

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: April 06, 2010
Public Hearing: April 27, 2010

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance amending Ordinance No. 017134 which changed the zoning, with conditions, of Lot 1, Block 1, Parkland Addition Replat B, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6047 Woodrow Bean Boulevard. Property Owner: David Horrell. ZON09-00093
(District 4) (THIS IS AN APPEAL CASE)

BACKGROUND / DISCUSSION:

N/A

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) – Denial Recommendation (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning, Development Services Department

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 017134 WHICH CHANGED THE ZONING, WITH CONDITIONS, OF LOT 1, BLOCK 1, PARKLAND ADDITION REPLAT B, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, on July 7, 2009, the El Paso City Council held a public hearing and approved Ordinance No. 017134, which rezoned, with zoning conditions, *Lot 1, Block 1, Parkland Addition Replat B, City of El Paso, El Paso County, Texas*; and,

WHEREAS, placement of such conditions was necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, the property owner is requesting to amend the conditions placed on the property by Ordinance No. 017134; and,

WHEREAS, a public hearing regarding the amendment of the conditions imposed by Ordinance No. 017134 was held before the City Plan Commission, and the Commission determined that the conditions imposed by Ordinance No. 017134 should be amended; and,

WHEREAS, the City Council of the City of El Paso has determined that the conditions imposed by Ordinance No. 017134 should be amended and that such amendment is necessary to protect the best interest, health, safety and welfare of the public in general.

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

1. That the condition contained in Ordinance No. 017134, dated July 7, 2009, be amended to read as follows:

A five-foot landscaped buffer along the westerly property line of the panhandle driveway running southerly for approximately 150 feet; ending at a 45-foot by 18-foot parking area with no landscaping along the westerly boundary; and, beginning again with an approximate 48-foot long by 14-foot wide landscaped buffer along the westerly boundary, ending at the front gate.

3. Except as herein amended, Ordinance No. 017134 dated January 7, 2009, shall remain in full force and effect.

PASSED AND APPROVED this ____ day of _____, 2010

(Signatures begin on Page 2)

ORDINANCE NO. _____

Zoning Case No. ZON09-00093

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

ORDINANCE NO. _____

Zoning Case No. ZON09-00093



MEMORANDUM

DATE: March 29, 2010
TO: Honorable Mayor and City Council
Joyce Wilson, City Manager
FROM: Esther Guerrero, Planner
SUBJECT: ZON09-00093 (APPEAL CASE)

The City Plan Commission (CPC) on February 11, 2010 voted **5-0** to recommend **DENIAL** of amending zoning conditions imposed on the property by Ordinance No. 017134, dated July 7, 2009, against the recommendation from the DCC and staff.

The CPC heard the rezoning request for this property on April 09, 2009, and recommended a ten-foot landscaped area to serve as buffer between the proposed self-storage warehouses and the abutting park, wildlife preserve, and residential development. The City Council approved the rezoning request and ten-foot landscape buffer on July 7, 2009.

The CPC found that a reduction of the landscape buffer from ten feet to five feet would negatively impact the adjacent property and is not in compliance with the previously approved landscape buffer as the property owner has already built several units within the required buffer without applying for permits.

The CPC also determined that the zoning condition amendment will not protect the best interest, health, safety, and welfare of the public in general; and the zoning condition amendment will have a negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was one letter in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson

APPEAL TO THE CITY COUNCIL

CITY CLERK DEPT.

10 FEB 22 PM 3:44

DATE: February 18, 2010

HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

After a public hearing held on February 11, 2010, the
CITY PLAN COMMISSION denied my request for
AMENDMENT OF ZONING CONDITION

legally described as:

LOT 15 AND 16, BLOCK 17, FRANKLIN
HEIGHTS

I hereby request the City Council to review the decision of the _____
CITY PLAN COMMISSION AND CONSIDER MY REQUEST

SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY
REASONS FOR BELIEVING THEIR DECISION TO BE IN ERROR.

