

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: September 28, 2010
Public Hearing: October 19, 2010

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance changing the zoning of Parcel of land out of the Original Survey from the Southern Pacific Railroad Reserve and out of Blocks 232, 233, 234, and 235 and the closed and vacated portions of the alleys within said Blocks and the closed and vacated portions of Franklin Street, Florence Street, Ochoa Street, and Virginia Street of Campbell's Addition to the City of El Paso, El Paso County, Texas from M-1/H (Light Manufacturing/Historic) to C-3/H (Commercial/Historic). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 420 N. Campbell Street. Property Owner: William D. Abraham. ZON10-00061 (**District 8**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kathryn B. Dodson, Phd.
Director, Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF PARCEL OF LAND OUT OF THE ORIGINAL SURVEY FROM THE SOUTHERN PACIFIC RAILROAD RESERVE AND OUT OF BLOCKS 232, 233, 234, AND 235 AND THE CLOSED AND VACATED PORTIONS OF THE ALLEYS WITHIN SAID BLOCKS AND THE CLOSED AND VACATED PORTIONS OF FRANKLIN STREET, FLORENCE STREET, OCHOA STREET, AND VIRGINIA STREET OF CAMPBELL'S ADDITION TO THE CITY OF EL PASO, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1/H (LIGHT MANUFACTURING/HISTORIC) TO C-3/H (COMMERCIAL/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 a *parcel of land out of the Original Survey from the Southern Pacific Railroad Reserve and out of Blocks 232, 233, 234, and 235 and the closed and vacated portions of the alleys within said Blocks and the closed and vacated portions of Franklin Street, Florence Street, Ochoa Street, and Virginia Street of Campbell's Addition to the City of El Paso, 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/H (Light Manufacturing/Historic)** to **C-3/H (Commercial/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 _____, 2010.

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 McElroy, Deputy Director-Planning
Development Services Department

METES AND BOUNDS DESCRIPTION

"Portion of Campbell addition"

A 1.569 acres, (68,346.4033 square feet) parcel of land out of the Original Survey from the Southern Pacific Railroad Reserve and out of Blocks 232, 233, 234 and 235 and the closed and vacated portions of the alleys within said Blocks and the closed and vacated portions of Franklin Street, Florence Street, Ochoa Street and Virginia Street of Campbell's Addition, according to the plat thereof recorded in Volume 2, Page 68, also being out of that certain tract of land described as a 1.5690 acres in Document No. 20080076891 of the Official Records of El Paso County, Texas and being more particularly described by Metes and Bounds as follows.

COMMENCING for reference at the intersection of the northeasterly right-of-way of Campbell Street and the southerly right-of-way of Interstate Highway-10, from a found brass cap, **THENCE**, South 37°06'15" East, and being the Bearing Basis per Texas Department of Transportation right-of-way map, with the northeasterly right-of-way of Campbell Street at a distance of 51.66 feet to a found chiseled "x", **THENCE**, North 36°53'45" East, along the southerly right-of-way of Interstate Highway-10, a distance of 33.00 feet to a found Texas Department of Transportation brass cap for an angle point; **THENCE**, North 39°16'05" East, along the southerly right-of-way line of Interstate Highway-10, a distance of 341.16 feet to a yellow cap found for an angle point; **THENCE**, North 46°53'45" East, along the southerly right-of-way line of Interstate Highway-10, a distance of 101.61 feet to a found "x" mark and the **POINT OF BEGINNING** of this parcel description;

THENCE, North 46°53'45" East, along the southerly right-of-way line of Interstate Highway-10, a distance of 48.39 feet to an "x" mark found for an angle point;

THENCE, North 50°53'45" East, along the southerly right-of-way line of Interstate Highway-10, a distance of 167.28 feet to an "x" mark set for an angle point;

THENCE, North 52°53'45" East, along the southerly right-of-way line of Interstate Highway-10, a distance of 351.34 feet to an "x" mark found for a corner point;

THENCE, South 37°06'15" East, a distance of 94.99 feet to a ½ inch iron rebar set for a corner point, **WHENCE**, a 5/8 inch rebar found bears South 43°43'55" East, a distance of 1.06 feet;

THENCE, South 44°39'36" West, a distance of 244.43 feet to a 5/8 inch iron rebar set for an angle point;

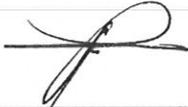
THENCE, South 52°53'45" West, a distance of 290.00 feet to a 5/8 inch iron rebar found for an angle point;

THENCE, South 41°41'41" West, a distance of 30.34 feet to a 5/8 inch iron rebar found for a corner point;

THENCE, North 39°22'53" West, a distance of 125.10 feet to the **TRUE POINT OF BEGINNING** and containing 1.569 acres (68,346.4033 square feet) more or less.

