

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: November 20, 2007
Public Hearing: December 11, 2007

CONTACT PERSON/PHONE: Arturo Rubio, 541-4633

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance changing the zoning of Tract 6, Section 34, Block 79, Township 2, Texas and Pacific Railway, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-4 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 12708 Montana Avenue. Applicant: Selma E. Aboud, ZON07-00102 (District 5)

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) – Approval Recommendation (7-0)

*****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 TRACT 6, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4 (COMMERCIAL), AND IMPOSING A CONDITION. 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 *Tract 6, Section 34, Block 79, Township 2, Texas and Pacific Railway, City of El Paso, El Paso County, Texas*, be changed from **R-F (Ranch and Farm)** to **C-4 (Commercial)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

That a detailed site development plan be reviewed and approved per the El Paso City Code prior to building permits being issued.

PASSED AND APPROVED this _____ day of _____, 2007.

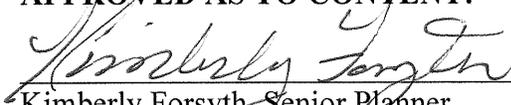
THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


Kimberly Forsyth, Senior Planner
Development Services Department



Lupe Cuellar
Assistant City Attorney

CITY CLERK DEPT.
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ORDINANCE NO. _____

Zoning Case No: ZON07-00102



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
PLANNING DIVISION
MEMORANDUM**

DATE: November 9, 2007
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Arturo Rubio, Planner
SUBJECT: ZON07-00102

The City Plan Commission (CPC), on October 4, 2007, voted 7-0 to recommend APPROVAL of rezoning the subject property from R-F (Ranch and Farm) to C-4 (Commercial) and imposing a condition.

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 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.

There were no letters of support or opposition to this request.

Attachment: Staff Report

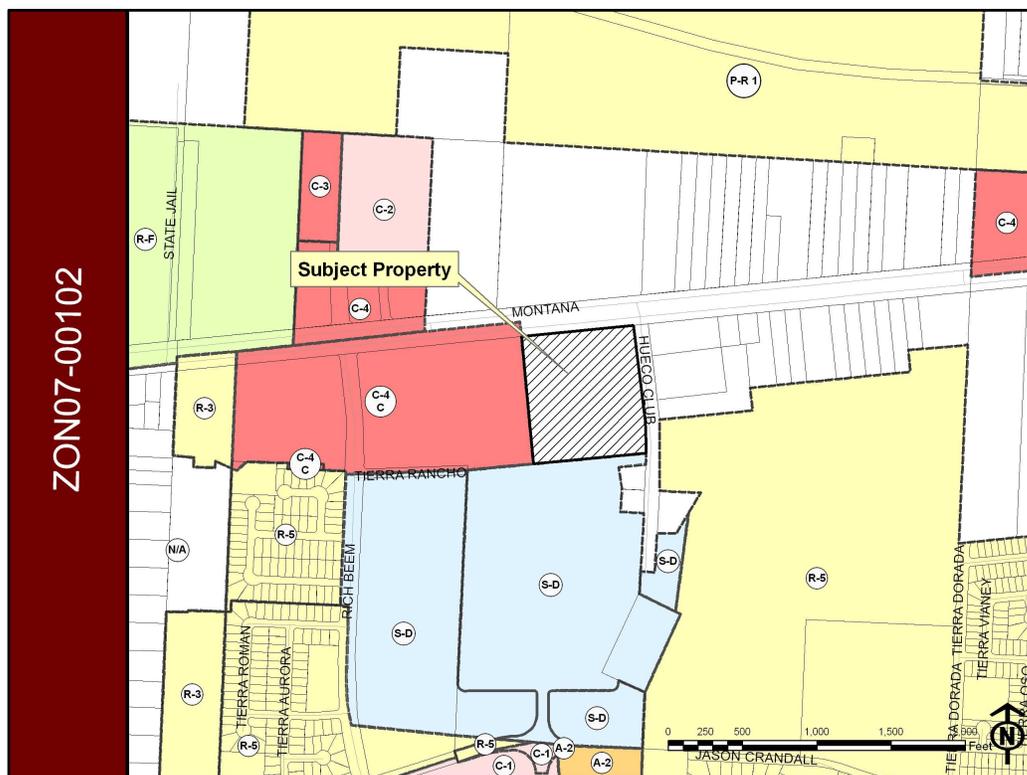
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ZON07-00102