David Horrell
APPLICANT

6047 Woodrow Bean
ADDRESS

203-0241
TELEPHONE NUMBER

Two (2) copies filed in City Clerk's Office on: _____

CITY CLERK DEPT.

10 FEB 22 PM 3:44

David Horrell

6047 Woodrow Bean
El Paso Texas

February 17, 2010

City of El Paso
2 Civic Center Plaza
El Paso Texas 79901

Honorable Mayor Cook and City Council,

Project : 6047 Woodrow Bean Boulevard ZON09-00093

Pursuant to an application to Amend a Zoning Condition imposed by Ordinance No. 017134, dated July 7, 2009, and heard by City Plan Commission on February 11, 2010, we are hereby appealing the decision by the City Plan Commission.

Please note that DCC and also during the CPC Meeting, staff had recommended Approval of the proposed amendment.

A last minute letter of opposition, received by Planning on February 11, 2010, made reference to the wrong "Westerly property line" we did not ask to amend the westerly property line adjacent to the residential zone, we asked for an amendment along the westerly property line adjacent to the existing Church building.

Also, the City Plan Commission denied my request due to the fact that I had already built the storage units along my driveway. Well, I did so because the process of amending started on December 9, 2009, shortly thereafter, I had to pour concrete to keep my construction schedule, however, I did not continue building this particular building until my representative Carrera Group, Inc. called after the DCC meeting and told me that staff had approve our request on January 13, 2010.

It does not take long to erect a small metal building, so by the time the CPC meeting was held, of course I had finished with the erection of the metal building.

I am requesting that you review this case and per your staff, also recommend approval of the Zoning Amendment.

Respectfully,

A handwritten signature in black ink, appearing to read "David Horrell". The signature is fluid and cursive, with a large initial "D" and "H".

David Horrell



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00093
Application Type: Zoning Condition Amendment
CPC Hearing Date: February 11, 2010
Staff Planner: Esther Guerrero, (915) 541-4720, guerreroex@elpasotexas.gov

Location: 6047 Woodrow Bean Boulevard
Legal Description: Lot 1, Block 1, Parkland Addition, City of El Paso, El Paso County, Texas
Acreage: 2.99 acres
Rep District: 4
Present Zoning: A-1/c (Apartment/condition)
Request: Amend zoning condition imposed by Ordinance No. 017134, dated July 7, 2009
Existing Use: Self-storage Warehouses

Property Owner: David Horrell
Representative: Carrera Group, Inc.

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / Franklin Park
South: R-4 (Residential) / Parkland Middle; R-4 (Residential), Church
East: R-2 (Residential) / Single-Family Residential
West: R-4 (Residential) / Church

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

NEAREST PARK: Franklin Park (Adjacent to North)

NEAREST SCHOOL: 1,118 feet (Parkland Middle)

NEIGHBORHOOD ASSOCIATIONS

N/A

NEIGHBORHOOD INPUT

Notices of the January 28, 2010 City Plan Commission hearing were mailed out to property owners within 300 feet of the subject property on January 13, 2010.

One letter of opposition received (attached).

APPLICATION DESCRIPTION

The applicant is requesting to amend a portion of the condition requiring a ten-foot landscaped buffer with evergreen trees placed at 15-feet on center along the westerly property line to a five foot landscaped buffer along the westerly property line of the panhandle driveway running southerly for approximately 150 feet; ending at a 45-foot by 18-foot parking area with no landscaping along the westerly boundary; and, beginning with an approximate 48-foot long by 14-foot wide landscaped buffer along the westerly boundary, ending at the front gate.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

Recommend **approval** of the request to amend the zoning condition imposed on the property as requested by the applicant.

PLANNING DIVISION RECOMMENDATION

After several meetings with the applicant, staff recommends **approval** of the request to amend the zoning condition imposed on the property.

The Plan for El Paso –City-wide Land Use Goals

All applications for zoning condition amendments 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: protect residential areas from incompatible land uses and encroachments which may have a negative impact on the residential living environment.

