

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: October 10, 2006
Public Hearing: October 31, 2006

CONTACT PERSON/PHONE: Stephen Schlett, 541-4935

DISTRICT(S) AFFECTED: #3

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 27, Block 25, Latta's (Woodlawn) Addition, El Paso, El Paso County, Texas, from A-3 (Apartment) to C-1 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 3809 East Paisano Drive. Applicant: Abdalnassir M.A. Almaghrabi, Trustee ZON06-00092 (District 3)

BACKGROUND / DISCUSSION:

See attached report.

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation (one dissenting vote)
City Plan Commission (CPC) – Approval Recommendation (voted 5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Alan Shubert

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 27, BLOCK 25, LATTA'S (WOODLAWN) SUBDIVISION, EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) TO C-1 (COMMERCIAL). 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 27, Block 25, Latta's (Woodlawn) Subdivision, 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-3 (Apartment) to C-1 (Commercial)**, 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 _____, 2006.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Hillary S. McGinnes
Assistant City Attorney

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

BARRAGAN & ASSOCIATES

Land Planning & Land Surveying

1450 Pendale Road, Suite "B" El Paso, Texas 79936 Phone(915) 591-5709 Fax 591-5706

DESCRIPTION

DESCRIPTION of a parcel of land being a portion of Lot 27, Block 25, Latta's (Woodlawn) Subdivision, City of E Paso, El Paso County, Texas according to the plat thereof on file in Volume 13, Page 53, Plat Records of the El Paso County, Texas and being more particularly described by metes and bounds as follows:

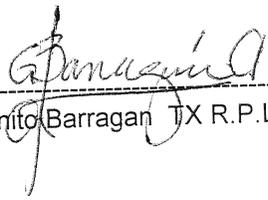
COMMENCING at a ½ inch rebar found for corner at the intersection of the northerly right-of-way line of Paisano Street with the westerly line of Lot 27, Block 25, Latta's (Woodland) Subdivision, said rebar also being the **POINT OF BEGINNING** of the herein described parcel;

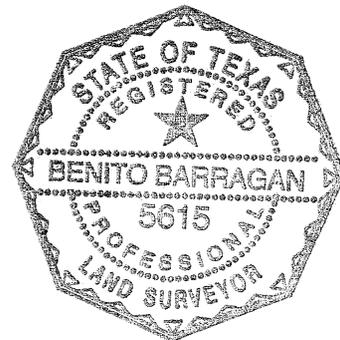
THENCE, North 00° 00'00" West, along Lots 26 and 27, Block 25, a distance of 101.43 feet to a found nail on the southerly right-of-way line of a 20' wide alley, said nail also marking the northerly common corner for said Lots 26 and 27;

THENCE, North 90°00'00" East, along said right-of-way line, a distance of 25.00 feet to a 1/2 inch rebar set for the northerly common corner for Lots 27 and 28, Block 25;

THENCE, South 00° 00'00" East, along Lots 27 and 28, Block 25, a distance of 111.30 feet to a found ½ inch rebar on the northerly right-of-way line of Paisano Street;

THENCE, North 68° 27'00" West, along said right-of-way line, a distance of 26.88 feet to the **POINT OF BEGINNING** of the herein described parcel and containing in all 2,659 square feet or 0.06 acres of land more or less.


Benito Barragan TX R.P.L.S. 5615, July 5, 2006.



- 1) Bearings recited hereon are based on assumed north.
- 2) A plat of Survey of even date accompanied this description.



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES PLANNING DIVISION

September 28, 2006

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

FROM: Stephen Schlett, Planner

SUBJECT: ZON06-00092

The City Plan Commission (CPC), on September 7, 2006, voted **unanimously** to recommend **APPROVAL** of rezoning the subject property from A-3 (Apartment) to C-1 (Commercial) zoning.

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 that 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.

Several citizens offered verbal **opposition** to this request at the City Plan Commission on September 7, 2006.

