

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: August 9, 2011
Public Hearing: August 30, 2011

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 3

SUBJECT:

An ordinance changing the zoning of Lots 10 thru 13, Block 2 and a remnant portion of Latta Street, Block 1, Woodlawn Subdivision, City of El Paso, El Paso County, Texas from M-1 (Manufacturing) to C-3 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3801 Frutas Avenue. Property Owner: Eva and Walter Parker. PZRZ11-00021 (**District 3**)

BACKGROUND / DISCUSSION:

N/A

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 (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 10 THRU 13, BLOCK 2 AND A REMNANT PORTION OF LATTA STREET, BLOCK 1, WOODLAWN SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (MANUFACTURING) TO C-3 (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 *Lots 10 thru 13, Block 2 and a remnant portion of Latta Street, Block 1, Woodlawn 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 **M-1 (MANUFACTURING)** to **C-3 (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 _____, 2011.

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

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

Doc# 20080096210

#Pages 8 #NFPages 1
12/05/2008 04:32 PM

Filed & Recorded in
Official Records of

EL PASO COUNTY
DELIA BRIONES

COUNTY CLERK
Fees \$44.00

SCANNED

9

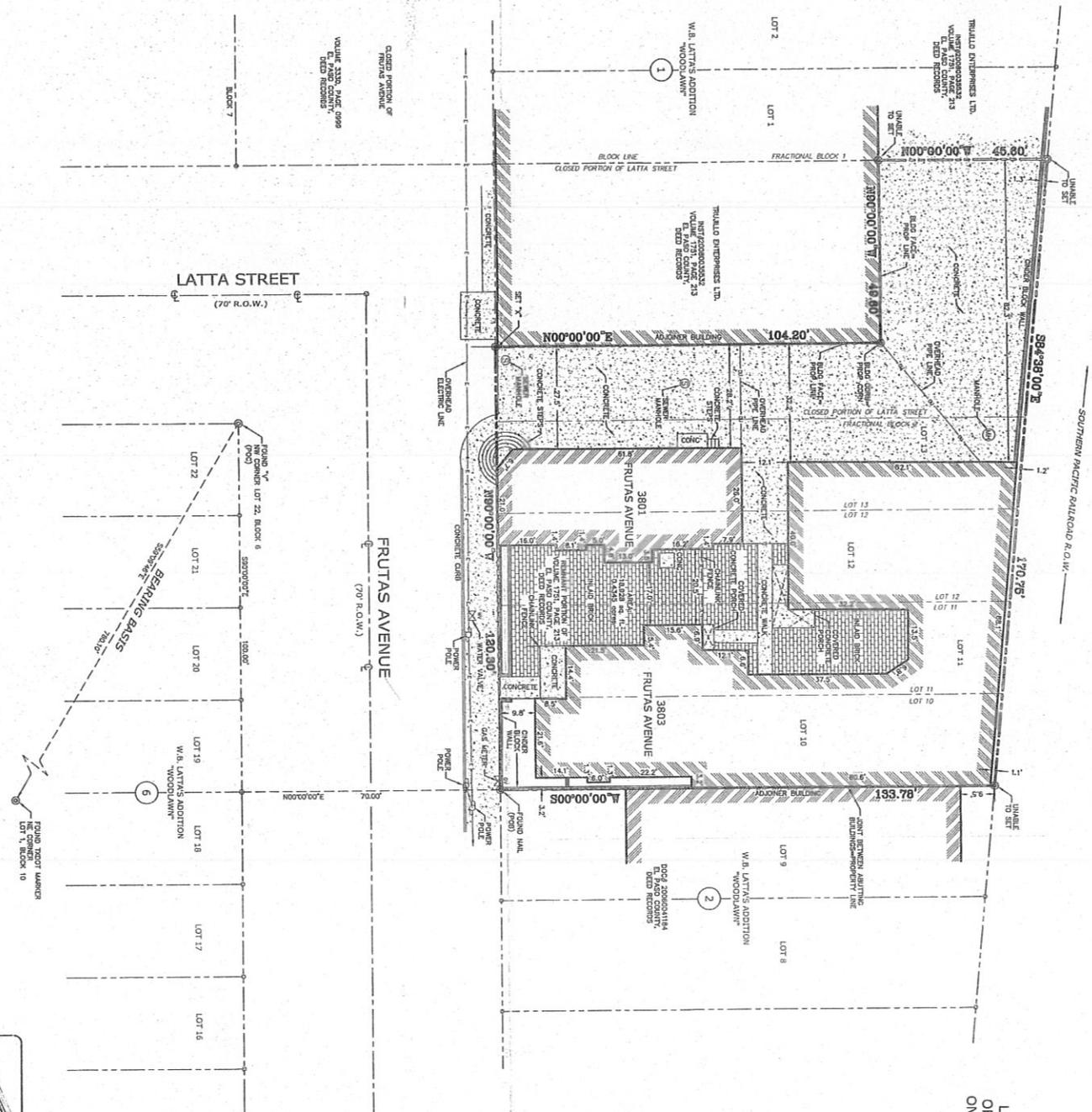
I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.