Development Services Department - Building Permits and Inspections Division

Zoning: No objections to release of conditions.

Engineering Department - Traffic Division

No objection to condition release, however a 20' minimum unobstructed access driveway is required.

Street Department

We recommend against the release of the condition, property is abutting residential district on all sides.

Fire Department

No objections.

El Paso Water Utilities

EPWU does not object to the zoning condition amendment as shown on the site plan.

General:

The Owner/Developer has entered into a Development Agreement with the El Paso Water Utilities – Public Service Board (EPWU-PSB) to construct the proposed sanitary sewer main to provide service to the property. The Developer’s utility contractor is currently installing the required sanitary sewer main. Permanent service will be available after EPWU-PSB issues a Letter of Final Acceptance of the facilities.

On a separate matter regarding the same site plan, EPWU provides the following comments: The sewer main is located within the platted 25-foot wide landscape and utility easement along the eastern property line. The sewer main is located approximately 7-feet west of the eastern property line. The Owner/Developer is to coordinate with EPWU the location of the trees on the northern 320-feet of the property to allow for adequate clearance.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the zoning condition amendment application:

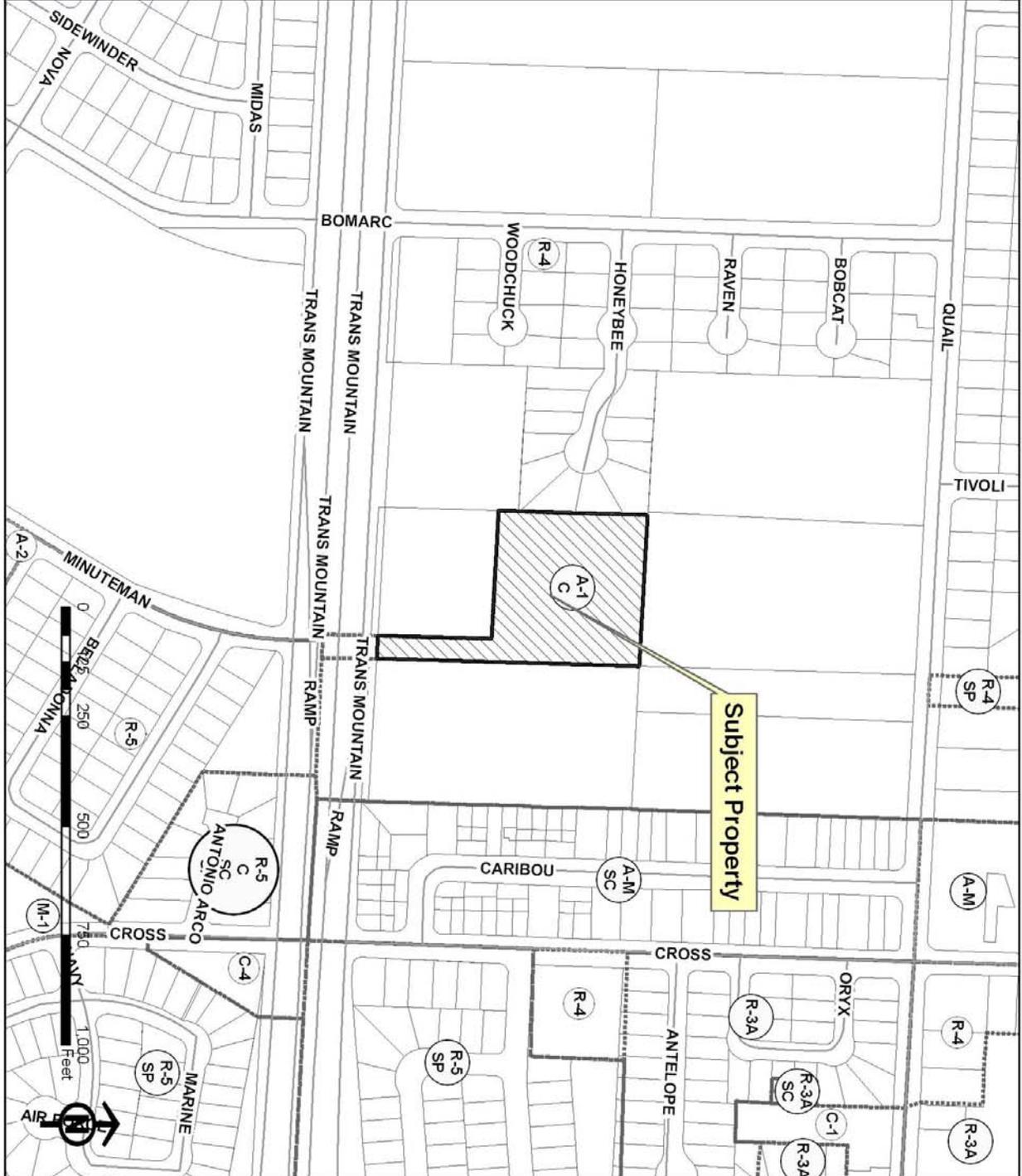
- 1. Recommend approval of the application finding that the zoning condition amendment is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
- 2. Recommend approval of the application with modifications to bring the zoning condition amendment 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 zoning condition amendment 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. Site Plan
- 4. Ordinance No. 017134
- 5. Letter of opposition

