

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: June 17, 2008
Public Hearing: July 8, 2008

CONTACT PERSON/PHONE: Ismael B. Segovia, (915) 541-4027

DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance changing the zoning of Tract 14E, Block 51, Ysleta Grant, City of El Paso, El Paso County, Texas, from R-F/H (Ranch-Farm/Historic) to C-1/H (Commercial/Historic) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9751 Socorro Road Applicant: Juan & Teresa Ceballos. ZON08-00022 (District 6)

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 (6-0)

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

LEGAL: (if required) _____ **FINANCE:** (if required) _____

DEPARTMENT HEAD: *M. Ceballos for Victor Torres*

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

CITY CLERK DEPT.
0 JUN -9 PM 1:14

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACT 14E, BLOCK 51, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-F/H (RANCH AND FARM/HISTORIC) TO C-1/H (COMMERCIAL/HISTORIC), AND IMPOSING CONDITIONS. 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 *Tract 14E, Block 51, Ysleta Grant, City of El Paso, El Paso County, Texas*, be changed from R-F/h (Ranch and Farm/historic) to C-1/h (Commercial/historic), 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 the following uses be prohibited:*
1. *Convenience stores with gas pumps*
 2. *Automotive service stations*

PASSED AND APPROVED this _____ day of _____, 2008.

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:

Patricia D. Adauto
Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services

CITY CLERK
OFFICE
2008
AUG 14 10:00 AM

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

VICTOR Q. TORRES
DIRECTOR



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
Vacant, District 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES DEPARTMENT

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

From: Ismael B. Segovia, Senior Planner

Date: May 28, 2008

Subject: **ZON08-00022**

The City Plan Commission (CPC), on May 22, 2008, voted (**6-0**) to recommend **APPROVAL** of rezoning the subject property from R-F/H (Ranch-Farm/Historic) to C-1/H (Commercial/Historic) with the conditions prohibiting convenience stores with gas pumps and automotive service stations.

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 determined that this 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 no letters in opposition or support to the request.

Attachment: Staff Report, Boundary Survey, Conceptual Site Plan, Historic District Ordinance, Application



ZON08-00022

Application Type: Rezoning
Property Owner(s): Juan & Teresa C. Ceballos
Applicant(s): same
Representative(s): Juan & Teresa C. Ceballos
Legal Description: Tract 14E, Block 51, Ysleta Grant, City of El Paso, El Paso County, Texas
Location: 9751 Socorro Road
Representative District: 6
Area: 0.44 acres
Present Zoning: R-F/H (Ranch-Farm/Historic)
Present Use: residential
Proposed Zoning: C-1/H (Commercial/Historic)
Proposed Use: Retail
Recognized Neighborhood Associations Contacted: None
Public Response: None
Surrounding Land Uses: **North** – R-4/h (Residential/Historic), Residential; **South** – C-1/h (Commercial/Historic), Mobile Home Park; **East** – R-4/sc (Residential/special contract), Bakery; **West** – RMH/h/sc (Residential Mobile Home/Historic/special contract), Residential
Year 2025 Designation: **Mixed Use** (Lower Valley)



General Information:

The applicant is requesting a rezoning from R-F/H (Ranch Farm/Historic) to C-1/H (Commercial/Historic) in order to permit Retail. The property is 0.44 acres in size and is currently residential. Access is proposed via **Socorro Road**.

As per Ordinance No. 011481 dated July 20, 2008, the subject property is part of the Mission Trail Historic District and is subject to review by the Historic Land Commission.

The rezoning case was presented at the Historic Land Commission on May 5, 2008. The HLC recommended **approval** of the request.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **approval** of this request for rezoning from R-F/H (Ranch-Farm/Historic) to C-1/H (Commercial/Historic) with condition that convenience stores with gas pumps and automotive service stations be restricted.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend 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.”

“provide a wide range of housing types that respond to the needs of all economic segments of the community.”

