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

DEPARTMENT: **Development Services Department, Planning Division**

AGENDA DATE: **Introduction: May 27, 2008**
Public Hearing: June 17, 2008

CONTACT PERSON/PHONE: **Arturo Rubio, 541-4633**

DISTRICT(S) AFFECTED: **7**

SUBJECT:
An Ordinance changing the zoning of all of Lot 2, Block 160, Vista Del Sol, Unit 54, City of El Paso, El Paso County, Texas from C-1/sc (Commercial/special contract) to C-4/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Subject Property: 11355 Pellicano Drive. Applicants: Nancy Corbin-Tardif, ZON08-00013 (District 7)

BACKGROUND / DISCUSSION:
See attached report.

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

CITY CLERK DEPT.
08 MAY 23 AM 8:28

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: for Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 160, VISTA DEL SOL, UNIT 54, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) TO C-4/SC (COMMERCIAL/SPECIAL CONTRACT). 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 *Lot 2, Block 160, Vista Del Sol, Unit 54, City of El Paso, El Paso County, Texas,* be changed from **C-1/sc (Commercial/special contract) to C-4/sc (Commercial/special contract)**, 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 _____, 2008.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

CITY CLERK DEPT.
08 MAY 21 PM 3:00

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

Doc #39279/Planning/Ord/ZON08-00013 (Rezoning)/LCUE

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

PAT D. ADAUTO
DEPUTY CITY MANAGER
DEVELOPMENT AND INFRASTRUCTURE SERVICES

VACANT
DEPUTY DIRECTOR, PLANNING

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
PLANNING DIVISION

MEMORANDUM

DATE: May 23, 2008

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

FROM: Arturo Rubio, Planner

SUBJECT: **ZON07-00013**

The City Plan Commission (CPC), on May 22, 2008, voted **7-0** to recommend **APPROVAL** of rezoning the subject property from C-1/sc (Commercial/special contract) to C-4/sc (Commercial/special contract).

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 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 opposition to this request.

Attachment: Staff Report

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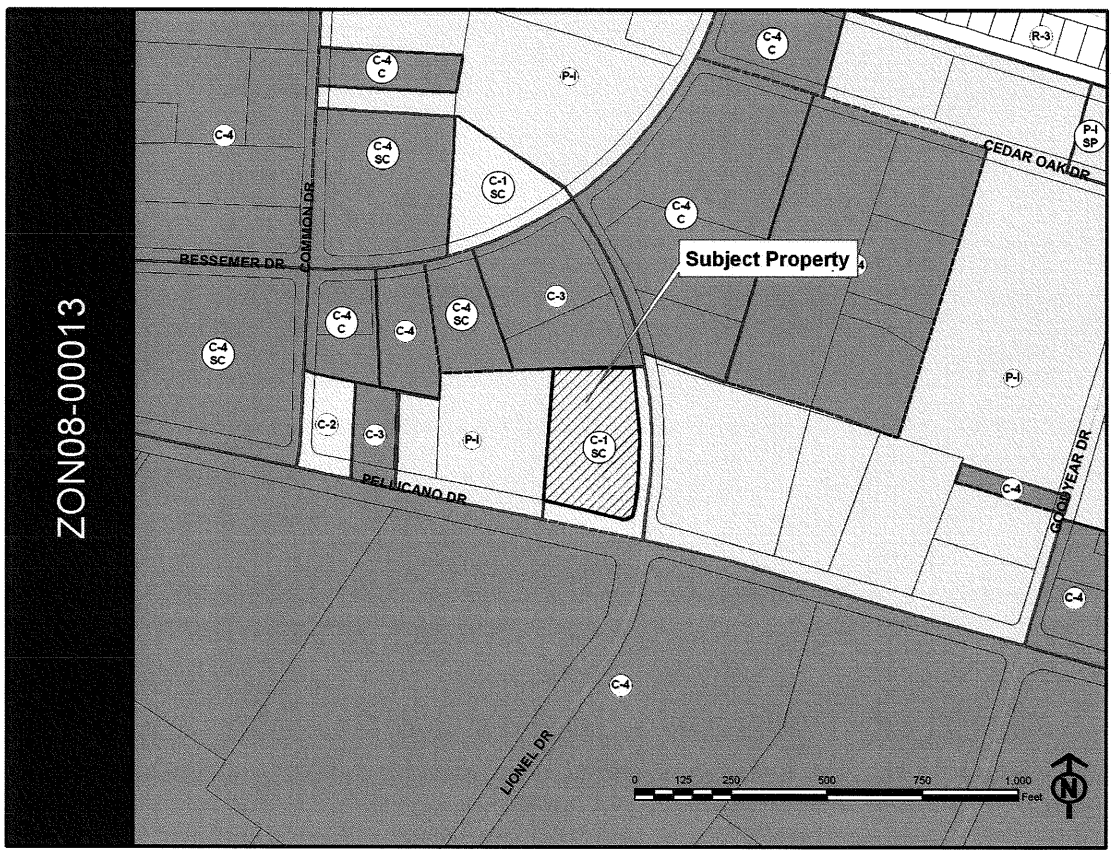
Application Type:	Rezoning
Property Owners:	Nancy Corbin-Tardif
Representatives:	Niclus Contreras
Legal Description:	Lot 2, Block 160, Vista Del Sol, Unit 54, City of El Paso, El Paso County, Texas
Location:	11355 Pellicano Drive
Representative District:	7 ***Area:*** 2 acres
Present Zoning:	C-1/sc ***Present Use:*** Plant Nursery
Proposed Zoning:	C-4/sc
Recognized Neighborhood Associations Contacted:	East Side Civic Association
Public Response:	None
Surrounding Land Uses:	**North:** C-3, bus storage facility, warehouses; **South:** C-4, manufacturing; **East:** P-I, vacant, warehouse; **West: P-I,** warehouse
Year 2025 Designation:	**Industrial** (East Planning Area)