ATTACHMENT 1: ZONING MAP

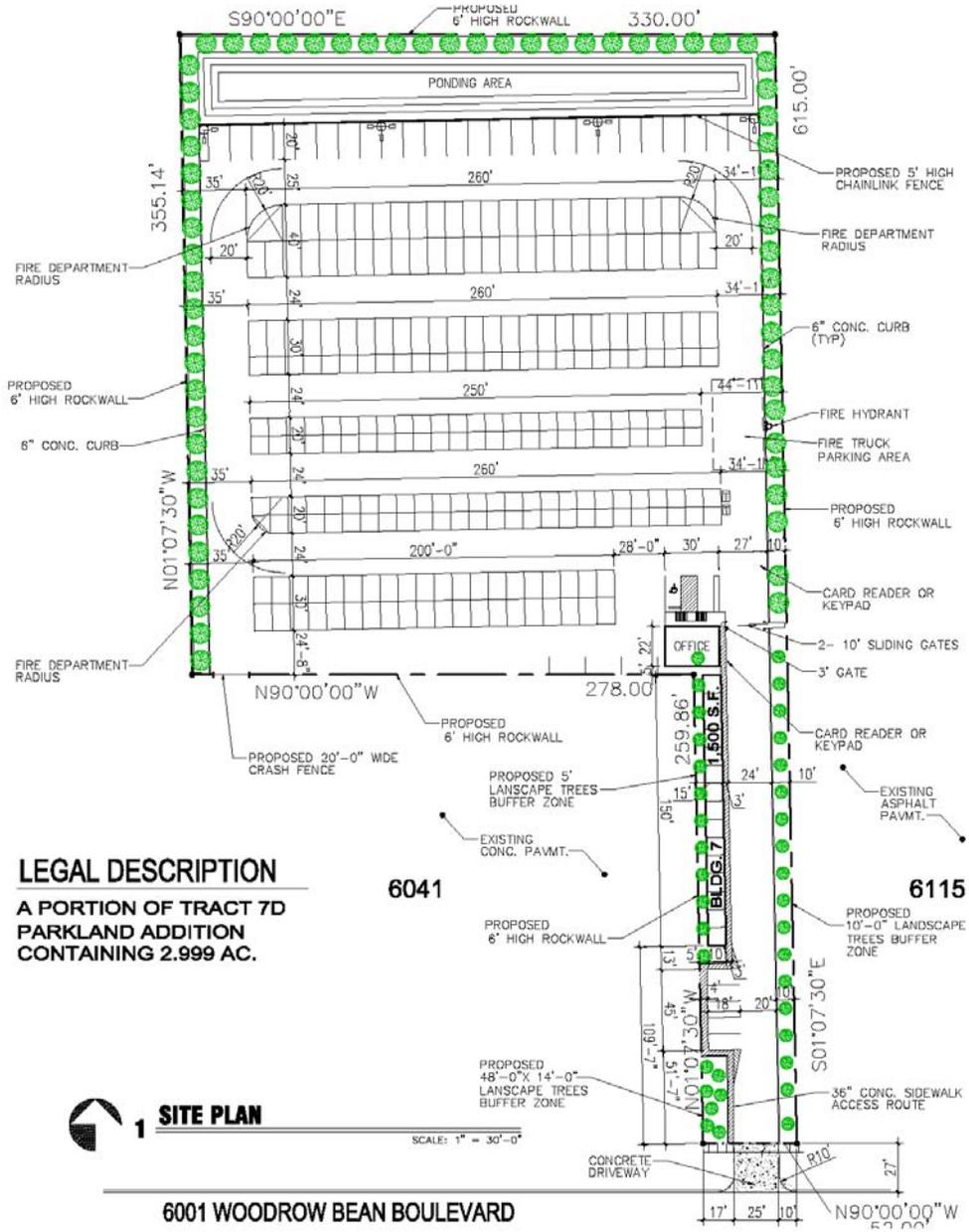
ZON09-00093



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: SITE PLAN



LEGAL DESCRIPTION
 A PORTION OF TRACT 7D
 PARKLAND ADDITION
 CONTAINING 2.999 AC.



1 SITE PLAN

SCALE: 1" = 30'-0"

SUMMARY

BUILDING	
10'X10' TEMP.CONTROL	15
BLDG. 7	1,500 S.F.
PARKING PROVIDED	5
LAND AREA:	
	130,683 S.F.
	2.999 Ac.

11D

ORDINANCE NO. 017134

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 7D, FIRST SUPPLEMENTAL MAP OF PARKLAND ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-1 (APARTMENT) 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 Tract 7D, First Supplemental Map of Parkland Addition, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from R-4 (Residential) to A-1 (Apartment), 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:

A ten-foot landscaped buffer with evergreen trees placed at 15 feet on center shall be required along property lines adjacent to Franklin Park, and the easterly and westerly property lines. The evergreen trees shall be at least ten feet in height and of at least a two-inch caliper.

PASSED AND APPROVED this 7th day of July, 2009.

THE CITY OF EL PASO

John F. Cook
John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Mathew S. McElroy
Deputy Director - Planning
Development Services Department

CITY CLERK DEPT.
09 MAY -4 PM 3:56

ORDINANCE NO. 017134

ZON08-00113

Doc #47363/Planning/Ord/ZON08-00113 (Rezoning w/condition)

ATTACHMENT 5: LETTER OF OPPOSITION

January 21, 2010

City Plan Commission
c/o Planning Division, 5th Floor,
City Hall
2 Civic Center Plaza
El Paso, TX
Case No. ZON09-00093 (6037 Woodrow Bean, self storage)

Dear Members and Staff of the City Plan Commission...

Greetings and peace.

First of all, thank you so much for all the good and hard work you do for our wonderful city and the opportunity to voice our concerns, for or against. It is indeed truly appreciated.

Second, thank you for the letter informing us of the applicant's petition to change the condition of "*A ten-foot landscaped buffer with evergreen trees placed every 15 feet on center shall be required along property lines adjacent to Franklin Park, and the easterly and westerly property lines. The evergreen trees shall be at least ten-feet in height and of at least a two-inch caliper*" at 6047 Woodrow Bean.

This condition was to serve as mitigation for the Certified National Wildlife Backyard Habitat that shares land next to the self storage development and the fact all four sides of the property are zoned residential. It was accepted and passed by both the City Planning Commission and City Council and applauded by us in several letters sent to both even though we opposed the development of the self storage in our beautiful neighborhood.

