

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: July 8, 2008
Public Hearing: July 29, 2008

CONTACT PERSON/PHONE: Arturo Rubio, 541-4633

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance changing the zoning of a portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, from R-5 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Subject Property: North of Pebble Hills and West of Sunfire Boulevard. Applicants: JNC Land Inc., ZON08-00025 (District 5).

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 Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: ^{for} Victor Q. Torres
Director, Development Services



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

CITY CLERK DEPT.
00 JUN 30 PM 12:03

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1A5, SECTION 45, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) 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 a portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, 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 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 _____, 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

for 

Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services

CITY CLERK DEPT.
08 JUN 30 PM 12:03

ORDINANCE NO. _____

ZON08-00025

Being a 1.536 acre portion of Tract 1A5,
Section 45, Block 79, Township 2,
Texas and Pacific Railroad Company Surveys,
City of El Paso, El Paso County, Texas.
January 17, 2008

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a 1.536 acre portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a found City monument disk at the centerline intersection of Jon Evans Drive and Pebble Hills Boulevard as referenced by Sombras Del Sol Unit Four recorded by instrument #20060085025 with the El Paso County Real Property Records, from which a found city monument disk at the intersection of Jon Evans and Sombrita Way, bears South 47°29'54" East a distance of 790.10 feet; Thence with the centerline of Pebble Hills Boulevard (105' R.O.W.), 804.94 feet along the arc of a curve to the right which has a radius of 1072.88 feet, a central angle of 42°59'13", a tangent of 422.48 feet, and a chord which bears South 67°55'57" West a distance of 786.20 feet to a point; Thence leaving said centerline, North 00°42'27" West a distance of 52.50 feet to a point at the northerly right of way of Pebble Hills Boulevard as referenced by Sombras Del Sol Unit Five recorded by instrument #20070099073 with the El Paso County Real Property Records and the "TRUE POINT OF BEGINNING".

Thence with said right of way, 285.98 feet along the arc of a curve to the right which has a radius of 1020.38 feet, a central angle of 16°03'29", a tangent of 143.93 feet, and a chord which bears North 82°32'17" West a distance of 285.04 feet to a point of reverse curvature;

Thence with said right of way, 83.75 feet along the arc of a curve to the left which has a radius of 952.50 feet, a central angle of 5°02'17", a tangent of 41.90 feet, and a chord which bears North 77°01'41" West a distance of 83.73 feet to a point of reverse curvature;

Thence leaving said right of way, 27.59 feet along the arc of a curve to the right which has a radius of 20.00 feet, a central angle of 79°02'03", a tangent of 16.50 feet, and a chord which bears North 40°01'48" West a distance of 25.45 feet to a point of tangency;

Thence, North 00°30'47" West a distance of 131.54 feet to a point;

Thence, South 87°14'25" East a distance of 379.88 feet to a point at the southeasterly corner of Lot 9, Block 26, Tierra Del Este Unit Three recorded in Volume 77, Pages 02, 2A, and 2B with the El Paso County Plat Records;

Thence, South 00°42'27" East a distance of 188.56 feet to "TRUE POINT OF BEGINNING" and containing in all 66,903 square feet or 1.536 acres of land more or less.

Not a ground survey.



Job #108-19


Ron R. Conde
R.P.L.S. No. 5152

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

VICTOR Q. TORRES
DIRECTOR, DEVELOPMENT SERVICES

MATHEW S. McELROY
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
EMMA ACOSTA, DISTRICT 3
MELINA CASTRO, DISTRICT 4
RACHEL QUINTANA, DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES
PLANNING DIVISION**

MEMORANDUM

DATE: June 30, 2008
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Arturo Rubio, Planner
SUBJECT: ZON08-00025

The City Plan Commission (CPC), on June 19, 2008, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from R-5 (Residential) to C-1 (Commercial).

