

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

DEPARTMENT: Planning and Economic Development Department, Planning Division

AGENDA DATE: Introduction: October 19, 2010
Public Hearing: November 9, 2010

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

DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance changing the zoning of Lot 17, 18, and the East 10 feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas from A-2 (Apartment) to S-D (Special Development). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2332 Montana Avenue. Applicant: Betsy and Richard Nacim. ZON10-00054 (**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 (4-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

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

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 17, 18, AND THE EAST 10 FEET OF LOT 19, BLOCK 17, COTTON ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT). 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 17, 18, and the East 10 Feet of Lot 19, Block 17, Cotton 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 **A-2 (Apartment)** to **S-D (Special Development)**, 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

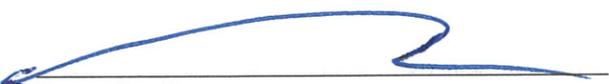
ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Lupe Cuellar
Assistant City Attorney

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

ORDINANCE NO. _____

ZONING CASE NO. ZON10-00054

Lot 17, 18 and the East 10 feet of Lot 19, Block 17,
Cotton Addition,
City of El Paso, El Paso County, Texas
June 1, 2010

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION
2332 Montana Street
Exhibit "A"

FIELD NOTE DESCRIPTION of Lot 17, 18, and the East 10 feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the most northeast corner of Lot 17, Block 17, same being the right-of-way intersection of the southerly right-of-way line of Montana Street (70' R.O.W.) and westerly right-of-way line of Poplar Drive, and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said both northeast corner and right-of-way intersection, and along said westerly right-of-way line, South 00°00'00" East, a distance of 120.00.00 feet to a point;

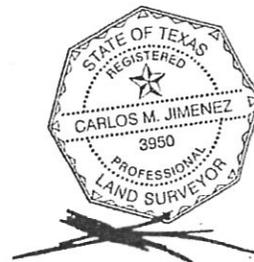
THENCE, leaving said westerly right-of-way line, North 90°00'00" West, a distance of 60.00 feet to a point;

THENCE, North 00°00'00" West, a distance of 120.00 feet to a point;

THENCE, South 90°00'00" East, a distance of 60.00 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 7,200.00 square feet or 0.1653 acres of land more or less.

Carlos M. Jiménez
Registered Professional Land Surveyor
Texas No. 3950

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 503
El Paso, Texas 79936
(915) 633-6422
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MEMORANDUM

DATE: October 11, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON10-00054

The City Plan Commission (CPC), on September 23, 2010, voted 4-0 to recommend **APPROVAL** of rezoning the subject property from A-2 (Apartment) to S-D (Special Development).

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: ZON10-00054 (related ZON10-00055 Special Permit)
Application Type: Rezoning
CPC Hearing Date: September 23, 2010
Staff Planner: Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

Location: 2332 Montana Avenue
Legal Description: Lot 17, 18, and the East 10 Feet of Lot 19, Block 17, Cotton Addition, City of El Paso, El Paso County, Texas
Acreage: 0.165 acres
Rep District: 8
Existing Use: Professional Office
Existing Zoning: A-2 (Apartment)
Request: From A-2 (Apartment) to S-D (Special Development)
Proposed Use: Professional Office

Property Owners: Betsy and Richard Nacim
Applicant: Betsy and Richard Nacim
Representative: Betsy and Richard Nacim

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartment) / Vacant and S-D (Special Development) / Office
South: A-2 (Apartment) / Multi-family dwellings
East: A-2 (Apartment) / Multi-family dwellings
West: S-D/c (Special Development/condition) / Office

THE PLAN FOR EL PASO DESIGNATION: Mixed-Use (Central Planning Area)

Nearest Park: Memorial Park (4,624 Feet)

Nearest School: Sunset High (2,579 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 September 7, 2010. The Planning Division did not receive any phone calls or letters in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from A-2 (Apartment) to S-D (Special Development) in order to permit an existing professional office. The conceptual site plan shows an existing 1,901 square-foot office building. The applicant has also submitted a request for a special permit for a 100% parking reduction, ZON10-00055.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from A-2 (Apartment) to S-D (Special Development).

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

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

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.
- d. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character

The purpose of the S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years

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: Plan Review has no objections.

Landscape Review: no comments received.

