

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: August 26, 2008  
Public Hearing: September 16, 2008

**CONTACT PERSON/PHONE:** Arturo Rubio, 541-4633

**DISTRICT(S) AFFECTED:** 6

**SUBJECT:**

An Ordinance changing the zoning of a portion of Tract 9, Picnic Grove 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. Subject Property: Alameda Avenue, North of Nevarez Road and South of Loop 375. Applicants: Antonio and Laura Mendoza., ZON08-00046 (District 6).

**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:** Victor Q. Torres  
Director, Development Services

---

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 9, PICNIC GROVE 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 a portion of Tract 9, Picnic Grove 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 R-5 (Residential), 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:

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Mathew S. McElroy  
Deputy Director – Planning  
Development Services Department

CITY CLERK DEPT.  
08 AUG 15 PM 2:18

ORDINANCE NO. \_\_\_\_\_

ZON08-00046

# BARRAGAN & ASSOCIATES

Land Planning & Land Surveying

1450 Pendale Road, Suite "B" El Paso, Texas 79936 Ph. (915) 591-5709 Fax (915) 591-5706

## DESCRIPTION

**DESCRIPTION** of a portion of Tract 9, Picnic Grove Subdivision, (Volume 7, Page 58, Plat Records of El Paso County, Texas) City of El Paso County, Texas, and being more particularly described as follows:

**COMMENCING** for reference at County monument #4 found on the centerline of Alameda Avenue (U.S. Highway 20); **THENCE**, S 36°38'00"E, a distance of 1591.98 along said centerline to a point; **THENCE**, N 52°50'00" E, a distance of 50.00 feet to a point on the easterly right-of-way line of Alameda Avenue, said point also being the **POINT OF BEGINNING** of this parcel of land:

**THENCE**, N 52°50'00" E, along the common southerly right-of-way line of YSLA Lateral, a distance of 318.38 feet to a point for a corner of this parcel;

**THENCE**, S 76°27'00" E, along said southerly right-of-way, a distance of 235.12 feet to a point for a corner of this parcel;

**THENCE**, S 52°50'00" W, along the line in deed in Volume 712, Page 411, a distance of 468.95 feet to a point for a corner of this parcel on easterly right-of-way of said centerline;

**THENCE**, N 36°38'00" W, along the easterly right-of-way of Alameda Avenue (U.S. Highway 20), a distance of 182.00 feet to the **POINT OF BEGINNING** of the herein parcel being described said parcel containing 1.64 acres of land more or less;

### NOTES:

1. A Plat of Survey of even date accompanies this plat.
2. Bearings recited herein are based on the County plat for Picnic Grove Subdivision (Volume 7, Page 58, Plat Records of El Paso County, Texas).

*B. Barragan*

Benito Barragan TX R.P.L.S. 5815, AUGUST 13, 2004  
Picnic Grove 070319-02  
Revised Date 08-20-07



# EXHIBIT A

**NOTE:**

1. SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE X, AREA OF MINIMAL FLOODING, PER F.I.R.M. PANEL NUMBER 236B, LAST REVISION DATE 10-15-1982. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.
2. BEARINGS SHOWN ARE BASED ON THE FILED PLAT FOR PICNIC GROVE SUBDIVISION
3. THIS PROPERTY IS SUBJECT TO EASEMENTS OF RECORD.

