

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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: July 24, 2012
Public Hearing: August 21, 2012

CONTACT PERSON/PHONE: Andrew Salloum, 541-4633

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of Tract 8C, Boothville Subdivision, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: Investment Builders, Inc. Subject Property: 8628 North Loop Drive. PZRZ12-00011 (District 7)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

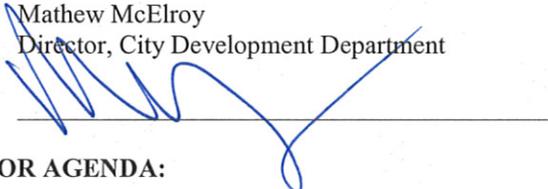
Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DIRECTOR: Mathew McElroy
Director, City Development Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACT 8C, BOOTHVILLE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-1 (COMMERCIAL). 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 *Tracts 8C, Boothville 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-F (RANCH AND FARM)** to **C-1 (COMMERCIAL)**, 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 _____, 2012.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

8628 N. LOOP DRIVE

Property Description: Tract 8C of the Boothville Subdivision an addition to the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 5, Page 50, of the Plat Records of El Paso County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is Tract 8C of the Boothville Subdivision, within the City of El Paso, El Paso County, Texas, according to the plat thereof recorded in Volume 5, Page 50, of the Plat Records of El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing at an existing TXDOT marker found in the centerline of North Loop Road (120' public right of way); Thence, South 54° 23' 44" West, a distance of 60.00 feet to a TXDOT right of way marker found in the southerly right of way line of North Loop Road for the TRUE POINT OF BEGINNING of this description;

THENCE, South 34° 58' 35" East, along the southerly right of way line of North Loop Road, a distance of 64.96 feet to a 1/2" iron rod with cap stamped "TX 2998" set for the most easterly corner of said Tract 8C;

THENCE, South 38° 14' 00" West, a distance of 570.26 feet (record 570.92) to a point (unable to set);

THENCE, North 55° 45' 00" West, a distance of 76.59 feet (record 75.80) to a point (unable to set);

THENCE, North 22° 07' 55" East (record North 22° 08' 00"), a distance of 681.13 feet to a 5/8" rebar found in the southerly right of way line of North Loop Drive, said point bears South 35° 17' 30" East a distance of 246.58 feet from a 5/8" rebar found in the southerly right of way line of North Loop Drive for the most northerly corner of Tract 7, Boothville Subdivision;

THENCE, South 35° 17' 30" East, a distance of 211.82 feet (record 210.40) to the TRUE POINT OF BEGINNING of the parcel herein described.

Said parcel of land containing 2.323 acres (101,189 Sq. Ft.) of land, more or less.

A PLAT OF SURVEY OF EVEN DATE ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION.

SLI ENGINEERING, INC.
Consulting Engineers—Land Surveyors
Guillermo Licon
Registered Professional Land Surveyor
Texas License No. 2998



June 23, 2011
Job # 06-10-2943
M&B/1727



**CITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

MEMORANDUM

DATE: 07/17/2012

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

FROM: Andrew Salloum, Planner

SUBJECT: REZONING PZRZ12-00011

The City Plan Commission (CPC) on 06/28/2012 voted **6-0** to recommend **APPROVAL** of rezoning the subject property to C-1 (Commercial), concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with Plan El Paso; and the proposed use is in conformance with the Future Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **NO OPPOSITION** to this request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ12-00011
Application Type: Rezoning
CPC Hearing Date: June 28, 2012
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 8628 North Loop Drive
Legal Description: Tract 8C, Boothville Subdivision, City of El Paso, El Paso County, Texas
Acreage: 2.323 acres
Rep District: 7
Existing Zoning: R-F (Ranch and Farm)
Existing Use: Vacant
Request: From R-F (Ranch and Farm) to C-1 (Commercial)
Proposed Use: Apartment Complex

Property Owner: Investment Builders, Inc.
Applicant: Investment Builders, Inc.
Representative: SLI Engineering, Inc.

SURROUNDING ZONING AND LAND USE

North: P-R 2/c (Planned Residential II/condition) / Apartment Complex
South: R-F (Ranch and Farm) / Single-family dwelling
East: R-F (Ranch and Farm) / Vacant
West: P-R 2/c (Planned Residential II/condition) / Apartment Complex

PLAN EL PASO DESIGNATION: G-3, Post-War (Mission Valley)

Nearest Park: Pueblo Viejo Park (5,664 feet)

Nearest School: Valley View Middle (1,157 feet)

NEIGHBORHOOD ASSOCIATIONS

Planning Division verified that there are no registered neighborhood associations in the area.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 13, 2012. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-F (Ranch and Farm) to C-1 (Commercial) to allow for an apartment complex. Apartments are not permitted the R-F (Ranch and Farm) zone district. The conceptual site plan shows three apartment buildings with approximately 48 total units and a clubhouse. The proposed access is from North Loop Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-4 (Residential) to C-1 (Commercial). The recommendation is based on the compatibility to Plan El Paso – Future Land Use Designation and surrounding land uses. G-3, Post-War Designation supports neighborhood civic and commercial uses.