EL PASO COUNTY, TEXAS

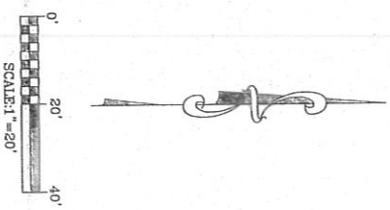
Delia Briones

POR QUALITY ORIGINAL
BEST AVAILBLE IMAGE



PLAT OF SURVEY

LOTS 10 THROUGH 13, INCLUSIVE, AND A REMNANT PORTION OF LATTA STREET (CLOSED) BOUND BY FRACTIONAL BLOCK 1, ON THE WEST AND FRACTIONAL BLOCK 2 ON THE EAST, BLOCK 2, (AS DESCRIBED BY METES AND BOUNDS) W.B. LATTAS ADDITION "WOODLAWN", CITY OF EL PASO, EL PASO TEXAS



SHEET 1 OF 2

NOTE: THIS IS A REMNANT PORTION OF THAT PARCEL, RECORDED IN BOOK 1771, PAGE 213, THIS IS A SURVEY OF AN EXISTING PARCEL.

CERTIFICATION

I HEREBY CERTIFY THAT THIS SURVEY AND REPRESENTATION THEREON IS TRUE AND CORRECT AND THAT THERE ARE NO ENCUMBRANCES EXCEPT AS SHOWN

JOHN AEBY TX-5372 NM-17779



PROPOSAL FOR ZONING CHANGE M1 to **MCS**
For Existing Property at 3801 - 3803 Frutas Ave

TITLE CO: LONE STAR TITLE FILE#: 08304068 DATED: 10/31/2008
FIRM ZONE: M1 PANEL#: 480214-40-B DATED: OCT. 15, 1982
DATE OF SURVEY: 11/10/2008 OFFICE: L.M. FIELD: JAE, AG, JC
PAGO DEL NORTE SURVEYING INC. PH: 915-241-1841
13998 BRADLEY ROAD, EL PASO, TEXAS 79938 FAX: 915-555-8925
© COPYRIGHT



Date: August 1, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZRZ11-00021 Rezoning**

The City Plan Commission (CPC) on July 14, 2011, voted **5-0** to recommend **approval** of this rezoning. The request is to change the zoning from M-1 (Manufacturing) to C-3 (Commercial) to permit a social and fraternal club on the premises. An additional building on the subject property will continue the use of an office/storage warehouse.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