We are the owners of the 5 acre certified backyard habitat and for this reason we would like to kindly voice our sincere and very strong opposition changing the 10 foot buffer to a five foot buffer. The ten foot buffer has always been appreciated and saluted by us in letters to you and the city council. It was an excellent decision on your part. Somehow it should be a legally if not a morally binding good faith condition with the residents of the area who opposed developing so much land and taking out so much natural land and changing it to asphalt and metal next to nice expensive homes, a daycare, a nature preserve, churches, and a park.

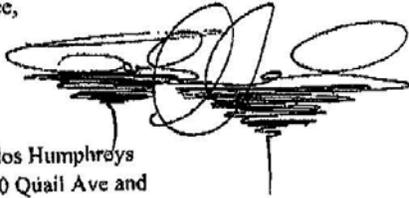
A ten foot landscape buffer on 3 acres of asphalt and metal in a residentially zoned area is so little to ask of a highly profitable business venture. Indeed, a five foot buffer is highly questionable. Would not a five foot buffer place trees only 2 ½ feet from the rock wall if placed on center as required? We have well established Afghan pines along the westerly property line facing the park that are easily over 2 feet in diameter. If the trees are placed that close to the rock wall, they may not survive, if they do, will not grow as fast or normal, defeating the purpose of a 10 foot tree with a 2 inch caliper. Eventually they would impact on the rock wall and its foundation.

Finally, the letter sent to area residents notifying us of the petition clearly states that *"the applicant is petitioning to allow a five-foot buffer on the westerly property line abutting the church only, instead of the required ten foot."* Please note that there is no church on the westerly property line. The westerly property line consists of nice expensive homes whose backyard rock wall serves as the self storage's westerly rock wall. The rock wall was there before the self storage ever came into existence. The self storage did not have to build a rock wall on the westerly property line. The only churches are on the easterly property line and the southern property line. The church on the easterly side has an active and robust dare care center and playground directly adjacent to the self storage property.

In conclusion, we would like to again kindly thank you again for mitigating the condition of a 10 foot landscape buffer on behalf of the residential neighborhood we live in, an excellent decision, and to thank you for all the great and hard work you do for this wonderful community we live in, and for the opportunity to voice our sincere opposition.

May you soar with the eagles always...

Peace,

A handwritten signature in black ink, appearing to read 'Carlos Humphreys', with several horizontal scribbles underneath.

Carlos Humphreys
6120 Quail Ave and
6137 Quail Ave
Phone: 751-2408
Email: SpiritRunner@hotmail.com

1 attachment

January 22, 2010

City Plan Commission
c/o Planning Division, 5th Floor,
City Hall
2 Civic Center Plaza
El Paso, TX
Case No. ZON09-00093 (6047 Woodrow Bean, self storage)

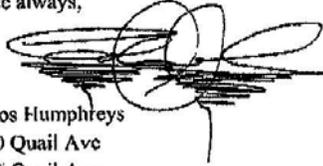
Dear Members and Staff of the City Plan Commission...

Greetings and peace, once again.

Forgive me for writing and taking your time once again. In reviewing the letter of opposition I sent you yesterday regarding this case in the Parkland neighborhood, I mentioned the 10 foot buffer was to serve as mitigation with the adjacent property owners, the park, and the backyard habitat (wildlife preserve) that you and the city council unanimously approved. This condition, a most sound one, was imposed "*in order to protect the health, safety and welfare of the adjacent property owners and residents of the City*". In reviewing my letter to you, I noticed I failed to attach documentation supporting this although you probably may already have it. Just in case, I have attached it to this correspondence.

Again, thank you so much for your time and the opportunity to oppose changing the condition.

