

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

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: August 2, 2005
Public Hearing: August 23, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of the North 138.00 feet of Lot 9 and the West half of Lot 10, Block 7, North Loop Gardens, El Paso, El Paso County, Texas from A-2 (Apartment) to C-4 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Eduardo and Adriana Barboza. Location: 510 East Road. ZON05-00029 (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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE NORTH 138.00 FEET OF LOT 9 AND THE WEST HALF OF LOT 10, BLOCK 7, NORTH LOOP GARDENS UNIT 1, EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO C-4 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, upon full review of the record, to include citizen input and recommending body reports, City Council has reasonably determined that the proposed change in zoning will not be a detriment to or incompatible with adjacent land uses or adverse to the public welfare, and should be approved as provided for herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *the North 138.00 feet of Lot 9 and the West half of Lot 10, Block 7, North Loop Gardens Unit 1, El Paso, El Paso County, Texas*, as more particularly described by the meets and bounds in the attached Exhibit "A", be changed from A-2 (Apartment) to C-4 (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 _____, 2005.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

(Signatures continue on following page)

APPROVED AS TO FORM:



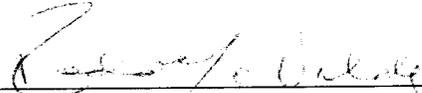
Matt Watson
Assistant City Attorney
Doc No. 14876

APPROVED AS TO CONTENT:



Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:



Rodolfo Valdéz, Chief Urban Planner
Planning, Research & Development
Department

METES AND BOUNDS DESCRIPTION

Being a 0.333 Acre portion of Lot 9 and West half of 10, Block 7, North Loop Gardens Unit One a Subdivision in the City of El Paso, El Paso County, Texas and more particularly described as follows;

COMMENCING at an existing City target at the intersection of the centerlines of North Loop Drive and East Drive; **THENCE** with said centerline of East Drive North 54°48'00" East a distance of 295.00 feet to a point; **THENCE** leaving said centerline South 35°12'00" East a distance of 20.00 feet to a ½ inch rebar on the south Right of Way Line of East Drive and the **POINT OF BEGINNING**;

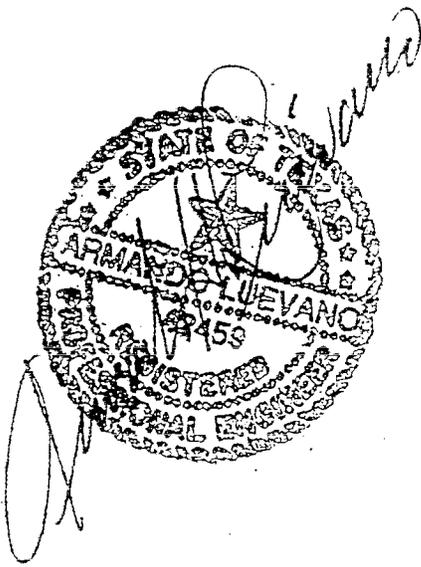
THENCE South 35°12'00" East a distance of 105.00 feet to a ½ inch rebar found;

THENCE South 54°48'00" West a distance of 138.00 feet to a ½ inch rebar found;

THENCE North 35°12'00" West a distance of 105.00 feet to a ½ inch rebar found;

THENCE North 54°48'00" East a distance of 138.00 feet to the **POINT OF BEGINNING**.

Said parcel of land contains 0.333 acre (14,490 sq. ft.) of land more or less.



GENS #1

BOUNDARY SURVEY

North 138.00 feet of Lot 9 and West half of 10,
Block 7, North Loop Gardens Unit One

City of El Paso, El Paso County, Texas

EXHIBIT "A"

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DIRECTOR



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

**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

July 25, 2005

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

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00029

The City Plan Commission (CPC), on July 14, 2005, voted **5-2** to recommend **DENIAL** of this rezoning request, concurring with Staff's recommendation.

The CPC found that this rezoning request **is not** in conformance with The Plan for El Paso; and the proposed use **is not** in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning request **is not** in the best interest, health, safety and welfare of the public in general.

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

Attachment: Location Map

STAFF REPORT

Rezoning Case: ZON05-00029

Property Owner(s): Eduardo and Adriana Barboza

Applicant(s): Eduardo Barboza

Representative(s): Eduardo Barboza

Legal Description: North 138.00 feet of Lot 9 and West 1/2 of Lot 10, Block 7, North Loop Gardens Unit One

Location: 510 East Road

Representative District: # 7

Area: 0.333 Acres

Present Zoning: A-2 (Apartment)

Present Use: Beauty Shop, Storage

Proposed Zoning: C-4 (Commercial)

Proposed Use: Car Wash, Car Repair, Beauty Shop

Recognized Neighborhood Associations Contacted: N/A

Surrounding Land Uses:

North -	C-1 (Commercial) / Single-family residential
South -	C-3 (Commercial) / Used Tire Storage
East -	A-2 (Apartment) / Church
West-	C-4 (Commercial) / Print Shop/Entertainment

Year 2025 Designation: Mixed-Use (Lower Valley Planning Area)

**CITY PLAN COMMISSION HEARING, July 14, 2005
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ITEM # 11

Zoning Case: ZON05-00029

General Information:

The applicant is requesting a rezoning from A-2 (Apartment) to C-4 (Commercial) in order to permit a car wash, car repair and beauty shop. The property is 0.333 acres in size and is currently a beauty shop. The proposed site plan shows a new carwash/car repair to be located on the site and a beauty shop and storage existing on the site. Access is proposed via East Road with 18 (eighteen) parking spaces provided. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **Approval** of this request for rezoning from A-2 (Apartment) to C-1 (Commercial), as it would be more compatible than C-4 (Commercial).

