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

**DEPARTMENT:** **Planning and Economic Development Department, Planning Division**

**AGENDA DATE:** **Introduction: June 28, 2011**
**Public Hearing: July 19, 2011**

**CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov**

**DISTRICT(S) AFFECTED: 5**

**SUBJECT:**
An ordinance changing the zoning of All of Lot 8, Block 3, Hueco View Acres, City of El Paso, El Paso County, Texas from R-3 (Residential) to A-O (Apartment-Office) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 11440 Turner Road. Applicant: Dominguez Properties, LTD. PZRZ11-00009 **(District 5)**

**BACKGROUND / DISCUSSION:**
N/A

**PRIOR COUNCIL ACTION:**
N/A

**AMOUNT AND SOURCE OF FUNDING:**
N/A

**BOARD / COMMISSION ACTION:**
Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation (5-1)

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

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy
Deputy Director, Planning and Economic Development Department

_____

**APPROVED FOR AGENDA:**

**CITY MANAGER:** _____ **DATE:** _____

**ORDINANCE NO. _____**

**AN ORDINANCE CHANGING THE ZONING OF ALL OF LOT 8, BLOCK 3, HUECO VIEW ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE) AND IMPOSING A CONDITION. 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 *all of Lot 8, Block 3, Hueco View Acres, City of El Paso, El Paso County, Texas,* be changed from **R-3 (RESIDENTIAL) 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.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. That an 8' foot rock wall shall be placed adjacent to the south of the property or adjacent to any residential zone or use.

**PASSED AND APPROVED this _____ day of _____, 2011.**

**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:**

_____
Mathew S. McElroy, Deputy Director
Planning and Economic Development Department

#64760 v1 – Planning/PZRZ11-00009/ORD/Rezoning
Document Author: LCUE

ORDINANCE NO. _____

Zoning Case No: **PZRZ11-00009**

# MEMORANDUM

**DATE:** June 20, 2011

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** **PZRZ11-00009**

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The City Plan Commission (CPC), on June 2, 2011, voted 5-1 to recommend **approval** of rezoning the subject property from R-3 (Residential) to A-O (Apartment-Office) and imposing a condition that an 8' foot rock wall shall be placed adjacent to the south of the property or adjacent to any residential zone or use.

The CPC found that the rezoning is in conformance with the Plan for El Paso. The CPC also determined that the 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 negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division has received 2 phone calls, 1 letter, and a petition with 8 signatures in opposition to the rezoning request.

**Attachment:**
Staff Report

# *City of El Paso – City Plan Commission Staff Report*

| | |
|---|---|
| **Case No:** | PZRZ11-00009 |
| **Application Type:** | Rezoning |
| **CPC Hearing Date:** | June 2, 2011 |
| **Staff Planner:** | Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov |
| | |
| **Location:** | 11400 Turner Road |
| **Legal Description:** | Lot 8, Block 3, Hueco View Acres, City of El Paso, El Paso County, Texas |
| **Acreage:** | 4.99 acres |
| **Rep District:** | 5 |
| **Zoning:** | R-3 (Residential) |
| **Existing Use:** | Vacant |
| **Request:** | From R-3 (Residential) to A-O (Apartment-Office) |
| **Proposed Use:** | Self-storage facility |
| | |
| **Property Owners** | Dominguez Properties, LTD |
| **Applicant** | Andy Dominguez |
| **Representative** | Orlando Mena |

**SURROUNDING ZONING AND LAND USE**

**North:** A-M/sc (Apartment-Mobile Home Park /special contract) / Single-family dwelling; A-M/sc/c (Apartment-Mobile Home Park/special contract/condition) / Church
**South:** R-3a (Residential/special permit) / Single-family dwelling
**East:** M-1/sp (Light Manufacturing/special permit) / Towing facility (Impound yard)
**West:** R-3/sp (Residential/special permit) / Single-family dwelling

**THE PLAN FOR EL PASO DESIGNATION:** Residential (East Planning Area)
**Nearest Park:** Indian Ridge Park (1,553 feet)
**Nearest School:** Bill Sybert Elementary (3,716 feet)

**NEIGHBORHOOD ASSOCIATIONS**

East Side Civic Association

**NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 17, 2011. The Planning Division has received 2 phone calls, 1 letter, and a petition with 8 signatures in opposition to the rezoning request.

