

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: October 2, 2007
Public Hearing: October 23, 2007

CONTACT PERSON/PHONE: Esther Guerrero, 541-4720

DISTRICT(S) AFFECTED: 7

SUBJECT:

An ordinance changing the zoning of a portion of Lot 1, Block 13, Colonia Del Carmen Unit 4, City of El Paso, El Paso County, Texas from C-OP/sc (Commercial Office Park/special contract) District to C-1/sc (Commercial/special contract) District. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Lee Trevino Drive and Assyria Drive. Applicant: Woodchase Senior Community, LTD, ZON07-00108 (District 7)

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) – Scheduled for October 4, 2007.

*****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 LOT 1, BLOCK 13, COLONIA DEL CARMEN UNIT 4, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-OP/SC (COMMERCIAL OFFICE PARK/SPECIAL CONTRACT) DISTRICT TO C-1/SC (COMMERCIAL/SPECIAL CONTRACT) 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 Lot 1, Block 13, Colonia Del Carmen Unit 4, 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-OP/sc (Commercial Office Park/special contract) District** to **C-1 (Commercial/special contract) 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:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

Kimberly Forsyth, Senior Planner
Development Services Department

CITY CLERK DEPT.
07 SEP 27 AM 11:23

PREPARED FOR: Woodchase Senior Community, Ltd
A Portion of Lot 1, Block 13, Colonia Del Carmen Unit 4,
City of El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION LOT 1, BLOCK 13

Description of a 0.1486 acre parcel of land being A Portion of Lot 1, Block 13, Colonia Del Carmen Unit 4, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Starting at an existing city monument located at the centerline intersection of Lee Trevino Drive and Assyria Drive, Thence South 70°21'05" East along the centerline of Assyria Drive a distance of 96.42 feet to a point; Thence South 19°38'55" West a distance of 30.00 feet to a found 5/8" diameter iron rod, and a point lying on the southerly right-of-way line of Assyria Drive, said point being the "True Point of Beginning";

Thence South 70°21'05" East along said southerly right-of-way line a distance of 228.63 feet to a found 5/8" diameter iron rod, and a point lying on a p.c. of a curve;

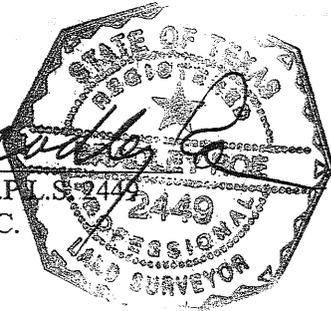
Thence 142.65 feet along the arc of a curve to the left, whose radius is 444.24 feet, whose interior angle is 18°23'54" whose chord bears South 79°33'02" East a distance of 142.04 feet to a found 1/2" diameter iron rod;

Thence South 18°25'00" West a distance of 32.35 feet to a point;

Thence North 71°35'00" West a distance of 400.36 feet to a point;

Thence 37.51 feet along the arc of a curve to the right, whose radius is 35.00 feet, whose interior angle is 61°24'09" whose chord bears South 78°56'50" West a distance of 35.74 feet to a found 5/8" diameter iron rod, and back to the "True Point of Beginning", and containing in all 6,473.89 square feet or 0.1486 acres of land more or less.


BRADLEY ROE, R.P.L.S. 2449
Roe Engineering, L.C.



CITY CLERK DEPT.
07 SEP 27 AM 11:24

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 DEPARTMENT
PLANNING DIVISION

MEMORANDUM

DATE: September 26, 2007

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

FROM: Esther Guerrero, Planner

SUBJECT: ZON07-00108

The City Plan Commission (CPC), on October 4, 2007, will make a recommendation of this rezoning request.

The Development Coordinating Committee, on September 12, 2007, recommended **approval** of this rezoning request.

The CPC must find that the rezoning is in conformance with The Plan for El Paso Citywide land use goals that El Paso: City-Wide Land Use Goals recommends that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.” The CPC must find that the proposed rezoning will not have an adverse impact on the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole. The CPC also must determine that the rezoning protects the best interest, health, safety, and welfare of the public in general.

