

**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: 6

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 2, Block 46, Sun Ridge Subdivision Unit 12, El Paso, El Paso County, Texas from A-O/sc (Apartment-Office/special contract) to C-2/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Three Amigos Investments. Location: N. Zaragoza Rd. East of Sun Fire Blvd. ZON05-00047 (District 6)

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 A PORTION OF LOT 2, BLOCK 46, SUN RIDGE SUBDIVISION UNIT 12, EL PASO, EL PASO COUNTY, TEXAS FROM A-O/SC (APARTMENT-OFFICE/SPECIAL CONTRACT) TO C-2/SC (COMMERCIAL/SPECIAL CONTRACT). 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 *a portion of Lot 2, Block 46, Sun Ridge Subdivision Unit 12, El Paso, El Paso County, Texas*, as more particularly described by the meets and bounds in the attached Exhibit "A", be changed from A-O/sc (Apartment-Office/special contract) to C-2/sc (Commercial/special contract), 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

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

(Signatures continue on following page)

APPROVED AS TO FORM:



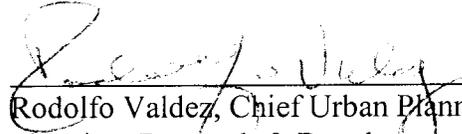
Matt Watson
Assistant City Attorney
Doc No. 14867

APPROVED AS TO CONTENT:



Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:



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

Being a portion of Lot 2, Block 46,
Sun Ridge Subdivision Unit 12,
City of El Paso, El Paso County, Texas
March 21, 2005

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of Lot 2, Block 46, Sun Ridge Subdivision Unit 12, 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 iron rod located at the common boundary line of Lot 1 and Lot 2, same being the northwesterly right-of-way line of Sun Country Drive (64' R.O.W.) **THENCE**, leaving said common boundary line and along the northwesterly right-of-way line, South 42°31'00" West, a distance of 191.06 feet to a set iron rod located at the **POINT OF BEGINNING** of the herein described parcel;

THENCE, continuing along the northwesterly right-of-way line, South 42°31'00" West, a distance of 95.53 feet to a set iron rod for corner;

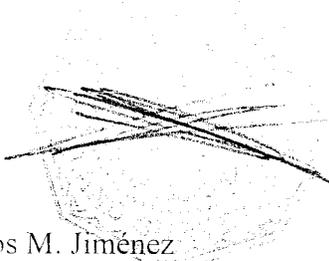
THENCE, leaving said northwesterly right-of-way line, North 47°29'00" West, a distance of 456.00 feet to a set iron rod for corner;

THENCE, North 42°31'00" East, a distance of 286.59 feet to a set iron rod for corner;

THENCE, South 47°29'00" East, a distance of 228.00 feet to a set iron rod for corner;

THENCE, South 42°31'00" West, a distance of 191.06 feet to a set iron rod for corner;

THENCE, South 47°29'00" East, a distance of 228.00 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 87,123.35 square feet or 2.00 acres of land more or less.



Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950

CAD Consulting Co.
1790 Lee Trevino Drive, Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2005\250699.wpd

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: ZON05-00047

The City Plan Commission (CPC), on July 14, 2005, voted **7-0** to recommend **APPROVAL** of this rezoning request, concurring with Staff's recommendation.

The CPC found that this rezoning request 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 request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request, however, a letter of concern was received from an adjacent property owner.

Attachment: Location Map

STAFF REPORT

Rezoning Case: ZON05-00047

Property Owner(s): Three Amigos Investments

Applicant(s): Three Amigos Investments

Representative(s): ETZOLD & Co

Legal Description: A portion of Lot 2, Block 46, Sun Ridge Subdivision Unit 12

Location: N. Zaragoza Rd. East of Sun Fire Blvd.

Representative District: # 6

Area: 2 Acres

Present Zoning: A-O/sc (Apartment-Office/special contract)

Present Use: Vacant

Proposed Zoning: C-2/sc (Commercial/special contract)

Proposed Use: Retail Center and Day Care

Recognized Neighborhood Associations Contacted: Eastside Civic Association

Surrounding Land Uses:

North -	A-O/sp (Apartment-Office/special contract) / Single-family
South -	R-3A (Residential / City park, Single-family
East -	A-O/sp (Apartment-Office/special contract) / Vacant
West-	A-O/sp (Apartment-Office/special contract) / Vacant

Year 2025 Designation: Residential (East Planning Area)

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

ITEM # 12

Zoning Case: ZON05-00047

General Information:

The applicant is requesting a rezoning from A-O/sc (Apartment-Office/special contract) to C-2/sc (Commercial/special contract) in order to permit a Retail Center and Day Care. The property is 2 acres in size and is currently Vacant. The proposed site plan shows a shopping center to be located on the site. Access is proposed via Zaragoza Road with 98 parking spaces provided. There are zoning conditions currently imposed that do not pertain to the subject property.

