

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: July 1, 2008
Public Hearing: July 22, 2008

CONTACT PERSON/PHONE: Arturo Rubio, 541-4633

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance changing the zoning of all of Lots 25 and 26, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas from C-1 (Commercial) to RMU (Residential Mixed Use) and approving a Master Zoning Plan. The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Subject Property: 1217 Magoffin Avenue. Applicants: Ray Tullius, Executive Director, of Opportunity Center for the Homeless, ZON08-00053 (District 8).

BACKGROUND / DISCUSSION:

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 Pending

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
Director, Development Services



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

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ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF ALL OF LOTS 25 AND 26, BLOCK 17, FRANKLIN HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO RMU (RESIDENTIAL MIXED USE) AND APPROVING A MASTER ZONING PLAN. 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 *all of Lots 25 and 26, Block 17, Franklin Heights, El Paso, El Paso County, Texas*, be changed from C-1 (Commercial) to RMU (Residential Mixed Use) such land uses allowed as being reflected in the Master Zoning Plan Report attached as Exhibit "A" incorporated herein for all purposes, 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

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Victor Q. Torres
Victor Q. Torres, Director
Development Services Department

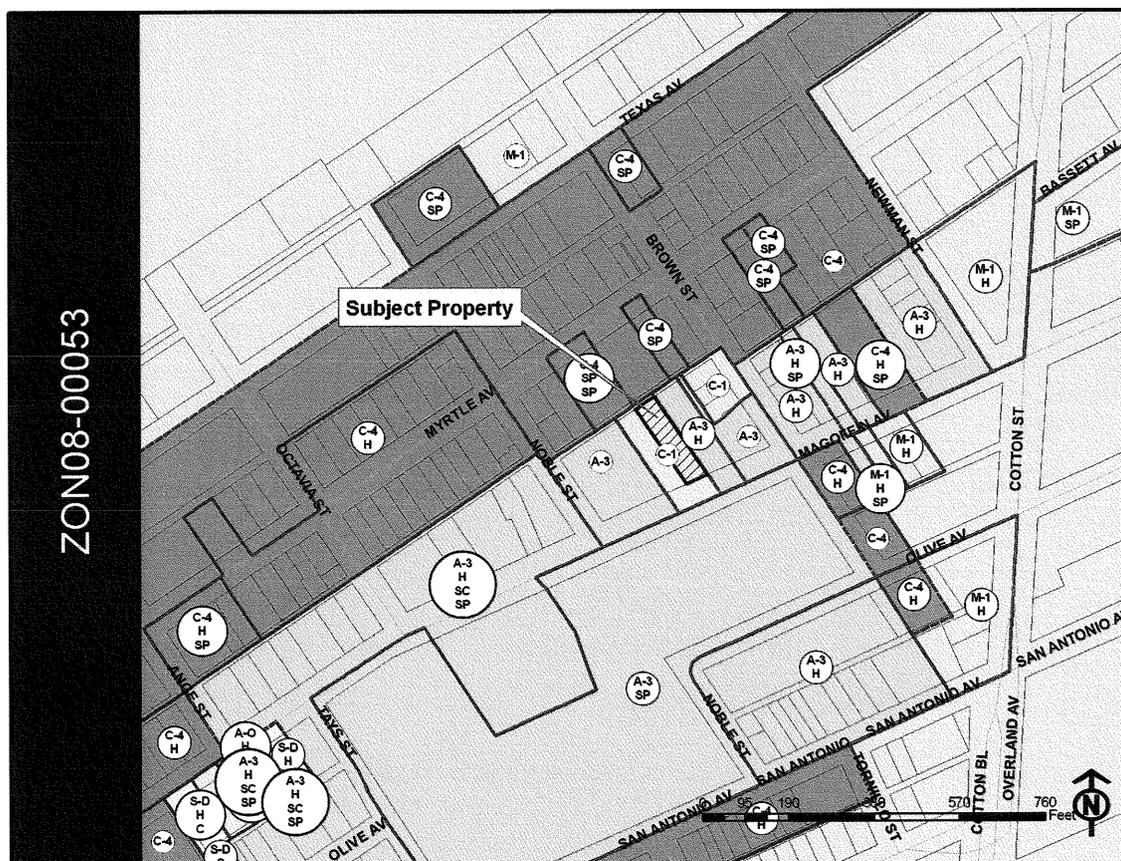
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ZON07-00053

Application Type: Rezoning
Property Owner: Frederico Villalobos
Representatives: Wright & Dalbin Achitects, Inc.
Legal Description: Lots 25 and 26, Block 17, Franklin Heights, City of El Paso, El Paso County, Texas
Location: 1217 Magoffin Avenue
Representative District: 8 **Area:** 0.2296 acres

Present Use: Vacant
Present/Proposed Zoning: From: C-1 (Commercial) to RMU (Residential Mixed Use)
Recognized Neighborhood Associations Contacted: El Paso Central Business Association and Magoffin Neighborhood Association
Public Response: None
Surrounding Land Uses: **North:** C-4/sp, single family, multi family, C-4/H, single family, multi family; **South:** A-3/sp, A-3/H, single family, multi family **Residential** (Central Planning Area)
Year 2025 Designation:



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General Information:

The applicant is requesting a rezoning from C-1 (Commercial) to RMU (Residential Mixed Use). The property is a total of 0.2296 acres and is currently vacant. There are no existing zoning conditions on the property. Access is proposed via the alley to the rear of the property.