This Metes and Bounds description is accompanied by a parcel plat of even date.

I, Avelardo Ponce, a Registered Professional Land Surveyor, do hereby certify to the best of my knowledge and belief, this property description is a true and correct representation of a survey made on the ground, under my direction and supervision.



Avelardo Ponce, TX. R.P.L.S. No. 6032
Date: July 08, 2010
Job No. 100625-28



MEMORANDUM

DATE: September 20, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON10-00061

The City Plan Commission (CPC), on September 9, 2010, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from M-1/H (Light Manufacturing/Historic) to C-3/H (Commercial/Historic) in order to permit a new restaurant and bar.

The CPC found that the rezoning is in conformance with the Plan for El Paso. The CPC also determined that the 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** to this request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00061
Application Type: Rezoning
CPC Hearing Date: September 9, 2010
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 420 N. Campbell Street
Legal Description: Parcel of land out of the Original Survey from the Southern Pacific Railroad Reserve and out of Blocks 232, 233, 234, and 235 and the closed and vacated portions of the alleys within said Blocks and the closed and vacated portions of Franklin Street, Florence Street, Ochoa Street, and Virginia Street of Campbell's Addition to the City of El Paso, El Paso County, Texas

Acreage: 1.57 acres
Rep District: 8
Existing Use: Vacant
Existing Zoning: M-1/H (Light Manufacturing/Historic)
Request: From M-1/H (Light Manufacturing/Historic) to C-3/H (Commercial/Historic)
Proposed Use: Restaurant and bar

Property Owner: William D. Abraham
Applicant: William D. Abraham
Representative: Raul Rodriguez

SURROUNDING ZONING AND LAND USE

North: M-1 (Light Manufacturing) / Interstate-10 Freeway
South: M-1 (Light Manufacturing) / Railroad Properties
East: M-1 (Light Manufacturing) / Railroad Properties
West: M-1 (Light Manufacturing) / Parking lot

THE PLAN FOR EL PASO DESIGNATION: Industrial (Central Planning Area)
Nearest Park: San Jacinto Park (1,908 feet)
Nearest School: Raymond Telles Academy Special Campus (2,936 feet)

NEIGHBORHOOD ASSOCIATIONS

El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on August 24, 2010. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting to rezone the subject property from M-1/H (Light Manufacturing/Historic) to C-3/H (Commercial/Historic) in order to permit a new restaurant and bar. The property is 1.57 acres in size and has an existing 13,958 square-foot building that is vacant. On June 29, 1993, City Council approved the Historic Overlay of the subject property. The conceptual site plan proposes to re-use the 13,958 square-foot building for a restaurant and bar. 139 parking spaces and 7 bicycle spaces are provided. Primary access to the subject property is from Campbell Street.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from M-1/H (Light Manufacturing/Historic) to C-3/H (Commercial/Historic).

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

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

- a. Goal: develop 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: 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 C-3 (Commercial) districts is 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 the Planning Staff's recommendation for **APPROVAL**.

Development Services Department - Building Permits and Inspections Division

Zoning Review:

1. Accessible route from City right-of-way to business entrance is required by TAS.
2. Insufficient parking for occupancy type. A parking reduction or shared parking agreement will be required.

Landscape Review: No Landscape calculations provided for this project. Landscape required under 18.46.

Development Services Department – Land Development

- ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- Grading plan and permit shall be required.*
- Storm Water Pollution Prevention Plan and/or permit required.*
- Drainage plans must be approved by the Development Services Department, Engineering Section.*
- The Subdivision is **within Flood Zone C** – “Areas of minimal flooding, (No shading).” – **Panel # 480214 0039B, dated October 15, 1982.**

*** This requirement will be applied at the time of development.**

Engineering Department - Traffic Division

- Verify accuracy of parking calculations.
- No objection to zoning change.
- Recommend sidewalk along entire length of proposed access easement for pedestrian safety.

Street Department:

No comments received.

Fire Department

El Paso Fire Department has no objections or adverse comments to rezoning request.