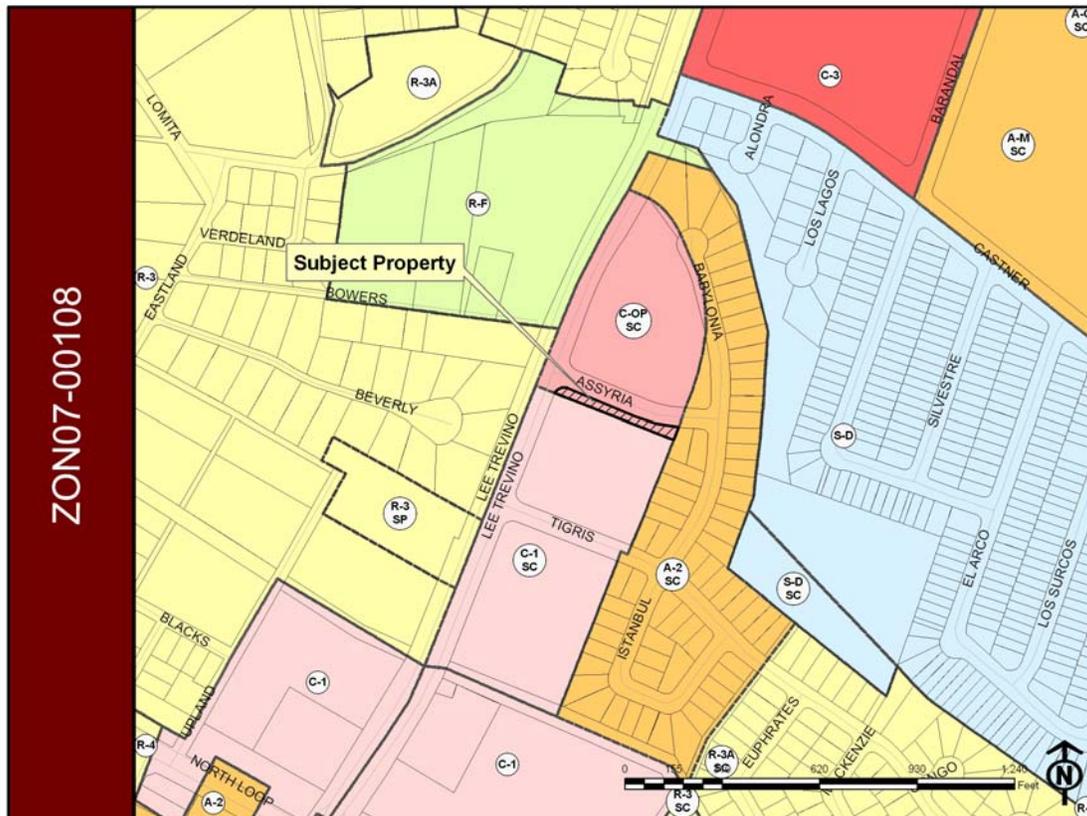
No opposition has been received to this request.

Attachment: Staff Report



ZON07-00108

Application Type:	Rezoning
Property Owner(s):	Franco Construction, Inc.
Applicant(s):	Woodchase Senior Community, Ltd.
Representative(s):	Roe Engineering
Legal Description:	A Portion of Lot 1, Block 13, Colonia Del Carmen Unit 4, City of El Paso, El Paso County, Texas
Location:	Lee Trevino Drive and Assyria Drive
Representative District:	7 Area: 0.1486
Present Zoning:	C-OP/sc (Commercial-Office Park/special contract)
Present Use:	vacant
Proposed Zoning:	C-1/sc (Commercial)
Proposed Use:	Apartment complex
Recognized Neighborhood Associations Contacted:	N/A
Surrounding Land Uses:	North - C-OP/sc / Residential; South - C-1/sc / Vacant, Apartments; East - A-2/sc / Residential; West - R-3 / Residential
Year 2025 Designation:	Residential (Mission Valley Planning Area)



General Information

The applicant requests a rezoning from C-OP/sc (Commercial Office Park/special contract) to C-1 (Commercial/special contract) to allow the development of a senior living community. When Assyria Drive was platted and constructed, approximately 0.148 acres remained in the C-OP District. The applicant requests to include this portion to the adjacent property which is zoned C-1/sc. The conceptual site plan shows a senior living community to include 128 units including a club house, pool and 196 parking spaces. Access is proposed via Assyria Drive and Tigris Drive.

In addition the Plan Commission will consider two related requests for the release of conditions on this property and the adjacent C-1/sc property located to the south (see ZON07-00106 & ZON07-00107).

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 wide range of housing types that respond to the needs of all economic segments of the community.”
- **The Year 2025 Projected General Land Use Map** for the Mission Valley Planning Area designates this property for **Residential** land uses.
- **C-1 (Commercial) zoning** will permit the development of a senior living community.

Findings

The Commission must determine the following:

- A. Will C-1 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will the proposed use be compatible with adjacent land uses?
- C. What is the relation of the proposed change to the City’s Comprehensive Plan?
- D. 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

Apartment Complex permitted on proposed C-1 Commercial District. Insufficient data submitted to determine compliance with general lot, yard and development standards. Applicant will need to provide a six foot high masonry screening wall along property lines abutting Apartment District.