Peace always,



Carlos Humphreys
6120 Quail Ave
6136 Quail Ave
915-751-2408
Email: SpiritRunner@hotmail.com

Passed unanimously
by City Council
on July 7, 2009

1

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 7D, FIRST SUPPLEMENTAL MAP OF PARKLAND ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-1 (APARTMENT) 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 Tract 7D, First Supplemental Map of Parkland Addition, City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from R-4 (Residential) to A-1 (Apartment), 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:

A ten-foot landscaped buffer with evergreen trees placed at 15 feet on center shall be required along property lines adjacent to Franklin Park, and the easterly and westerly property lines. The evergreen trees shall be at least ten feet in height and of at least a two-inch caliper.

PASSED AND APPROVED this _____ day of _____, 2009.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Morsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy
Deputy Director - Planning
Development Services Department

ORDINANCE NO. _____

ZON08-00113

Dno #47363/Planning/Ord/ZON08-00113 (Rezoning w/condition)

(2)

Dedicated to Outstanding Customer Service for a Better Community

SERVICE SOLUTIONS SUCCESS

MEMORANDUM



DATE: June 18, 2009
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Mirian Spencer, Planner
SUBJECT: ZON08-00113

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susanmah 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 April 9, 2009 voted 5-0 to recommend **APPROVAL** of the rezoning request from R-4 (Residential) to A-1 (Apartment) in agreement with the recommendation of staff and the Development Coordinating Committee (DCC). The CPC imposed the following as a condition of the rezoning request:

*** *A ten-foot landscaped buffer with evergreen trees placed at 15 feet on center shall be required along property lines adjacent to Franklin Park, and the easterly and westerly property lines. The evergreen trees shall be at least ten feet in height and of at least a two-inch caliper.*

The property owners are requesting to change the zoning of the property from R-4 (Residential) to A-1 (Apartment) to permit a self-storage warehouse. The application is in conformance with The Plan for El Paso because the proposed A-1/c (Apartment/conditions) zoning district is compatible with the adjacent R-4 (Residential) and A-M/sc (Apartment/Mobile Home/special contract) zoning districts and the adjacent development. The proposed A-1/c (Apartment/conditions) zoning district will permit a mixture of housing types, and permit medium densities of dwelling units as well as permit a transition from low-density residential neighborhoods by permitting non-residential uses that serve the adjacent residential developments. The landscaped buffer will serve as mitigation between the proposed self-storage warehouses and the existing adjacent park, wildlife preserve, and single-family residential development.

The CPC found that the rezoning is in conformance with The Plan for El Paso. The CPC also found that the proposed use is compatible with adjacent land uses. 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 were seven letters in opposition to the request. The nature of the opposition is that the proposed zoning district would change the residential character of the neighborhood and the self-storage warehouses could negatively affect the wildlife preserve.

Since the posting of the item, staff has received two additional letters in opposition to the rezoning request. At the June 9, 2009 City Council meeting there were two members of the public to speak in opposition to the rezoning request.

Attachment: Staff Report, Zoning Map, Aerial Map, Conceptual Site Plan, Opposition Map, Opposition Letters

Development Services Department
Victor Q. Torres - Director

2 Civic Center Plaza - 5th Floor - El Paso, Texas 79901 • (915) 541-4622 • Fax (915) 541-4799

3



City of El Paso - City Plan Commission Staff Report

Case No: ZON08-00113
Application Type: Rezoning
CPC Hearing Date: April 9, 2009
Staff Planner: Mirian Spencer, (915) 541-4192, spencermd2@elpasotexas.gov

Location: 6001 Transmountain Road
Legal Description: A portion of Tract D, First Supplemental Map of Parkland Addition, City of El Paso, El Paso County, Texas
Acreage: 2.999 acres
Rep District: 4
Existing Use: Vacant
Existing Zoning: R-4 (Residential)
Proposed Zoning: A-1 (Apartment)

Property Owner: David Harrell
Representative: Carrera Design Group, Inc.