**APPLICATION DESCRIPTION**

The applicant is requesting to rezone the property from R-3 (Residential) to A-O (Apartment-Office) to allow for a self-storage facility. The proposed access is from Turner Road and Pendleton Road.

**PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to A-O (Apartment-Office). The rezoning request is compatible to the 2025 Projected Land Use Map and the surrounding land uses.

**The Plan for El Paso-City-Wide Land Use Goals**

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

a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The purpose of the A-O (Apartment-Office) district is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

**Development Coordinating Committee Review**

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for **approval**.

**Engineering & Construction Management Services Department – Plan Review**

No objections.

**Engineering & Construction Management Service Department - Land Development**

Comments: No Objections.

General Comments:
The property is within Flood Zone C -"Areas determined to be outside the 0.2% annual flood" – Panel # 480214 0037B, dated October 15, 1982.

**Department of Transportation**

No objection to rezoning.

Notes:
All existing/proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA/TAS rules and regulations and current City of El Paso Design Standards for construction.

**El Paso Water Utilities**

We have reviewed the rezoning referenced above and provide the following comments:
1. EPWU does not object to this request.

**EPWU-PSB Comments**

**Water**

2 There is an existing 8-inch diameter water main that extends along Turner Road fronting the northern boundary of the subject property (11400 Turner Road). This water main is available for service.
3. There is an existing 8-inch diameter water main that extends along Pendleton Street fronting the eastern boundary of the subject property (11400 Turner Road). This water main is available for service.

**Sanitary Sewer:**

4. There is an existing 8-inch diameter sanitary sewer main that extends along Turner Road fronting the northern boundary of the subject property (11400 Turner Road). This sanitary sewer main is available for service.

5. There is an existing 8-inch diameter sanitary sewer main that extends along Pendleton Street fronting the eastern boundary of the subject property (11400 Turner Road). This sanitary sewer main is available for service.

**General:**

6. Application for new water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant 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.

**Fire Department**

El Paso Fire Department has no objections to the rezoning request. Detailed Site Plan review will be done at a future time.

**Police Department**

A field check of the proposed site, revealed to be no issues of the future site having a negative impact within the community.