Application Type: Rezoning
Property Owner(s): Selma E. Aboud
Applicants (s): Same
Representative(s): Javier Carrera
Legal Description: Tract 6, Section 34, Block 79, Township 2, Texas and Pacific Railway Survey, City of El Paso, El Paso County, Texas

Location: 12708 Montana Avenue
Representative District: 5 **Area:** 14.95
Present Zoning: R-F (Ranch and Farm)
Present Use: Commercial
Proposed Zoning: C-4 (Commercial)
Proposed Use: Shopping Center/Self Storage facility
Recognized Neighborhood Associations Contacted: East Side Civic Association, Las Tierras Neighborhood Association
Public Response: None
Surrounding Land Uses: **North:** ETJ **South:** S-D **East:** ETJ **West:** C-4/c
Year 2025 Designation: **Commercial** (East Planning Area)



General Information:

The applicant is requesting a rezoning from R-F (Ranch and Farm) to C-4 (Commercial) in order to permit development of a proposed shopping center and self storage facility. The property is 14.95 acres and is currently used as commercial. The conceptual site plan shows proposed structures. The primary access to the site is via Montana Avenue. The annexation agreement dated August 14, 2007, placed the following conditions on the property:

1. That buildings shall relate to and be oriented toward the street.
2. That parking for cars shall be behind buildings away from the street or situated in a landscaped courtyard and screened from view.
3. That air conditioning units, trash containers, and utility boxes shall be screened from the street view by low walls, fences and/or landscaping.
4. That service areas shall be located at the rear of the lot and screened from view.
5. That exterior lighting shall match building type and scale.
6. That property owner hereby agrees that within 90 days of the passage of the ordinance annexing property, Owner shall apply for and secure approval of a subdivision plat in accordance with the procedures of Title 19 (Subdivisions).

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **Approval** of this request for rezoning from R-F (Ranch and Farm) to C-4 (Commercial).

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 East Planning Area designates this property for **Commercial** land uses.
- **C-4 zoning** permits commercial development and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will the zoning protect the best interest, health, safety and welfare of the public in general?
2. Will commercial development be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city’s Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division:

Zoning Review: Shopping center/self-storage permitted on proposed C-4 commercial zone district. Proposed development will meet development standards and parking requirements. The applicant shall be required to provide a six foot high masonry screening wall along property line(s) where abutting S-D special development.
Landscape Review: No comments received.

Development Services Department - Planning Division:

Current Planning: Recommends approval of zoning request from R-F (Ranch and Farm) to C-4 (Commercial).

Development shall comply with conditions of annexation agreement dated August 14, 2007.

1. That buildings shall relate to and be oriented toward the street.
2. That parking for cars shall be behind buildings away from the street or situated in a landscaped courtyard and screened from view.
3. That air conditioning units, trash containers, and utility boxes shall be screened from the street view by low walls, fences and/or landscaping.
4. That service areas shall be located at the rear of the lot and screened from view.
5. That exterior lighting shall match building type and scale.
6. That owner hereby agrees that within 90 days of the passage of the ordinance annexing property, Owner shall apply for and secure approval of a subdivision plat in accordance with the procedures of Title 19 (Subdivisions) of the Code.

Land Development: No Comments Received

Engineering Department - Traffic Division:

Access shall be coordinated with the Texas Department of Transportation and the Traffic Division.

Fire Department

No comments received.

El Paso Water Utilities:

EPWU does not object to this request.

List of Attachments:

