

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: March 20, 2007
Public Hearing: April 10, 2007

CONTACT PERSON/PHONE: Arlan Greer, 541-4723

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of Lot 1, Block 300, Vista Del Sol Unit 62 Replat A, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to A-3 (Apartment), and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code.

Subject Property: George Dieter Drive and Scott Simpson Drive. Applicant: Industrial G. Dieter - 1120 Joint Venture. ZON06-00161 (7)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Shubert

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

CITY CLERK DEPT.

07 MAR 12 PM 2:51

AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 300, VISTA DEL SOL UNIT 62 REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM M-1 (LIGHT MANUFACTURING) TO A-3 (APARTMENT), AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 1, Block 300, Vista Del Sol Unit 62 Replat A, City of El Paso, El Paso County, Texas*, be changed from **M-1 (Light Manufacturing)** to **A-3/c (Apartment/conditions)**, 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 conditions which are 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: *"that a detailed site development plan be reviewed and approved prior to building permits being issued, and that the density shall not exceed 30 units per acre."*

PASSED AND APPROVED this _____ day of _____, 2007.

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

Kimberly Forsyth, Senior Planner
Development Services Department



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT, PE, CB
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

March 7, 2007

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

FROM: Arlan Greer, Planner

SUBJECT: ZON06-00161

The City Plan Commission (CPC), on February 15, 2007, voted (**8-0**) to recommend **APPROVAL** of the rezoning the subject property to A-3 (Apartment) with conditions as follows: *"that a detailed site development plan be reviewed and approved prior to building permits being issued, and that the density shall not exceed 30 units per acre."*

The CPC found that this 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 which designates this area for residential land uses. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses; and the effect of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

We have received no written opposition this request; however there was some opposition expressed at a neighborhood meeting of the Las Palmas Neighborhood Association.

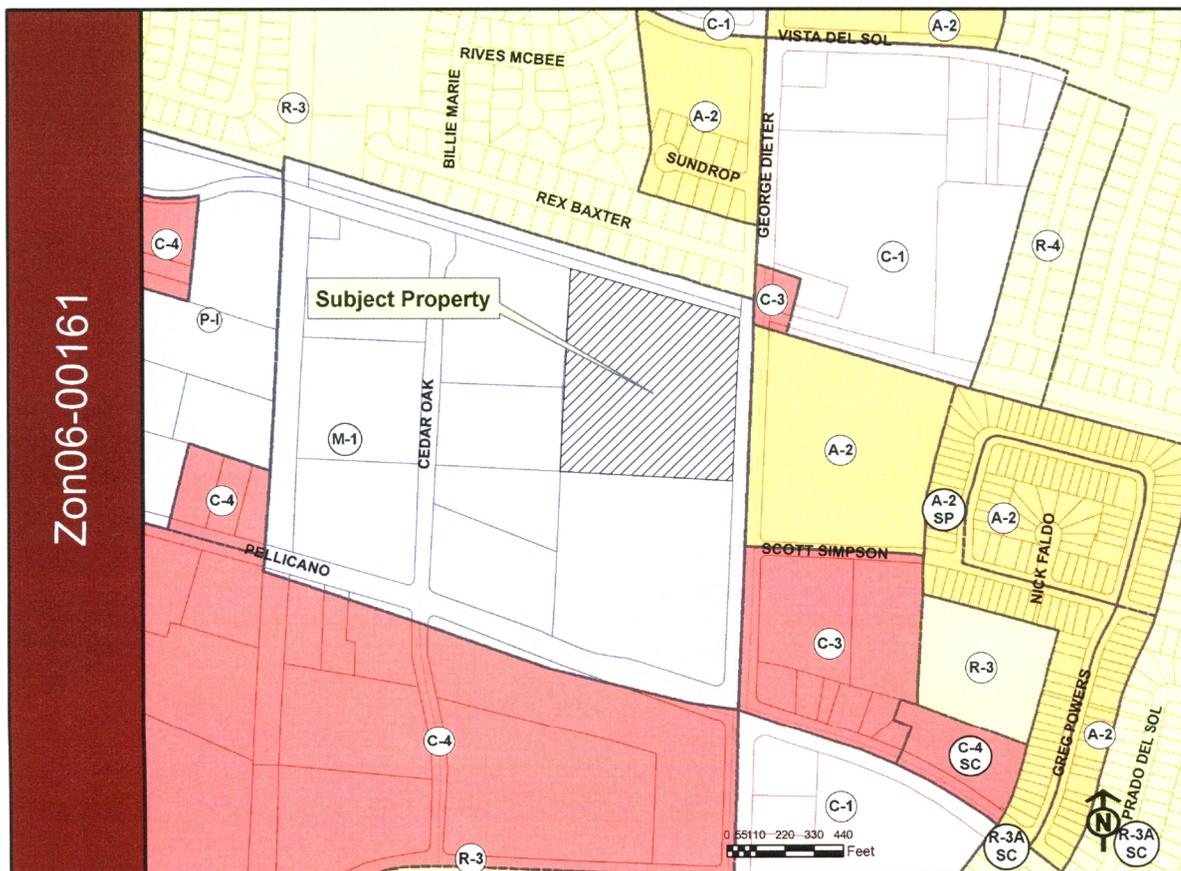
Attachment: Staff Report, Aerial Map, Site Plan, Application



