

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: May 29, 2007
Public Hearing: June 19, 2007

CONTACT PERSON/PHONE: Esther Guerrero, 541-4720

DISTRICT(S) AFFECTED: 4

SUBJECT:

An ordinance changing the zoning of Lot 7, Block 6, Northgate Replat C, City of El Paso, El Paso County, Texas from C-1 (Commercial) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 9400 Dyer Street. Applicant: Northgate Plaza, LLC. ZON07-00019 (**District 4**)

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 (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

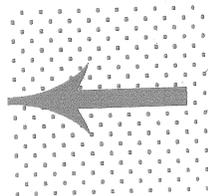
AN ORDINANCE CHANGING THE ZONING OF LOT 7, BLOCK 6, NORTHGATE REPLAT C, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

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

That the zoning of *Lot 7, Block 6, Northgate Replat C, 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 _____, 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
Kimberly Forsyth, Senior Planner
Development Services Department

CITY CLERK DEPT.
07 MAY 21 PM 3:56

ORDINANCE NO. _____

Zoning Case No: ZON07-00019



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

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

**DEVELOPMENT SERVICES
PLANNING DIVISION**

MEMORANDUM

DATE: May 21, 2007

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

FROM: Esther Guerrero, Planner

SUBJECT: **ZON07-00019**

The City Plan Commission (CPC), on April 5, 2007, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from C-1 (Commercial) to C-3 (Commercial).

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. The CPC also determined that this 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 effects 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.

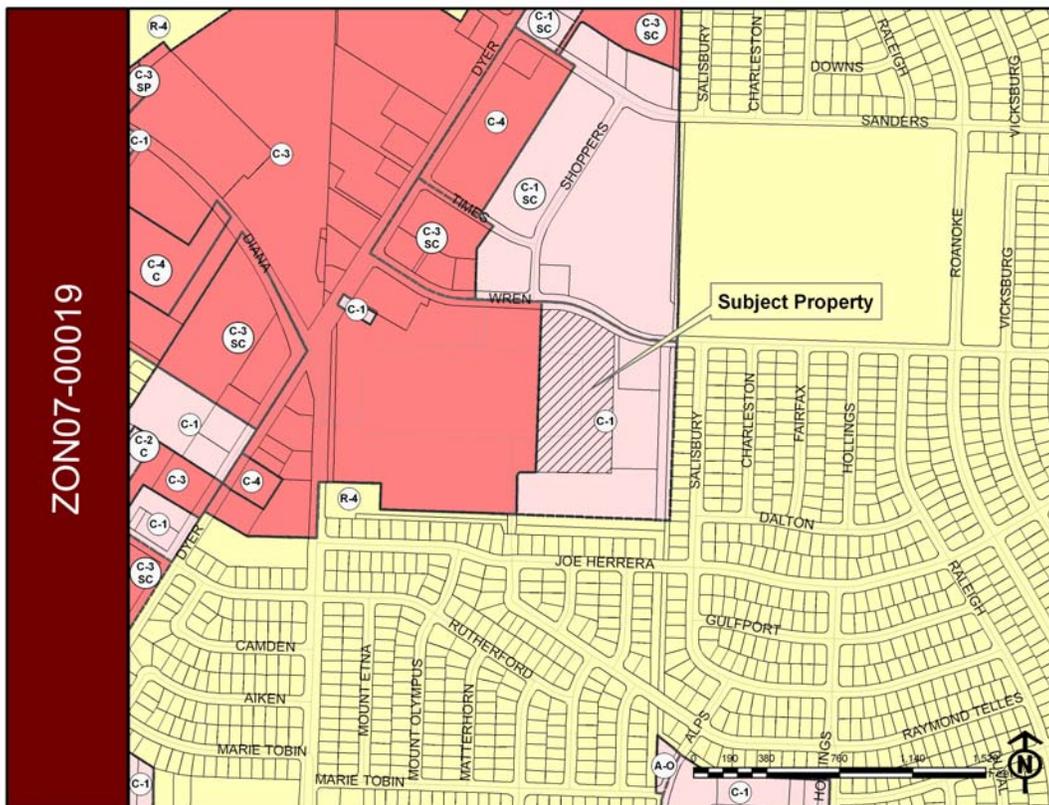
There was no opposition to this request.