The General Planning Area Land Use Concepts/Policies for the Lower Valley along the historic Ysleta Mission and Mission Trail area is to “encourage the revitalization and redevelopment of the historic district through the creation of a central tourist district.”

“Create a mixed use corridor for the section of Socorro Road, which runs from Zaragoza Road to the Tigua Indian Cultural Center, which maintains strict considerations for zoning to preserve the historic setting of the area”

The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for **Mixed-Use** land uses.

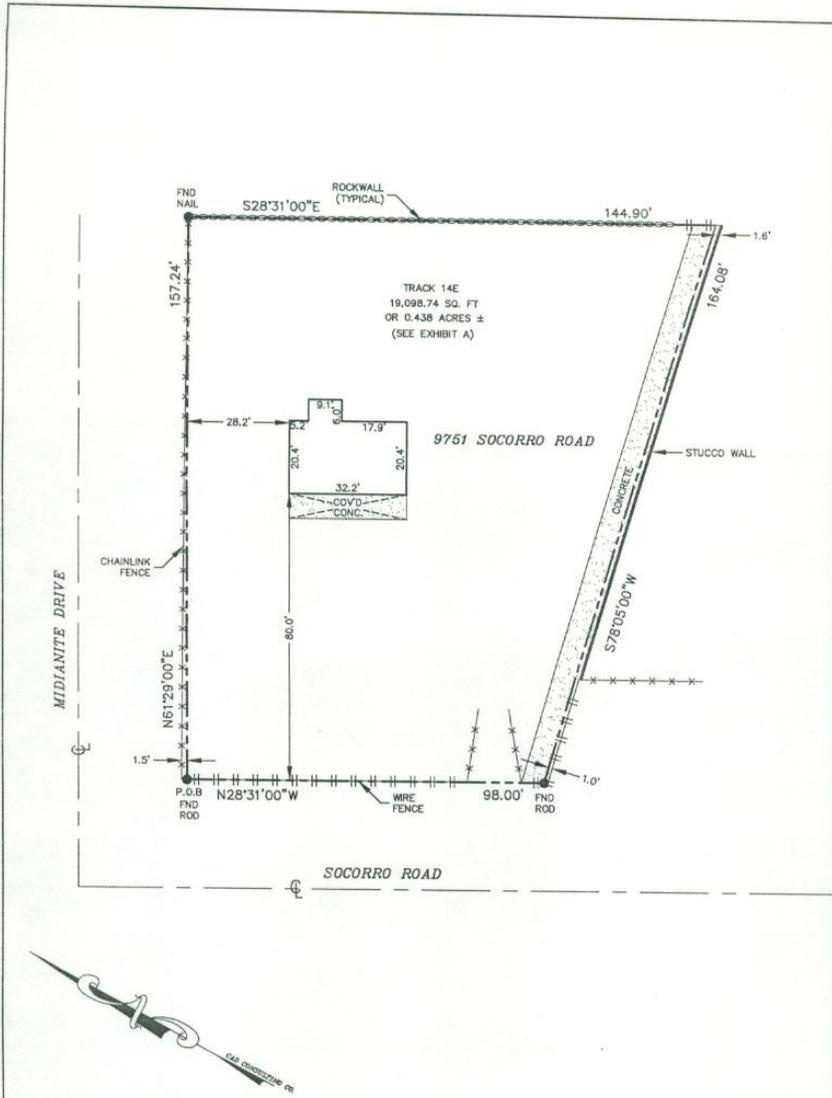
C-1/H (Commercial/Historic) **zoning** permits commercial and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will the C-1/H (Commercial/Historic) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will Retail 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 C-1/H (Commercial/Historic) rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Attachment 1: Survey Plan



SCALE 1"=30'

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

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.

