

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: March 26, 2013
Public Hearing: April 16, 2013

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

SUBJECT:

An ordinance changing the zoning of a portion of Lot 1, Sunnyfields, City of El Paso, El Paso County, Texas from R-4 (Residential) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7704 Alameda Avenue. Property Owner: Roberto Pacheco. PZRZ12-00037 (District 7)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (5-0).

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Director, City Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, SUNNYFIELDS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-3 (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 Lot 1, Sunnyfields, 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 C-3 (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:

1. That all automobile sales shall be prohibited.

PASSED AND APPROVED this _____ day of _____, 2013.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Karla M. Nieman
Assistant City Attorney

Mathew S. McElroy, Director
City Development Department

EXHIBIT "A"

Parcel of land that is a portion
Lot 1, Sunnyfields, Ysleta Grant,
City of El Paso,
El Paso County, Texas

7704 Alameda Ave.
El Paso, Texas
METES AND BOUNDS

Description of a parcel of land being a portion of Lot 1, Sunnyfields, City of El Paso, El Paso County, Texas, more particularly described by metes and bounds as follows;

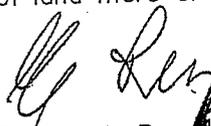
Commencing at a point that marks the intersection of the Easterly Right-of-Way line of Playa Lateral and the Westernmost corner of said Lot 1, the point also lying on the South Right-of-Way line of Alameda Ave. Thence South 46° 35' 00" East along said South Right-of-Way line of Alameda, a distance of 223.89 feet to the point of beginning of this description;

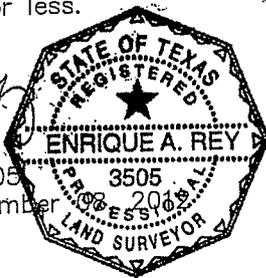
Thence South 46° 35' 00" East along said Right-of-Way line of Alameda Ave. a distance of 87.00 feet to a point;

Thence South 43° 25' 00" West a distance of 315.63 feet to a point that lies on the Easterly Right-of-Way line of Playa Lateral;

Thence North 01° 09' 00" West along said lateral Right-of-Way line, a distance of 123.98 feet to a point;

Thence North 43° 25' 00" East a distance of 227.30 feet to the point of beginning of this description. Said parcel of land contains 23,617 square feet or 0.542 acres of land more or less.


Enrique A. Rey
R.P.L.S. TX 3505
Thursday, November 20, 2008



MEMORANDUM

DATE: March 18, 2013

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

FROM: Andrew Salloum, Planner

SUBJECT: PZRZ12-00037

The City Plan Commission (CPC), on February 21, 2013, voted 5-0 to recommend **approval** of rezoning the subject property from R-4 (Residential) to C-3 (Commercial) and imposing a condition that all automobile sales shall be prohibited.

The CPC found that the rezoning is in conformance with the Plan El Paso. 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 negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There is a petition with 32 signatures in opposition to this request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ12-00037
Application Type: Rezoning
CPC Hearing Date: February 21, 2013
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 7704 Alameda Avenue
Legal Description: A portion of Lot 1, Sunnyfields, City of El Paso, El Paso County, Texas
Acreage: 0.542-acre
Rep District: 7
Existing Zoning: R-4 (Residential)
Existing Use: Automotive Repair Garage
Request: From R-4 (Residential) to C-3 (Commercial)
Proposed Use: Automotive Repair Garage

Property Owner: Roberto Pacheco
Representative: Rey Engineering, Inc.

SURROUNDING ZONING AND LAND USE

North: C-3 (Commercial) / Automobile Sale
South: C-3/sc (Commercial/special contract) / Car Wash and Bakery
East: C-4/sc (Commercial/special contract) / Tractor & Equipment Supply
West: C-4 (Commercial) / Apartment Complex and Lateral Ditch

PLAN EL PASO DESIGNATION: G-3, Post-War (Mission Valley Planning)
NEAREST PARK: Riverside Park (1,642 feet)
NEAREST SCHOOL: Cesar Chavez Academy Middle Special Campus (1,192 feet)

NEIGHBORHOOD ASSOCIATIONS

Thomas Manor Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 5, 2013. The Planning Division received a petition with 32 signatures in opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-4 (Residential) to C-3 (Commercial) to allow for automobile repair garage. The detailed site plan shows an existing 535 sq. ft. office and 2 canopy areas. Since at least 1959, the subject property has been registered legal non-conforming to allow for automobile repair garage and service uses in R-4 zone district. Access is proposed from Alameda Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends approval of rezoning request from R-4 (Residential) to C-3 (Commercial) with a condition that all automobile sales shall be prohibited. The recommendation is based on the existing commercial uses immediately adjacent to the subject property. The predominant land use in area is Commercial.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

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.