Attachments: Staff Report



ZON07-00019

Application Type: Rezoning
Property Owner(s): Northgate Plaza, LLC
Representative(s): Conde, Inc.
Legal Description: Lot 7, Block 6, Northgate Replat C, City of El Paso, El Paso County, Texas
Location: 9400 Dyer Street
Representative District: 4 **Area:** 7.3 Acres
Present Zoning: C-1 (Commercial)
Present Use: Retail Shopping Center **Proposed Zoning:** C-3 (Commercial)
Recognized Neighborhood Associations Contacted: Northeast El Paso Civic Association
Public Response: None
Surrounding Land Uses: **North:** C-1 / Bank, Gasoline Station, Apartments; **South:** C-1 / Apartments; **East:** C-1 / Apartments; **West:** C-3 / Shopping Center
Year 2025 Designation: Residential and Commercial (Northeast Planning Area)



General Information

The applicant requests a rezoning from C-1 (Commercial) to C-3 (Commercial) in order to permit a call center and automotive retail uses. The property consists of 7.3 acres of land with a 45,000 square foot vacant building with 524 parking spaces (formerly the Furr's Supermarket). Access is proposed via Wren Avenue.

Staff Recommendation

The Development Coordinating Committee (DCC) recommends **approval** of the rezoning request.

The recommendation is based on the following:

- **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”
- **The Year 2025 Projected General Land Use Map** for the **Northeast** Planning Area designates this property for **Commercial and Residential** land uses.
- **C-3 (Commercial) zoning** permits call centers or data processing center and automotive retail uses and **is compatible** with adjacent development.

Findings

The Commission must determine the following:

- A. Will the rezoning protect the best interest, health, safety and welfare of the public in general?
- B. What effects will this have on the natural environment, social and economic conditions, and property values in the vicinity and the city as a whole?
- C. What is the relation of the proposed rezoning to the City's Comprehensive Plan?

Development Services Department - Planning Division

- A. The Year 2025 Projected General Land Use Map for the Northeast Planning Area designates this property as Commercial and Residential.
- B. C-3 (Commercial) is compatible with adjacent land uses.

Development Services Department - Building Permits Division

Retail Shopping Center permitted on proposed C-3 Commercial District. Existing Center meets minimum lot development and yard standards. Sufficient parking spaces provided for the proposed use.

Development Services Department - Subdivision Plan Review

No objections.

Engineering Department - Traffic Division

No objections.

Fire Department

No comments received.

EI Paso Water Utilities

No objections.