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General Information:
The applicant is requesting a rezoning from C-1/sc (Commercial/special contract) to C-4/sc (Commercial/special contract). The property is subject to conditions placed by a special contract imposed by Ordinance No. 623 dated May 16, 1978.
The conditions include:

1. No certificates of occupancy and compliance shall be issued by the City for any building constructed on the property until First Parties have, at no cost to the City, constructed concrete sidewalks along all boundaries of the property where such building is located which are adjacent to public streets.
2. Such sidewalks shall be installed in accordance with plans and specifications to be approved by the City Engineer of the City of El Paso and the City Engineer must certify that such sidewalks have been satisfactorily completed before certificates of occupancy and compliance shall be issued.

No release of conditions is proposed. The property is 2 acres in size and is currently used as a plant nursery. Access is proposed via Pellicano Drive.

Staff Recommendation:
The Development Coordinating Committee (DCC) recommends **Approval** of this request for rezoning from C-1/sc (Commercial/special contract) to C-4/sc (Commercial/special contract).

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 Plan for El Paso East Planning area includes four study areas that encourage mixed use, infill development and industrial land use. The study areas include: 1) Loop 375 corridor south of Zaragoza Road, 2) Loop 375 Corridor north of Zaragoza Road, 3)The frontage along the south side of Montana Avenue from Airway Boulevard to Loop 375 and 4) The area surrounding the existing Robert E. Lee Industrial Park on north side of Edgemere Boulevard., east of George Dieter Drive.

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

- **C-4/sc** permits commercial development and **is compatible** with adjacent Industrial and commercial uses.

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Findings:
The Commission must determine the following:

1. Will the zoning protect the best interest, health, safety and welfare of the public in general?
2. Will commercial development be compatible with adjacent residential land uses?
3. What is the relation of the proposed change to the city's Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division:
Zoning Review: No objection to the proposed re-zoning request.
Landscape Review: No comments received.

Development Services Department - Planning Division:
Current Planning: Recommends **Approval** of request to rezone from C-1/sc (Commercial/special contract) to C-4/sc (Commercial/special contract) as the request is compatible with comprehensive map and commercial and industrial land uses to the north, south, east and west of property.

Land Development: No Comments Received

Engineering Department - Traffic Division:
No objections to proposed zoning change.

Fire Department
No comments received.

El Paso Water Utilities:
EPWU-PSB does not object to this request.

Sun Metro: No comments

Parks: No comments

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Attachments:
Attachment 1: Boundary Site Survey
Attachment 2: Application