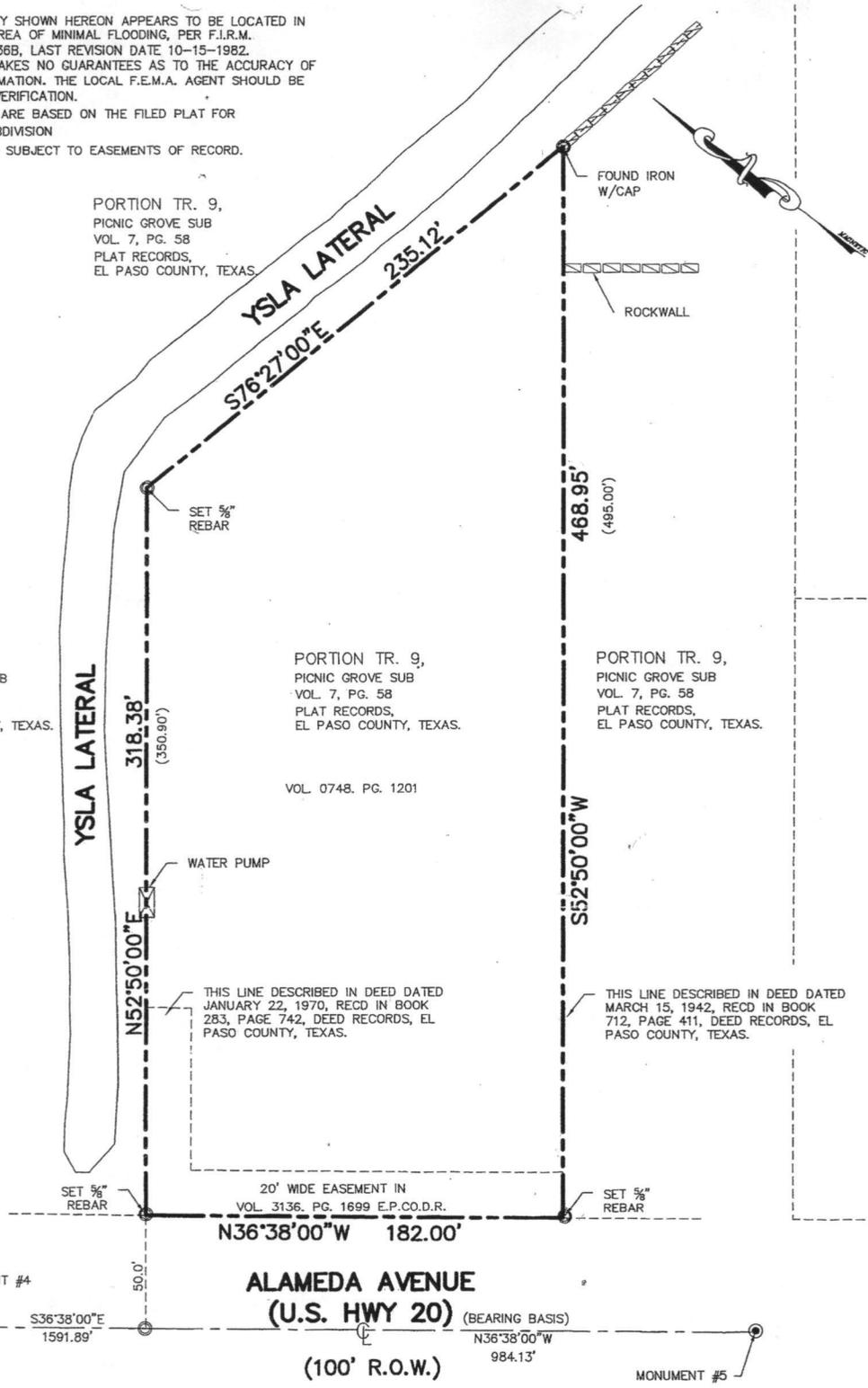
PORTION TR. 9,  
PICNIC GROVE SUB  
VOL. 7, PG. 58  
PLAT RECORDS,  
EL PASO COUNTY, TEXAS.

TR. 8,  
PICNIC GROVE SUB  
VOL. 7, PG. 58  
PLAT RECORDS,  
EL PASO COUNTY, TEXAS.

PORTION TR. 9,  
PICNIC GROVE SUB  
VOL. 7, PG. 58  
PLAT RECORDS,  
EL PASO COUNTY, TEXAS.

PORTION TR. 9,  
PICNIC GROVE SUB  
VOL. 7, PG. 58  
PLAT RECORDS,  
EL PASO COUNTY, TEXAS.

VOL. 0748, PG. 1201



**ALAMEDA AVENUE**  
**(U.S. HWY 20)** (BEARING BASIS)  
(100' R.O.W.)

**Barragan & Associates**

LAND PLANNING & SURVEYING  
1450 Pendale Drive Suite B - El Paso Tx 79936  
Phone (915) 591-5709 Fax (915) 591-5706  
E-mail barragan@bcaqlobal.net

**Plat of Survey**

A PORTION OF TRACT 9,  
PICNIC GROVE SUBDIVISION,  
AN ADDITION TO THE  
CITY OF EL PASO,  
EL PASO COUNTY, TEXAS.  
AREA 1.64 ACRES ±

I Hereby certify that the foregoing Boundary was made by Me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Plat reference vol/bk 7 pages 58  
Scale 1"=60' Date 08-20-07 Drawn by RT

Benito Barragan, Registered Professional Surveyor, No. 5615  
Job No. 070349-02 Copy Rights ©



**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:** August 18, 2008

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

**FROM:** Arturo Rubio, Planner

**SUBJECT:** **ZON08-00046**

---

The City Plan Commission (CPC), on July 31, 2008, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) 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.

There was no opposition or support of the rezoning request.