Information to the Commission:

The Planning Department has received **one letter of concern** and **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-O/sc (Apartment-Office/special contract) to C-2/sc.

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 East Planning Area designates this property for Residential land uses.

C-2/sp (Commercial/special contract) zoning permits a Retail Center and Day Care and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-2/sc (Commercial/special contract) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will Retail Center and Day Care be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:

Zoning: Meets all C-2 commercial district standards.
Landscaping: Approved.

Engineering Department, Development Division Notes:

1. Grading plan and permit required.*
2. Storm Water Pollution Prevention plan and permit required.*
3. Drainage plans must be approved by the City Engineer.*
4. On-Site ponding will be required.*
5. Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Zone **X** Panel **280212 0175 B**.
*** This requirement will be applied at the time of development.**

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed zoning change subject to site plan approval by the Traffic Division.

Fire Department Notes:

Zoning change does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No objections.

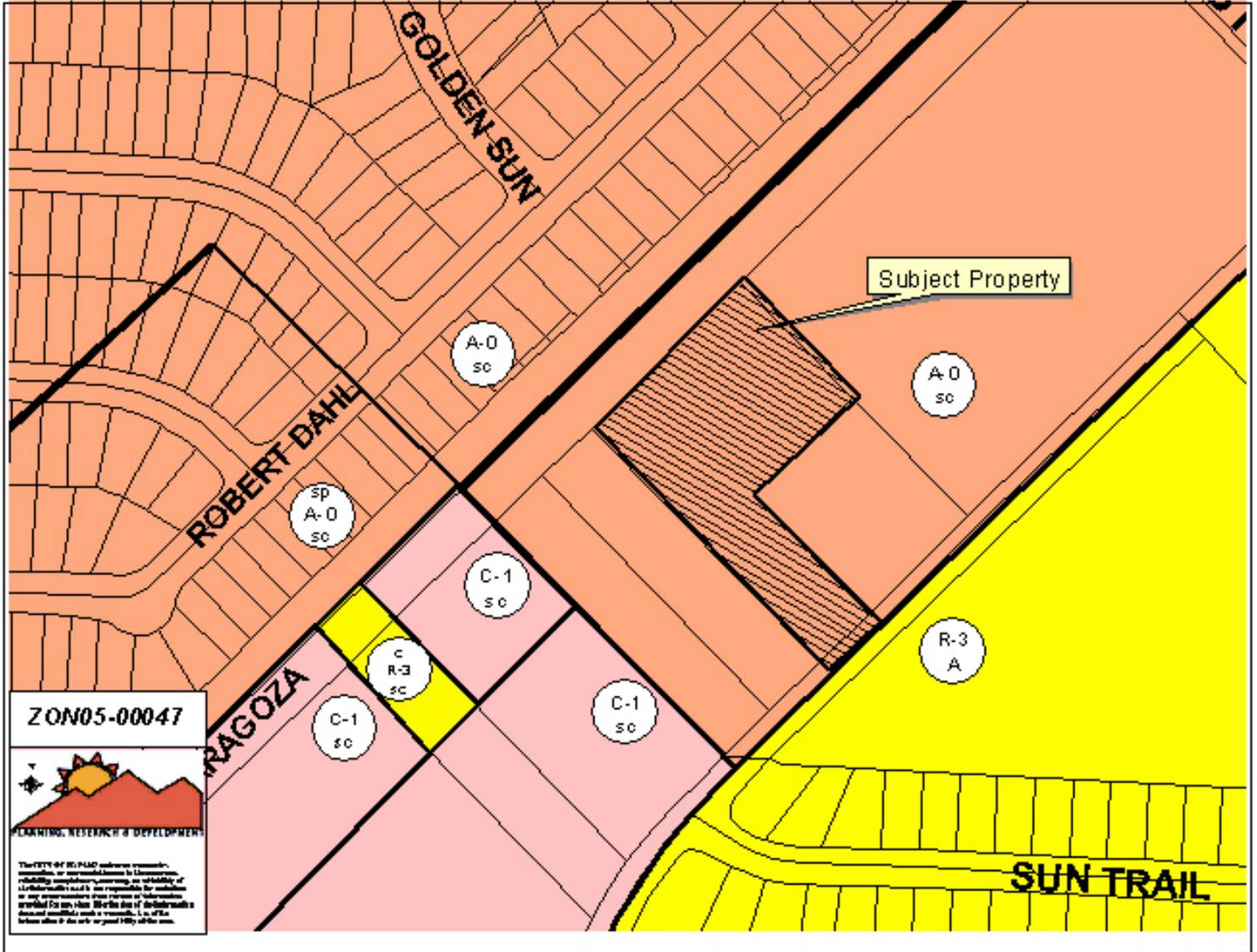
Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Planning Area designates this property for land uses.
- B. C-2/sc (Commercial/special contract) zoning permits Retail Center and Day Care and is compatible with adjacent development.