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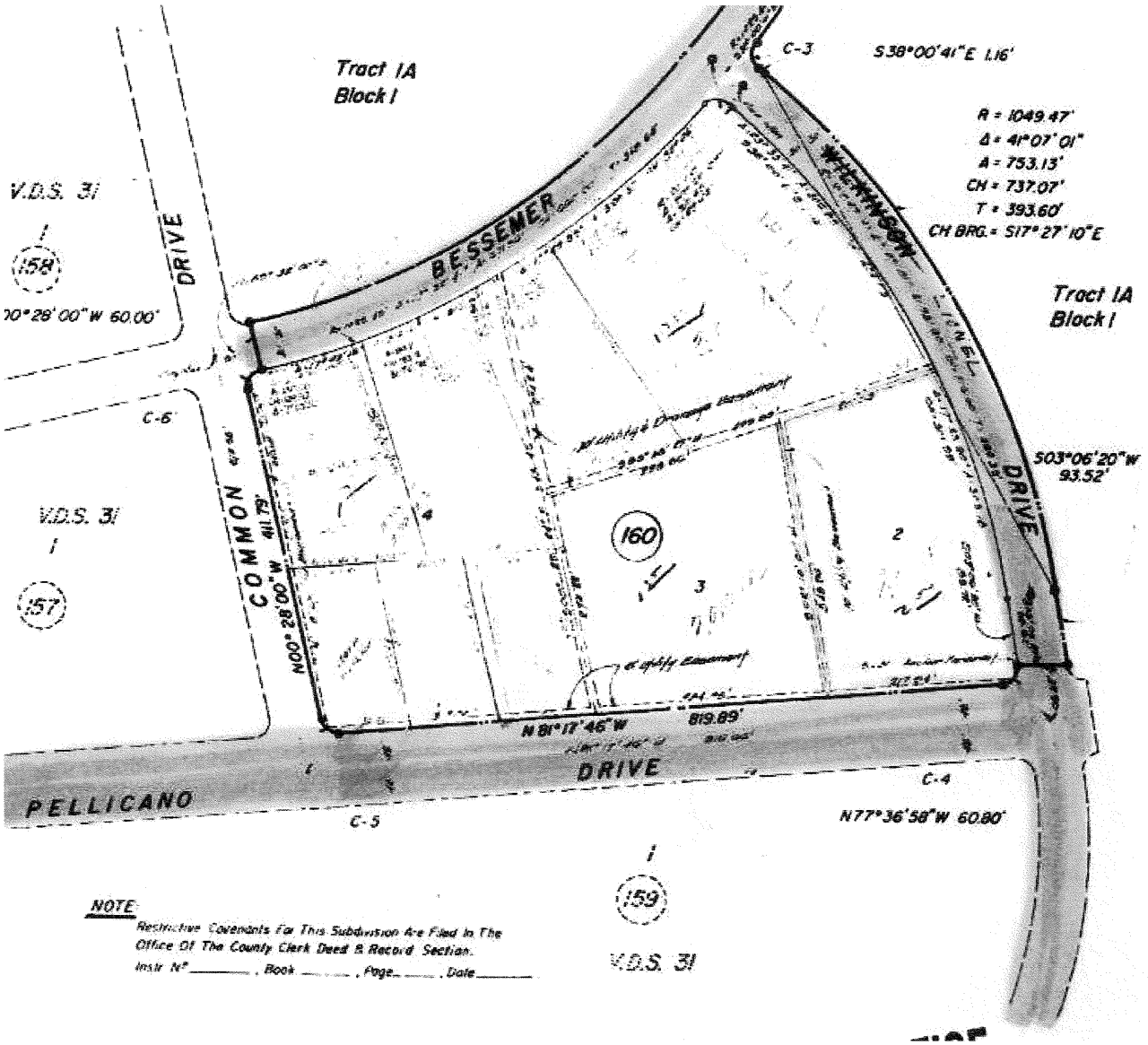
Attachment 1: Boundary Site Survey



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Attachment 2: Application

REZONING APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

City of El Paso, Texas
Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

CITY OF EL PASO PAID MAR 04 2008 DEVELOPMENT SERVICES DEPT.

1. CONTACT INFORMATION

PROPERTY OWNER(S): Nancy Corbin-Tardif
ADDRESS: ZIP CODE: PHONE:
APPLICANT(S): Nancy Corbin-Tardif
ADDRESS: ZIP CODE: 799 PHONE:
REPRESENTATIVE(S): Niclys Contreras
ADDRESS: ZIP CODE: 799 PHONE:
E-MAIL ADDRESS: FAX:

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: V393-999-1600-2000
LEGAL DESCRIPTION: Lot 2, Blk 160, Vista del Sol Unit Fifty Four
STREET ADDRESS OR LOCATION: REP DISTRICT: 7
ACREAGE: 2 PRESENT ZONING: C1/SC PRESENT LAND USE: Plant Nursery
PROPOSED ZONING: C-4 PROPOSED LAND USE: Forklift-Showcase Retail

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION: REP DISTRICT:
ACREAGE: PRESENT ZONING: C-1/SC 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: Nancy Corbin-Tardif Signature: Nancy Tardif
Printed Name: 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 08-00013 RECEIVED DATE: 03/04/2008 APPLICATION FEE: $ 810.00
DCC REVIEW DATE: 4/09/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 05/08/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY:

Revised 4/2007

1

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