**Attachment:** Staff Report



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

**Case No:** ZON08-00046  
**Application Type:** Rezoning  
**CPC Hearing Date:** July 31, 2008  
**Staff Planner:** Arturo Rubio, 915-541-4633, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

**Location:** Alameda Avenue, North of Nevarez Road and South of Loop 375  
**Legal Description:** A portion of Tract 9, Picnic Grove Subdivision, City of El Paso, El Paso County, Texas

**Acreage:** 1.64  
**Rep District:** 6  
**Existing Use:** Vacant  
**Existing Zoning:** R-F (Ranch and Farm)  
**Proposed Zoning:** C-1 (Commercial)

**Property Owner:** Antonio and Laura Mendoza  
**Applicant:** Antonio and Laura Mendoza  
**Representative:** Master Plan Designs

### **SURROUNDING ZONING AND LAND USE**

**North:** R-F (Ranch and Farm); Farm Land, Ysla Lateral

**South:** R-3 (Residential, R-3/sc (Residential/special contract)); Single-Family residential dwelling

**East:** R-5/sc (Residential/special contract); Single-Family residential dwelling

**West:** A-M/c (Apartment Mobile Home Park/conditions) Mobile Home Park

**THE PLAN FOR EL PASO DESIGNATION:** Industrial (Mission Valley Planning Area)

**NEIGHBORHOOD ASSOCIATIONS:** None

### **APPLICATION DESCRIPTION**

The applicant is proposing a rezoning from R-F (Ranch and Farm) to C-1 (Commercial) in order to allow for retail development. Access is proposed via Alameda Avenue. There are no conditions on this property and it is currently vacant.

### **NEIGHBORHOOD INPUT**

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed rezoning on July 9, 2008. Planning did not receive any calls or letters in support of or opposition to this request.

### **The Plan for El Paso –City-wide Land Use Goals:**

#### **For Neighborhood Commercial Rezoning**

- 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 C-1 (Commercial) district requested meet goals a, b, and c of the Plan for El Paso based on the following:

The neighborhood commercial zoning C-1 would provide the surrounding neighborhood convenience goods and services that would serve day-to-day needs.

The Neighborhood Commercial zoning regulations for C-1 (Commercial) district requested will permit location of business and professional offices and retail category uses within adjacent areas of medium and high densities.

The Neighborhood Commercial zoning district requested allows for the integration of compatible business and office developments that will compliment the density and character of the surrounding neighborhood.

#### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee provides the following comments:

The DCC recommends approval of this request for rezoning from R-F (Ranch and Farm) to C-1 (Commercial).

#### **Development Services Department - Building Permits and Inspections Division:**

Zoning Review: Warehouse/storage and retail facility permitted on proposed C-4 (Commercial) District. Meets front, rear, and south side setback. North side setback requires ten feet when abutting residential (R-F) district. Meets minimum parking requirements. Shall need to meet separate minimum International Building Code buildable area requirements for storage and mercantile occupancies. Shall require a six foot high masonry screening wall along 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-F (Ranch and Farm) to C-1 (Commercial). Request is compatible to surrounding land uses.

Land Development: No comments Received

#### **Engineering Department - Traffic Division:**

No objection to proposed zoning change. Access shall require approval by the Texas Department of Transportation.

#### **Fire Department**

No comments received.

**El Paso Water Utilities:**

EPWU does not object to this request.

**Parks:**

No comments received.

**Sun Metro:**

No comments received.

**School Districts:**

No comments received.