ZON06-00161

Application Type: Rezoning
Property Owner(s): Industrial G. Dieter - 1120 Joint Venture
Representative(s): Huitt-Zollars, Inc.
Legal Description: Lot 1, Block 300, Vista Del Sol Unit 62 Replat A, City of El Paso, El Paso County, Texas

Location: George Dieter Drive and Scott Simpson Drive
Representative District: 7 **Area:** 10 Acres
Present Zoning: M-1 (Light Manufacturing) **Present Use:** Vacant
Proposed Zoning: A-3 (Apartment)
Recognized Neighborhood Associations Contacted: East Side Civic Association
Public Response: None
Surrounding Land Uses: **North:** R-3 / Single-family dwellings **South:** M-1 / Vacant
East: A-2 / Apartments **West:** M-1 / Transportation Terminal Residential (East Planning Area)
Year 2025 Designation:



General Information

The applicant requests a rezoning from M-1 (Light Manufacturing) to A-3 (Apartment). The property consists of 10 acres of land and is currently vacant. The non-binding conceptual site plan proposes an apartment complex and access is proposed via George Dieter Drive. The proposed complex will contain three-story buildings and approximately 300 units. The applicant postponed this item from the 1/18/07 City Plan Commission meeting to post the required sign on the property.

One goal in the East Planning Area is to identify vacant parcels. Encourage the development of medium and high density housing along major arterials (such as George Dieter Drive) as an alternative to strip commercial zoning. Directly across the street to the East is an existing apartment complex. This request is a down zoning from M-1 (Light Manufacturing). Potentially A-3 (Apartment) could have less of an impact on the surrounding residential and apartment uses in the area.

Staff Recommendation

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from M-1 (Light Manufacturing) to A-3 (Apartment) with the following conditions: that a detailed site development plan be reviewed and approved per the El Paso city code prior to building permits being issued and that the density shall not exceed 30 units per acre.

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “Provide a wide range of housing types that respond to the needs of all economic segments of the community.”
- **The Year 2025 Projected General Land Use Map** for the **East Planning Area** designates this property for **Residential** land uses.
- **A-3 zoning** permits apartment and **is compatible** with adjacent development.
-

Findings

The Commission must determine the following:

1. Will A-3 zoning protect the best interest, health, safety and welfare of the public in general?
2. Will apartment development be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city’s Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment, social and economic conditions and property values in the vicinity and in the city as a whole?

Development Services Department - Building Permits and Inspections Division Comments

Zoning Review:

Proposed development permitted on A-3 apartment district. Insufficient data was submitted to determine compliance with district's development standards and parking requirements.

Development Services Department - Planning Division Comments

Planning:

1. The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for Residential land uses.
2. A-3 (Apartment) zoning permits apartments and is compatible with adjacent development.
3. Site plan review is recommended to review proposed development prior to the issuance of any building permits.

Engineering Department - Traffic Division Comments

No major traffic issues were identified with the proposed zoning change from M-1 (Light Manufacturing) to A-3 (Apartment).

Fire Department Comments

No comments received.

El Paso Water Utilities Comments

EPWU does not object to this request.