The rezoning was requested as the current C-1 zoning does not allow the proposed density of 21 dwelling units. The C-1 district allows 29 units per acre and currently the applicant would only be able to build 7 units with existing zoning. The applicant has submitted a special permit for a parking reduction and infill development with reduced lot and yard standards (ZON08-00044) to support proposed development.

The special permit request for a 53% parking reduction and infill development to reduce front, rear and side yard set backs was recommended for approval by the CPC on June 18, 2008.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **Approval** of this request to rezone from C-1 (Commercial) to RMU (Residential Mixed Use).

The recommendation is based on the following:

- The applicant **complies** with 20.04.200 Master Zoning Plan that is required under the RMU district rezoning.
- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “Provide a wide range of housing types that respond to the needs of all economic segments of the community.”
- **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 **Central Planning Area** designates this property for **Residential** land uses.
- **RMU (Residential Mixed Use)** zoning districts permit a mix of commercial and residential development and is **compatible** with adjacent residential and commercial uses.

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 residential development be compatible with adjacent residential and commercial 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?

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Development Services Department - Building Permits and Inspections Division:

Zoning Review: No comments received.

Landscape Review: No comments received.

Development Services Department - Planning Division:

Current Planning: Recommends **approval** of request to rezone from C-1 (Commercial) to RMU (Residential Mixed Use). The applicant has complied with the requirements of the Master Zoning Map 20.04.200 and the RMU district allows the density proposed. The RMU zoning district is compatible with surrounding land uses.

Land Development:

No comments received.

Engineering Department-Traffic Division:

No comments received.

Fire Department

No comments received.

El Paso Water Utilities:

No comments received.

Sun Metro:

No comments received.

Parks:

No comments received.

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ZON08-00053



Attachments:

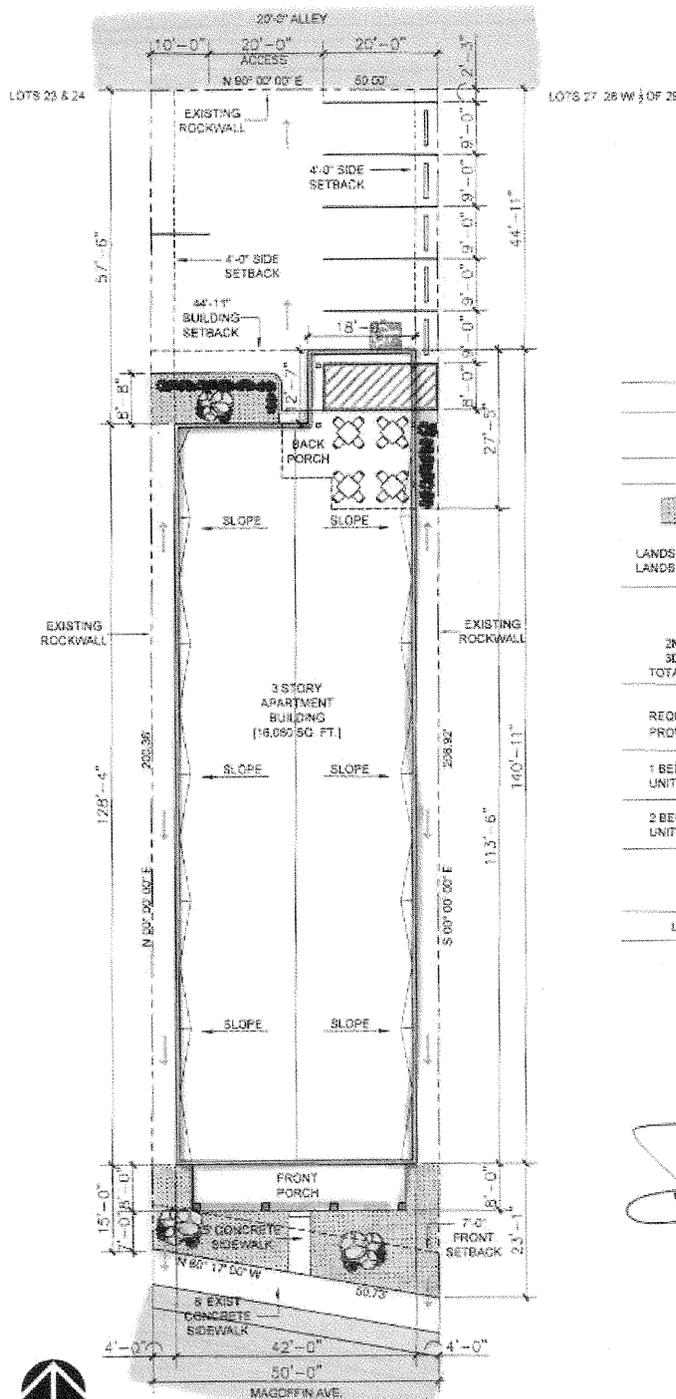
Attachment 1: Detailed Site Development Plan