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend 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 Lower Valley Planning Area designates this property for Mixed-use land uses.

C-1 (Commercial) zoning permits a car wash and beauty shop and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-4 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will a car wash, car repair and beauty shop be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:

No comments.

Engineering Department, Development Division Notes:

No objections.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed zoning change.

Fire Department Notes:

No objections.

El Paso Water Utilities Notes:

1. Existing water and sanitary sewer mains along East Road are available to serve the property.
2. EPWU does not object to this request. Application for additional water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading and drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application.

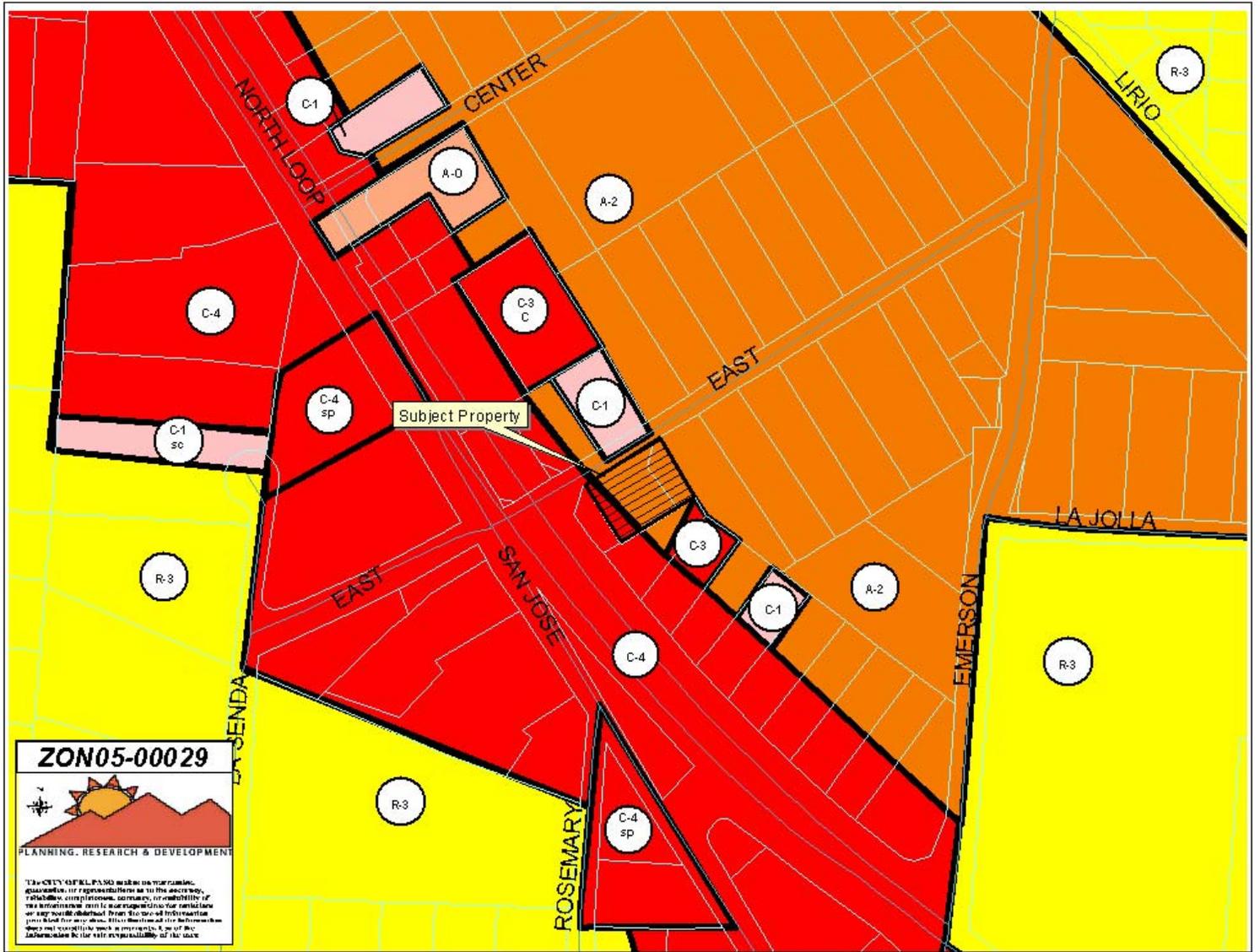
Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for Mixed-use land uses.
- B. C-1 (Commercial) zoning permits a car wash and beauty shop and is compatible with adjacent development.
- C. C-4 (Commercial) zoning permits a car repair shop.

ATTACHMENT: Site Plan; Location Map.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



GENERALIZED PLOT PLAN