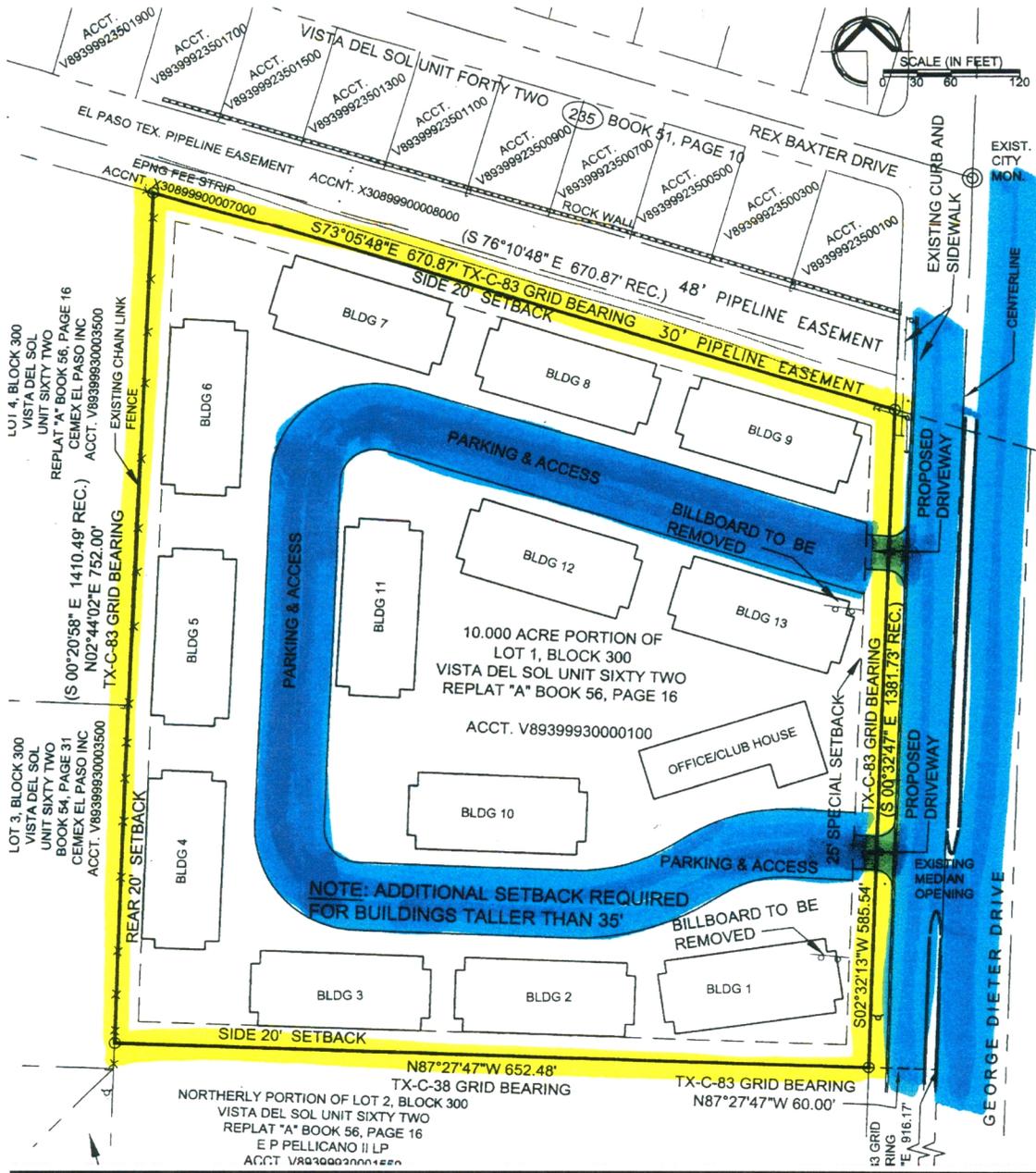
List of Attachments

- Attachment 1: Aerial
- Attachment 2: Concept Plan
- Attachment 3: Application

Attachment 1:



Attachment 2





REZONING APPLI, TION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

City of El Paso, Texas
2 Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

1. CONTACT INFORMATION

PROPERTY OWNER(S): Industrial G. Dieter - 1120 Joint Venture
ADDRESS: 201 E Main, Ste 1516, El Paso ZIP CODE: 79901 PHONE: _____
E-MAIL ADDRESS: _____ FAX: _____

REPRESENTATIVE(S): Huitt-Zollars, Inc. (Kelvin Kroeker, PE)
ADDRESS: 5822 Cromo, Ste 210, El Paso ZIP CODE: 79912 PHONE: 915/587-4339
E-MAIL ADDRESS: kkroeker@huitt-zollars.com FAX: 587-5247

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: V893 99930000 100
LEGAL DESCRIPTION: 10 ac portion of Lot 1, Block 300, Vista del Sol 62, Replat A
STREET ADDRESS OR LOCATION: George Dieter - Scott Simpson REP DISTRICT: 7
ACREAGE: 10 ac PRESENT ZONING: M-1 PRESENT LAND USE: Vacant
PROPOSED ZONING: A-3 PROPOSED LAND USE: Apartments

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
LEGAL DESCRIPTION: _____
STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
PROPOSED ZONING: _____ PROPOSED LAND USE: _____

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
LEGAL DESCRIPTION: _____
STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
PROPOSED ZONING: _____ PROPOSED LAND USE: _____

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
Printed Name: ERNESTO MORENO / INDUSTRIAL G. DIETER - 1120 Signature: [Signature]
Printed Name: PRESIDENT EDWOR INVESTMENTS INC Signature: _____
Printed Name: ADMINISTRATOR Signature: _____

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

DEC 27 2006

OFFICE USE ONLY

ZON A6-00161 RECEIVED DATE: 1/1 APPLICATION FEE: \$ 770.00
DCC REVIEW DATE: 1/17/07 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 2/11/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: [Signature]

vised 9/2006