

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

DEPARTMENT: City Development Department

AGENDA DATE: Introduction: August 28, 2012
Public Hearing: September 18, 2012

CONTACT PERSON/PHONE: Michael McElroy, 541-4238

DISTRICT(S) AFFECTED: 8

SUBJECT:

An Ordinance changing the zoning of Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas from C-2/H (Commercial/Historic) to R-4/H (Residential/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Property Owner: Maria L. Yee & Robert Concha. Subject Property: 1316 Missouri. PZRZ12-00015 (District 8)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DIRECTOR: Mathew McElroy



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 10, AND THE NORTH HALF OF LOT 9, BLOCK 11, MUNDY HEIGHTS ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-2/H (COMMERCIAL/HISTORIC) TO R-4/H (RESIDENTIAL/HISTORIC). 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 *Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, 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 C-2/H (COMMERCIAL/HISTORIC) to R-4/H (RESIDENTIAL/HISTORIC), 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 _____, 2012.

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, Director
City Development Department

Calderon Engineering

3031 Trawood Drive
El Paso, Texas 79936
(915) 855-7552
Fax: 855-8350
CalderonEngineering@elpbizclass.com

November 22, 2011

METES & BOUNDS DESCRIPTION

Description of a parcel of land being Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows;

Commencing at a city monument located at the centerline intersection of Missouri Avenue and West Yandell Drive, in Mundy Heights Addition; Thence South $37^{\circ}54'00''$ East, along the centerline of Missouri Avenue a distance of 138.43 feet to a set concrete nail; Thence South $52^{\circ}06'00''$ West, a distance of 35.00 feet a set chiseled cross marking the "Point of Beginning";

Thence South $37^{\circ}54'00''$ East, along the west right-of-way line of Missouri Avenue, a distance of 37.50 feet to a set chiseled cross;

Thence South $52^{\circ}06'00''$ West, a distance of 120.00 feet to a set iron pin;

Thence North $37^{\circ}54'00''$ West, along the west boundary of Lots 9 and 10, a distance of 37.50 feet to a set iron pin;

Thence North $52^{\circ}06'00''$ East, along the common lot line between Lots 10 and 11, a distance of 120.00 to the "Point of Beginning", and containing in all, 4,500.00 square feet, or 0.103 acres of land more or less. A plat of survey dated July 31, 2008, is a part of this description and is attached hereto.



SH C6
1320 MISSOURI

Manuel Calderon
Registered Professional Land Surveyor No. 2564
Calderon Engineering
Reg. No. F-3788
Reg. No. 100200-00



**CITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

MEMORANDUM

DATE: 08/16/2012

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

FROM: Michael McElroy, Planner

SUBJECT: PZRZ12-00015

The City Plan Commission (CPC) on 08/09/2012 voted **7-0** to recommend **APPROVAL** of rezoning the subject property to R-4/sp (Residential/special permit), concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with Plan El Paso; and the proposed use is in conformance with the Future Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There was **ONE LETTER IN SUPPORT** to this request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ12-00015
Application Type: Rezoning
CPC Hearing Date: August 9, 2012
Staff Planner: Michael McElroy, 915-541-4238, mcelroyms@elpasotexas.gov
Location: 1316 Missouri Avenue
Legal Description: Lot 10, and the north half of Lot 9, Block 11, Mundy Heights Addition, City of El Paso, El Paso County, Texas
Acreage: 0.10 acre
Rep District: 8
Zoning: C-2/H (Commercial/Historic)
Existing Use: Vacant
Request: From C-2/H (Commercial/Historic) to R-4/H (Residential/Historic). (Related to PZST12-00006).
Proposed Use: Duplex/Two-family dwelling
Property Owner: Maria L. Yee & Robert Concha
Representative: Gerardo Quinones

SURROUNDING ZONING AND LAND USE

North: C-2/H (Commercial) / Single family dwelling
South: R-4/H (Residential/Historic) / Single family dwellings
East: R-4/H (Residential/Historic) / Single family dwellings
West: C-4/sc (Commercial/special contract) / Bus depot

Plan El Paso Designation: G2, Traditional Neighborhood - Walkable (Central Planning Area)

Nearest Park: Mundy Park (669 ft.)

Nearest School: Vilas Elementary (724 ft.)

NEIGHBORHOOD ASSOCIATIONS

Sunset Heights Neighborhood Improvement Association, Sunset Heights Association of Community Friends, El Paso Central Business Association

NEIGHBORHOOD INPUT

Notices of the August 9, 2012 public hearing were mailed to all property owners within 300 feet of the subject property on July 26, 2012. The Planning Division received one letter in support of the request.