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 rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

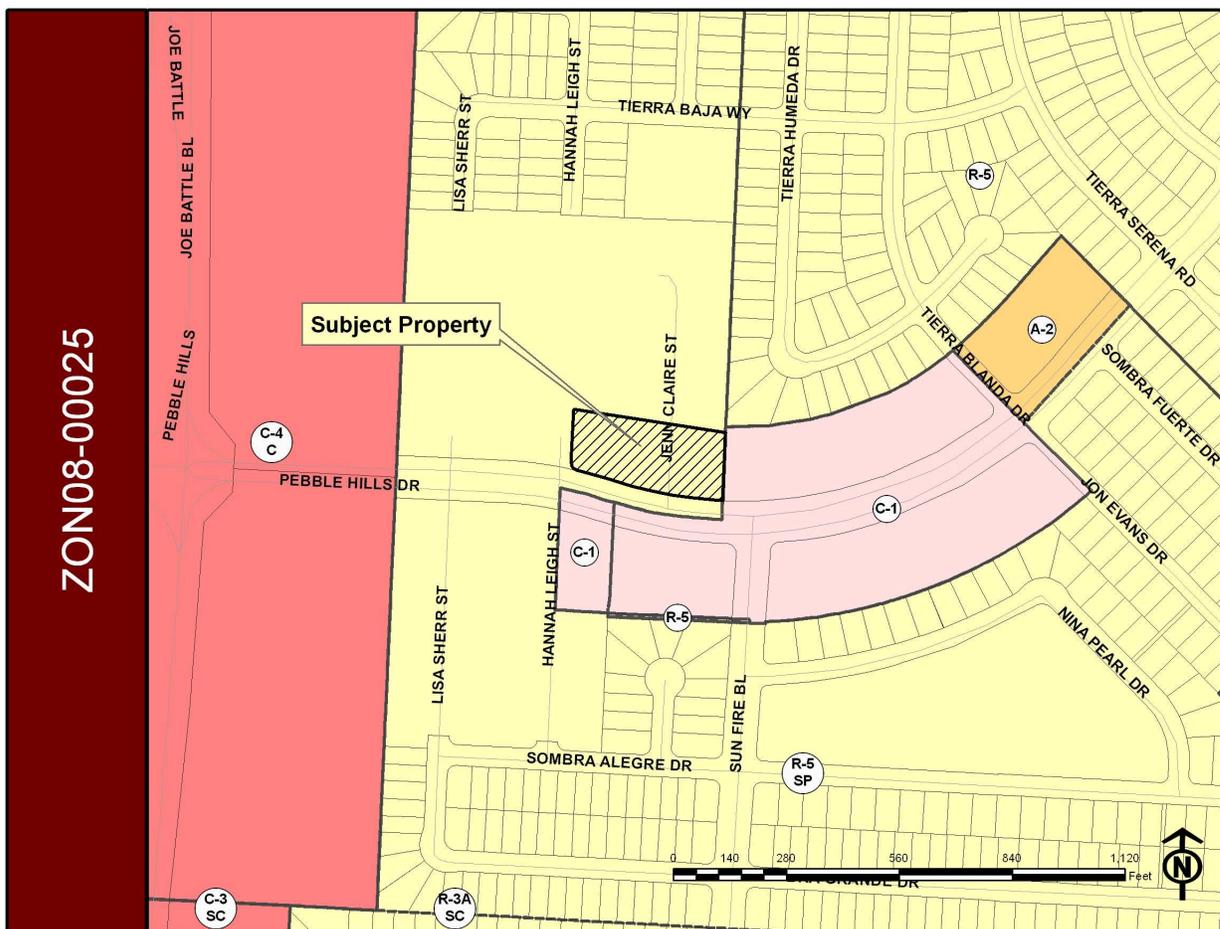
Attachment: Staff Report

There was no opposition to the rezoning request.



