

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: June 21, 2011
Public Hearing: July 12, 2011

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 3

SUBJECT:

An ordinance changing the zoning of all of Lots 16, 17, 18 and 19, Block 2, Hughes Subdivision, City of El Paso, El Paso County, Texas from R-5 (Residential) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 5625 Frutas Avenue. Property Owner: Ponce Rentals Property, LLC. PZRZ11-00011 (**District 3**)

BACKGROUND / DISCUSSION:

N/A

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: Mathew S. McElroy
Deputy Director-Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF ALL OF LOTS 16, 17, 18 AND 19, BLOCK 2, HUGHES SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT). 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 16, 17, 18 and 19, Block 2, Hughes Subdivision, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **R-5 (RESIDENTIAL)** to **S-D (SPECIAL DEVELOPMENT)**, 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 _____, 2011.

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

Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department



Date: June 8, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZRZ11-00011**

The City Plan Commission (CPC) on May 19, 2011, voted **5-0** to recommend **approval** of this rezoning. The request is to change the zoning on from R-5 (Residential) to S-D (Special Development) to allow an office. If approved by the City Council, the applicant will need to submit a detailed site development plan prior to any permits issued for construction on the subject property; this is requirement of the S-D (Special Development) District.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

The CPC found that the rezoning is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Central Planning Area. The CPC also determined that the rezoning protects the best interest, health, safety, and welfare of the public in general; and 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 one present at the meeting to speak in favor or in opposition to this request, but we have received one phone call in opposition from the President of the San Juan Neighborhood Improvement Association.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00011
Application Type: Rezoning
CPC Hearing Date: May 19, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 5625 Frutas Avenue
Legal Description: Lots 16, 17, 18 and 19, Block 2, Hughes Subdivision, City of El Paso, El Paso County, Texas

Acreage: 0.2655 acres
Rep District: 3
Zoning: R-5 (Residential)
Existing Use: Storage Yard
Request: S-D (Special Development)
Proposed Use: Office
Property Owner: Ponce Rentals Property, LLC
Representative: Luis Lopez

SURROUNDING ZONING AND LAND USE

North: R-5 (Residential) / Single-family residential
South: R-5 (Residential) / Single-family residential, Monastery
East: R-5 (Residential) / Single-family residential
West: C-4 (Commercial) / Distributor

The Plan for El Paso Designation: Residential (Central Planning Area)

Nearest Park: San Juan Placita (774 feet)

Nearest School: Hawkins Elementary (1,706 feet)

NEIGHBORHOOD ASSOCIATIONS

San Juan Neighborhood Improvement Association, El Paso Central Business Association

NEIGHBORHOOD INPUT

Notices of the May 19, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on May 3, 2011.

APPLICATION DESCRIPTION

The request is to change the zoning from R-5 (Residential) to S-D (Special Development) to permit an office. The site plan shows an existing portable canopy and a portion of an existing metal storage building, with access via a driveway from Frutas Avenue. The site plan also shows additional lots owned by the same property owner to the west and currently zoned C-4 (Commercial). The proposed office will also serve the C-4 (Commercial) zone. The S-D (Special Development) district if approved will require the applicant to submit a detailed site development plan.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning request.

The Plan for El Paso-City-Wide Land Use Goals

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: establish a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities and outlets for social and cultural expression.
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The purpose of the S-D (Special Development) District is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for approval.

Department of Transportation

1. No objection to rezoning.

Notes:

All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Engineering – Construction Management Division-Plan Review

No objections.

Engineering – Land Development

No objections.

Fire Department

No objections to rezoning.

El Paso Water Utilities

1. EPWU does not object to this request.

Water:

2. There is an existing 6-inch diameter water main extending along Frutas Avenue that is available for service, the water main is located approximately 12.5-feet north from the center right of way line.

3. EPWU records indicate a 3/4-inch water meter serving the subject property. The service address for this meter is 5621 Frutas Avenue.

Sewer:

4. There is an existing 8-inch diameter sanitary sewer main extending along Frutas Avenue that is available for service, the water main is located approximately 10-feet south from the center right of way line.

General:

5. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application.

Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

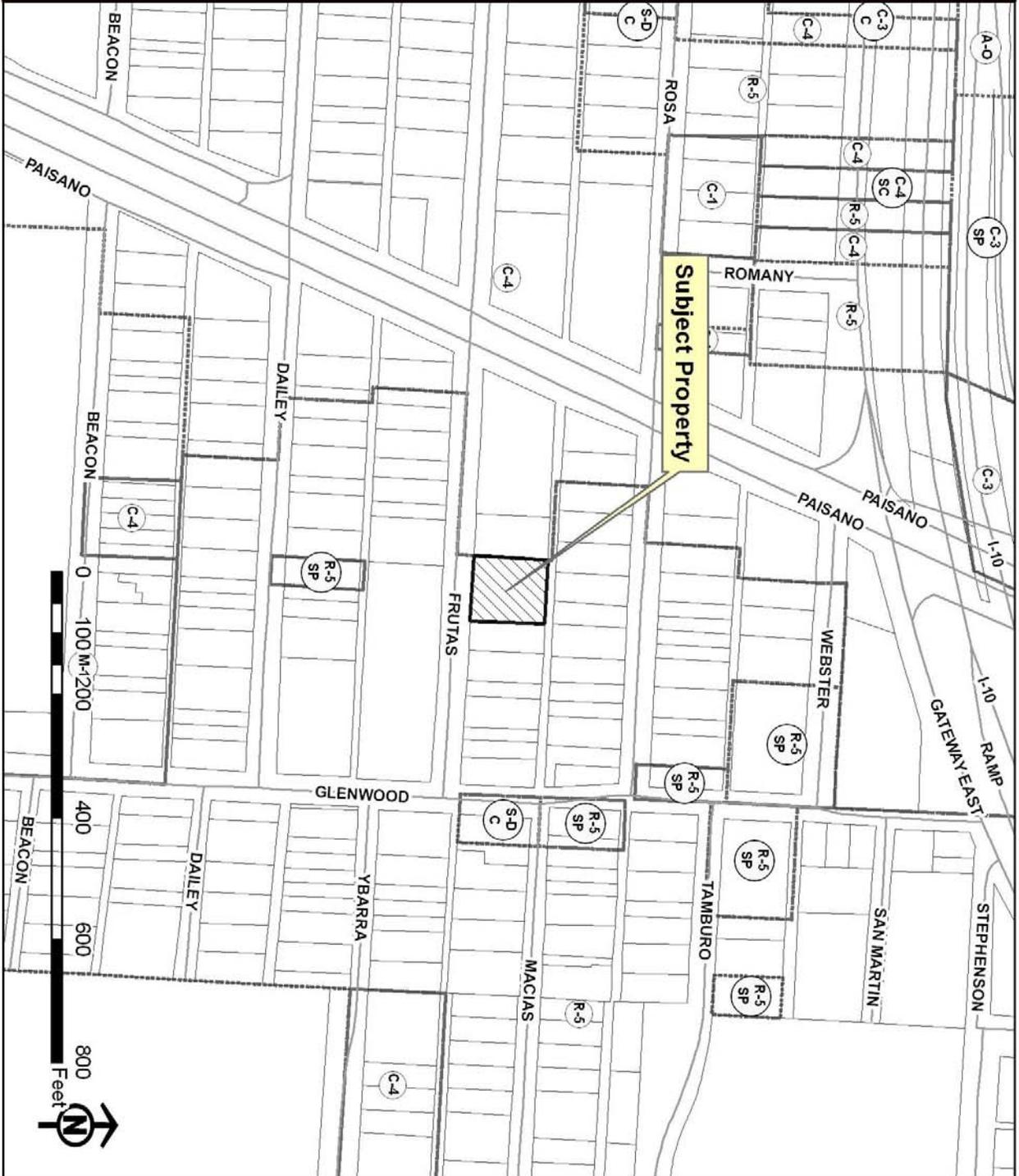
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Site Plan

ATTACHMENT 1: ZONING MAP

PZRZ11-00011



ATTACHMENT 2: AERIAL MAP

PZRZ11-00011