Attachment 2: Master Zoning Plan

Attachment 2: Application

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Attachment 1: Detailed Site Development Plan



SUMMARY

ELDERLY HOUSING
1217 MAGOFFIN

LAND AREA 10,232 SQ. FT.

LANDSCAPING

LANDSCAPE AREA PROVIDED 778 SQ. FT.
LANDSCAPE AREA REQUIRED 768 SQ. FT.

BUILDING AREA

1ST FLOOR 5,092 SQ. FT.
2ND FLOOR PLAN 5,825 SQ. FT.
3RD FLOOR PLAN 5,363 SQ. FT.
TOTAL BUILDING AREA 16,080 SQ. FT.

PARKING REQUIREMENTS

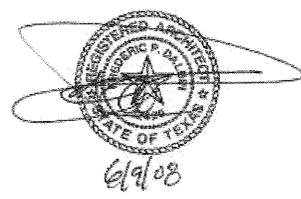
REQUIRED 15 SPACES
PROVIDED 7 SPACES

1 BEDROOM UNIT	490 SQ. FT EACH	26 UNITS
2 BEDROOM UNIT	952 SQ. FT EACH	1 UNIT

LEGAL DESCRIPTION

17 FRANKLIN HEIGHTS
LOTS 25 & 26
EL PASO TEXAS

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01 PROPOSED SITE PLAN



WRIGHT & DALBIN
ARCHITECTS, INC.
3112 W. HUNTER ST., EL PASO, TEXAS 79905
TEL: 914 625-7770 FAX: 914 625-7771

Project: HLD 2002 - 1217 MAGOFFIN ELDERLY HOUSING	Sheet No.
Drawing Title: PROPOSED SITE PLAN AND 1ST FLOOR PLAN	01
Wright & Dalbin Architects Inc. 3112 W. HUNTER ST., EL PASO, TEXAS 79905 TEL: 914 625-7770 FAX: 914 625-7771	

Attachment 2: Master Zoning Plan

**REZONING APPLICATION
RESIDENTIAL MIXED USE
1217 Magoffin Avenue**

MASTER ZONING PLAN

Land Use: Proposed Use: 13.01 Apartments (5 or more units)
Other potential uses: 3.06. Child Care facility type 6
3.28 Youth Organization with living facility
4.08 Office, administrative and manager's
4.10 Office, medical
4.11 Office Professional
6.01 Assisted Living facility (elderly)
6.03 Convalescent Home
6.09 Nursing Home
13.04 Bed & Breakfast Inn

Density: 3-Story Apartment Building for 21 Dwelling Units
Lot Size: 0.2296 Acres
Lot Coverage: 5,625 Square-Feet (Building), 10,232 Square-Feet (Lot Area)
Set Backs: 7 Feet (Front), 4 Feet (Sides) and 25 Feet (Rear)
Building Height: 37 Feet

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Attachment 3: 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): Frederico Villalobos
ADDRESS: _____ ZIP CODE: 79912 PHONE: _____
APPLICANT(S): Opportunity Center for the Homeless
ADDRESS: 1208 Myrtle Avenue ZIP CODE: 79902 PHONE: 577-0069
REPRESENTATIVE(S): Wright & Dalbin Architects, Inc.
ADDRESS: 2112 Murchison Drive ZIP CODE: 79930 PHONE: 533-3777
E-MAIL ADDRESS: fdalbin@wrightdalbin.com FAX: 532-7733

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: F60799901706700
LEGAL DESCRIPTION: 17 Franklin Heights, Lots 25 & 26
STREET ADDRESS OR LOCATION: 1217 Magoffin Avenue REP DISTRICT: 8
ACREAGE: 0.2296 PRESENT ZONING: C-21 PRESENT LAND USE: Vacant
PROPOSED ZONING: RMU PROPOSED LAND USE: For new infill residential project.

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: None
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: None
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: Frederico Villalobos Signature: [Signature]
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 08-00053 RECEIVED DATE: 6/11/08 APPLICATION FEE: \$ Waived
DCC REVIEW DATE: 06/18/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 07/01/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: [Signature] ACT 60810

Revised 4/2007

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