The CPC found that the rezoning is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Central Planning Area. The CPC also determined that the rezoning protects the best interest, health, safety, and welfare of the public in general; and 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 one present at the meeting to speak in favor or in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00021
Application Type: Rezoning
CPC Hearing Date: July 14, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 3801 Frutas Avenue
Legal Description: Lots 10 thru 13, Block 2 and a remnant portion of Latta Street, Block 1, Woodlawn Subdivision, City of El Paso, El Paso County, Texas
Acreage: 0.4345-acre
Rep District: 3
Zoning: M-1 (Manufacturing)
Existing Use: Office/Warehouse
Request: C-3 (Commercial)
Proposed Use: Office, Social, and Fraternal Club
Property Owner: Eva and Walter Parker
Representative: Walter Parker

SURROUNDING ZONING AND LAND USE

North: M-1 (Manufacturing) / Railroad, commercial warehouse
South: M-1 (Manufacturing) / commercial warehouse
East: M-1 (Manufacturing) / food warehouse
West: M-1 (Manufacturing) / commercial warehouse

The Plan for El Paso Designation: Mixed-Use (Central Planning Area)

Nearest Park: Pera-Luna Park (2,460 feet)

Nearest School: Zavala Elementary (1,089 feet)

NEIGHBORHOOD ASSOCIATIONS

Chamizal Neighborhood Association, Central Business Association

NEIGHBORHOOD INPUT

Notices of this public hearing were mailed to all property owners within 300 feet of the subject property on June 8, 2011. Re-notification was mailed out to all property owners within 300 feet of the subject property on June 30, 2011. Planning Division has not received any phone calls or letters in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The request is to change the zoning from M-1 (Manufacturing) to C-3 (Commercial) to permit a social and fraternal club. The site plan shows an existing 651 sq. ft. office building with a storage area and an existing 3,321 sq. ft. building with a storage area that will serve as the social and fraternal club. There are 12 parking spaces provided with access via Frutas Avenue.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

Recommend **approval**. Applicant will need to provide adequate number of parking stalls including required parking stall size for proposed use/s when applying for certificate of occupancy.

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

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

- a. Goal: establish a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities and outlets for social and cultural expression.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The purpose of the C-3 (Commercial) this district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the City. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

Development Coordinating Committee Review

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

Department of Transportation

-No objection to rezoning.

-Parking aisle and driveways on conceptual plan appear to be non-compliant.

Note:

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.

Engineering – Construction Management Division-Plan Review

Plan Review

No comments received.

Land Development

No objections.

Fire Department

No objections to rezoning.

El Paso Water Utilities

1. EPWU does not object to this request.

Water:

2. There is an existing 8-inch diameter water main extending along Frutas Avenue that is available for service, the water main is located approximately 10-feet north from the center right of way line.

3. EPWU records indicate a 1-inch water meter serving the subject property. The service address for this meter is 3801 Frutas Avenue.

4. Previous water pressure readings from fire hydrant #1042 located on Frutas Avenue approximately 168-feet east from the east property line have yielded a static pressure of 100 pounds per square inch (psi), a residual pressure of 100 psi, at a discharge of 1300 gallons per minute (gpm).

5. The Owner should for his own protection and at his own expense, install a the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for the pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above described water pressure regulating device.

Sewer:

6. There is an existing 8-inch diameter sanitary sewer main within the subject property extending along the closed Latta Street. The sewer main is located approximately 129-feet west from the south east property line. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained above this sewer main.

7. EPWU requests the dedication of an easement to accommodate the existing 8-inch sanitary sewer main.

General:

8. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. 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