Development Services Department – Land Development

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
2. Grading plan and permit shall be required.*
3. Storm Water Pollution Prevention Plan and/or permit required.*
4. Drainage plans must be approved by the Development Services Department, Engineering Section.*
5. The Subdivision is within Flood Zone C – “Areas of minimal flooding, (No shading)”.– Panel # 480214 0033B, dated October 15, 1982.

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

Engineering Department - Traffic Division

No objection to zoning change.

Street Department:

No objection.

Fire Department

El Paso Fire Department has no objections to zoning change request.

El Paso Water Utilities

EPWU does not object to this request.

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.

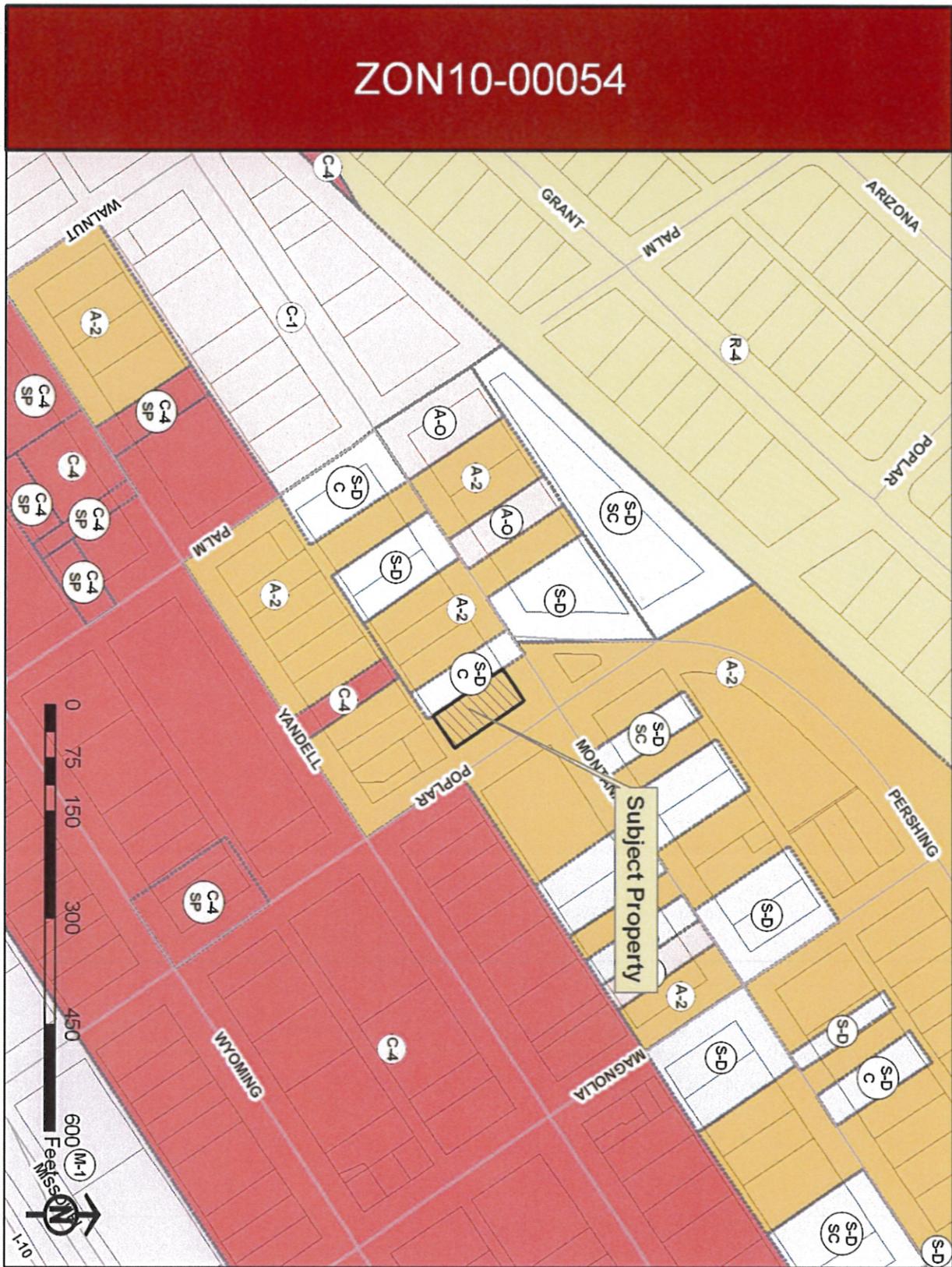
Attachments:

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ZON10-00054



