

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: August 14, 2007
Public Hearing: September 4, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance changing the zoning of a portion of Tract 16, El Canutillo Acreage Lots, City of El Paso, El Paso County, Texas from R-4 (Residential) District to C-4 (Commercial) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Mowad Road and East of Doniphan Drive. Applicant: Enrique Escobar. ZON06-00106 (District 1)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (8-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 16, EL CANUTILLO ACREAGE LOTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) DISTRICT TO C-4 (COMMERCIAL) DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 16, El Canutillo Acreage Lots, 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-4 (Residential) District to C-4 (Commercial) District, 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 _____, 2007.

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:

Kimberly Forsyth, Senior Planner
Development Services Department

07 JUL 32 PM 2:07
CITY CLERK DEPT

Being a portion of Tract 16,
El Canutillo Acreage,
City of El Paso, El Paso County, Texas,
August 01, 2006

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

Metes and Bounds description of a parcel of land out of a portion of Tract 16, El Canutillo Acreage, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

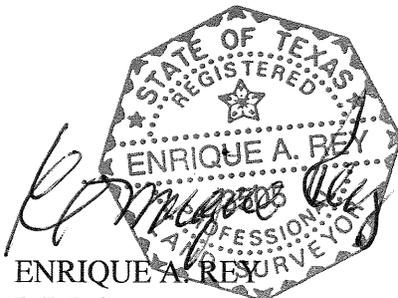
COMMENCING FOR REFERENCE, at the common boundary line of Tracts 15 and 16, said point lying on the Easterly right-of-way line of Doniphan Drive and being the **POINT OF BEGINNING** of the herein described parcel:

THENCE, leaving said Easterly right-of-way line, and along said common boundary line, South 89° 55' 42" East, a distance of 468.31 feet to a point;

THENCE, South 00° 10' 33" East, a distance of 254.02 feet to a point;

THENCE, North 89° 55' 42" West, a distance of 449.02 feet to a point lying on the Easterly right-of-way line of Doniphan Drive (U.S. Highway 80);

THENCE, along said right-of-way line, North 04° 31' 00" West, a distance of 254.83 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 116,509 square feet or 2.6747 acres of land more or less.



ENRIQUE A. REY
R.P.L.S.
TX. 3505

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CITY CLERK DEPT.



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, 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 1, 2007

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

FROM: Melissa Granado, Planner

SUBJECT: **ZON06-00106**

The City Plan Commission (CPC), on July 12, 2007, voted **8-0** to recommend **APPROVAL** of rezoning the subject property from R-4 (Residential) to C-4 (Commercial), concurring with Staff's recommendation.

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 effects of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

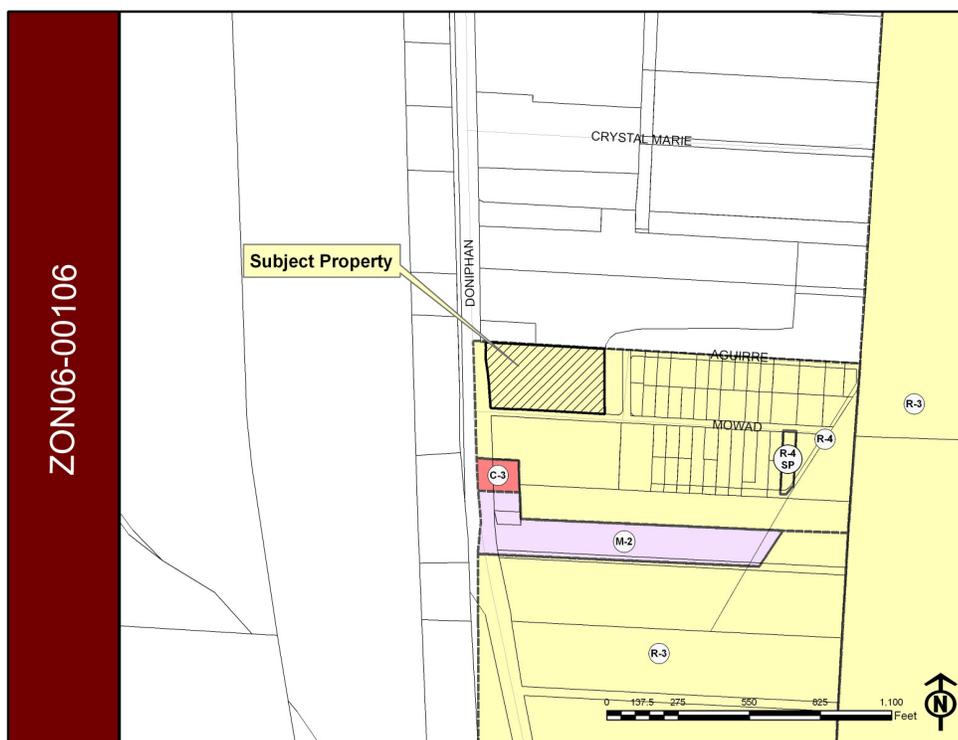
There were no letters of support or opposition to this request.

Attachment: Staff Report, Conceptual Site Plan, Application



ZON06-00106

Application Type:	Rezoning
Property Owner(s):	Enrique Escobar
Representative(s):	Enrique Escobar
Legal Description:	A portion of Tract 16, El Canutillo Acreage Lots, City of El Paso, El Paso County, Texas
Location:	North of Mowad Road and East of Doniphan Drive
Representative District:	1
Area:	2.67 acres
Present Zoning:	R-4 (Residential)
Present Use:	Valley Fence Company
Proposed Zoning:	C-4 (Commercial)
Recognized Neighborhood Associations Contacted:	Texas Apache Nations, Inc., Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association
Public Response:	None
Surrounding Land Uses:	North: City Limits, South: R-4 / Automotive dealership, East: R-4 / Single family residential, West: City Limits
Year 2025 Designation:	Commercial, Residential (Northwest Planning Area)



General Information:

The applicant requests a rezoning from R-4 (Residential) to C-4 (Commercial). The conceptual site plan proposes two new buildings on site and approximately 60 parking spaces. Access is proposed via Doniphan Drive. There are no zoning conditions imposed on this property.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this rezoning request.