**CITY PLAN COMMISSION OPTIONS**

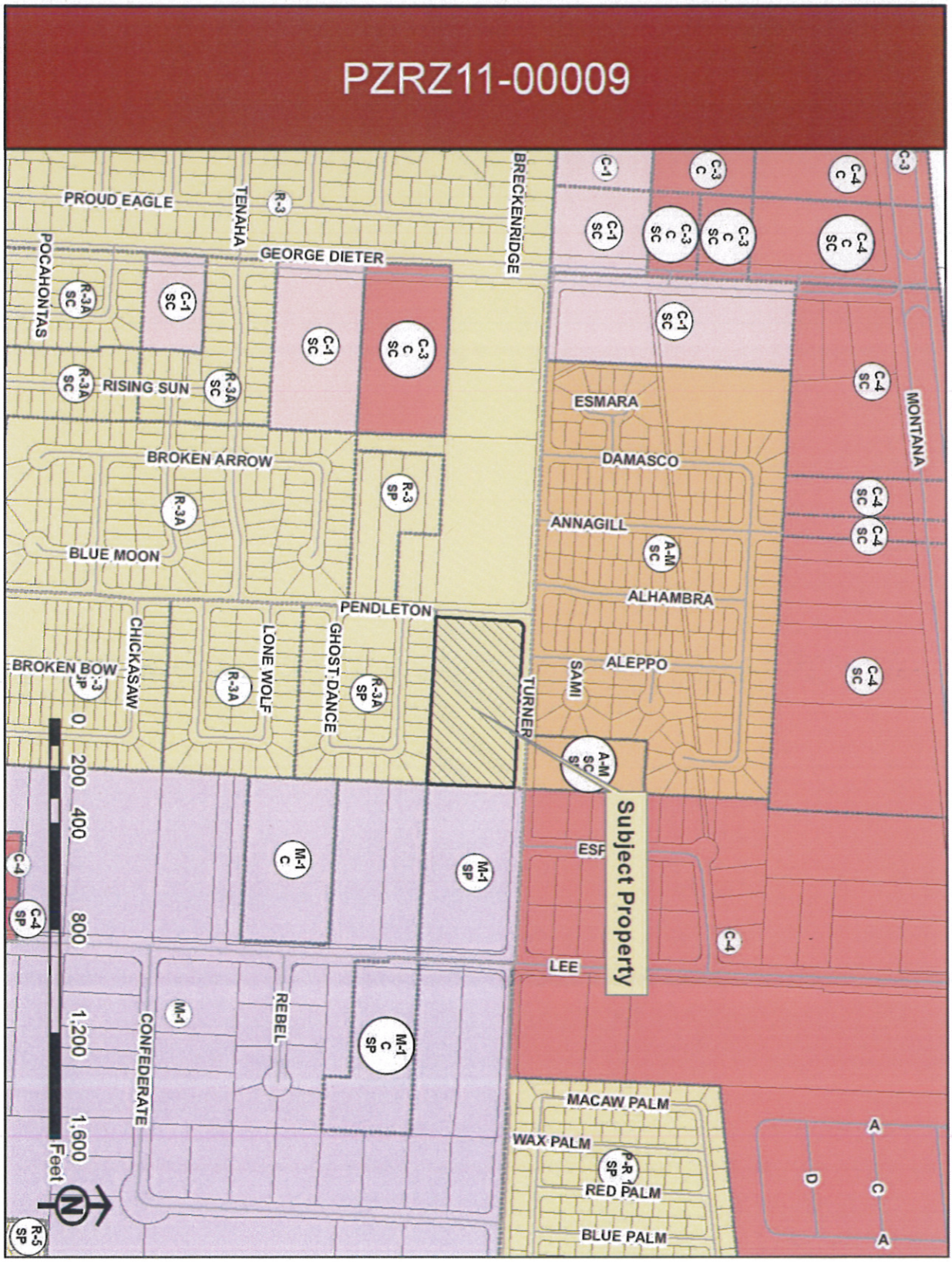
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

