

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: May 4, 2010
Public Hearing: May 25, 2010

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

DISTRICT(S) AFFECTED: 3

SUBJECT:

An ordinance changing the zoning of a portion of Lot 3, Block 16A, Scotsdale Unit 2A, City of El Paso, El Paso County, Texas from C-1 (Commercial) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3368 Wedgewood Drive. Property Owner: Orlando Garza. ZON10-00009 (District 3)

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) – Approval Recommendation (6-0)

*****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 CHANGING THE ZONING OF A PORTION OF LOT 3, BLOCK 16A, SCOTSDALE UNIT 2A, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-2 (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 *a portion of Lot 3, Block 16A, Scotsdale Unit 2A, 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 **C-1 (Commercial)** to **C-2 (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 _____, 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:

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

A Portion of Lot 3, Block 16A,
Scotsdale Unit 2A,
City of El Paso, El Paso County, Texas
December 22, 2009

METES AND BOUNDS DESCRIPTION

3368 Wedgewood Street
Exhibit "A"

FIELD NOTE DESCRIPTION of a Portion of Lot 3, Block 16A, Scotsdale Unit 2A, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found nail located on the common boundary line of Lots 2 and 3, same being the easterly right-of-way line of Wedgewood Street (90' R.O.W.) and being the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said easterly right-of-way line and along said common boundary line, North 81°12'00" East, a distance of 181.66 feet to a set nail for corner;

THENCE, leaving said common boundary line, South 01°02'00" East, a distance of 35.00 feet to a set nail for corner;

THENCE, South 81°12'00" West, a distance of 181.66 feet to a found iron rod for corner;

THENCE, North 01°02'00" West, a distance of 35.00 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 6,299.77 square feet or 0.1446 acres of land more or less.

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

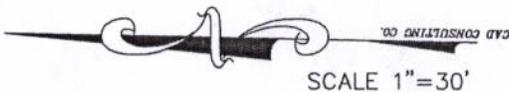
CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2009\92448.wpd





WEDGEWOOD STREET

90' R.O.W.



NOTE:
THIS SURVEY WAS
DONE WITHOUT THE
BENEFIT OF A
TITLE COMMITMENT.

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CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN HEREON.

CARLOS M. JIMENEZ

CARLOS M. JIMENEZ
R.P.L.S. No. 39587

JOB # 92448A DATE: 12-22-09 FIELD: JM OFFICE: EA FILE: NET:\ENRIQUE\2009\92448

LOCATED IN ZONE A15,B,C PANEL # 480214-0036-B DATED 10-15-82

RECORDED IN VOLUME XX PAGE XX, PLAT RECORDS, EL PASO COUNTY, TX

3368 WEDGEWOOD STREET
A PORTION OF LOT 3, BLOCK 16A (SEE EXHIBIT "A")
SCOTSDALE UNIT 2A
CITY OF EL PASO, EL PASO COUNTY, TEXAS

CD CONSULTING COMPANY
1790 LEE TREVINO DRIVE SUITE 503
EL PASO, TEXAS 79936
(915) 633-6422



MEMORANDUM

DATE: April 26, 2010
TO: Honorable Mayor and City Council
Joyce Wilson, City Manager
FROM: Esther Guerrero, Planner
SUBJECT: ZON10-00009

The City Plan Commission (CPC) on April 8, 2010, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from C-1 (Commercial) to C-2 (Commercial), in agreement with the recommendation from the DCC and staff.

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 East Planning Area. 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 was no one present to speak in favor or 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



City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00009
Application Type: Rezoning
CPC Hearing Date: April 8, 2010
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 3368 Wedgewood Drive
Legal Description: A portion of Lot 3, Block 16A, Scotsdale Unit 2A, City of El Paso, El Paso County, Texas
Acreage: 0.1446 acres
Rep District: 3
Existing Use: Retail Store (Pizza Shop)

Request: C-1 (Commercial) to C-2 (Commercial)
Proposed Use: Veterinary Treatment Center (small animals)
Property Owner: Orlando Garza
Representative: Carlos Lievanos

SURROUNDING ZONING AND LAND USE

North: C-2 (Commercial) / Animal Hospital
South: C-1 (Commercial) / Office
East: R-3 (Residential) / Retention Pond
West: C-1(Commercial), C-4/sc (Commercial/special contract) / Laundry Service, Office

Plan for El Paso Designation: Mixed-Use (East Planning Area)
Nearest Park: Cork (800 Feet)
Nearest School: Edgemere Elementary (3,775 Feet)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association

NEIGHBORHOOD INPUT

Notices of the April 8, 2010 City Plan Commission hearing were mailed out to property owners within 300 feet of the subject property on March 24, 2010.