Plan El Paso- Future Land Use Map Designation

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

G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-1 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

COMMENTS:

Planning Division – Transportation

Reviewed the TIA. No further issues.

Notes:

1. Coordinate access and driveway location with TXDOT.
2. Provide parking and aisle dimensions.
3. Sidewalks shall comply with Section 19.21 of the El Paso City Code. Sidewalks shall be continuous across driveway and shall comply with ADA standards.
4. All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

City Development Department – Plan Review

No comments received.

City Development Department - Land Development

No Objections.

General Comments:

Grading plan and permit shall be required.*

Storm Water Pollution Prevention Plan and/or permit required.*

Drainage plans must be approved by the City Development Department, Land Development Section.*

Coordination with TXDOT. *,

No water runoff allowed outside the proposed development boundaries, (On-site ponding required and provide location for the proposed ponding area). *

*This requirement will be applied at the time of development

Fire Department

Recommend approval of “site plan” as presented. Does not adversely affect fire department.

** Note, A more detailed reviewed will be done by fire plan review during the permitting process

El Paso Water Utilities

We have reviewed the zoning change request described above and provide the following comments:

EPWU does not object to this request.

EPWU-PSB Comments

Water

Along North Loop Road between Pendale Road and Link Drive there is an existing twelve (12) inch diameter water main. This main is located along the southernmost portion of North Loop Road right-of-way. Previous water pressure readings conducted on fire hydrant number 1820 located along the southern portion of North Loop Drive at approximately 740 feet west of Link Drive have yielded a static pressure of 100 pounds per square inch (psi), residual pressure of 88 psi, discharge of 1,424 gallons per minute (gpm).

Sanitary Sewer

Along North Loop Road between Pendale Road and Link Drive there is an existing fifteen (15) inch diameter sanitary sewer main. This main is located along the southernmost portion of North Loop Road right-of-way.

General

As per EPWU-PSB records, 8628 North Loop Drive has single three-quarter ($\frac{3}{4}$) inch diameter water service.

North Loop Drive is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Drive right-of-way requires written permission from TxDOT.

Easements within the subject Property will be required if the development of this property requires the extension of water and sanitary sewer mains.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

EPWU-PSB requires access to the water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB.

Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.

EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.

The El Paso Water Utilities - Public Service Board (EPWU-PSB) is interested in leasing the water rights of this subdivision. Please contact Jim Shelton at 594-5511.

If 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.

EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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 rezoning application

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of Plan 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 Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.

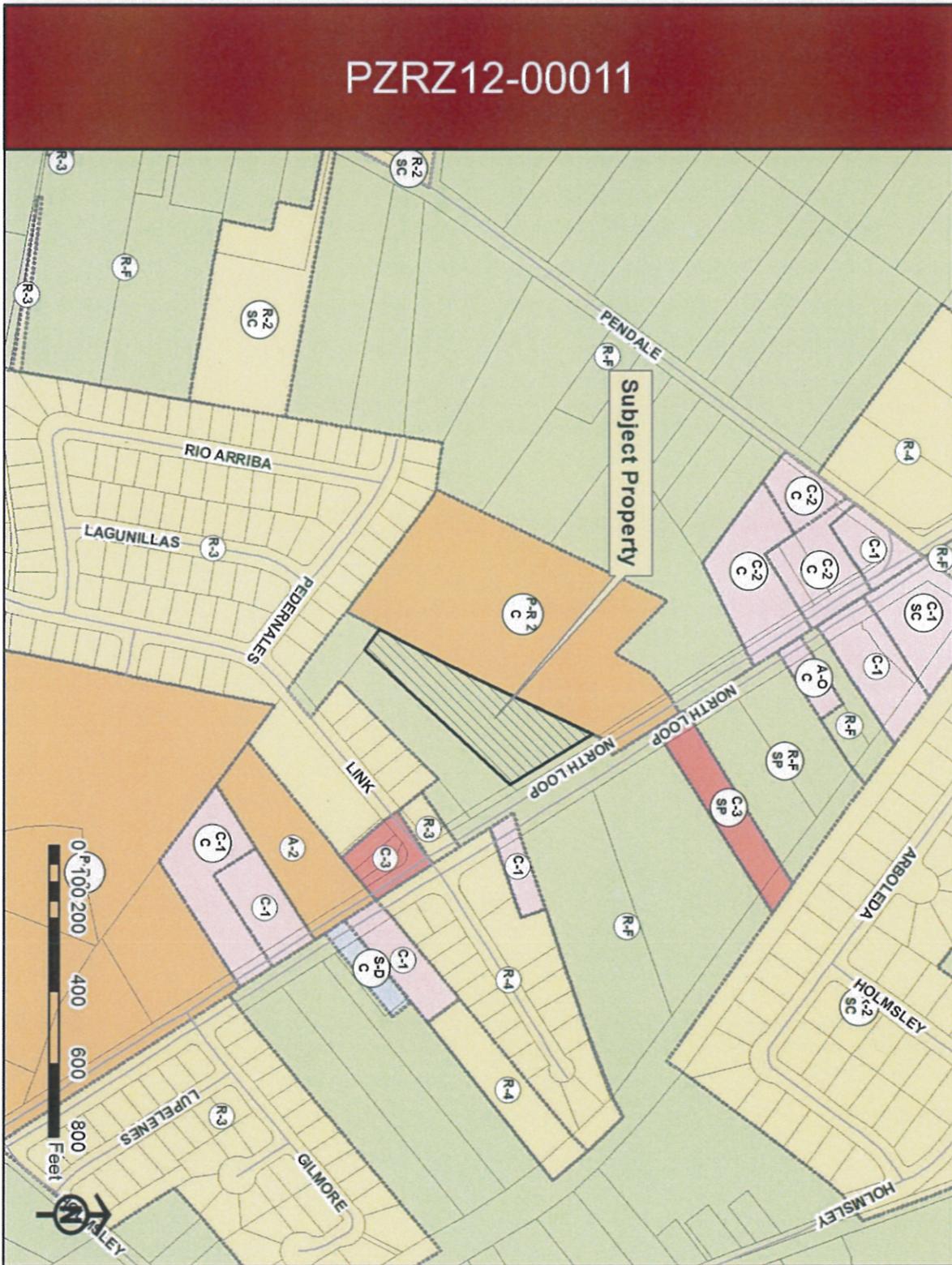
3. Deny the application finding that the rezoning does not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