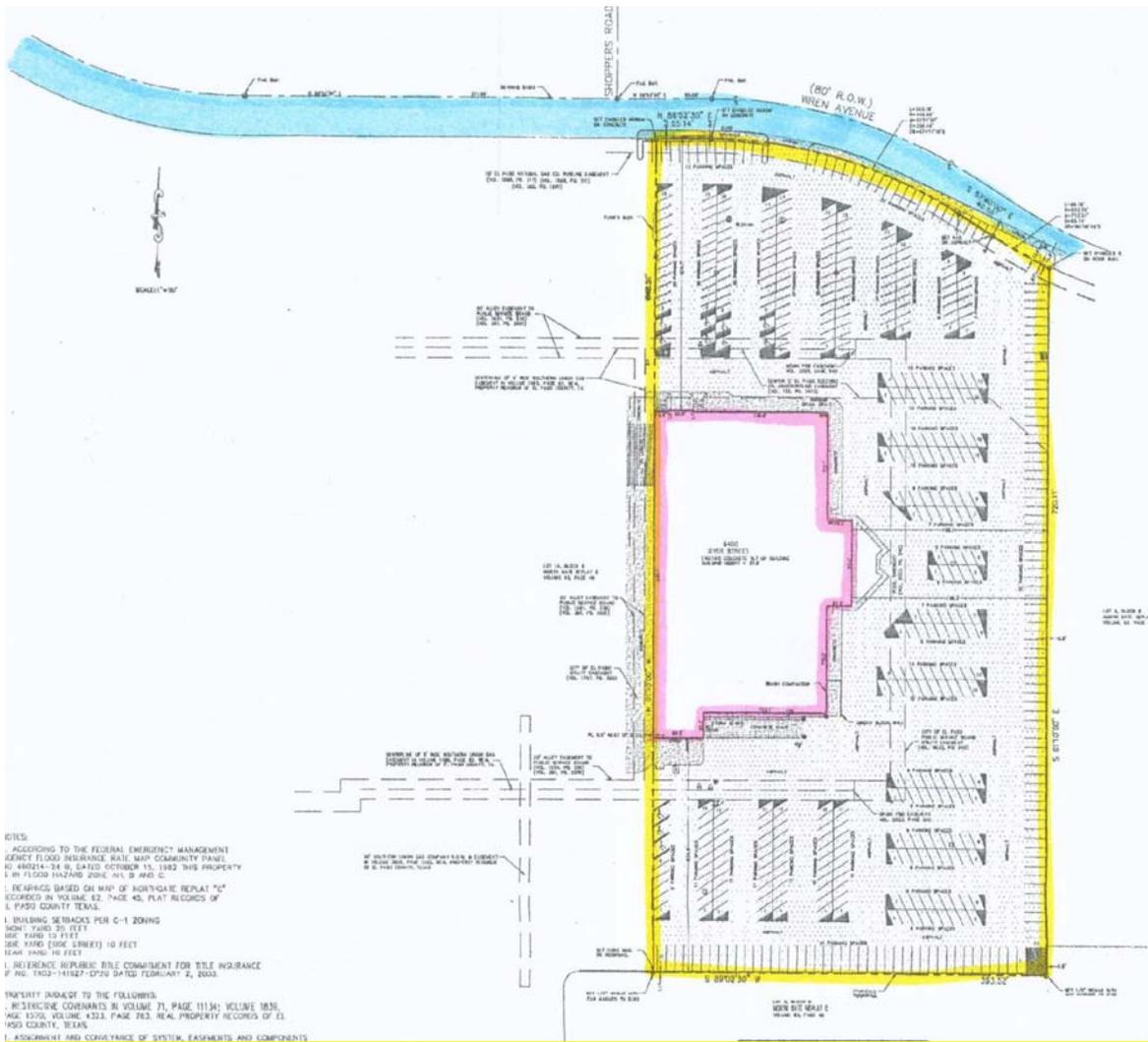
List of Attachments

Attachment 1: Site Plan

Attachment 2: Application



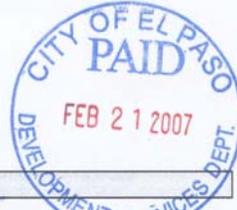
Attachment 1: Site Plan



Attachment 2: Application



**REZONING APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO, TEXAS**



1. CONTACT INFORMATION

PROPERTY OWNER(S): NORTHGATE PLAZA LLC
 ADDRESS: 2932 WILSHIRE BLVD ZIP CODE: 90403 PHONE: 710-586-1040 X107
 APPLICANT(S): NORTHGATE PLAZA LLC #205
 ADDRESS: 2932 Wilshire Blvd # 205 ZIP CODE: 90403 PHONE: 310-704-3369
 REPRESENTATIVE(S): Conde, Inc.
 ADDRESS: 1790 LEE TREVINO, Ste. 400 ZIP CODE: 79936 PHONE: 915-572-0283
 E-MAIL ADDRESS: GEORGE@CALXPROPERTIES.COM FAX: _____

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: N 579-909-0060-9000
 LEGAL DESCRIPTION: Block 6 NORTHGATE PLAZA C, LOT 7, City of El Paso, El Paso County, TEXAS
 STREET ADDRESS OR LOCATION: 9400 DYER ST REP DISTRICT: 4
 ACREAGE: 7.3 ACRES PRESENT ZONING: CT PRESENT LAND USE: RETAIL
 PROPOSED ZONING: C-4 PROPOSED LAND USE: To allow for a call center and Automotive RETAIL

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: LATE PAID Signature: _____
 Printed Name: NORTHGATE PLAZA LLC Signature: _____
 Printed Name: BY GEORGE MESKINA 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.

OFFICE USE ONLY		
ZON <u>07-00019</u>	RECEIVED DATE: <u>2/20/07</u>	APPLICATION FEE: \$ <u>770-</u>
DCC REVIEW DATE: <u>3/14/07</u> (8:30 am, Planning Department Conference Room, 2 nd Floor, City Hall Building)		
CPC REVIEW DATE: <u>3/15/07</u> (1:30 pm, City Council Chambers, 2 nd Floor, City Hall Building)		
ACCEPTED BY: <u>[Signature]</u>	FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126	

Revised 06/2004