APPLICATION DESCRIPTION

The request is to change the zoning from C-1 (Commercial) to C-2 (Commercial) in order to allow a veterinary treatment center/hospital for small animals. The property currently has an existing pizza shop and is proposed to be demolished. The property owner also owns the property immediately to the north of the subject property and has an existing veterinary treatment center/hospital for small animals that is zoned C-2 (Commercial). The property owner intends to use both parcels for a veterinary treatment center/hospital for small animals that will include two buildings with construction to be done in two phases, with 16 parking spaces provided. Proposed Phase I construction will consist of a 1,570 sq. ft. building on the subject property and a 3,560 sq. ft. building on the abutting parcel to the north, with a courtyard between the buildings in Phase II.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

Recommend **approval** of the rezoning from C-1 (Commercial) to C-2 (Commercial).

DEVELOPMENT SERVICES DEPARTMENT-PLANNING DIVISION RECOMMENDATION

Recommend **approval** of the rezoning from C-1 (Commercial) to C-2 (Commercial).

Supplemental Use Regulations in Title 20, Section 20.10.80 (Animal Facilities) in a C-2 (Commercial) district include the following:

- a) All animals are housed inside a permitted structure,
- b) No open pens are provided or used,
- c) No building, structure or open area (except space for parking of employee and customer automobiles) shall be used for any hospital or clinic purpose unless it is at least one hundred fifty feet from the nearest residential or apartment district or use at the time the hospital or clinic use is established,
- d) A means of mechanical air exchange is provided for all permitted hospital or clinic structures, and
- e) No outside runs are permitted.

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: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the C-2 (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.

Engineering Department - Traffic Division

No objections.

Street Department

No comments received.

Development Services-Building Permits and Inspections

No objections

Fire Department

No objections.

Sun Metro:

No objections.

El Paso Water Utilities

No objections.

CITY PLAN COMMISSION OPTIONS

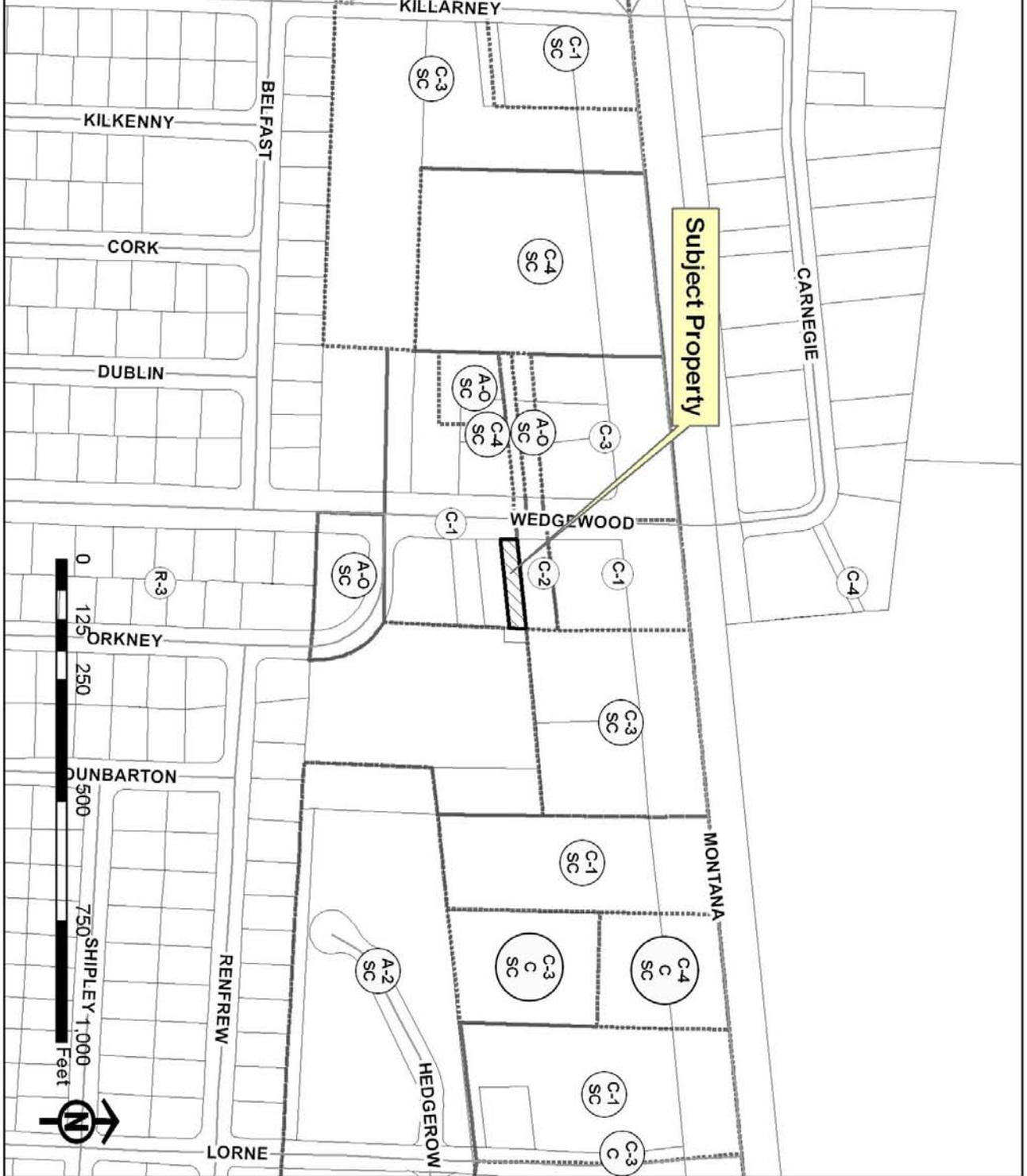
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