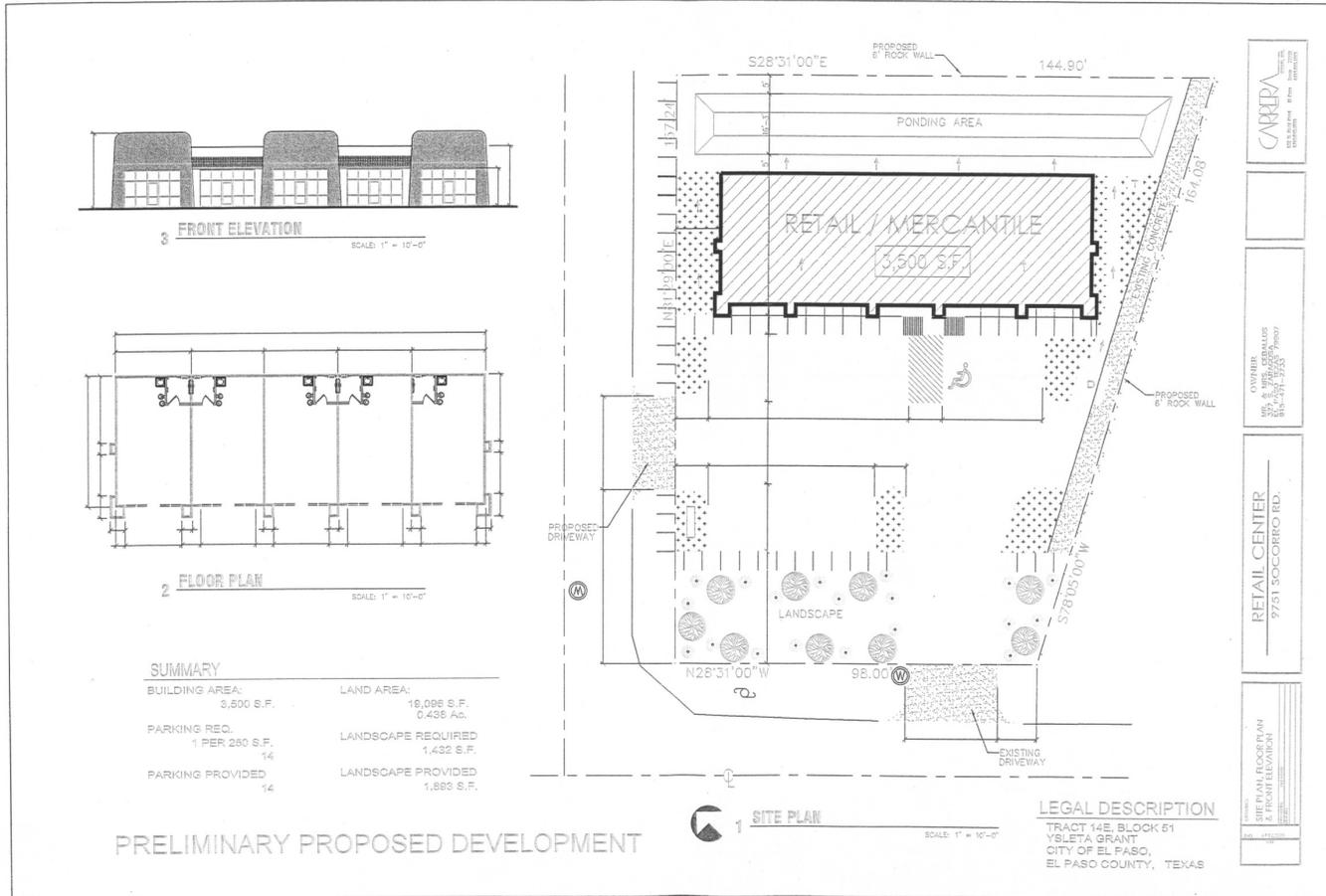
CARLOS M. JIMENEZ
R.P.L.S. No. 3950

JOB # 80564 DATE: 03-13-08 FIELD: FH OFFICE: AO FILE: NET:\ALAN\2008\80564
LOCATED IN ZONE c PANEL # 480214-0052-B DATED 10-15-82
RECORDED IN VOLUME N/A PAGE N/A , PLAT RECORDS, EL PASO COUNTY, TX