ZON07-00025

Application Type:	Rezoning
Property Owner:	JNC Land Inc.
Representatives:	Conde, Inc.
Legal Description:	A portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas
Location:	North of Pebble Hills Drive and West of Sunfire Boulevard
Representative District:	5 Area: 1.536 acres
Present Zoning:	R-5 Present Use: Vacant
Proposed Zoning:	C-1
Recognized Neighborhood Associations Contacted:	East Side Civic Association, Las Tierras Neighborhood Association
Public Response:	None
Surrounding Land Uses:	North: R-5, vacant, single-family; South: C-1, vacant East: C-1, vacant; West: R-5, vacant, Commercial and Residential (East Planning Area)
Year 2025 Designation:	



General Information:

The applicant is requesting a rezoning from R-5 (Residential) to C-1 (Commercial). Access is proposed via Pebble Hills Boulevard. There are no conditions on this property and it is currently vacant.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **Approval** of this request for rezoning from R-5 (Residential) to C-1 (Commercial).

The recommendation is based on the following:

- **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 Plan for El Paso (East Planning Area) includes four study areas that encourage mixed use, infill development and industrial land use. The study areas include:
 - Loop 375 corridor south of Zaragoza Road.
 - Loop 375 Corridor north of Zaragoza Road.
 - The frontage along the south side of Montana Avenue from Airway Boulevard to Loop 375.
 - The area surrounding the existing Robert E. Lee Industrial Park on north side of Edgemere Boulevard., east of George Dieter Drive.

The subject property is located in study area no. 1 and the study area encourages commercial, infill and industrial development.

- **The Year 2025 Projected General Land Use Map** for the East Planning Area designates this property for part **Residential** and **Commercial** land uses.
- **C-1 (Commercial)** permits commercial development and **is compatible** with adjacent commercial zoned districts.

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 commercial 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 economic conditions and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division:

Zoning Review: No objection to the proposed re-zoning request. Shall need to provide a six foot high masonry screening wall along the property lines abutting the residential district.

Landscape Review: No comments received.

Development Services Department - Planning Division:

Current Planning: Recommends **Approval** of rezoning request from R-5 (Residential) to C-1 (Commercial). Request is compatible to comprehensive plan and surrounding land uses.
Land Development: No Comments Received

Engineering Department - Traffic Division:

No objections to proposed zoning change.

Fire Department

No comments received.

El Paso Water Utilities:

EPWU does not object to this request.