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential)/ Franklin Park
South: R-4 (Residential)/ Church, Loop 375, and Parkland Middle School
East: R-2 (Residential)/ Single-Family Residential
West: R-4 (Residential)/ Church

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

NEAREST PARK: Franklin Park (Adjacent to North)
NEAREST SCHOOL: Parkland Middle School (1,118 feet)

NEIGHBORHOOD ASSOCIATIONS

Northcast El Paso Civic Association

* * *

NEIGHBORHOOD INPUT

Notices of the February 12, 2009 public meeting were mailed out to all property owners within 300 feet of the subject property on January 14, 2009. Notices of the revised public meeting were mailed out to all property owners within 300 feet of the subject property on March 25, 2009. The Planning Division has received nine letters in opposition to the rezoning request.

CASE HISTORY

The case was previously scheduled to be heard at the February 12, 2009 CPC hearing date, but was deleted in order for the property owners to submit a subdivision application for the property.

APPLICATION DESCRIPTION

The property owners are requesting to change the zoning from R-4 (Residential) to A-1 (Apartment) in order to permit self-storage warehouses. The property is 2.999 acres in size and is vacant. The property owners are proposing 269 storage units, 27 RV parking spaces, and an office on the site. Access is proposed via Transmountain Road. There are no conditions imposed on the property.

* * *

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The Development Coordinating Committee provides the following comments:
The DCC recommends APPROVAL of the rezoning request from R-4 (Residential) to A-1 (Apartment) and recommends the following condition:

ZON08-00113

1

April 9, 2009

4

- A ten-foot landscaped buffer with evergreen trees placed at 15 feet on center shall be required along property lines adjacent to Franklin Park, and the easterly and westerly property lines. The evergreen trees shall be at least ten feet in height and of at least a two-inch caliper.

PLANNING DIVISION RECOMMENDATION

Planning recommends **APPROVAL** of the rezoning request from R-4 (Residential) to A-1 (Apartment) and recommends the following condition:

- A ten-foot landscaped buffer with evergreen trees placed at 15 feet on center shall be required along property lines adjacent to Franklin Park, and the easterly and westerly property lines. The evergreen trees shall be at least ten feet in height and of at least a two-inch caliper.

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: 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.

The application is in conformance with The Plan for El Paso because the proposed A-1 (Apartment) zoning district is compatible with the adjacent R-4 (Residential) and A-M/sc (Apartment/Mobile Home/special contract) zoning districts and the adjacent development. The proposed A-1 (Apartment) zoning district will permit a mixture of housing types, and permit medium densities of dwelling units as well as permit a transition from the low-density residential neighborhood by permitting non-residential uses that serve the adjacent residential developments. The landscape buffer will serve as mitigation between the proposed self-storage warehouses and the existing adjacent park, wildlife preserve, and single-family residential development.

Development Services Department - Building Permits and Inspections Division

Zoning: No objection to the proposed rezoning. The minimum parking requirements for self-storage warehouses are one parking space per every 400 sq. ft. GFA of office plus one space for every 5000 sq. ft. GFA of warehouses. The conceptual site plan is only showing four parking spaces being provided on the site. A six-foot masonry screening wall is required along the property lines abutting the R-4 (Residential) zoning districts. The conceptual site plan is proposing a six-foot chain link fence. The access route to the property shall be labeled.

Landscaping: Landscaping will be required for the development proposed. The site will not meet code under Section 18.46 as submitted. No landscaping calculations provided.

Development Services Department - Planning Division

Current Planning: recommends **APPROVAL** of the rezoning request from R-4 (Residential) to A-1 (Apartment) and recommends the following condition:

- A ten-foot landscaped buffer with evergreen trees placed at 15 feet on center shall be required along property lines adjacent to Franklin Park, and the easterly and westerly property lines. The evergreen trees shall be at least ten feet in height and of at least a two-inch caliper.

Land Development: Site location is not located within a Special Flood Hazard Area, Flood Zones B and C, Panel 480214 0020 B. The following will be required at the time of development:

1. ADA accessible sidewalks, wheel-chair ramp(s), and driveway(s).