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

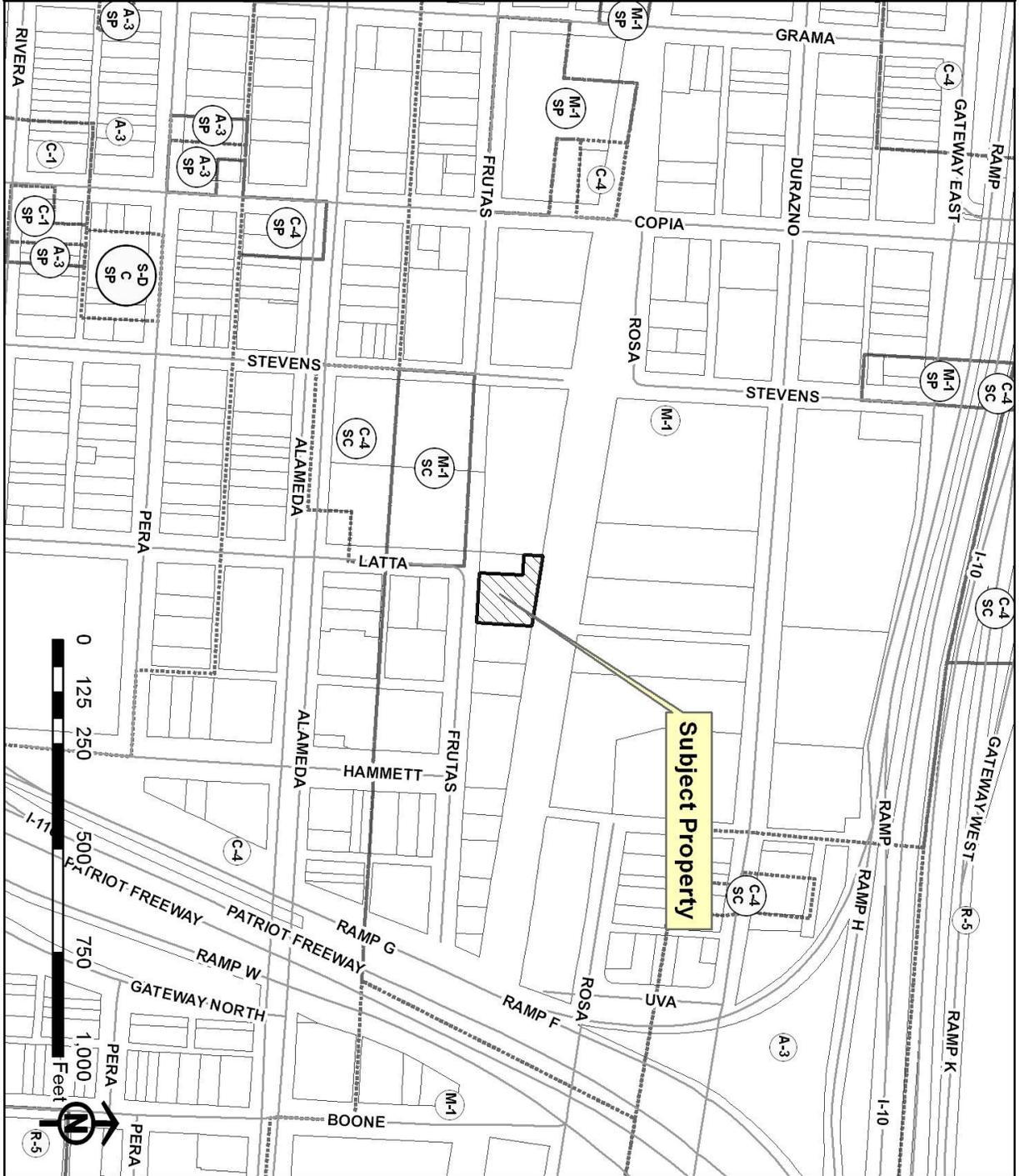
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into 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