APPLICATION DESCRIPTION

The applicant is requesting a rezoning of the subject property to permit the construction of a 2,840 sq. ft. duplex. This item is related to special permit PZST12-00006.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning as the applicant's request is compatible with the surrounding land use and the future land use map.

Plan El Paso- Future Land Use Map Designation

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

G-2 – Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly face streets; schools, parks, and small shops are integrated with residential areas. This sector is well suited for use of the SmartCode as

a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the R-4 (Light Density Residential District) district is to provide a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations, permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

The purpose of the C-2 (Community Commercial District) 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. 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.

COMMENTS:

City Development Department - Planning Division - Transportation

No objection to the rezoning.

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.

City Development Department – Planning Division - Land Development

Grading plan and permit shall be required.* Storm Water Pollution Prevention Plan and/or permit required.* Drainage plans must be approved by the City Development Department, Land Development Section.* * This requirement will be applied at the time of development.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

1. EPWU does not object to this request

Water:

2. There is an existing 12-inch diameter water main along the alley between Yandell Drive and Fern Street. The water main is located approximately 1.5-feet east from the center line of the right-of-way.

Sanitary Sewer:

3. There is an existing 8-inch diameter sanitary sewer main extending along Missouri Avenue that is available for service, the sewer main is located approximately 3-feet west from the center line of the right-of-way.

General:

4. 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

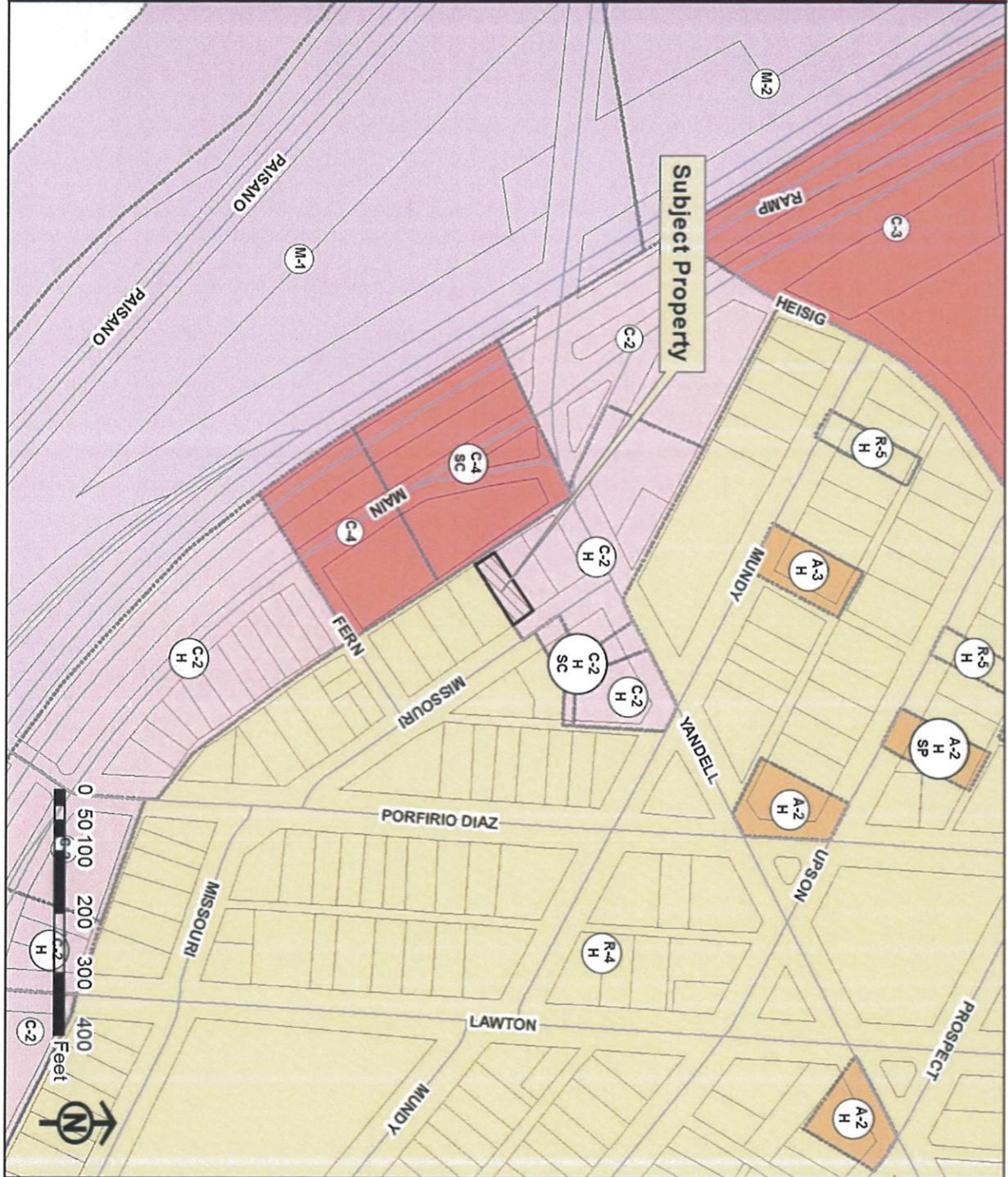
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