ATTACHMENT: Site Plan; Location Map, Letter.

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.

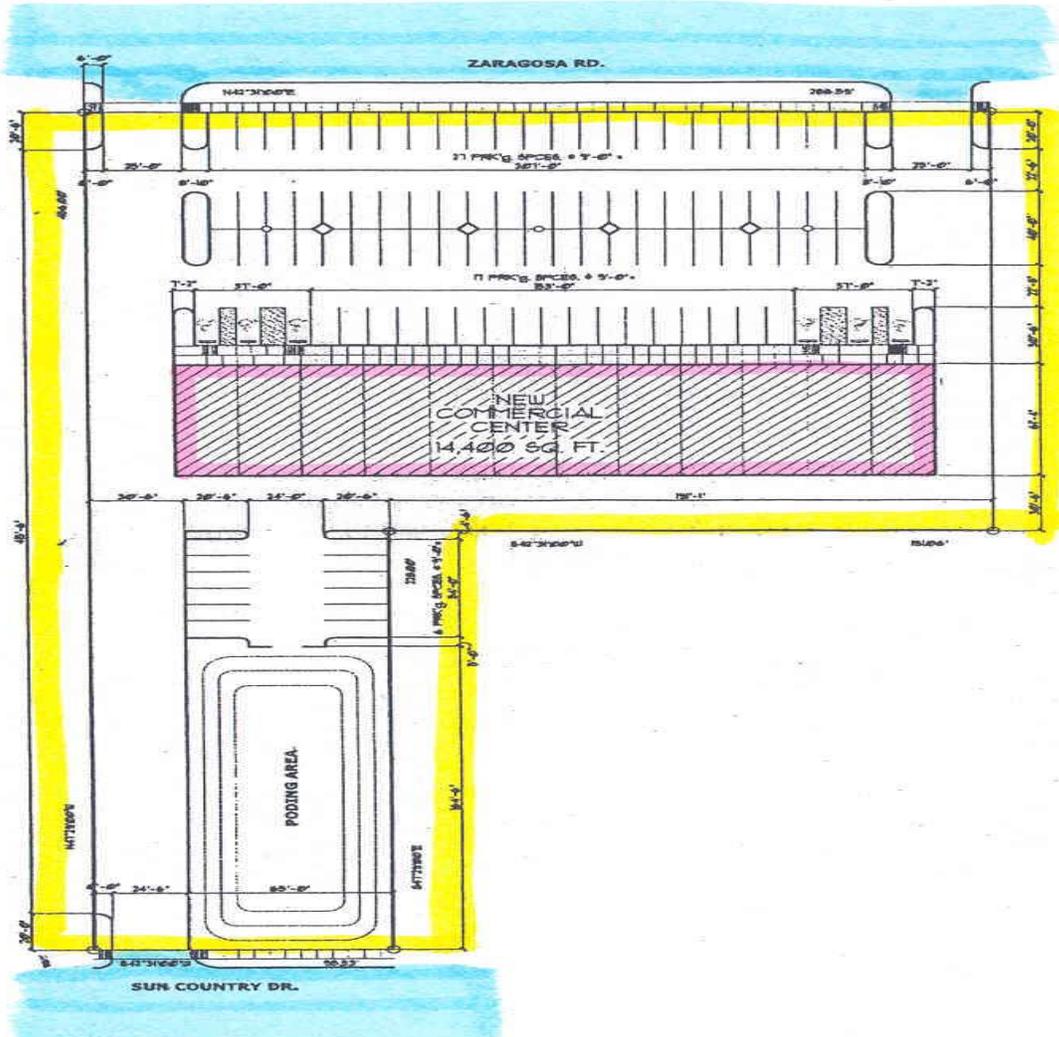
LOCATION MAP



AERIAL MAP



GENERALIZED PLOT PLAN



SITE PLAN
SCALE 1" = 30'-0"

SAUNDERS APARTMENT CO.
2111 MONTANA AVE
EL PASO, TEXAS 79903
915-532-4042

July 11, 2005

Christina Valles
City Plan Commission
Planning, Research and Development
2nd Floor, City Hall
2 Civic Center Plaza
El Paso, Texas 79901-1196

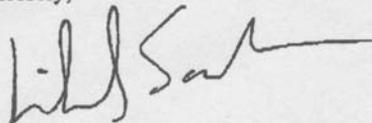
Re: ZON05-00047
Sent via fax 541-4028

I am the owner of The Meridian Apartments adjacent to the North property line of the subject property.