1. Zoning Map
2. Aerial Map
3. Site Plan (existing)
4. Site Plan (proposed)

ATTACHMENT 1: ZONING MAP

PZRZ11-00021

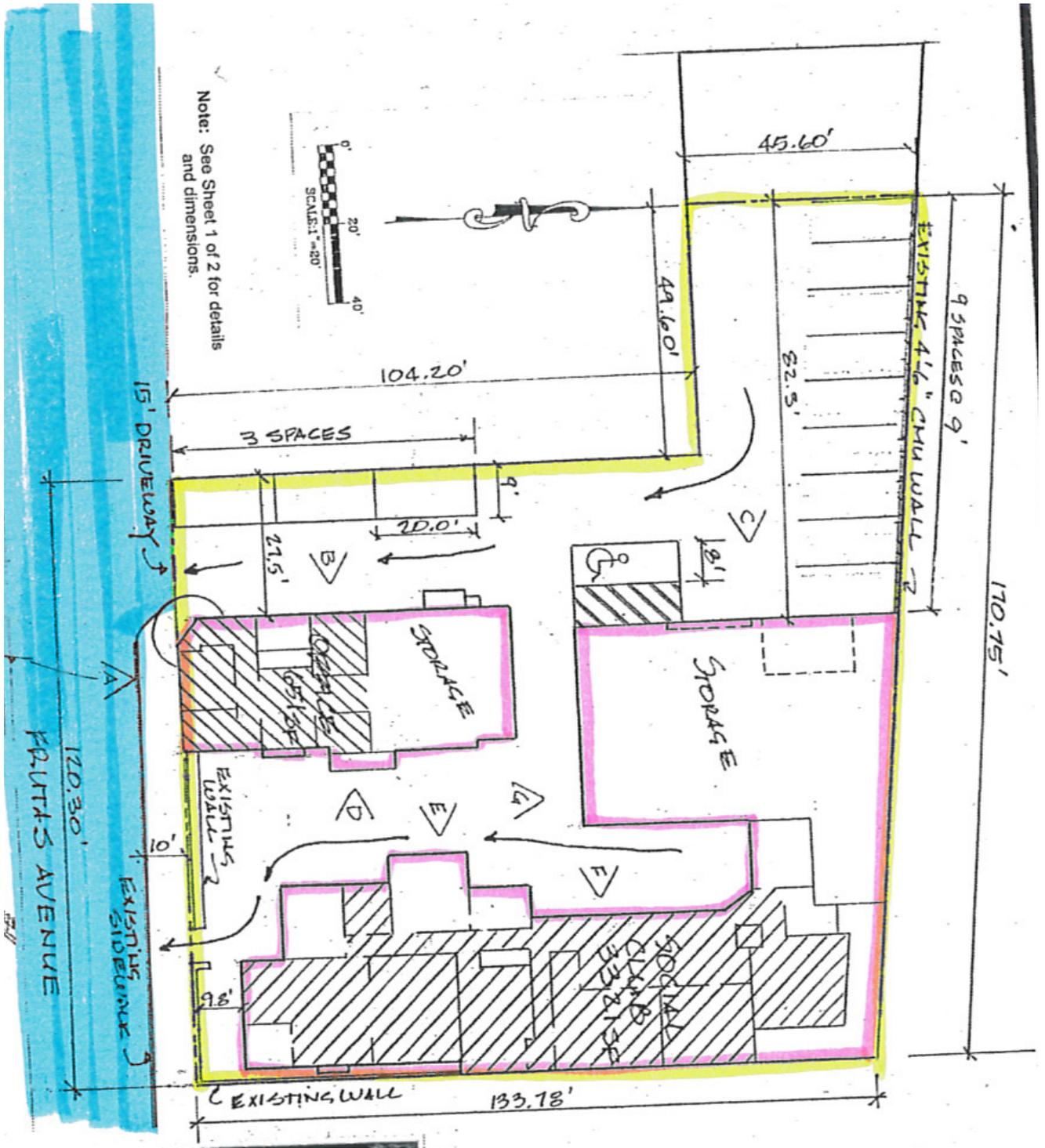


ATTACHMENT 2: AERIAL MAP

PZRZ11-00021



ATTACHMENT 4: SITE PLAN (PROPOSED)



Note: See Sheet 1 of 2 for details and dimensions.