**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 from the Plan by the CPC.

**Attachments:**

Attachment 1: Zoning Map

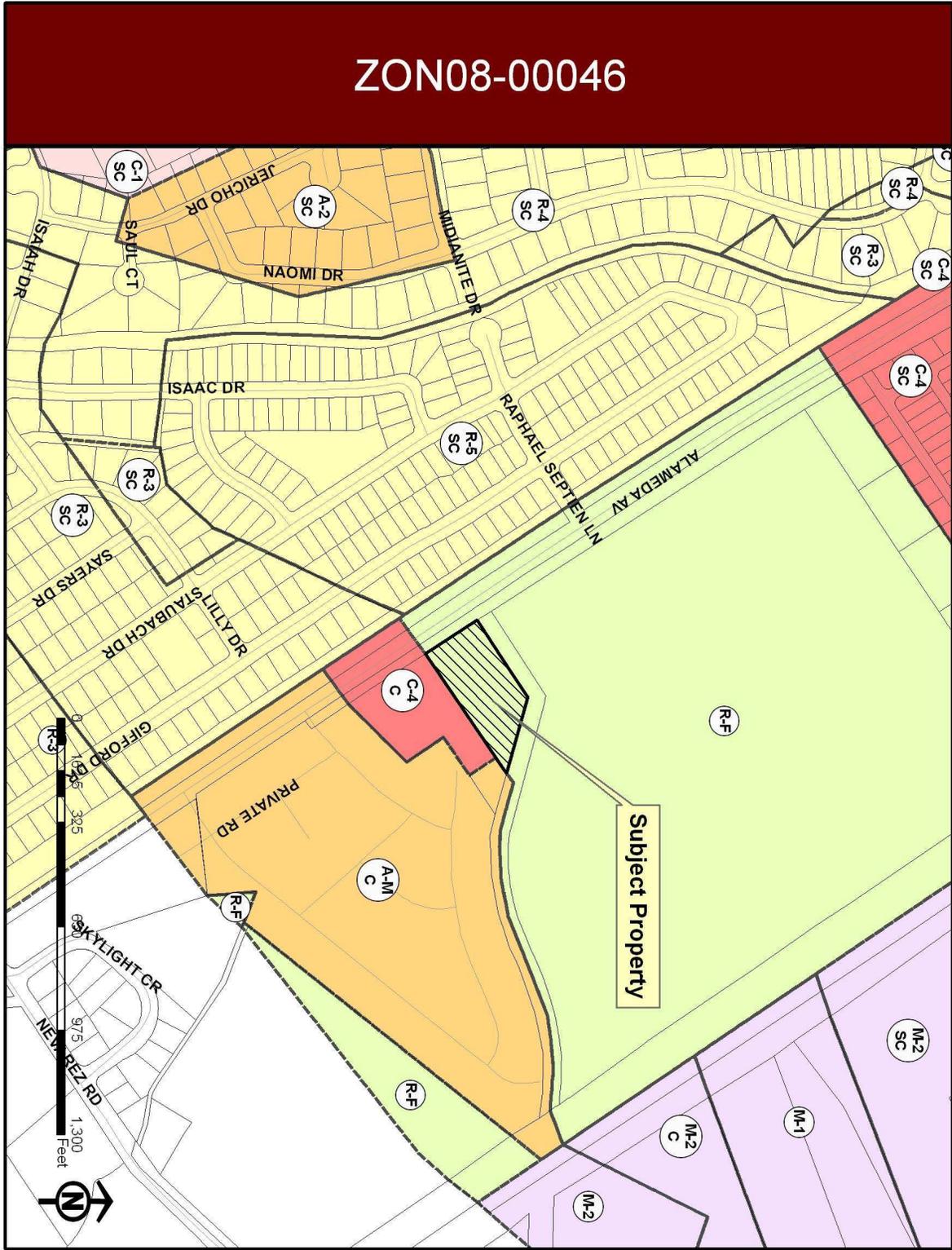
Attachment 2: Aerial Map

Attachment 3: Conceptual Site Development Plan

Attachment 4: Application

Attachment 1: Zoning Map

ZON08-00046



Attachment 2: Aerial Map

ZON08-00046



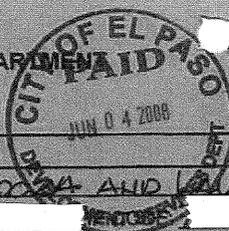


**Attachment 4: Application**



**REZONING APPLICATION  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

City of El Paso, Texas  
2 Civic Center Plaza  
El Paso, TX 79901-1196  
915-541-4024



**1. CONTACT INFORMATION**

PROPERTY OWNER(S): ANTONIO MENDOZA AND LAURA MENDOZA  
 ADDRESS: \_\_\_\_\_  
 APPLICANT(S): \_\_\_\_\_  
 ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 REPRESENTATIVE(S): MASTER PLAN DESIGNS  
 ADDRESS: 1490 SIERRA BOLITA ZIP CODE: 79936 PHONE: 328-5578  
 E-MAIL ADDRESS: MAPLDESIGN@AOL.COM FAX: 849-9014

**2. PARCEL ONE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: P73199900105700  
 LEGAL DESCRIPTION: PORTION OF TRACT 9, PINK GROVE SUBDIVISION  
 STREET ADDRESS OR LOCATION: CITY OF EL PASO, EL PASO COUNTY, TEXAS REP DISTRICT: 6  
ALAMEDA AVENUE  
 ACREAGE: 1.6 ACRES PRESENT ZONING: R-F PRESENT LAND USE: RAW LAND  
 PROPOSED ZONING: C-1 PROPOSED LAND USE: STRIP CENTER / LEASE SPACE  
M 060208

**3. PARCEL TWO INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
 LEGAL DESCRIPTION: \_\_\_\_\_  
 STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_  
 ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_  
 PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**4. PARCEL THREE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
 LEGAL DESCRIPTION: \_\_\_\_\_  
 STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_  
 ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_  
 PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**5. ADDITIONAL INFORMATION**

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):  
 Printed Name: Antonio Mendoza Signature: Antonio Mendoza  
 Printed Name: Laura Mendoza Signature: Laura Mendoza  
 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 08-00046 RECEIVED DATE 06/04/08 APPLICATION FEE: \$ 810<sup>00</sup>  
 DCC REVIEW DATE: 07/02/08 (8:30 am, Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
 CPC REVIEW DATE: 07/31/08 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
 ACCEPTED BY: [Signature]

Revised 4/2007

08 AUG 15 PM 2:18  
CITY CLERK DEPT.