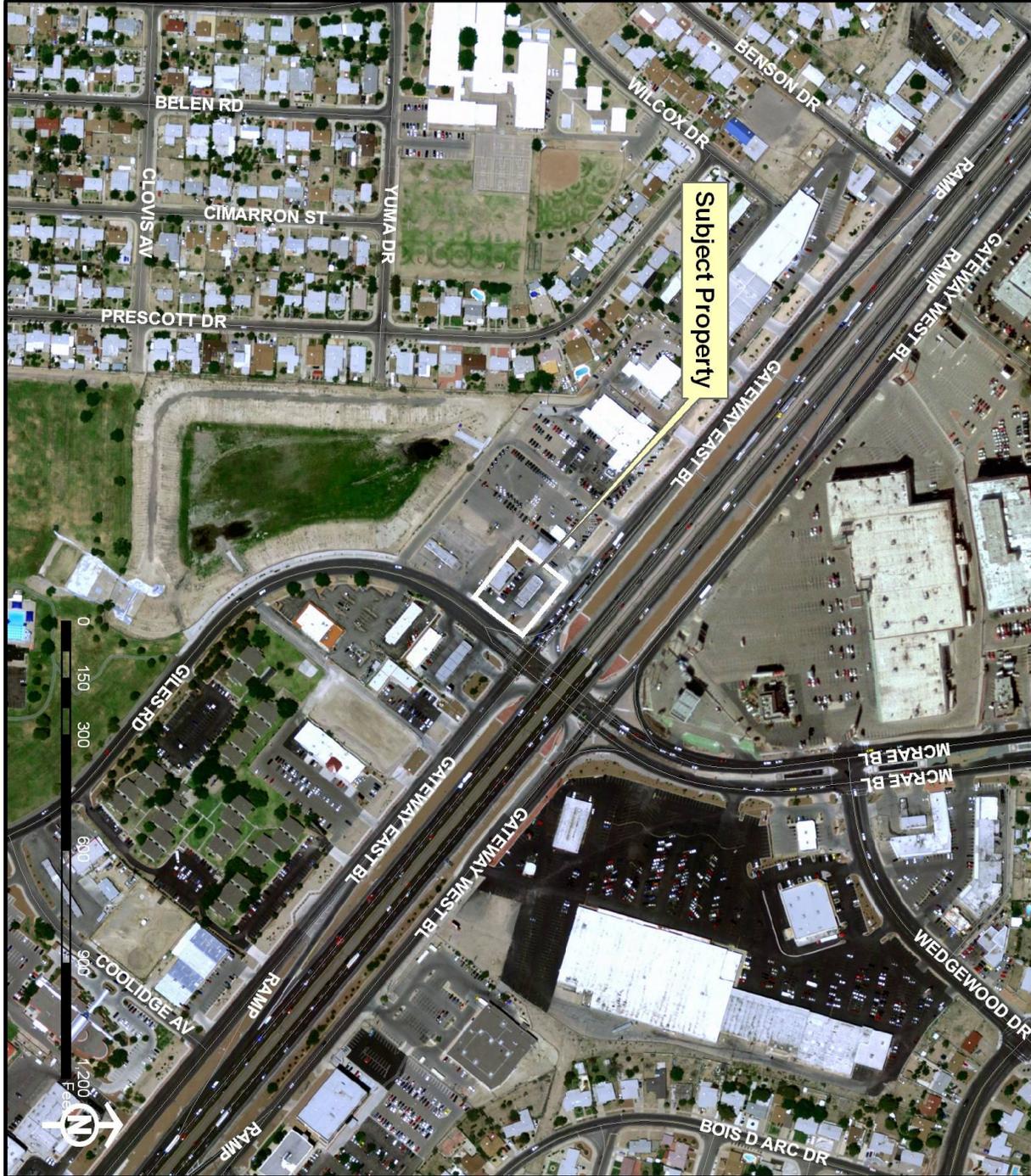
ATTACHMENT 1: ZONING MAP

ZON08-00122



ATTACHMENT 2: AERIAL MAP

ZON08-00122



ATTACHMENT 3: CONCEPTUAL SITE PLAN

