

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

**DEPARTMENT:** Development Services Department

**AGENDA DATE:** Introduction: June 19, 2006  
Public Hearing: July 11, 2006

**CONTACT PERSON/PHONE:** Linda Castle, 541-4029

**DISTRICT(S) AFFECTED:** 3

**SUBJECT:**

An Ordinance changing the zoning of the Lot 9, Block 3, Womble Addition, El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 3900 block of Trowbridge Street. Applicant: Jorge Valenzuela. ZON06-00047 (District 3)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Unanimous Denial Recommendation  
City Plan Commission (CPC) – Denial Recommendation (5-1)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF LOT 9, BLOCK 3, WOMBLE ADDITION, EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE). 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 9, Block 3, Womble Addition, El Paso, El Paso County, Texas*, be changed from R-5 (Residential) to A-O (Apartment/Office), 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 \_\_\_\_\_, 2006.

THE CITY OF EL PASO

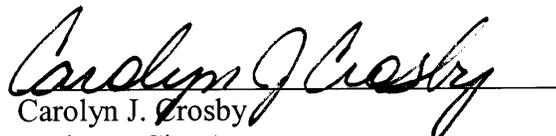
ATTEST:

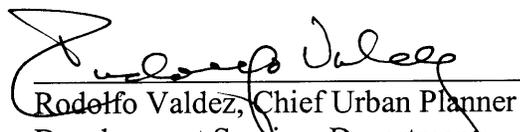
\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Carolyn J. Crosby  
Assistant City Attorney

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Development Services Department

**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**GEORGE G. SARMIENTO, AICP**  
DEPUTY DIRECTOR



**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

**DEVELOPMENT SERVICES DEPARTMENT**  
**PLANNING DIVISION**

**MEMORANDUM**

**DATE:** June 7, 2006

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

**FROM:** Linda Castle, Planner

**SUBJECT:** ZON06-00047

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The City Plan Commission (CPC) on May 18, 2006, voted **5-1** to recommend **DENIAL** of rezoning the subject property from R-5 (Residential) to A-O (Apartment/Office), concurring with Staff's recommendation. The Applicant submitted an appeal on May 25, 2006.

The CPC found that this rezoning is not in conformance with The Plan for El Paso and that the proposed use is not in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning would not protect the best interest, health, safety and welfare of the public in general and that the proposed use is not compatible with adjacent land uses.

We received one letter and three (3) phone calls in opposition to this request.

**Attachments:** Location Map, Aerial Map, Site Plan, Opposition Letter, Appeal

**STAFF REPORT**

**Rezoning Case:** ZON06-00047

**Property Owner(s):** Jorge Valenzuela

**Applicant(s):** Jorge Valenzuela

**Representative(s):** Luis and Rene De la Cruz

**Legal Description:** Lot 9, Block 3, Womble Addition

**Location:** Trowbridge Street

**Representative District:** 3

**Area:** 0.137 acres

**Present Zoning:** R-5 (Residential)

**Present Use:** Vacant

**Proposed Zoning:** A-O (Apartment/Office)

**Proposed Use:** Office Building

**Recognized Neighborhood Associations Contacted:** San Juan Neighborhood Improvement Association

**Surrounding Land Uses:**

<b>North -</b>	R-4 (Residential) / Single-family Residential
<b>South -</b>	R-5 (Residential) / Single-family Residential
<b>East -</b>	R-5 (Residential) / Single-family Residential
<b>West-</b>	R-5 (Residential) / Single-family Residential

**Year 2025 Designation:** Residential (East Planning Area)

**CITY PLAN COMMISSION HEARING, MAY 18, 2006,  
4:00 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**REZONING APPLICATION: ZON06-00047**

**GENERAL INFORMATION:**

The applicant is requesting a rezoning from R-5 (Residential) to A-O (Apartment/Office) in order to permit an office building. The property is 0.137 acres in size and is currently vacant. The proposed site plan shows a 1,600 square foot office building to be located on the site. Access is proposed via Trowbridge Drive and the alley at the rear of the property. Ten (10) parking spaces, including two handicapped accessible spaces, are provided. There are no zoning conditions currently imposed on this property.

The subject property is located in the 3900 block of Trowbridge Street.

**INFORMATION TO THE COMMISSION:**

The Development Services Department-Planning Division has received one letter and three (3) phone calls in opposition to this application.

**STAFF RECOMMENDATION:**

The Development Coordinating Committee (DCC) unanimously recommends **DENIAL** of this request for rezoning from R-5 (Residential) to A-O (Apartment/Office).

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.”

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

**A-O (Apartment/Office) zoning** permits offices and **is not compatible** with adjacent development.

The Commission must determine the following:

1. Will the A-O (Apartment/Office) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will an office building 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 rezoning have upon the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole?

**INFORMATION TO THE APPLICANT:**

**Development Services Department - Building Permits and Inspections Division Comments:**

No comments received.