El Paso Water Utilities

1. EPWU does not object to this request.

2. EPWU requires for the Owner to coordinate with EPWU-PSB for the location of the proposed chain link fence in relation to the existing water facilities. EPWU-PSB requires adequate clearance to access the existing water, sanitary sewer facilities, appurtenances, fire hydrant and meters 24 hours a day, seven (7) days a week. EPWU requests for the Owner to coordinate the dedication of easements for the above described public facilities. The existing fire hydrant within the property shall be located on a raised island in the parking lot. Additionally, the existing water and sewer facilities need to be shown on the site plan.
3. During the improvement work, the Owner shall safeguard the existing PSB facilities within the property. If any facility is damaged during the improvement work, the Owner is responsible for the repair costs. Also, the Owner shall minimize changes in grade above or near the vicinity of the existing water and sewer facilities.

CITY PLAN COMMISSION OPTIONS

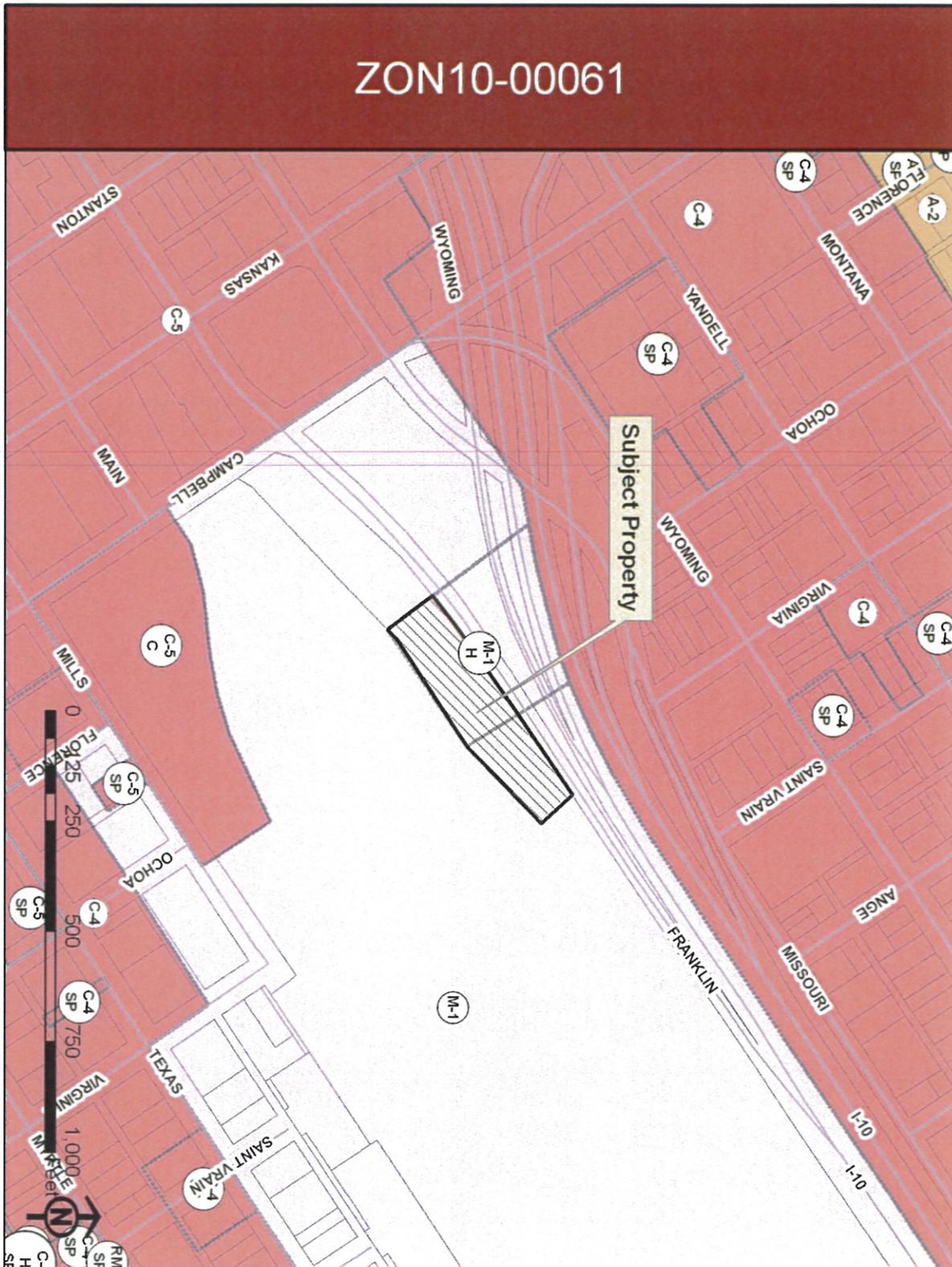
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

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 in the Plan by the CPC.

Attachments:

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Conceptual Site Plan
- Attachment 4: Site Plan, Enlarged

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP



