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

DEPARTMENT: **Development Services Department**

AGENDA DATE: **Introduction:** **June 26, 2007**
Public Hearing: **July 17, 2007**

CONTACT PERSON/PHONE: Arlan Greer, 541-4723

DISTRICT(S) AFFECTED: 8

SUBJECT:
An Ordinance changing the zoning of the South 10 feet of Lot 17, and all of lots 18, 19, and 20, Block 59, Alexander Addition to the, City of El Paso, El Paso County, Texas from A-2 (Apartment) to A-O (Apartment/ Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code.

Subject Property: 1600 North Kansas Street. Applicant: Richard R. Marro. ZON07-00032 **(District 8)**

BACKGROUND / DISCUSSION:
See attached report.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) – Denial Recommendation
City Plan Commission (CPC) – Approval Recommendation

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

LEGAL: N/A **FINANCE:** N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

CITY CLERK DEPT.
07 JUN 15 PM 2:09

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE SOUTH 10 FEET OF LOT 17, AND ALL OF LOTS 18, 19, AND 20, BLOCK 59, ALEXANDER ADDITION, AN ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) 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 *the South 10 feet of Lot 17, and all of lots 18, 19, and 20, Block 59, Alexander Addition, an addition to the 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 **A-2 (Apartment)** 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 _____, 2007.

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:

_____
Kimberly Forsyth, Senior Planner
Development Services Department

#30892 v1 - Planning/ORD/ZON07-00032/Rezoning Application

ORDINANCE NO._____ **Zoning Case No: ZON07-00032**

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

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
PLANNING DIVISION

MEMORANDUM

DATE: June 11, 2007

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

FROM: Arlan Greer, Planner

SUBJECT: **ZON07-00032**

The City Plan Commission (CPC), on May 17, 2007, voted (5-0) to recommend APPROVAL of rezoning the subject property from A-2 (Apartment) to A-O (Apartment/Office).

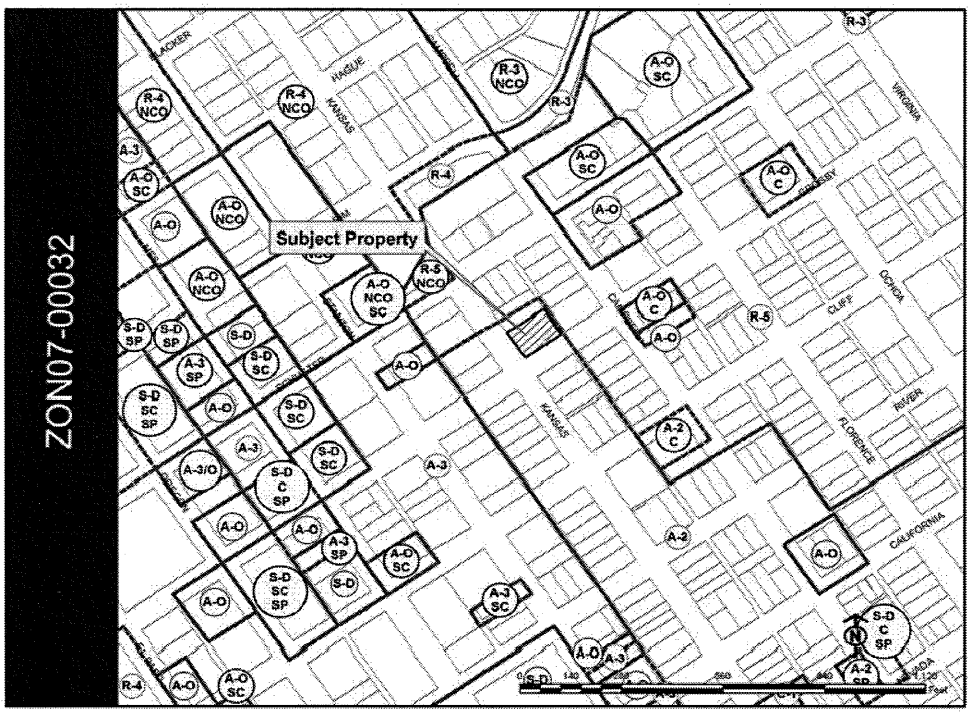
The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the effects of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

A petition with 21 people in support is attached.

Attachment: Staff Report, Aerial, Site Plan, Application

ZON07-00032

Application Type:	Rezoning
Property Owner(s):	Richard R. Marro
Representative(s):	same
Legal Description:	The South 10 Feet of Lot 17, and all of lots 18, 19, and 20, Block 59, Alexander Addition, an addition to the City of El Paso, El Paso County, Texas
Location:	1600 North Kansas Street
Representative District:	8
Area:	0.24 Acres
Present Zoning:	A-2 (Apartment)
Present Use:	Church
Proposed Zoning:	A-O (Apartment/Office)
Recognized Neighborhood Associations Contacted:	A Presidential Neighborhood Association, El Paso High Neighborhood Association
Public Response:	1 in Favor (by email), petition with 21 signatures in support
Surrounding Land Uses:	**North:** A-2, Residential **South:** A-2, Apartments **East:** R-5, Residential **West:** A-2, Residential
Year 2025 Designation:	**Residential** (Central Planning Area)



General Information:

The applicant requests a rezoning from A-2 (Apartment) to A-O (Apartment/Office). The property consists of 0.24 acres of land and is currently a house. The site plan proposes an office with 7 parking spaces and access is proposed via Kansas Street and Crosby Street.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommended **DENIAL** of this request for rezoning from A-2 (Apartment) to A-O (Apartment/Office).