**Development Services Department - Planning Division Comments:**

- A. The Year 2025 Projected General Land Use Map for the East Planning Area designates this property for residential land uses.
- B. A-O (Apartment/Office) zoning permits offices and is not compatible with adjacent development.

**Development Services Department – Land Development Notes:**

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.\*
- B. Grading plan and permit shall/may be required.\*
- C. Storm Water Pollution Prevention plan and/or permit shall/may be required.\*
- D. Drainage plans must be approved by the City Engineer.\*
- E. Coordination with TXDOT.\*
- F. Additional Comments:  
Site location is **not** located within a Special Flood Hazard Area, Flood Zone(s) C, Panel 480214 0040 B. The alley needs to be paved from the nearest paved street to this site if access is being obtained through the alley.

\* This requirement will be applied at the time of development.

**Engineering Department - Traffic Division Comments:**

No apparent traffic concerns.

**Fire Department Comments:**

No comments received.

**EI Paso Water Utilities Comments:**

*Water*

Along Trowbridge Street between Frederick Street and Atoka Street there is an existing twelve (12) inch diameter water main. This main is located along the northernmost portion of Trowbridge Street.

Along the alley located between Trowbridge Street and Cleveland Street fronting the subject Property there is an existing six (6) inch diameter water main.

*Sanitary Sewer*

Along Trowbridge Street between Frederick Street and Atoka Street there are two (2) existing sanitary sewer mains, located along the northernmost portion of Trowbridge Street, as well as long the southernmost portion of Trowbridge Street respectively. The diameters the described mains are eight (8) inches respectively.

Along the alley located between Trowbridge Street and Cleveland Street fronting the subject Property there are no existing sanitary sewer mains.

*General*

Frontage fees may be due from the Owner/Developer for the existing water and sanitary sewer mains located along the described alley, as well as from the mains located along Trowbridge Street. The El Paso Water Utilities (EPWU) will determine the amount due once the Owner/Developer makes an official new service application with EPWU. The Owner/Developer is responsible for all frontage fees, as well as all water and sanitary sewer service installation costs.

In the event that the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 5th floor at City Hall. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

EPWU does not object to this request.

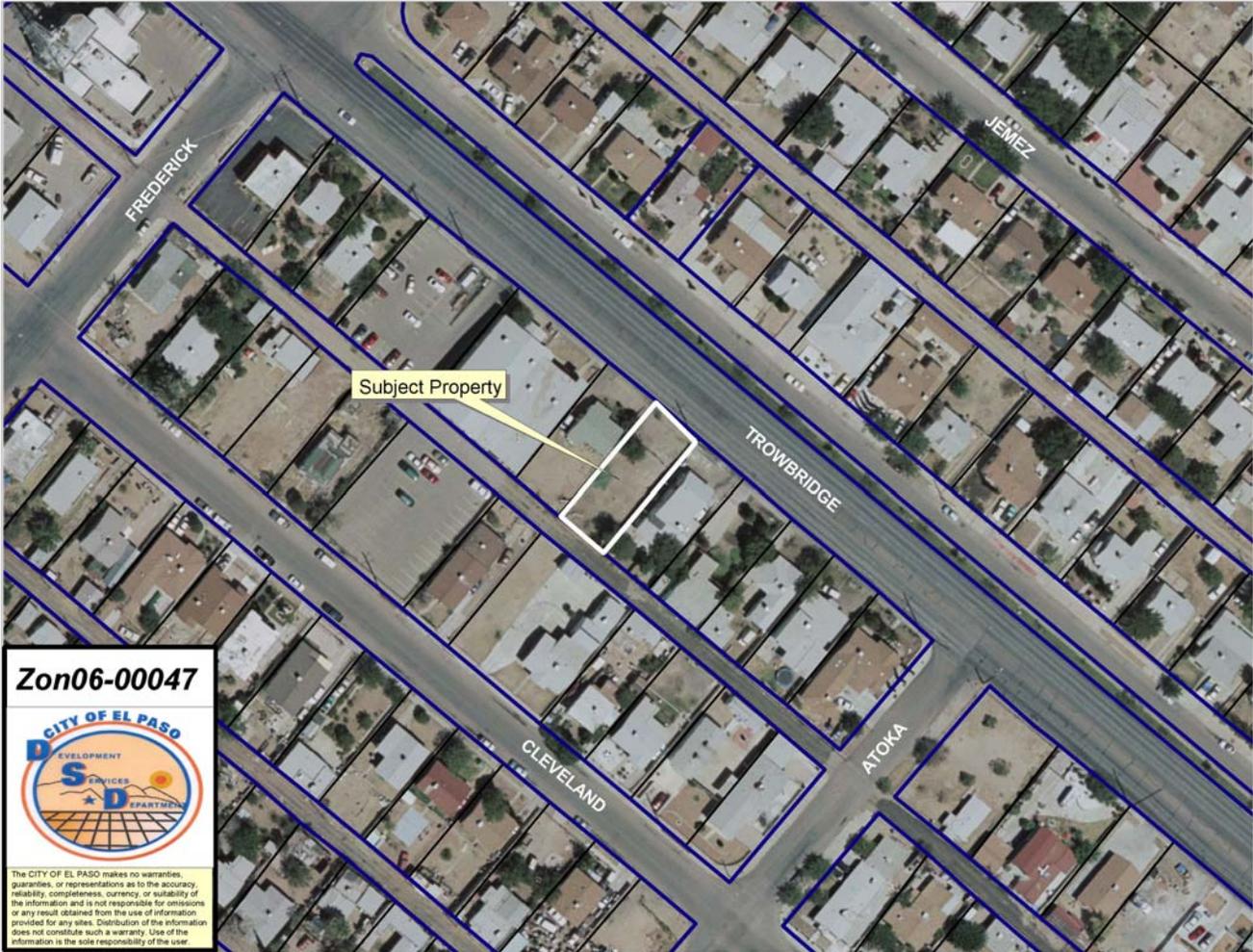
**ATTACHMENTS:** Location Map, Aerial Map, Site Plan