Attachment 1: Aerial

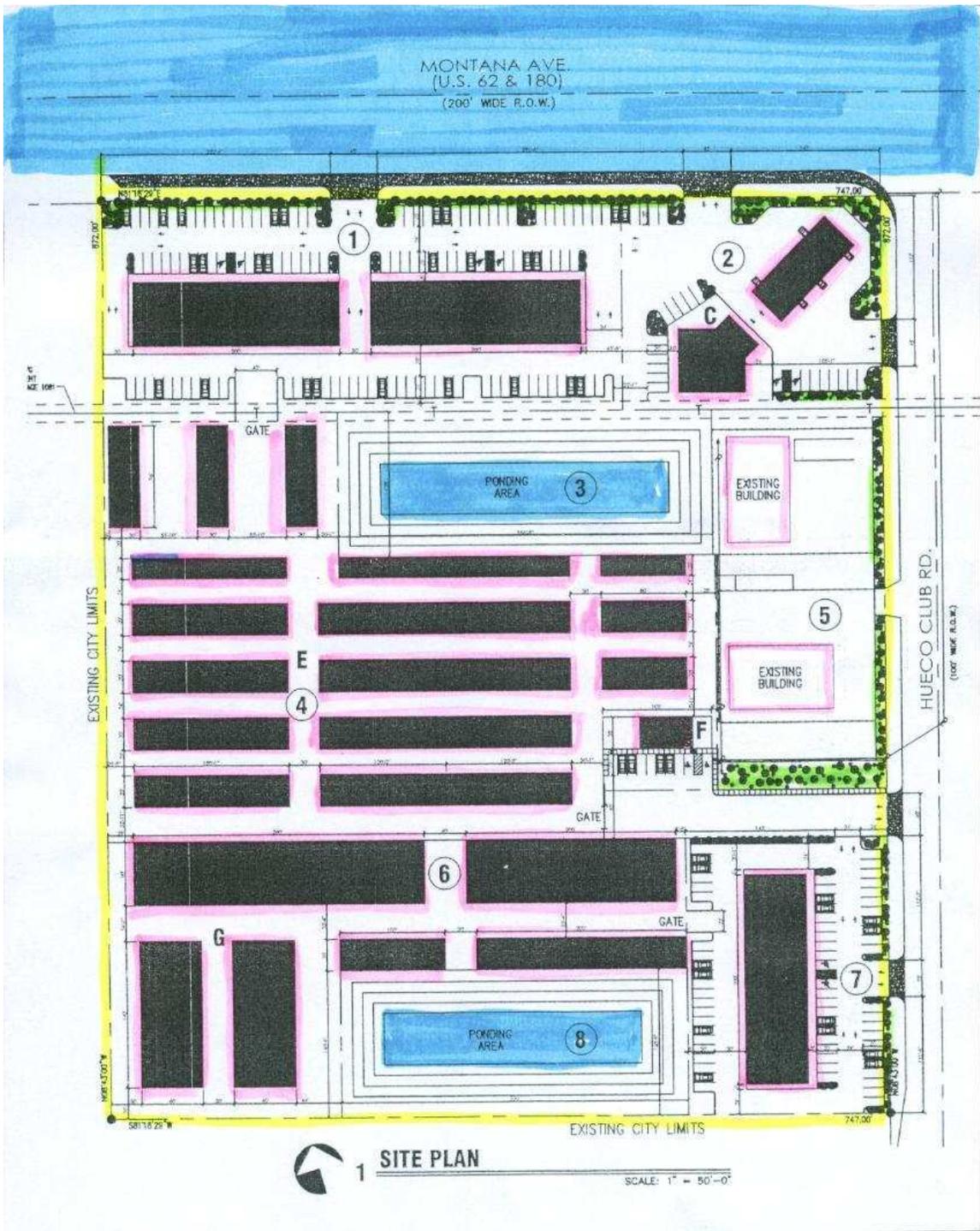
Attachment 2: Conceptual Site Plan

Attachment 3: Application

Attachment 1: Aerial



Attachment 2: Conceptual Site Plan

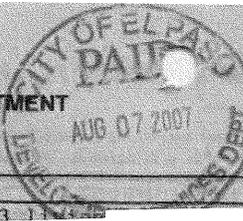


Attachment 3: Application



REZONING APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

City of El Paso, Texas
 2 Civic Center Plaza
 El Paso, TX 79901-1196
 915-541-4024



1. CONTACT INFORMATION

PROPERTY OWNER(S): Selma E. Aboud 2003 114425

REPRESENTATIVE(S): JAVIER CARRERA
 Rumzy K. Aboud, trustee

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION _____
 STREET ADDRESS OR LOCATION _____ REP DISTRICT _____
 ACREAGE _____ PRESENT ZONING _____ PRESENT LAND USE _____
 PROPOSED ZONING 1 PROPOSED LAND USE _____

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: X579-000-2340-0065
 LEGAL DESCRIPTION: 79 TSP2 SEC 34 T & P ABST 7876 TR6
 STREET ADDRESS OR LOCATION: 12708 Montana Ave. REP DISTRICT _____
 ACREAGE: 14.95 PRESENT ZONING: RF PRESENT LAND USE _____
 PROPOSED ZONING: C-4 PROPOSED LAND USE: shopping center/self storage

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: Rumzy K. Aboud, TRUSTEE Signature: [Signature]
 Printed Name: Rumzy K. Aboud, TRUSTEE Signature: [Signature]
 Printed Name: Rumzy K. Aboud, TRUSTEE Signature: [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 7-10102 RECEIVED DATE 8/7/07 APPLICATION FEE: \$ 825.00
 DCC REVIEW DATE: 9/5/07 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 10/04/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: [Signature]

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