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso "Develop land use patterns that protect neighborhoods while supporting the economic viability of the city."
- **The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for Residential Land uses.
- **A-O (Apartment/Office) zoning** allows Office use and **is not compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will A-O (Apartment/Office) zoning protect the best interest, health, safety/welfare of the public in general?
2. Will office/warehouse development 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
5. Economic conditions and property values in the vicinity and in the city as a whole?

Development Services Department - Building Permits and Inspections Division Comments:
Zoning Review: Offices permitted on proposed A-O Apartment / Office District. Meets minimum District's Lot Development and Yard Standards. Requires seven parking spaces. Proposed on-site parking not accessible as illustrated. Shall require Change of Occupancy from Residential to Office Use and comply with A.D.A Criteria.

Development Services Department - Planning Division Comments:
Current Planning:
1. The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property for Residential Land uses.
2. A-O (Apartment/Office) zoning permits offices and is not compatible with adjacent development.

Engineering Department - Traffic Division Comments:
No comments received.

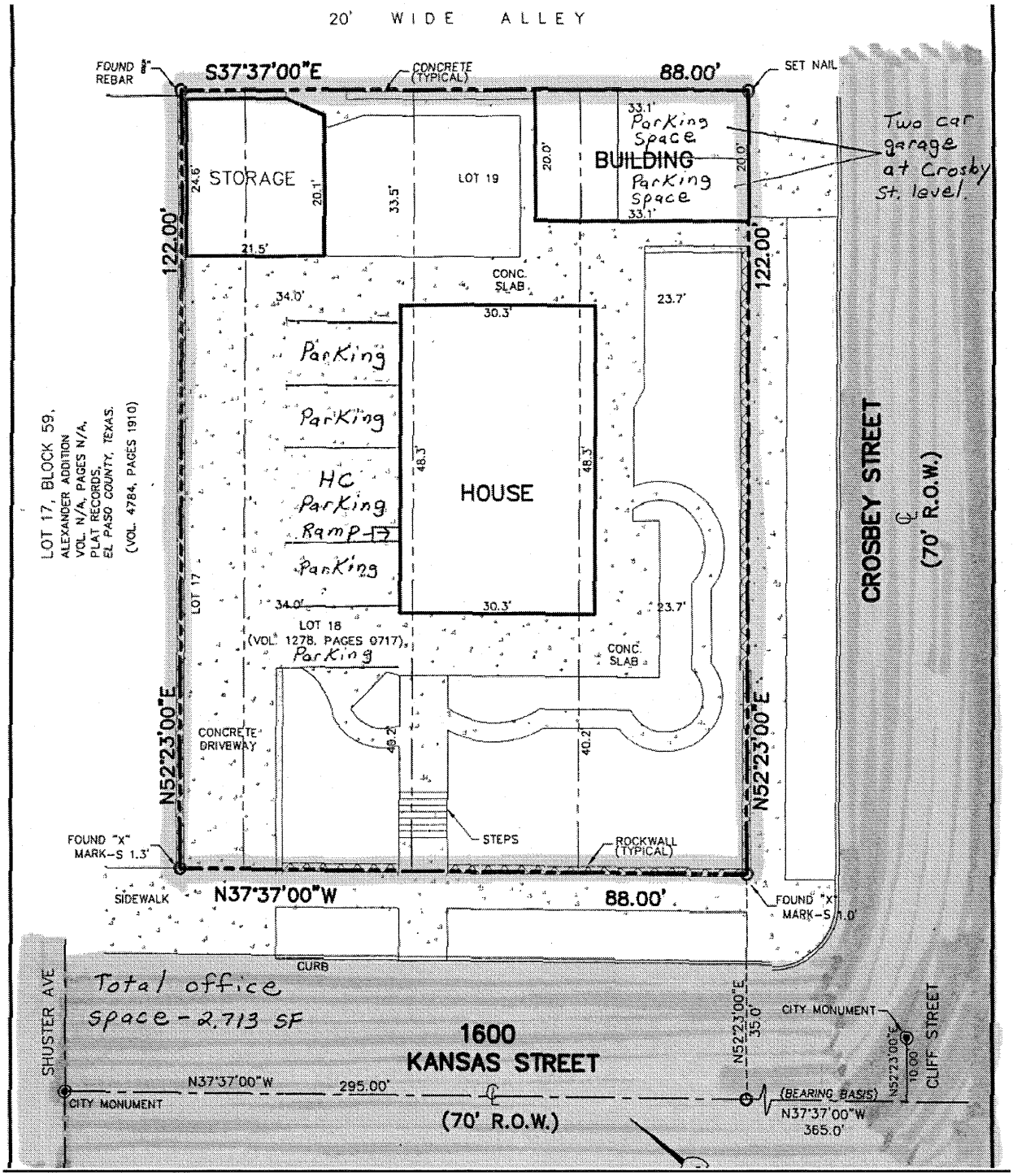
Fire Department Comments:
No comments received.