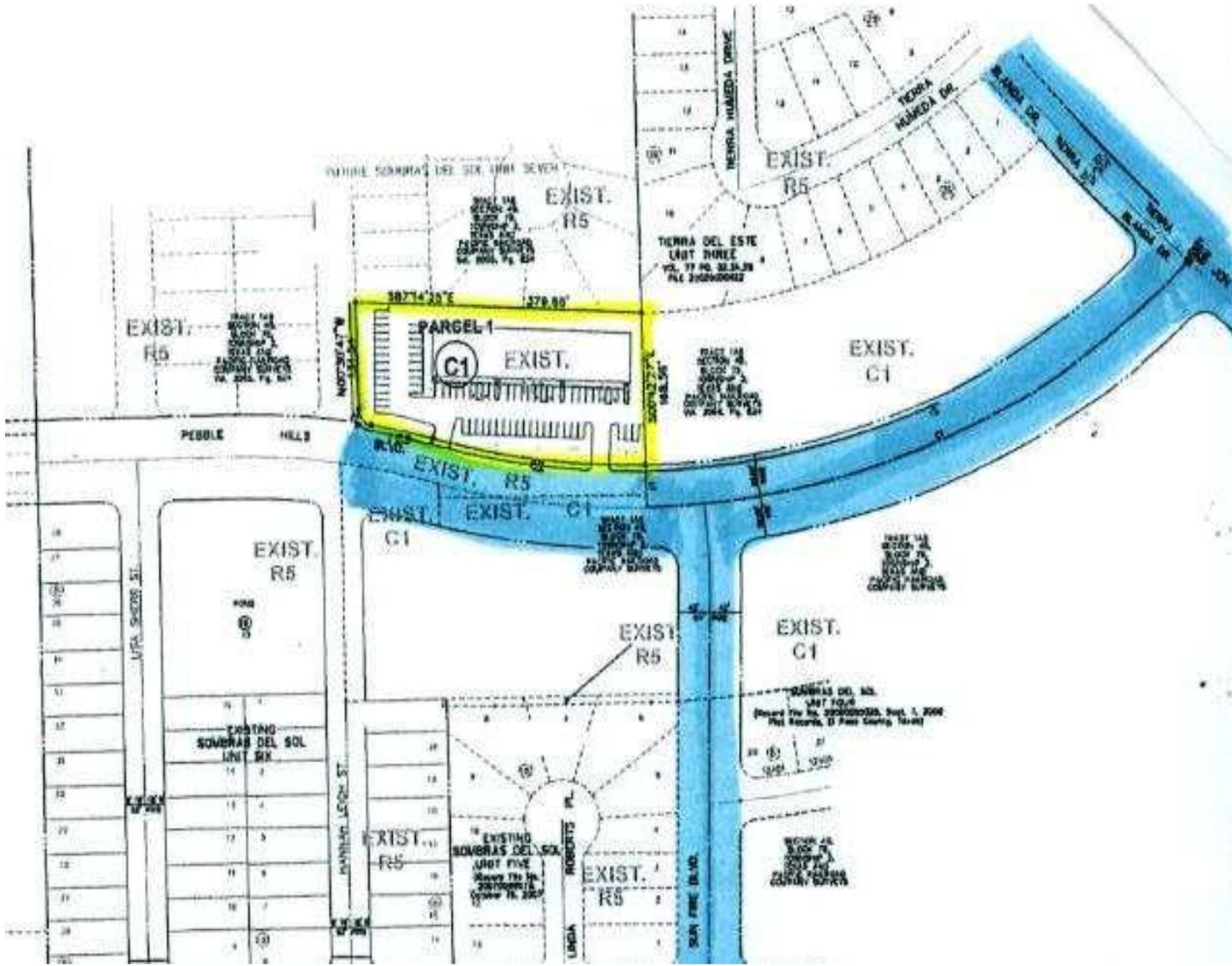


Attachments:

Attachment 1: Boundary Site Survey

Attachment 2: Application

Attachment 1: Boundary Site Survey



Attachment 2: Application



REZONING APPLICATION
PLANNING RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO

1. CONTACT INFORMATION

PROPERTY OWNER(S): JNC Land, Inc.
ADDRESS: 12300 Montwood El Paso, Texas ZIP CODE: 79928 PHONE: 855-1005
APPLICANT(S):
ADDRESS: 12300 Montwood El Paso, Texas ZIP CODE: 799328 PHONE: 855-1005
REPRESENTATIVE(S): Conde, Inc.
ADDRESS: 1790 Lee Trevino, Suite 400 ZIP CODE: 79936 PHONE: 592-0283
E-MAIL ADDRESS: cconrad@elp.rr.com

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: X579-999-2450-0180
LEGAL DESCRIPTION: Being a Portion of Tract 1A5, Section 45, Block 79, Township 2, Texas and Pacific Railroad Surveys, City of El Paso, El Paso County, Texas
STREET ADDRESS OR LOCATION: Pebble Hills Blvd. District Rep. 5 MK
ACREAGE: 1.536 ac PRESENT ZONING: R-5 PRESENT LAND USE: vacant
PROPOSED ZONING: C-1 PROPOSED LAND USE: To Allow for Commercial Development
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: cconrad@elp.rr.com

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION:
ACREAGE: PRESENT ZONING: PRESENT LAND USE:
PROPOSED ZONING PROPOSED LAND USE:
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: cconrad@elp.rr.com

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION:
ACREAGE: PRESENT ZONING: PRESENT LAND USE:
PROPOSED ZONING PROPOSED LAND USE:
ADDRESS: ZIP CODE: PHONE:
E-MAIL ADDRESS: cconrad@elp.rr.com

5. ADDITIONAL INFORMATION

OWNER (S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
Printed Name: 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 08-00025 RECEIVED DATE: 3/25/08 APPLICATION FEE: 816.28 2008
DCC REVIEW DATE: (8:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 5/22/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: Melissa Kellum FUND -01101, DEPT ID -99010335, ACCOUNT ID
CITY OF EL PASO PAID DEPARTMENT SERVICES DEPT

Revised 6/2004