COMMENTS:

Planning Division - Transportation

No objection to rezoning request.

Site Plan comments:

1. Driveways do not comply with commercial driveway requirement.
2. 24 feet driving aisle required for 90 degree angle parking
3. Show ADA path of travel from space to building
4. Located along Alameda RTS corridor
5. Lateral is located on the bike plan map
6. Sidewalk must be okay with continue across driveway

Notes:

1. Access and improvements to Alameda shall be coordinated and approved by TxDOT.
2. All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

City Development Department – Plan Review

Provide Parking is required.

City Development Department - Land Development

No Objection.

Grading plan and permit shall be required.*

Storm Water Pollution Prevention Plan and/or permit required.*

Drainage plans must be approved by the City Development Dept. Land Development Section.*

* This requirement will be applied at the time of development

Fire Department

Recommend approval of "site plan" as presented. Does not adversely affect fire department at this time.*

* Note, A more detailed reviewed will be done by fire plan review during the permitting process.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

We have reviewed the zoning change request reference above and provide the following comments:

1. El Paso Water Utilities (EPWU) does not object to this request.

2. Alameda Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Alameda Avenue right-of-way requires written permission from TxDOT. Water:

3. There is an existing 12-inch diameter water main extending along Alameda Avenue that is available for service, the water main is located approximately 32 feet south from the center line of the right-of-way.

4. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 7704 Alameda Avenue.

5. Previous water pressure from fire hydrant #8174 located approximately 400-ft west of Eastern Lane has yield a static pressure of 100 (psi), a residual pressure of 80 (psi), and a discharge of 1,113 gallons per minute.

6. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

7. There is an existing 21-inch diameter sanitary sewer main extending along Alameda Avenue that is available for service, the sewer main is located approximately 20 feet north from the center line of the right-of-way.

General:

8. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

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 Plan 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 Plan 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 Plan El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

Attachments:

Attachment 1: Zoning Map

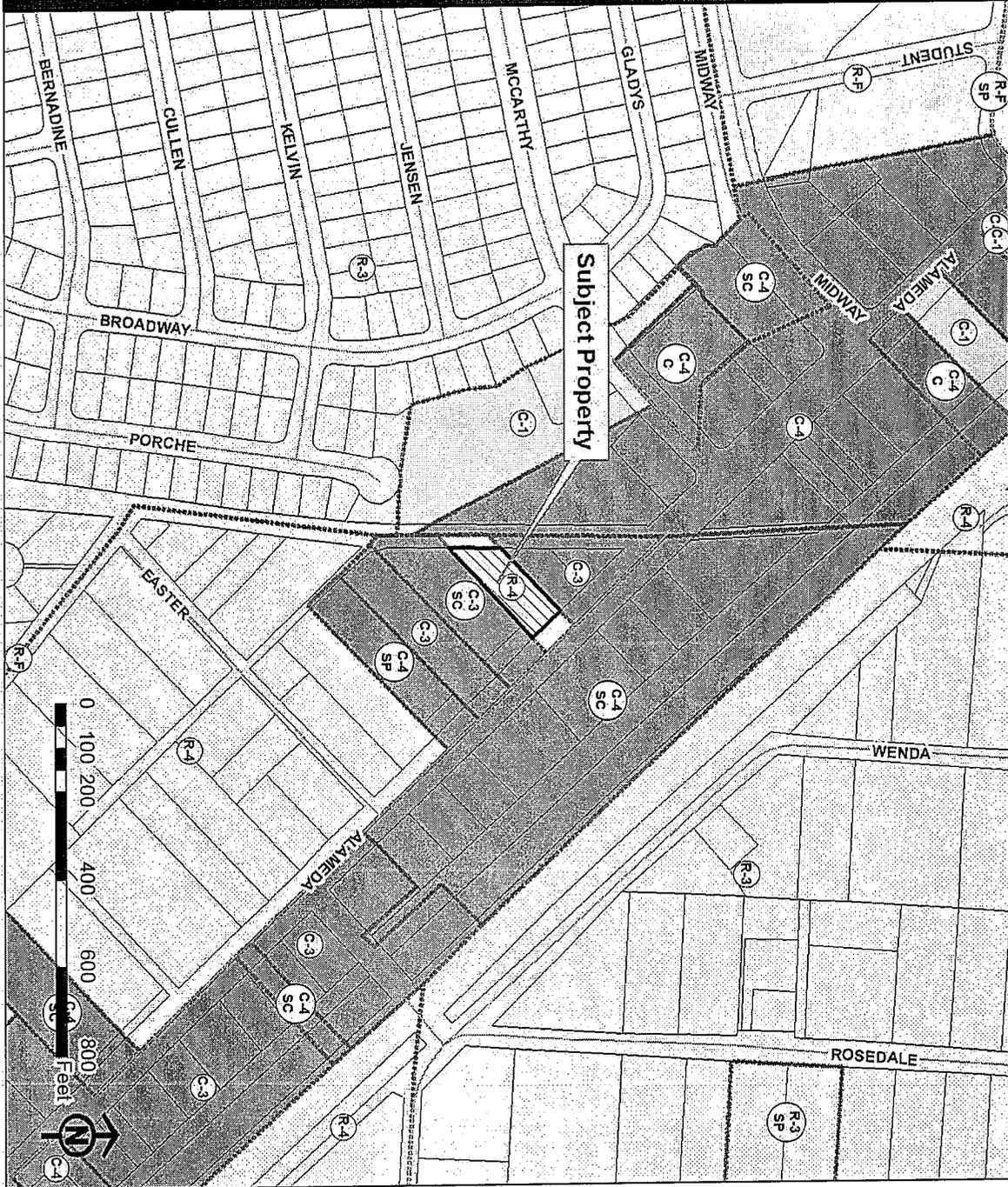
Attachment 2: Aerial Map

Attachment 3: Detailed Site Plan

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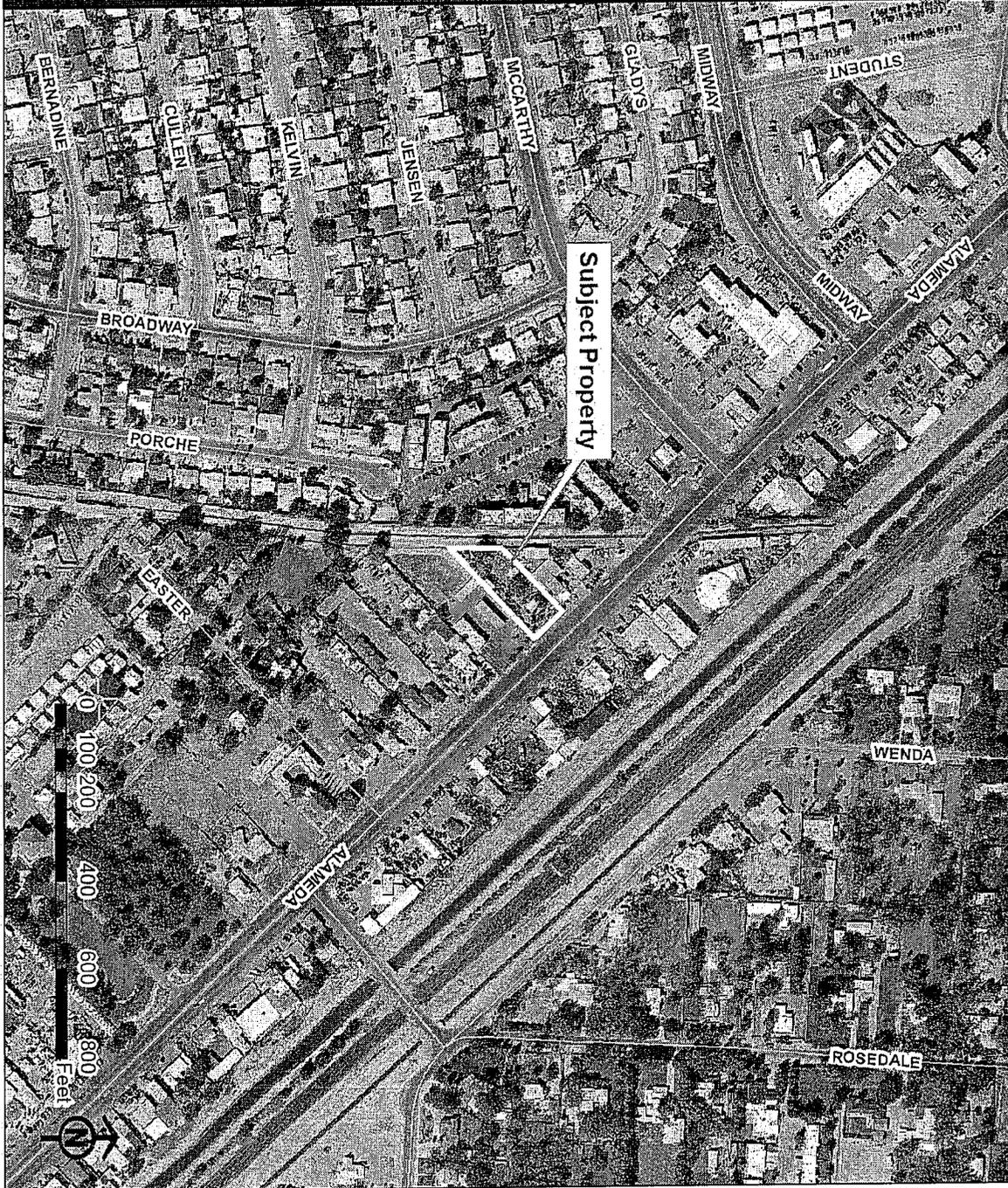
ATTACHMENT 1: ZONING MAP