1. Recommend approval of the application finding that the special permit and detailed site development plan is in conformance with the review criteria of Plan 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 Plan 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 Plan 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: Detailed Site Development Plan
- Attachment 4: Support letter

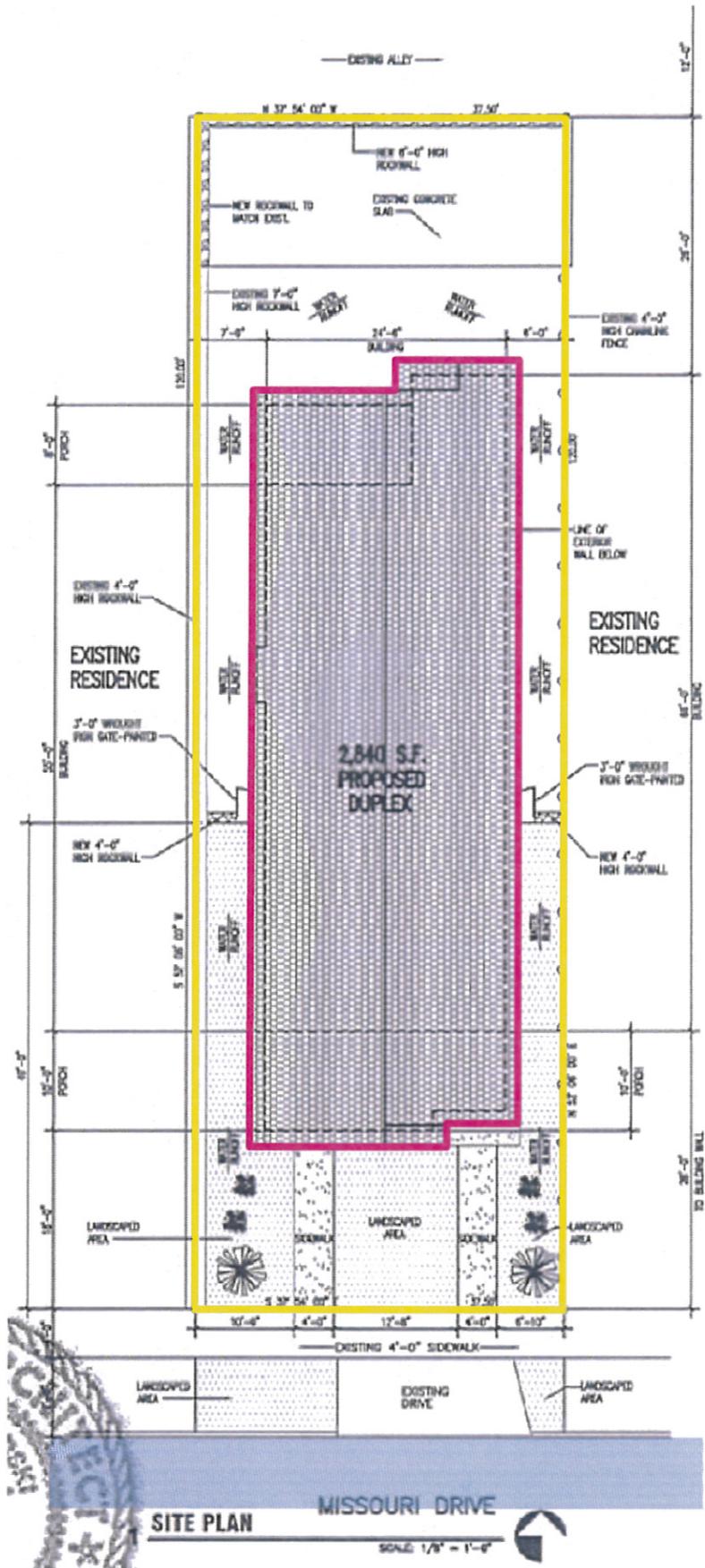
PZRZ12-00015



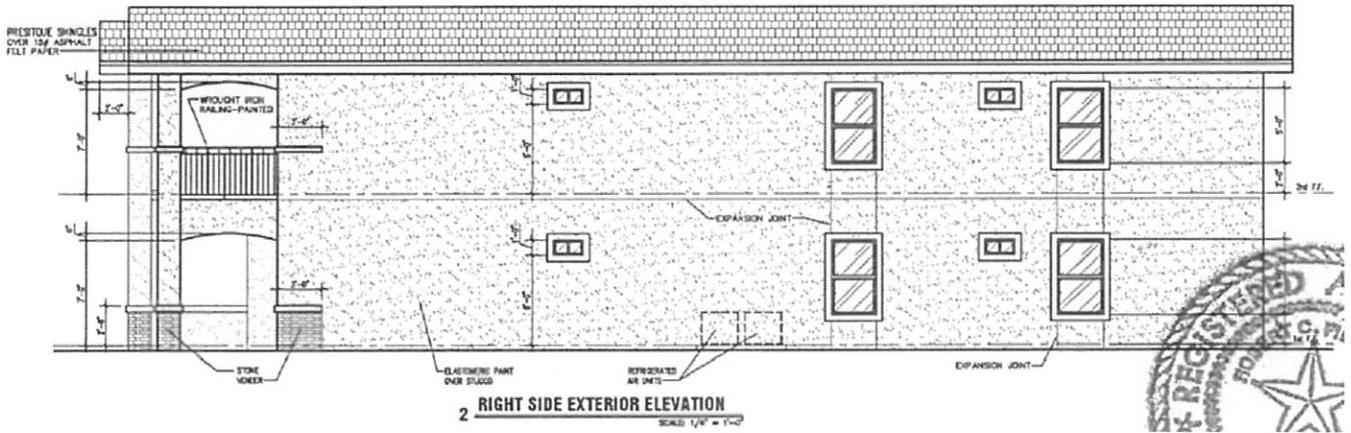
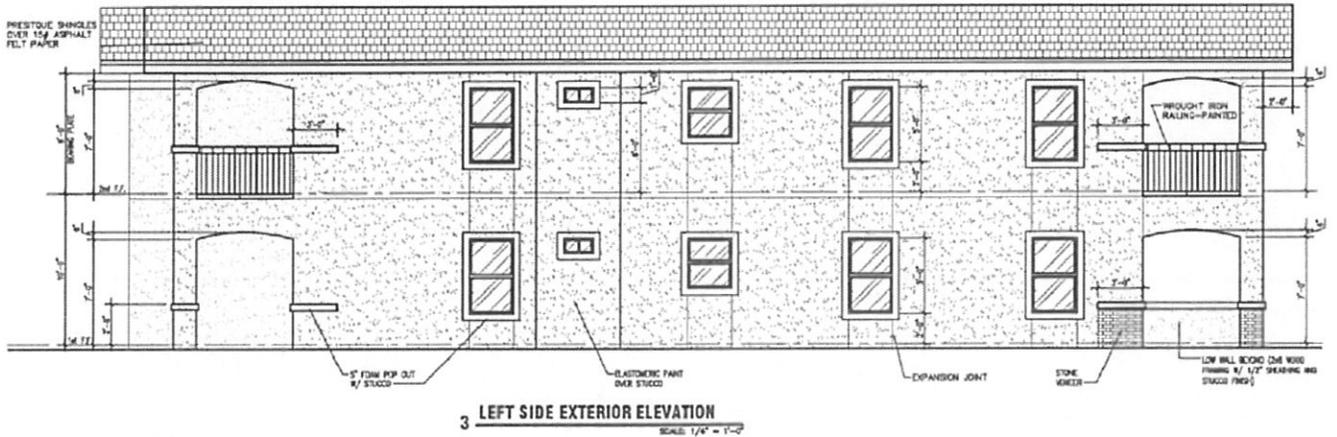
PZRZ12-00015



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN (CONTINUED)



ATTACHMENT 4: SUPPORT LETTER

McElroy, Michael

From: McElroy, Mathew
Sent: Friday, July 20, 2012 6:40 PM
To: McElroy, Michael
Subject: Fwd: Planning agenda items 2 and 3

Mathew S. McElroy, AICP, CNU-A
Director
City Development Department
City of El Paso
(915) 541-4193 (office)
(915) 873-6310 (mobile)

Begin forwarded message:

From: Sunset Heights Neighborhood Improvement Assoc <sunset_heights_assoc@yahoo.com>
Date: July 20, 2012 5:03:18 PM MDT
To: "McElroy, Mathew" <McelroyMX@elpasotexas.gov>
Subject: Planning agenda items 2 and 3
Reply-To: Sunset Heights Neighborhood Improvement Assoc
<sunset_heights_assoc@yahoo.com>

Michael,
Just to let you know that we are in favor of the change of zoning to residential for 1316 Missouri Ave but we are opposed to any reduction in lot for setbacks and/or parking. Please feel free to contact me if you have any questions.

Thanks!
Leah Osborne
President
SHNIA