**NOTE TO THE PROPERTY OWNER:** CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

# LOCATION MAP



# AERIAL





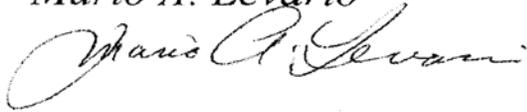
OPPOSITION LETTER

May 8, 2006

*I am the property owner at 5915 Trowbridge, 79905 and I am opposed to changing the property on Lot 9, block 3 from residential to an apartment/office. There is enough traffic on Trowbridge as it is, and we don't need anymore traffic. Case nos. is ZON06-00047.*

*Thank You,*

*Mario A. Levario*

A handwritten signature in cursive script that reads "Mario A. Levario". The signature is written in black ink and is positioned below the printed name.

APPEAL

APPEAL TO THE CITY COUNCIL

DATE 5-24-2006

HONORABLE MAYOR AND CITY COUNCIL  
CITY OF EL PASO, TEXAS

DEAR MAYOR AND COUNCIL:

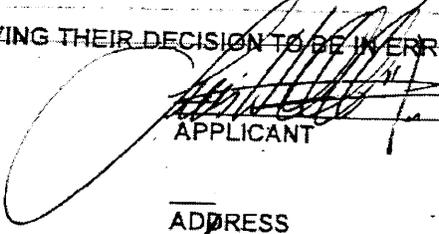
After a public hearing held on May 18, 2006, the  
City Planning Commission denied my request for re-zoning  
from B-5 to A-0

legally described as:

Lot 9 Block 3, Comble Addition

I hereby request the City Council to review the decision of the City Planning  
Commission AND CONSIDER MY REQUEST

SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY  
REASONS FOR BELIEVING THEIR DECISION TO BE IN ERROR.

  
APPLICANT

ADDRESS

TELEPHONE NUMBER

Two (2) copies filed in City Clerk's Office on: \_\_\_\_\_

RECEIVED  
CITY CLERK'S OFFICE  
MAY 25 PM 2:19

May 22, 2006

Mr. J. Alejandro Lozano  
City Representative, District 3  
Two Civic Center Plaza  
El Paso, TX 79901

**RE: Denial on Zoning Case 06-00047 from R-5 to A-O at 3940 Trowbridge Dr. (Vacant lot)**

Dear Representative Lozano,

On May 18, 2006, Mr. Jorge Venezuela requested from the City Planning Commission a change of zoning at 3940 Trowbridge Dr., El Paso, TX, Lot 9, Block 3, Womble Addition, from the present zoning of R-5 to A-O, for the use of a C.P.A. Office.

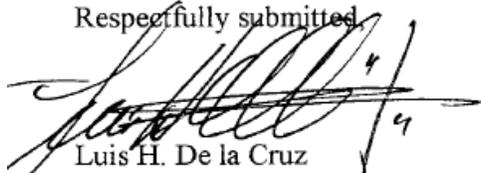
The request was denied, determining the A-O office zoning was not compatible to the existing residential neighborhood, even though many commercial uses exist, i.e., offices, service station, a small strip shopping center and Phelps Dodge Refining Plant, as well as 12,500 cars every 24 hours, using this area.

The commission failed to recognize that this subject site is most suitable for the intended use that we are requesting and will not in any way be detrimental to the existing neighborhood. This area of Trowbridge Dr. between I-10 and Delta Dr. south side is only light commercial and residential.

It is my sincere belief that with the above reason, coupled with the fact that no one objected to the rezoning at the public hearing held on May 18, 2006, and in addition to, this site will be paved, landscaped, sidewalk and lighted. We believe this rezoning request will bring added value to the neighborhood.

Your favorable consideration is respectfully requested.

Respectfully submitted,



Luis H. De la Cruz  
Zoning Consultant

Cc: Rudy Valdez, C.U.P.  
Christina Valles, Planner II  
Carolyn J. Crosby, Asst. City Attorney

06 MAY 25 PM 2:19  
CITY CLERK