Attachment: Location Map, Aerial Map, Site Plan

STAFF REPORT

Rezoning Case: ZON06-00092

Property Owner(s): Fatema Salem BaArmah Trust

Applicant(s): Abdunassir M.A. Almaghrabi Trustee

Representative(s): Abdunassir M.A. Almaghrabi Trustee

Legal Description: Being a portion of Lot 27, Block 25, Latta's (Woodlawn) Addition, El Paso, El Paso County, Texas

Location: 3809 East Paisano Drive

Representative District: # 3

Area: 0.0608 acres

Present Zoning: A-3 (Apartment)

Present Use: Single-family Residential

Proposed Zoning: C-1 (Commercial)

Proposed Use: Office

Recognized Neighborhood Associations Contacted: A Presidential Neighborhood Association

Surrounding Land Uses:

North -	A-3 (Apartment) / Multi-family Residential
South -	A-3 (Apartment) / Institutional Use
East -	A-3 (Apartment) / US Highway 54
West-	A-3/sp (Apartment/special permit) / Parking lot

Year 2025 Designation: Residential (Central Planning Area)

**CITY PLAN COMMISSION HEARING, SEPTEMBER 7, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00092

GENERAL INFORMATION:

The applicant is requesting a rezoning from A-3 (Apartment) to C-1 (Commercial) in order to permit an office. The property is 0.0608 acres in size and consists of a single-family residential structure on site. The proposed site plan shows the existing structure to be utilized as an office. Access is proposed via the alley to the north off of Latta Street with three parking spaces to be provided. There are no zoning conditions currently imposed on this property.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has received no calls or letters in support or opposition to this application.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) recommends **approval** of this request for rezoning from A-3 (Apartment) to C-1 (Commercial) with one dissenting vote from the Engineering Department.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the **Central** Planning Area designates this property for **Residential** land uses.

C-1 (Commercial) zoning permits office development and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-1 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will office development 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 C-1 (Commercial) zoning have upon the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole?

INFORMATION TO THE APPLICANT:

Development Services Department - Planning Division Notes:

- A. The Year 2025 Projected General Land Use Map for the Central Planning Area designates this property as Residential.
- B. C-1 (Commercial) zoning will permit an office and is compatible with surrounding land uses.

Development Services Department - Building Permits and Inspections Division

Notes:

Zoning Review

Proposed office is permitted on C-1 Commercial district. Existing and proposed conditions do not meet setback requirements. Required is a minimum of three parking spaces and a six foot high masonry screening wall along property lines abutting an A-3 Apartment district.

Development Services Department / Subdivision Plan Review Notes:

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- B. Grading plan and permit shall/may be required.*
- C. Storm Water Pollution Prevention plan and/or permit shall/may be required.*
- D. Drainage plans must be approved by the Engineering Section.*
- E. Coordination with TXDOT.*
- F. Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone(s) C, Panel(s)480214 0040 B.

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

Engineering Department - Traffic Division Notes:

No apparent traffic concerns with the proposed rezoning.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

Water

- A. Currently, the property at 3809 East Paisano Drive has an active water meter connection (3/4-inch) from an existing 1 ½ -inch diameter water main along the alley located behind the subject property.
- B. Previous water pressure readings from a fire hydrant located at the southeast corner of Latta Street and Paisano Drive have yielded a static pressure of 116 pounds per square inch, a residual pressure of 70 pounds per square inch, a pitot pressure of 50 pounds per square inch, at a discharge of 1186 gallons per minute. Additionally, a backflow prevention and water pressure regulating devices are required at the discharge side of the water meter. The owner shall be responsible for the operation and maintenance of the above-described backflow prevention and water pressure regulating devices

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main along the alley located behind the subject property.