Attachments:

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

PZRZ12-00011

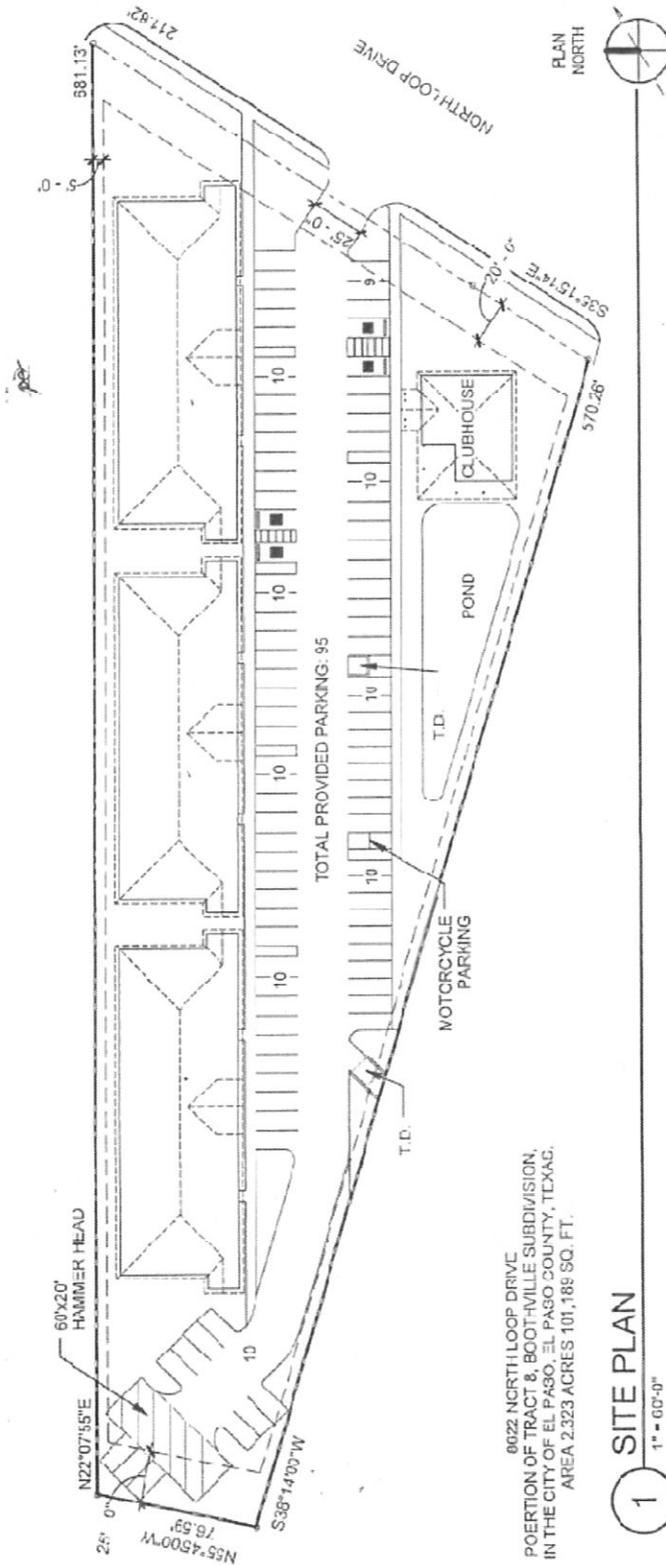


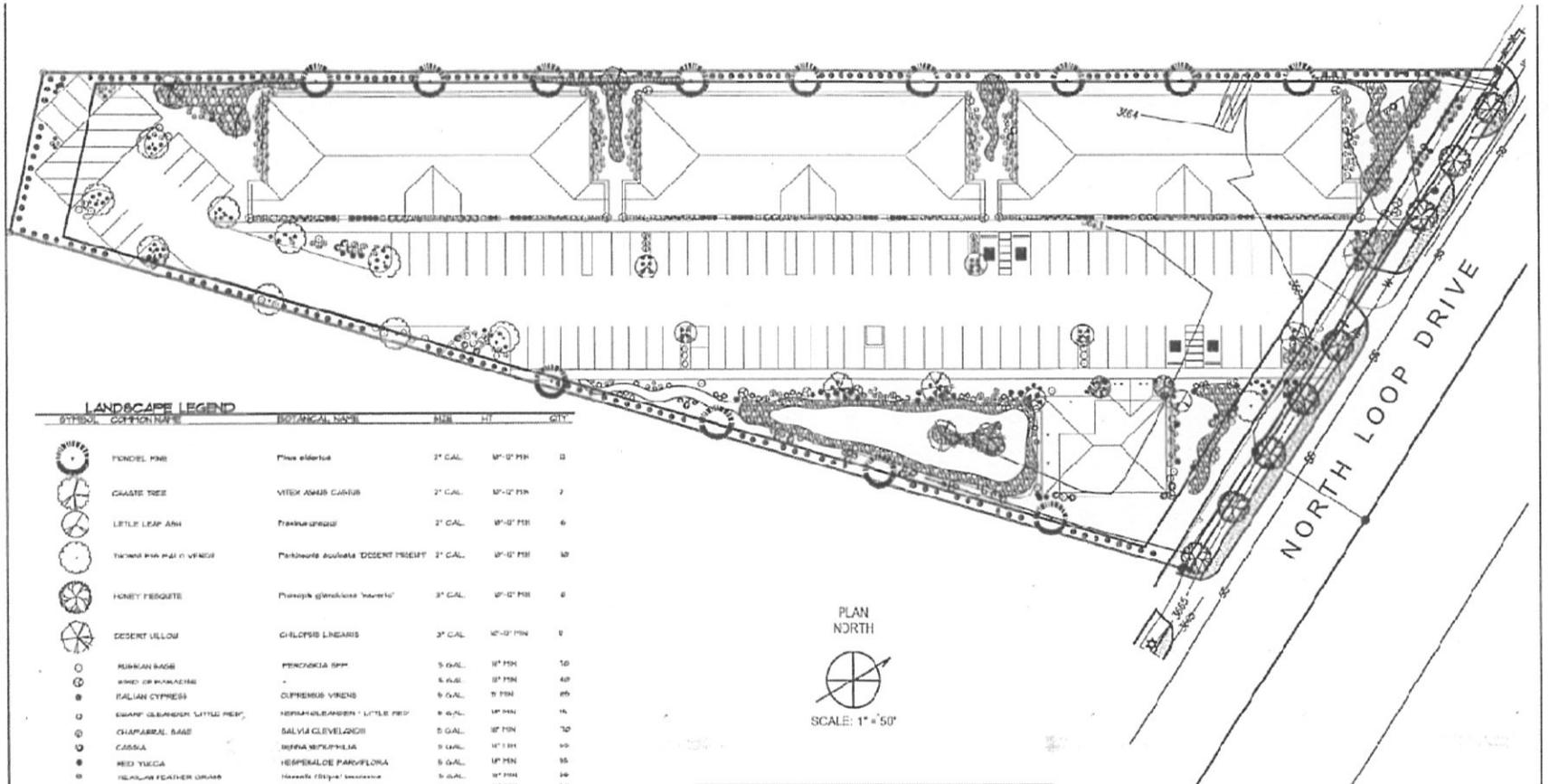
ATTACHMENT 2: AERIAL MAP

PZRZ12-00011



ATTACHMENT 3: CONCEPTUAL SITE PLAN





NET RENTABLE AREA (NET)	
Name	Area
BUILDING A FIRST FLOOR	7,277 SF
BUILDING A SECOND FLOOR	7,277 SF
	14,553 SF