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.

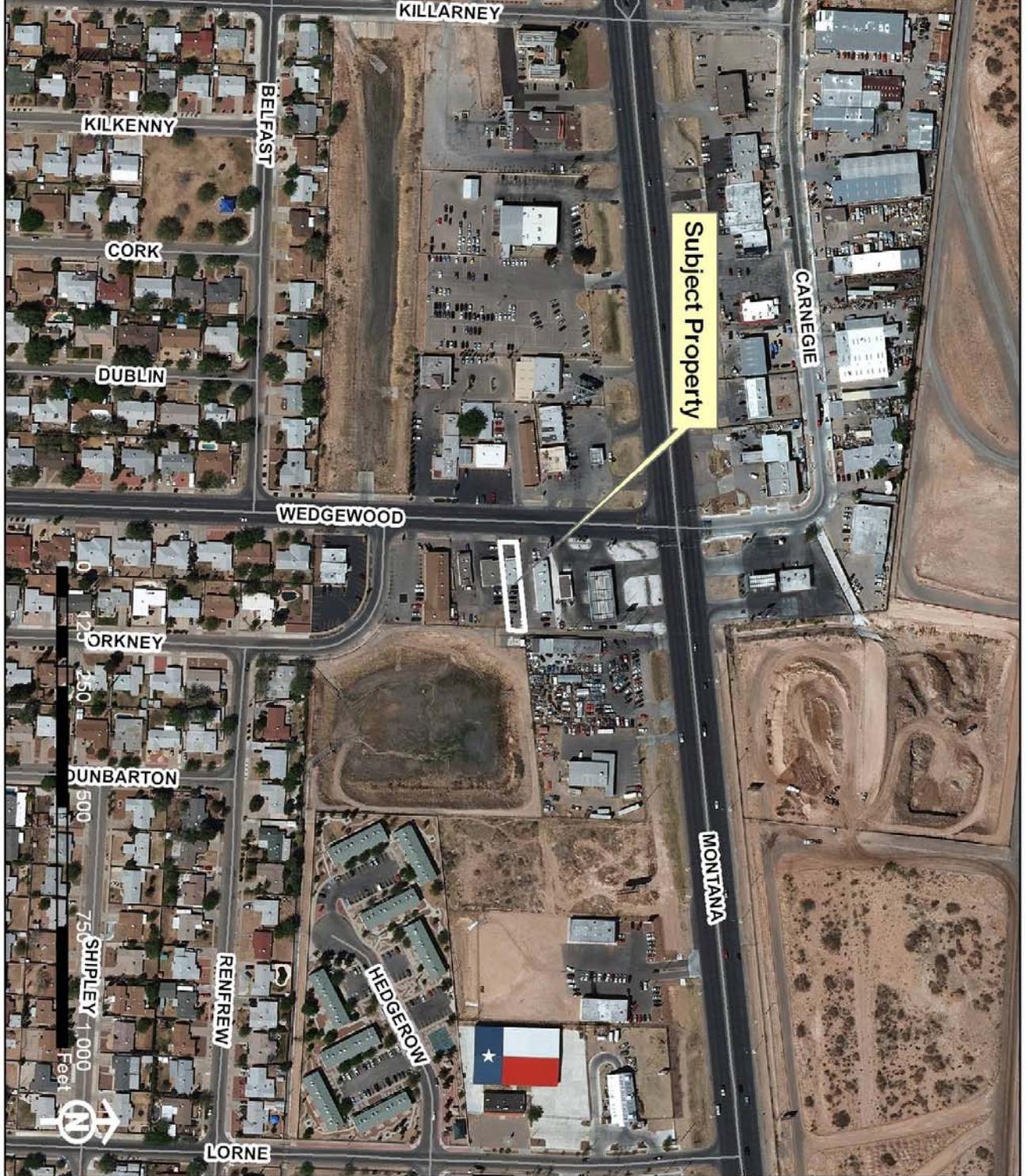
Attachments

1. Zoning Map
2. Aerial Map
3. Site Plan (Existing)
4. Conceptual Site Plan (Proposed)
5. Elevations (Proposed)

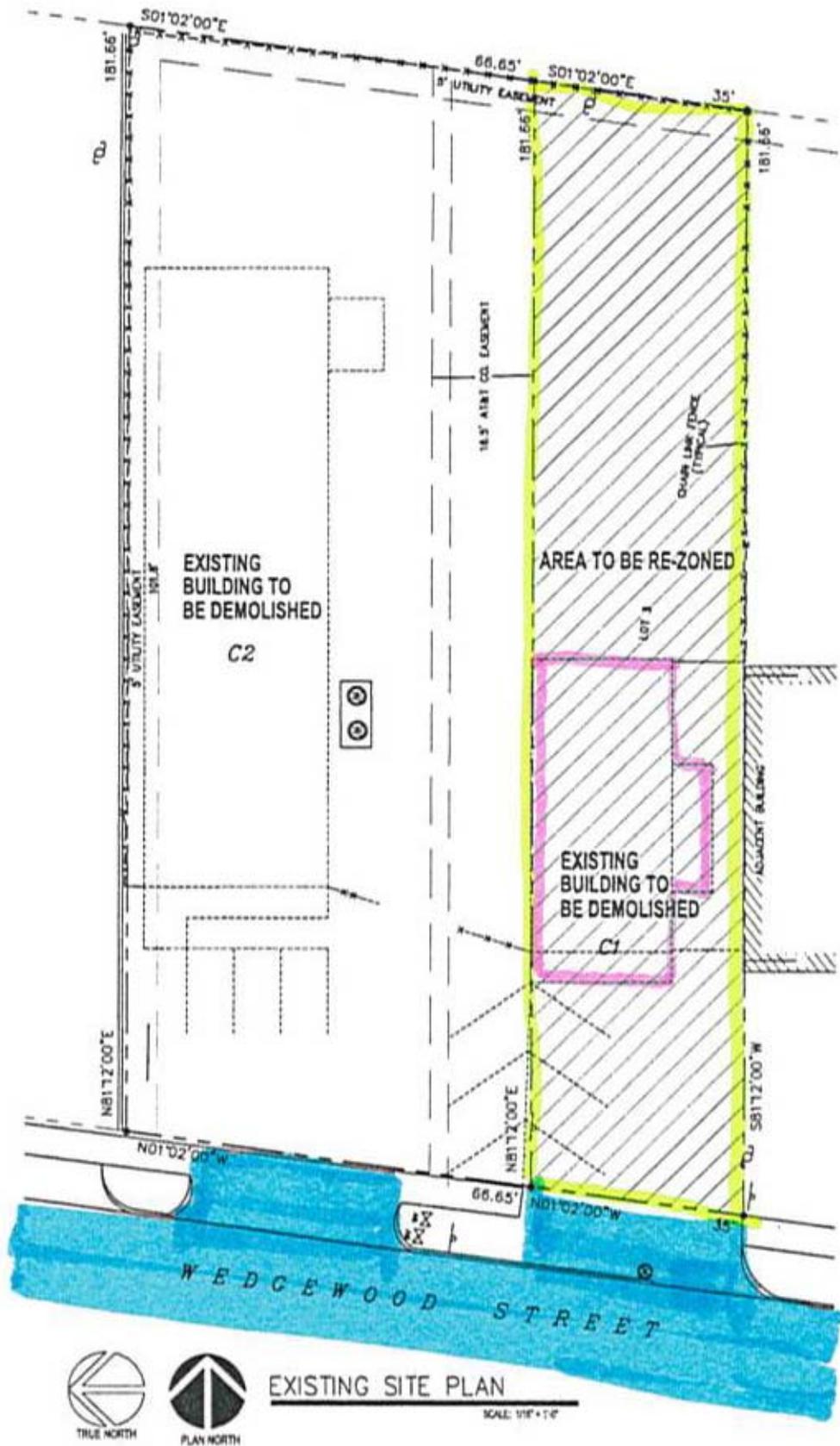
ZON10-00009



ZON10-00009