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

**Attachments:**

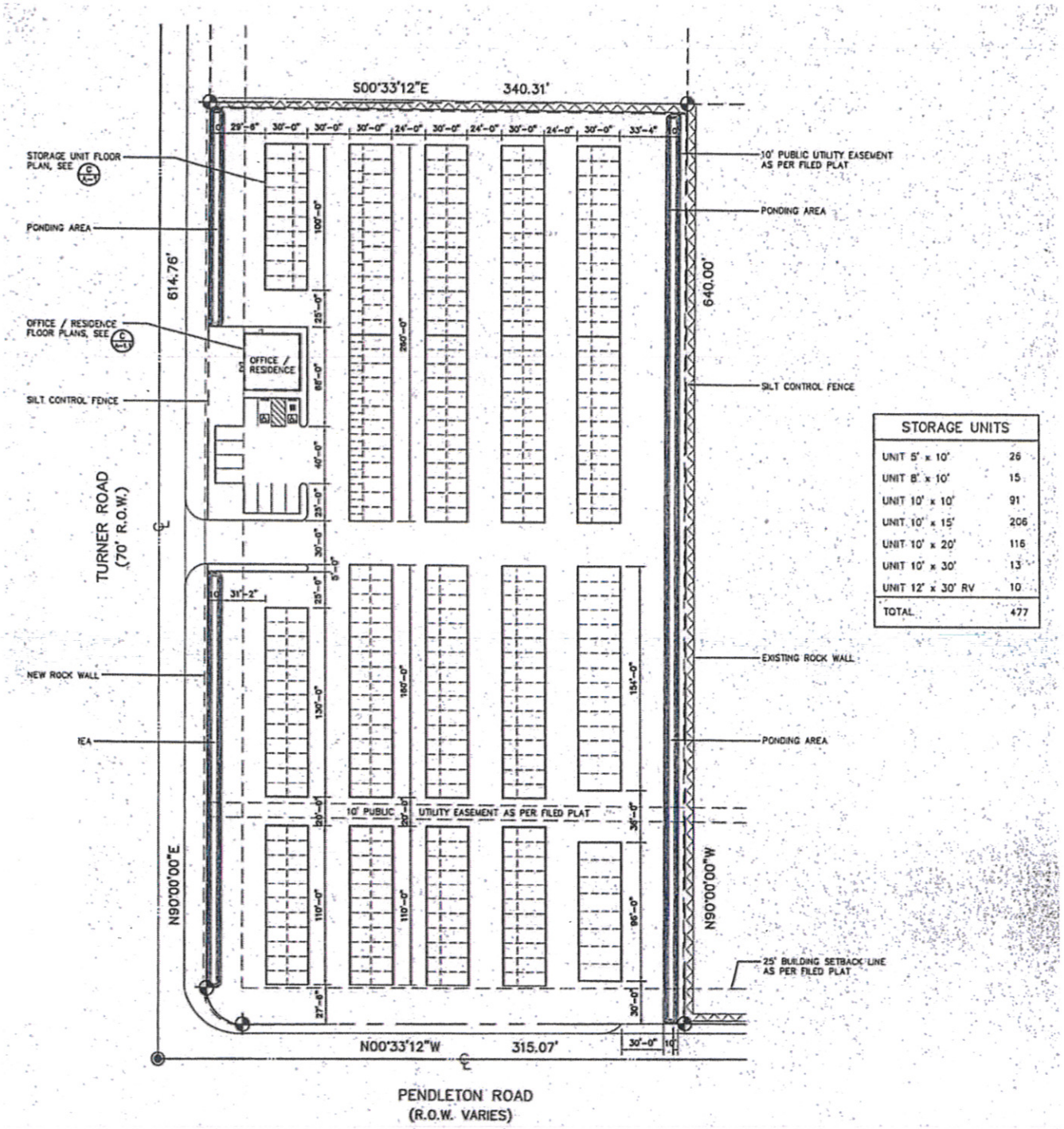
Attachment 1: Zoning Map
Attachment 2: Aerial Map
Attachment 3: Conceptual Site Plan
Attachment 4: Oppositions

## ATTACHMENT 1: ZONING MAP



## ATTACHMENT 2: AERIAL MAP

# ATTACHMENT 3: CONCEPTUAL SITE PLAN



## ATTACHMENT 4: OPPOSITIONS

Dear City Plan Commission

Case No: PZRZ11-00009 (Rezoring)
Date May 31, 2011

I am a resident on 111489 Ghost Dance Circle as to where the Rezoring would take place. I am AGAINST this because this would devaluate our residential property. Also, there is lots of noise for when the towing facility goes in and out all hours of the night. I DO need a good night sleep this would be impossible if the self storage facility would be considered. There is lots of area located on Lee Street that is deemed Commercial Property. When this property was zoned it was already around houses ,why would we as residents want to have more traffic and noise level go on in out neighborhood. There are also actions going on Saturday and when this happens the parking around and ageing streets are filled will lots or cars. This becomes dangerous when going in and out of our street. Please DO NOT change the area to commercial . I am just one of the resident that would like more affordable housing be build in this area.

Sincerely

Maria T Rocha

El Paso, Texas
May 28, 2011

**CASE NO. PZRZ11-00009**

We, the undersigned, are writing this letter to let you know that we are **against** the City Plan Commission to grant permission to:

**DOMINGUEZ PROPERTIES, LTD**
**11400 TURNER ROAD to change the zoning from R-3 to A-O.**

These are some of the reasons why we are against it:
1. Our property value will go down considerably.
2. The traffic on our streets will increase.
3. Our children will be in danger due to this increase in traffic.
4. Our neighborhood will become more of an eyesore. As it is,we can already see all these wrecked, junked cars as we drive around the neighborhood. We also see the big tow-trucks driving at high speeds, and the engine idling for long periods of time, sending fumes into our air, and our homes.

Please take all this information into consideration and deny this permission to change from R-3 residential to A-O (apartment) office-self-storage facilities to said property.

Thank you very much for your time and consideration to this matter.

| Name (print) | Name signature | Address |
|---|---|---|
| 1. Luis Ronquillo | | 11436 Sam Ct 79936 |
| 2. Alma Rico | | 11432 Sam. Ct 79936 |
| 3. Pat + Tony Lafarelle | Pat Lafarelle | 11425 Sami 79936 |
| 4. | | 11433 Sam. Ct 79936 |
| 5. Georgina Cuevas | | 3607 Aleppo 7993 |
| 6. Chuck S Mata | | 3613 Aleppo 79936 |

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7. John R. Carney J Carney 11421 Sami Ct 79936
8. THOMAS M. VEIK 11428 Sami Ct 7993
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TO: CITY CLERK'S OFFICE

FROM: RESIDENTS OPPOSING REZONING

REF: LOT 8, BLOCK 3, HUECO VIEW ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS

DATE: July 3, 2011

WE, THE RESIDENTS OF THE BELOW ADDRESSES, OPPOSE THE CHANGE IN THE ZONING OF ALL OF LOT 8, BLOCK 3, HUECO VIEW ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE). WE WISH THIS OPPOSITION BE PRESENTED DURING THE PUBLIC HEARING HELD ON TUESDAY, JULY 19, 2011 AT 9:00 A.M. IN THE CITY COUNCIL CHAMBERS, 2 CIVIC CENTER PLAZA, 2ND FLOOR OF CITY HALL, IN EL PASO, TEXAS.

WITH THE AMOUNT OF TAX MONIES WE ALL PAY ANNUALLY, WE FEEL A PARK IS MUCH NEEDED AND DESERVED IN OUR NEIGHBORHOOD FOR OUR FAMILIES. WE NEED A PARK WITH TREES, GRASS, SWINGS, AND A RUNNING/WALKING TRACK. THE NEAREST PARK IS APPROXIMATELY THREE MILES AWAY WHICH IS TOO FAR FOR MANY OF OUR CHILDREN AND/OR ELDERLY TO WALK TO.

WE, THE RESIDENTS OPPOSING THIS REZONING, WHO HAVE SIGNED THE ATTACHED PETITION, ARE ALL IN FAVOR OF A PUBLIC PARK ON LOT 8, BLOCK 3, HUECO VIEW ACRES, IN THE CITY OF EL PASO.

CITY CLERK DEPT.
2011 JUL 18 PM 2:52

CITY CLERK DEPT.
2011 JUL 18 PM 2:52

TO: CITY CLERK'S OFFICE

FROM: RESIDENTS OPPOSING REZONING

REF: LOT 8, BLOCK 3, HUECO VIEW ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS

DATE: July ~~8~~, 2011

WE, THE RESIDENTS OF THE BELOW ADDRESSES, OPPOSE THE CHANGE IN THE ZONING OF ALL OF ~~LOT 8,~~ BLOCK 3, HUECO VIEW ACRES, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE). WE WISH THIS OPPOSITION BE PRESENTED DURING THE PUBLIC HEARING HELD ON TUESDAY, JULY 19, 2011 AT 9:00 A.M. IN THE CITY COUNCIL CHAMBERS, 2 CIVIC CENTER PLAZA, 2ND FLOOR OF CITY HALL, IN EL PASO, TEXAS.

| | NAME | ADDRESS | TELEPHONE | SIGNATURE |
|---|---|---|---|---|
| 1 | Hector Perez Sr | 3613 Alhambra Ln El P TX 79936 | | |
| 2 | Olga H. Perez | 3613 Alhambra Ln, El Paso Tx 79936 | | |
| 3 | Alejandro de Haro | 3621 Alhambra Ln, El Paso Tx 79936 | | Alejandro de Haro |
| 4 | Cristina Sorrentino | 3625 Alhambra, El Paso, TX 79936 | | Cristina Sorrentino |
| 5 | Monica Alonzo | 3629 Alhambra El Paso, Tx 79936 | | Monica Alonzo |
| 6 | Gpe Reyes | 3637 ALHAMBRA EL PASO | | Gpe Reyes |
| 7 | SCOTT SHERLIN | 3637 ALHAMBRA EL PASO TX | | Scott Sherlin |
| 8 | FERNANDO VELA | 3641 ALHAMBRA EL PASO TX | | Vela |
| 9 | Perla Rios | 3641 Alhambra El Paso Tx | | Perla Rios |
| 10 | Milla Ezman | 3645 Alhambra Ln, El Paso TX 36 | | |
| 11 | Suzana Sandoval | 3644 Alhambra Ln. El Paso TX | | Suzana Sand |
| 12 | Stephen Martinez | 3644 Alhambra | | |
| 13 | Luisa Torres | 3648 Alhambra | | Luisa Torres |

TO: CITY CLERK'S OFFICE

CITY CLERK DEPT.
2011 JUL 18 PM 2:52

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| | NAME | ADDRESS | TELEPHONE | SIGNATURE |
|---|---|---|---|---|
| 14 | JOE ESQUIVEL | 3649 Alhambra Ln | | |
| 15 | [illegible] | 3649 Alhambra Ln | | |
| 16 | LYNDA SILVA | 3653 ALHAMBRA LN | | |
| 17 | Yolanda Martinez | 3652 Alhambra Ln. | | |
| 18 | Deyanira Rey | 3652 Alhambra Ln | | |
| 19 | A. BURGOS | 11421 DAMASCO DR | | A. BURGOS |
| 20 | JOSE SILVA | 3605 ALHAMBRA | | |
| 21 | Dan Verdin | 3601 ALHAMBRA | | |
| 22 | Lizette Verdin | 3601 Alhambra | | |
| 23 | Virginia Diaz | 3620 Alhambra | | |
| 24 | Gustavo Corral | 3620 Alhambra | | |
| 25 | Maria Fernandez | ——— | | |
| 26 | Raul Melendez | 3628 Alhambra | | |

CITY CLERK DEPT.
2011 JUL 18 PM 2:52

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| | NAME | ADDRESS | TELEPHONE | SIGNATURE |
|---|---|---|---|---|
| 27 | [illegible] | [illegible] | | [illegible] |
| 28 | Hector Perez Jr | 3613 Alhambra Ln | | [illegible] |
| 29 | Hector A Robles | 3609 Alhambra Lane | | [illegible] |
| 30 | Juana C Robles | 3609 Alhambra Lane | | Juana C Robles |
| 31 | E.A. Rivera | 3632 Alhambra Ln. | | [illegible] |
| 32 | Jesus Dominguez | 3616 ALHAMBRA L.N | | [illegible] |
| 33 | Alfredo Muñoz | 3608 Alhambra Ln | | [illegible] |
| 34 | Rebecca Munoz | 3608 Alhambra ln | | [illegible] |
| 35 | Javier Hoel | 3604 ALHambra Ln | | [illegible] |
| 36 | Patrick Hernandez | 3604 Al Hambra Ln | | [illegible] |
| 37 | Roman Garcia | 3600 Alhambra | | [illegible] |
| 38 | Christian Balderrama | 11509 Ghost Dance | | [illegible] |
| 39 | Martin Ramirez Jr | 11473 Ghost Dance CIR | | [illegible] Jr |

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| | NAME | ADDRESS | TELEPHONE | SIGNATURE |
|---|---|---|---|---|
| 40 | PRIMERO CRESENCIO | 11505 GHOST DANCE | | [illegible] |
| 41 | Ma Elena Reyes | 11493 Ghost Dance Cir | | [illegible] |
| 42 | Blanca Primero | 11485 Ghost Dance | | [illegible] |
| 43 | Cesar Primero | 11485 Ghost Dance | | [illegible] |
| 44 | Omar Gomez | 11481 GHost Dance | | [illegible] |
| 45 | JESUS SALAZAR | 11478 Ghost Dance | | Jesus Salazar |
| 46 | Lucilda Loya | 11486 Ghost Dance Cir | | Lucy Loya |
| 47 | MARTHA NAVARRO | 11490 GHost DANCE CIR | | [illegible] |
| 48 | RAYMUNDO SANDARA | 3641 ALEPPO ST. | | Raymundo Sandara |
| 49 | OLAYA LÁZARES | 3633 ALEPPO | | [illegible] |
| 50 | Martin Duran | 3617 Aleppo | | [illegible] |
| 51 | CRUZ Alemán | | | [illegible] |
| 52 | BERTHA OROZCO | 3612 Alhambra LN. | | B. Orozco |