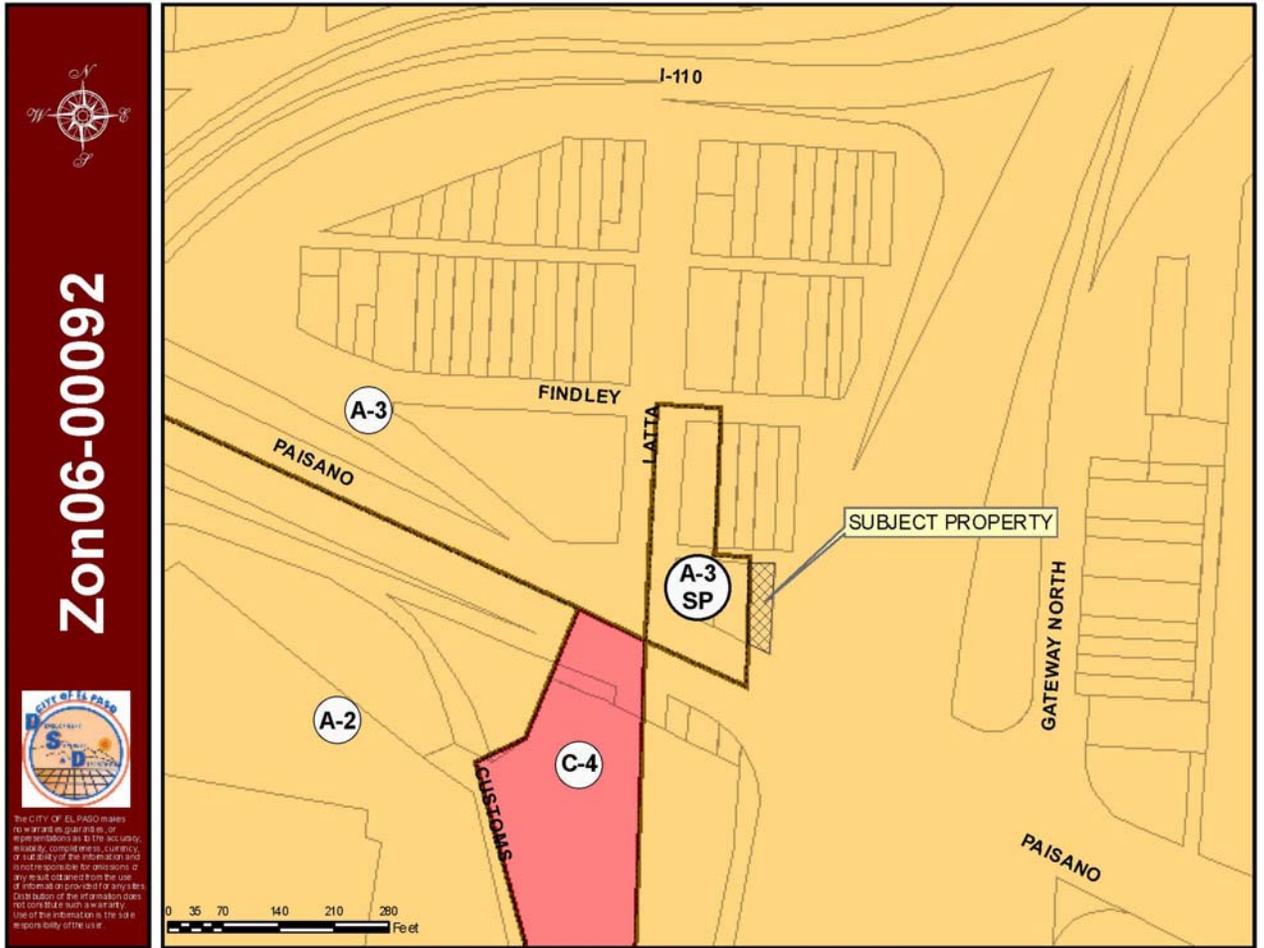
General

- A. Application for additional water and sanitary sewer services should be made 6 to 8 weeks in advance.
- B. A site plan, a 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. The owner 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.

EPWU does not object to this request.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DIVISION AT (915) 541-4056.