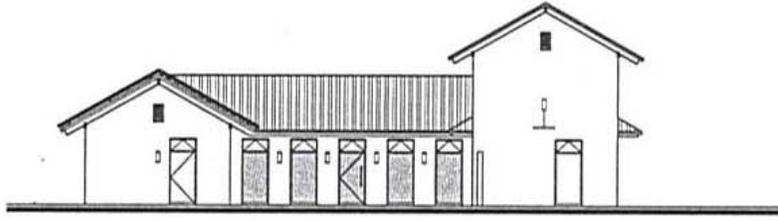
ATTACHMENT 3: SITE PLAN (EXISTING)



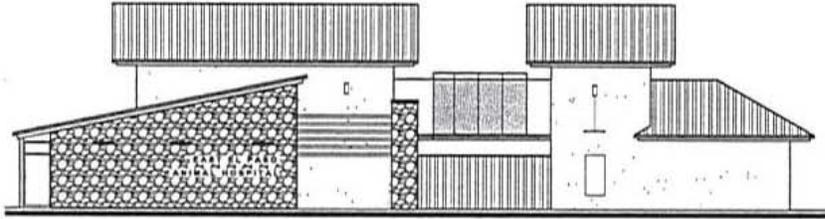
ATTACHMENT 4: CONCEPTUAL SITE PLAN (PROPOSED)



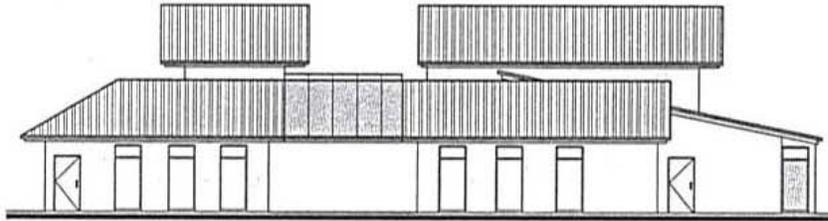
ATTACHMENT 5: ELEVATIONS (PROPOSED)



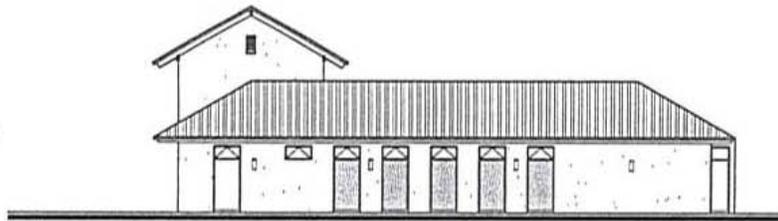
1 PROPOSED NEW NORTH ELEVATION
SCALE: 1/4"=1'-0"



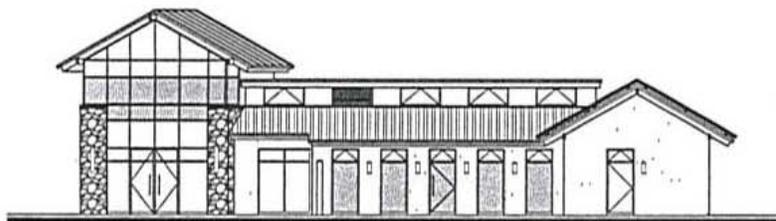
2 PROPOSED NEW WEST ELEVATION
SCALE: 1/4"=1'-0"



3 PROPOSED NEW EAST ELEVATION
SCALE: 1/4"=1'-0"



4 PROPOSED NEW SOUTH ELEVATION
SCALE: 1/4"=1'-0"



5 PROPOSED NEW SOUTH ELEVATION
SCALE: 1/4"=1'-0"