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.”
- **The Year 2025 Projected General Land Use Map** for the Northwest Planning Area designates this property for **Commercial** and **Residential** land uses.
- **C-4 (Commercial) zoning** permits office/warehouse uses and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will C-4 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will C-4 (Commercial) zoning be compatible with adjacent land uses?
3. What is the relation of the proposed change to the City’s Comprehensive Plan?
4. What effects will the rezoning have on the natural environment, social and economic conditions and property values in the vicinity and the city as a whole?

Development Services - Building Permits and Inspections Division:

Zoning Review: Proposed uses as submitted are not specified. Data submitted is insufficient to determine compliance with development standards and parking requirements. Shall require a 6 ft. masonry screening wall along property lines abutting residential districts.

Landscaping: This project will not meet code requirements as submitted. Missing landscape calculation.

Development Services - Planning Division:

Current Planning: Recommends approval of the rezoning request. C-4 (Commercial) zoning is compatible with existing development and uses.

Land Development: No comments received.

Engineering Department, Traffic Division:

No apparent traffic concerns with the proposed zoning.

Note: Sidewalks shall be provided.

Fire Department:

No comments received.

El Paso Water Utilities:

EPWU-PSB does not object to this request.

ZON06-00106

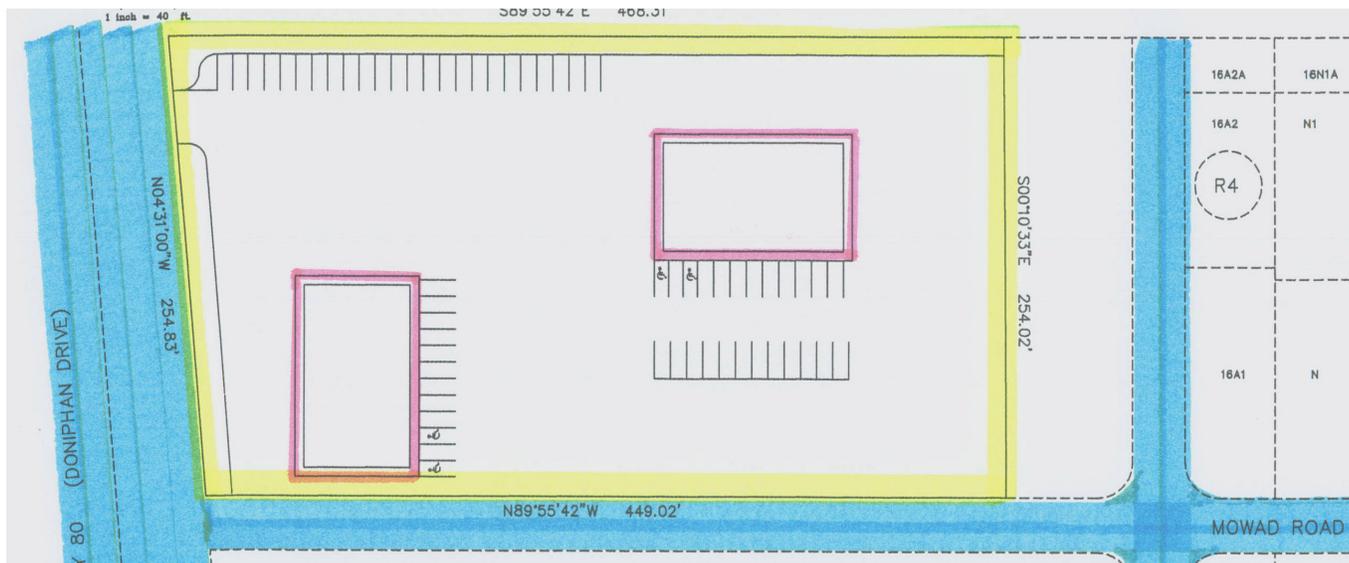


List of Attachments:

Attachment 1: Conceptual Site Plan

Attachment 2: Application

Attachment 1: Conceptual Site Plan



Attachment 2: 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): ENRIQUE ESCOBAR

ADDRESS: _____ ZIP CODE: _____ PHONE: _____

REPRESENTATIVE(S): ENRIQUE ESCOBAR

ADDRESS: _____ ZIP CODE: _____ PHONE: _____

E-MAIL ADDRESS: _____ FAX: _____

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____

LEGAL DESCRIPTION: A PORTION OF TRACT 16, MAP OF EL CARNITILLO ACRES

STREET ADDRESS OR LOCATION: WINDMILL ST. REP DISTRICT: _____

ACREAGE: 0.0000 0.00 2.67 PRESENT ZONING: R-4 PRESENT LAND USE: VACANT

PROPOSED ZONING: C-4 PROPOSED LAND USE: Commercial OFFICE/WAREHOUSE

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: _____

ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):

Printed Name: _____ Signature: _____

Printed Name: _____ Signature: _____

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 _____ RECEIVED DATE: 08/22/06 APPLICATION FEE: \$ 700.00

DCC REVIEW DATE: 09/20/06 (8:30 am, Conference Room, 2nd Floor, City Hall Building)

CPC REVIEW DATE: 10/05/06 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)

ACCEPTED BY: [Signature] FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404158

10/2/05

07 JUL 32 PM 2:07
CITY CLERK DEPT.
July 12, 2007