El Paso Water Utilities Comments
No comments received.

ATTACHMENT 1: Location Map
ATTACHMENT 2: Site Plan
ATTACHMENT 3: Copy of Application and letters faxed.

Attachment 1

Attachment 2



Attachment 3

REZONING APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO, TEXAS

1. CONTACT INFORMATION

PROPERTY OWNER(S): Richard R. Marro
ADDRESS:
APPLICANT(S): Richard R. Marro
ADDRESS:
REPRESENTATIVE(S): Same
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: FAX:

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: A46299905906400
LEGAL DESCRIPTION: 59 Alexander 18 to 20 and south 10 feet of 17
STREET ADDRESS OR LOCATION: 1600 N. Kansas REP DISTRICT: 8
ACREAGE: .24 PRESENT ZONING: A2 PRESENT LAND USE: Church
PROPOSED ZONING: AO PROPOSED LAND USE: Office

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: Richard R. Marro Signature: Richard R Marro
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.

CITY OF EL PASO MAR 21 2007 DEVELOPMENT SERVICES DEPT.

****OFFICE USE ONLY****
ZON 07-00032 RECEIVED DATE: 03/21/07 APPLICATION FEE: $ 715.00
DCC REVIEW DATE: 04/11/07 (8:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 05/03/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: WG FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004 1

1. ~~Have support of the El Paso High Neighborhood Association.~~

2. Petition results for property owners within 200 feet of my property.

There are 22 property owners within 200 feet of my property. 19 property owners were contacted.

Last year	This year	
42% opposed	As a % of contacted property owners	As a % of all property owners
to AO zoning	16% opposed to AO zoning	14% opposed to AO zoning
58% in favor	84% in favor of AO zoning	73% in favor of AO zoning
of AO zoning		*14% unknown

*Note: Of the three property owners I was unable to contact, last year two were in favor of AO zoning and one was opposed to AO zoning.

3. There are six AO zoned properties which are located on the blocks immediately adjacent to my block.

- Kansas and Campbell Streets are identical except for direction of traffic flow. Both are two lane, one way streets that end at Schuster.
- There is no geographic feature (such as an arroyo or mesa) which separates my block from the surrounding blocks.

City records for the Development Coordinating Committee and the City Plan Commission votes concerning the AO zoning of these six properties showed the following:

Property Address	*DCC Vote	CPC Vote
500 Schuster	Unknown	Unknown
615 Schuster	Approval	Approval (unanimous)
1518 Campbell	Approval	Approval (unanimous)
1520 Campbell	Approval	Approval (unanimous)
1610 Stanton	Approval	Approval (unanimous)
1700 Stanton	Approval	Approval (unanimous)

*Note: The records did not show the vote breakdown for the DCC.

Petition in Support of the Rezoning of Property Located at
1600 N. Kansas St, El Paso, Texas

The owner of the property located at the above address is requesting a zoning change from A2 to AO. The zoning change will allow the property to be used as apartment or office space.

I believe the zoning change is in the best interest of our neighborhood.

By signing this petition, I am registering my support of the zoning change.

Printed Name	Signature	Address
TIM FENNELL	[illegible]	1507 N. KANSAS
Wendy Collins	[illegible]	1503 N KANSAS #2
CHRISTINA OJEDA	[illegible]	1506 N. KANSAS
JUANA TORRES	[illegible]	1606 N. STANTON
BLANCA BERGMAN	[illegible]	400 EAST SCHUSTER (02)
Mary LaRue	[illegible]	402 E. Schuster (02)
Leo Haddad	LEO HADDAD	1601 N. Campbell (02)
CARLOS P. PIER	[illegible]	1519 N. KANSAS
GUILLERMO MORALES	[illegible]	1501 N CAMPBELL
JOSE CASTRO	[illegible]	1611 N CAMPBELL
SERGIO CHAVEZ	[illegible]	404 E. SCHUSTER AVE
Guadalupe P Chavira	Guadalupe P. Chavira	1519 N KANSAS
[illegible]	FAYE ASSI	1611 N. Kansas
[illegible]	ANGEL BELTRAN	1518 N CAMPBELL
[illegible]	John M Dickey	1520 N. Campbell
16 Laura [illegible]	Laura Ahaz	1518 N Kansas.
17 Darron Powell	DARRON POWELL	1517 N. CAMPBELL

Petition in Support of the Rezoning of Property Located at
1600 N. Kansas St, El Paso, Texas

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	Printed Name	Signature	Address
18	David Assi	D. Assi	1601 N. Kansas
19	Nadim Assi	N. Assi	1605 N. Kansas
20	[illegible]	[illegible]	1514 N. Kansas
21	C. Berry	[illegible]	1517 N. Kansas