9751 SOCORRO ROAD
TRACK 14E, BLOCK 51
YSLETA GRANT (SEE EXHIBIT A)
CITY OF EL PASO, EL PASO COUNTY, TEXAS

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

Attachment 2: Conceptual Site Plan



Attachment 3: Historic District Ordinance

ORDINANCE NO. 011481

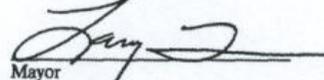
AN ORDINANCE CHANGING THE ZONING BY
PLACING AN H-OVERLAY DESIGNATION BETWEEN
THE 9100 AND 9900 BLOCK OF SOCORRO ROAD.
THE PENALTY BEING AS PROVIDED IN SECTION
20.68.010 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

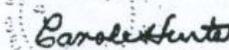
That the zoning BETWEEN THE 9100 AND 9900 BLOCK OF SOCORRO ROAD,
as more particularly described by metes and bounds in the attached Exhibit "A", be changed
by PLACING AN H-OVERLAY DESIGNATION, within the meaning of the zoning
ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 20th day of July, 1993.

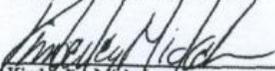
THE CITY OF EL PASO


Mayor

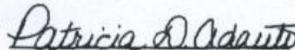
ATTEST:


City Clerk

APPROVED AS TO FORM:


Kimberley Mickelson,
Assistant City Attorney

APPROVED AS TO CONTENT:


Department of Planning

CH2023-176.002

CH2023-176-E
Rev. September 5, 1

MISSION TRAIL HISTORIC DISTRICT

Attachment 3: Historic District Ordinance

**EXHIBIT "A"
METES & BOUNDS**

THE MISSION TRAIL HISTORIC DISTRICT

The Mission Trail Historic District shall consist of a 300 foot wide corridor on Socorro Road. (measuring 150 feet on each side of the centerline). Beginning from the southline of the southside feeder lateral, thence southward to a line on the boundary between the El Paso and Socorro City limits. Excluded from the district is tract 10 block 49, yaleta grant surveys.

The above described corridor is 2.13 miles, and contains 76.72 acres more or less.

Attachment 4: Application



**REZONING APPLICATION
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): Juan & Teresa Ceballos
ADDRESS: _____ ZIP CODE: 79936 PHONE: _____
APPLICANT(S): Same above
ADDRESS: _____ ZIP CODE: _____ PHONE: _____
REPRESENTATIVE(S): Juan & Teresa Ceballos
ADDRESS: _____ ZIP CODE: 79936 PHONE: _____
E-MAIL ADDRESS: carreagrav@sbcglobal.net FAX: 845 1805

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: Y 805 999 0510.1403
LEGAL DESCRIPTION: tract 14 E Block 51 Ysleta Grand
STREET ADDRESS OR LOCATION: 9751 Socorro Road REP DISTRICT: 6-D
ACREAGE: 0.44 PRESENT ZONING: RE-H PRESENT LAND USE: VACANT HOUSE
PROPOSED ZONING: C I-H PROPOSED LAND USE: _____ RETAIL 3/25/08

3. PARCEL TWO INFORMATION

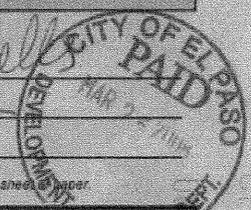
PROPERTY IDENTIFICATION NUMBER: _____
LEGAL DESCRIPTION: _____
STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
PROPOSED ZONING: _____ PROPOSED LAND USE: _____

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: Juan Ceballos Signature: Juan Ceballos
Printed Name: TERESA CEBALLOS Signature: _____
Printed Name: _____ 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 08-00022 RECEIVED DATE: 3/25/08 APPLICATION FEE: \$ 750.00
DCC REVIEW DATE: 04/23/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 5/12/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: [Signature]