PZRZ12-00037

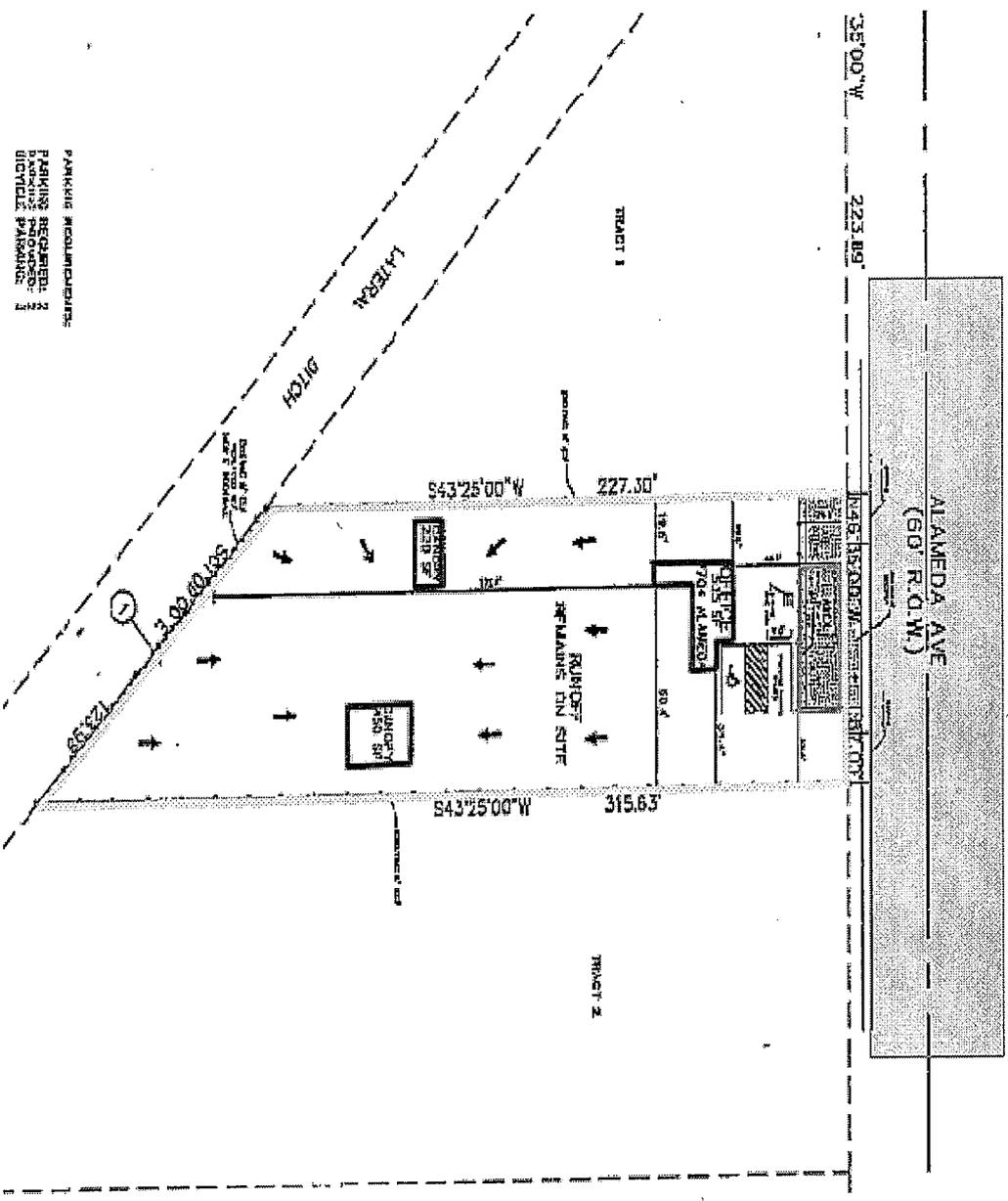


ATTACHMENT 2: AERIAL MAP

PZRZ12-00037



ATTACHMENT 3: CONCEPTUAL SITE PLAN



PARKING REQUIREMENTS:
 PARKING REQUIRED: 2
 PARKING PROVIDED: 2
 DISTRICT PARKING: 1