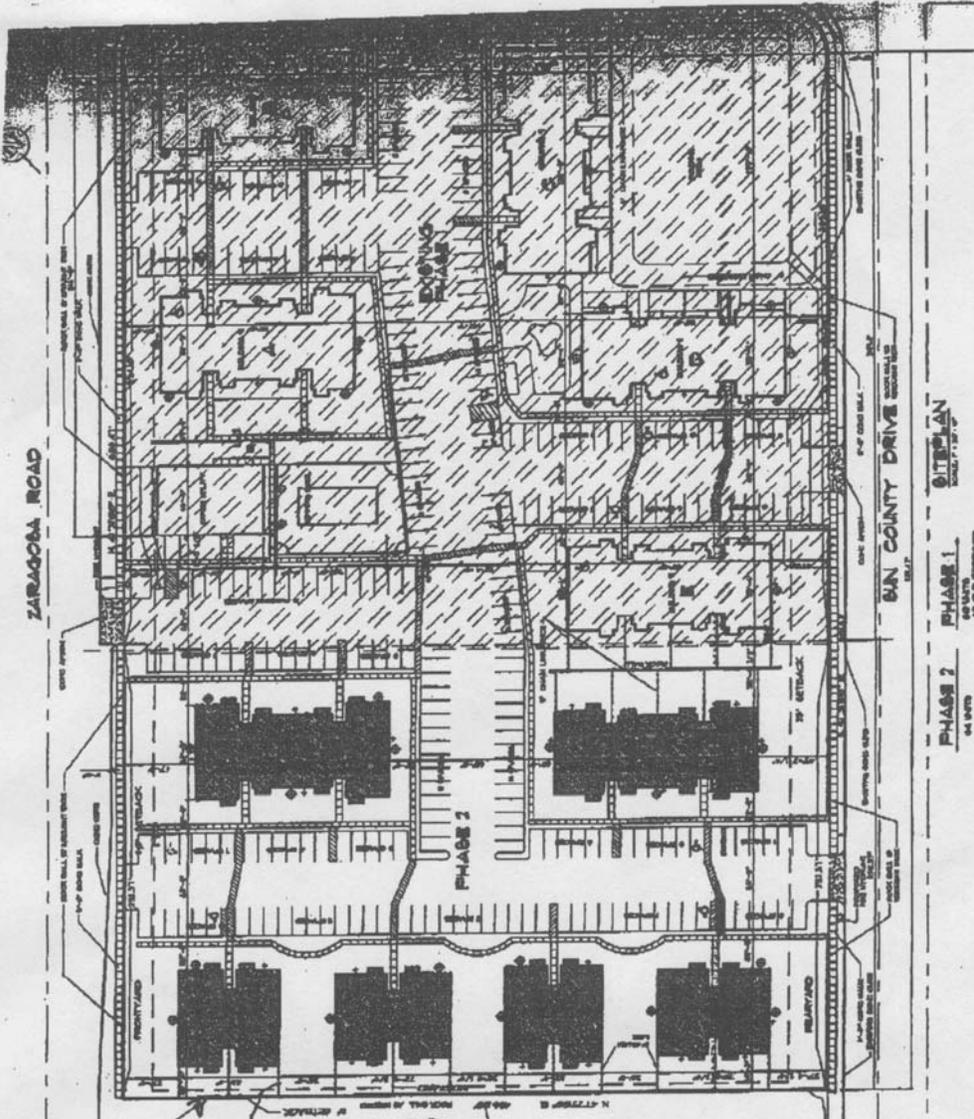
I have reviewed the site plan submitted to the city and have no objections to the proposed development providing the six foot rock screening fence as required in the zoning ordinance for commercial next to apartment districts is required along the property line for issuance of building permits.

For further information you may contact Rick Saunders at 915-532-4042 or on my cell at 915-549-2464.

Sincerely,



Rick Saunders,
President, Zaragosa Corp,
Gen Partner, 2140NZ LP dba The Meridian Apartments



SITE PLAN
 SHEET 2 OF 2
 PHASE 1
 44 UNITS
 PHASE 2
 44 UNITS

20' SETBACK
 MERIDIAN APTS
 MONTESSORI SCHOOL

ZONOS - 00047
 SUBJECT PROPERTY