LOCATION MAP

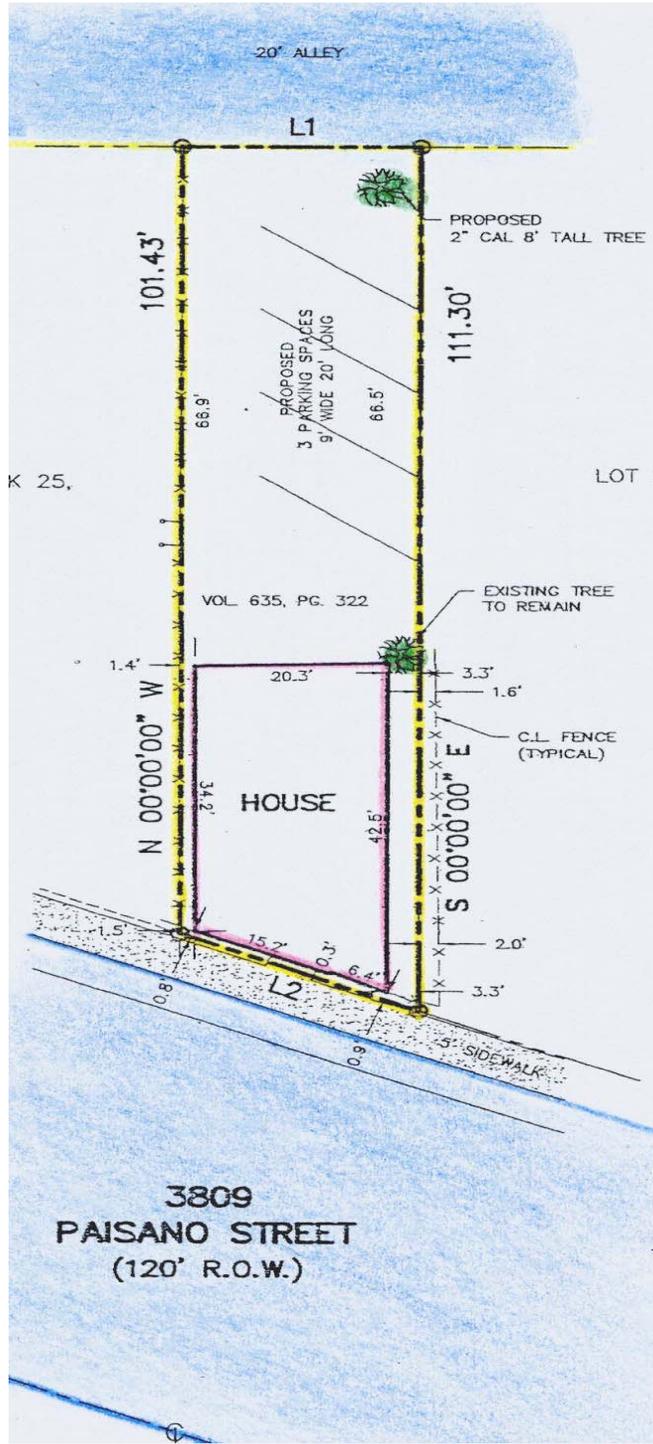


Zon06-00092

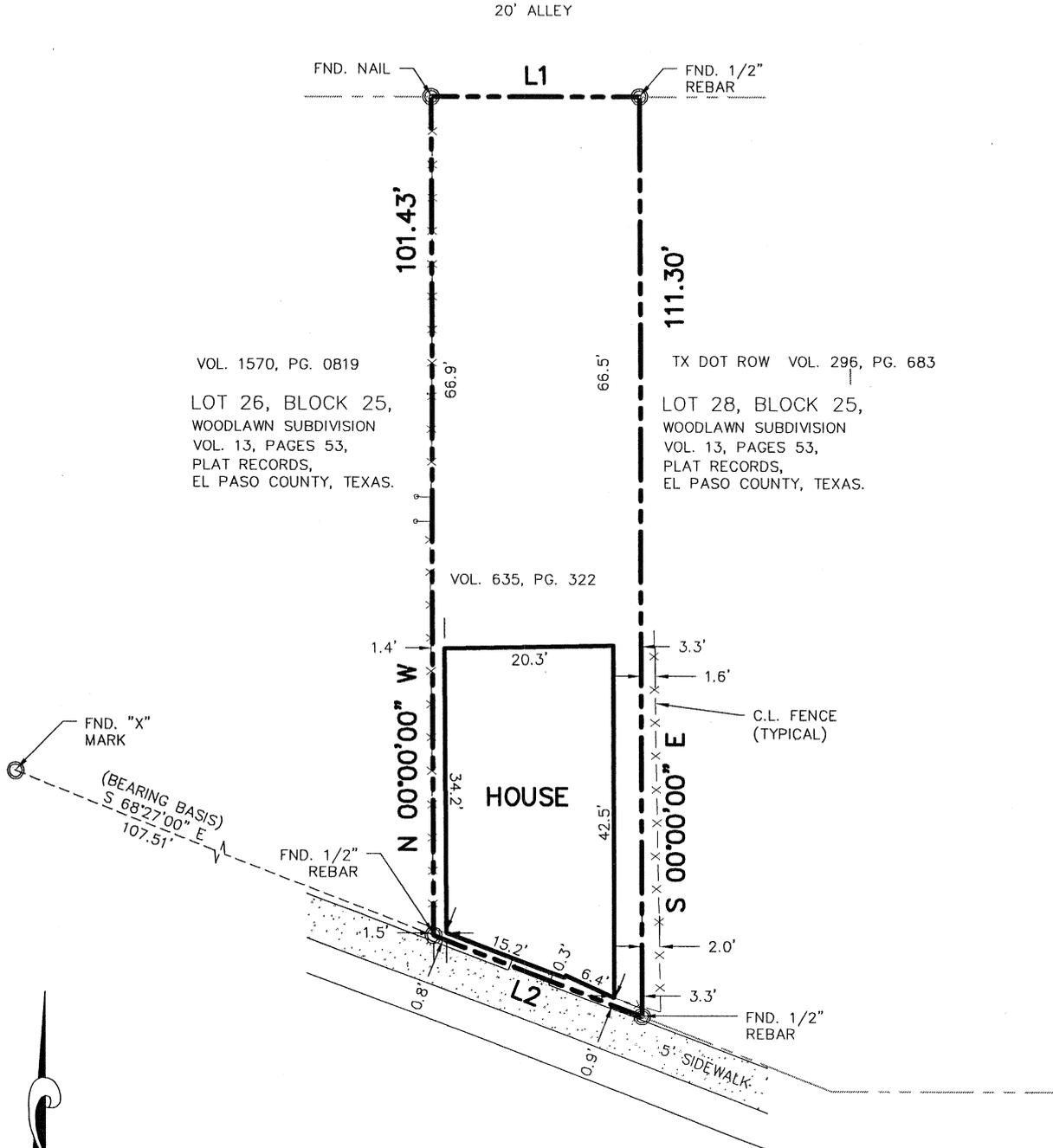


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PROPOSED SITE PLAN



Line Table		
LINE	LENGTH	BEARING
L1	25.00	N90°00'00"E
L2	26.88	N68°27'00"W



VOL. 1570, PG. 0819
 LOT 26, BLOCK 25,
 WOODLAWN SUBDIVISION
 VOL. 13, PAGES 53,
 PLAT RECORDS,
 EL PASO COUNTY, TEXAS.

TX DOT ROW VOL. 296, PG. 683
 LOT 28, BLOCK 25,
 WOODLAWN SUBDIVISION
 VOL. 13, PAGES 53,
 PLAT RECORDS,
 EL PASO COUNTY, TEXAS.

VOL. 635, PG. 322

**3809
 PAISANO STREET
 (120' R.O.W.)**

- NOTES:
1. THIS PROPERTY LIES WITHIN ZONE "C", AS DESIGNATED BY THE F.I.A. FLOOD INSURANCE RATE MAP, CITY OF EL PASO, OCTOBER 5, 1982, COMMUNITY No. 480214, PANEL NUMBER 39 B
 2. BEARINGS SHOWN ARE BASED ON ASSUMED NORTH