Development Services-Planning

No objections, recommend approval.

Engineering Department-Traffic

No traffic concerns with proposed zoning change.

Fire Department

No comments received.

El Paso Water Utilities

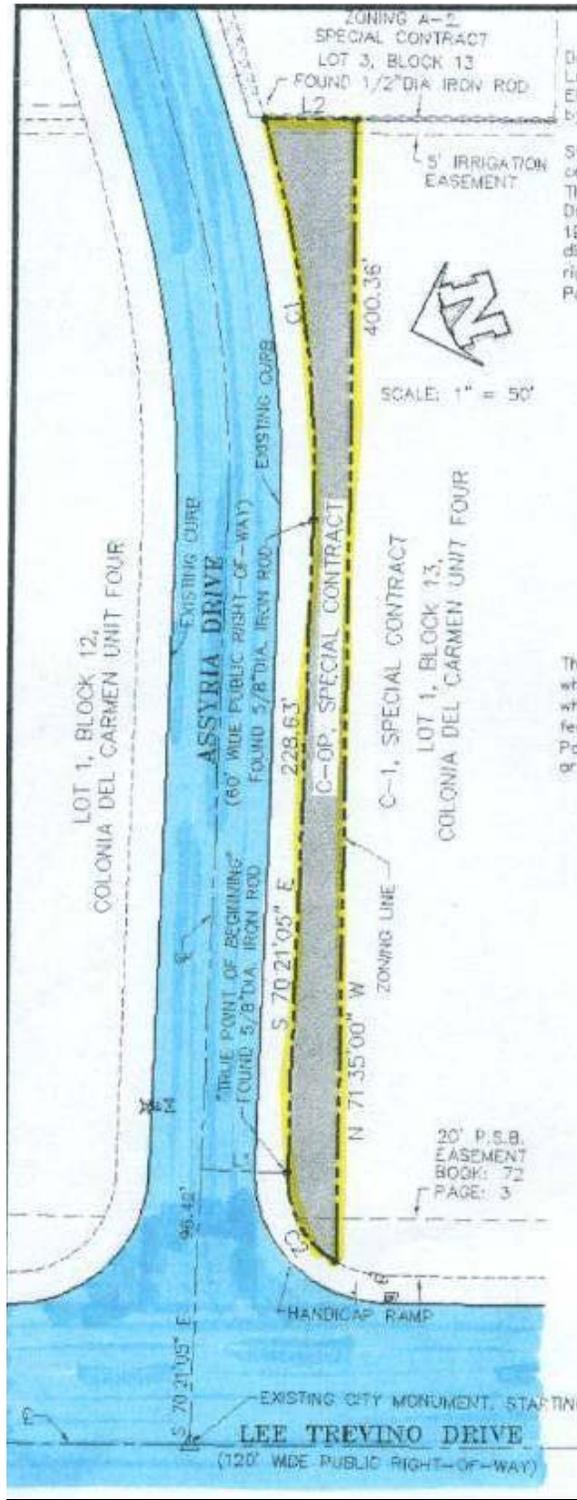
EPWU does not object to this rezoning request.

List of Attachments

- Attachment 1: Survey
- Attachment 2: Conceptual Site Plan
- Attachment 3: Application



Attachment 1: Survey



Attachment 2: Conceptual Site Plan



Attachment 3: Application



**REZONING APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO, TEXAS**

1. CONTACT INFORMATION

PROPERTY OWNER(S): Franco Construction, Inc.
ADDRESS: c/o Larry Baskind 300 E. Main Suite ZIP CODE: 79901 PHONE: 544-0737
APPLICANT(S): Woodchase Senior Community, Ltd 908
ADDRESS: 8800 Yermoland Suite A ZIP CODE: 79907 PHONE: 594-2141
REPRESENTATIVE(S): Roe Engineering c/o Brad Roe
ADDRESS: 601 N. Cotton ZIP CODE: 79902 PHONE: 533-1418
E-MAIL ADDRESS: _____ FAX: 533-4972

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: C73199901300100
LEGAL DESCRIPTION: A portion of Lot 1, Block 13, Colonia del Carmen Unit 4
STREET ADDRESS OR LOCATION: Lee Trevino & Assvria REP DISTRICT: 7
ACREAGE: _____ PRESENT ZONING: cop PRESENT LAND USE: vacant
PROPOSED ZONING: C-1/sc PROPOSED LAND USE: Senior multi family

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: Franco Construction, Inc. Signature: [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 07-10108 RECEIVED DATE: 8/14/07 APPLICATION FEE: \$ 715-
DCC REVIEW DATE: 9/12/07 (8:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 9/14/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: [Signature] FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004