

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: November 27, 2007  
Public Hearing: December 18, 2007

**CONTACT PERSON/PHONE:** Melissa Granado, 541-4730

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance changing the zoning of Lots 11-14, Block 7, Val Verde, City of El Paso, El Paso County, Texas from A-2 (Apartment) to C-1/c (Commercial/condition), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 222, 224, 226 Val Verde Street. Applicant: Good Time Stores, Inc. ZON07-00078 (District 8)

**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 LOTS 11-14, BLOCK 7, VAL VERDE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO C-1/C (COMMERCIAL/CONDITION), AND IMPOSING CONDITIONS. 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 *Lots 11-14, Block 7, Val Verde, City of El Paso, El Paso County, Texas*, be changed from **A-2 (Apartment)** to **C-1/c (Commercial/condition)**, 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 conditions which are 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:

1. *That a ten foot (10') landscape buffer consisting of evergreen trees planted at 15' on center shall be required along the southerly and westerly property lines; and*
2. *That no additional vehicular access shall be permitted from Val Verde Street onto the property; and*
3. *That the entire width of the alley which abuts the easterly boundary of the property shall be improved to City Standards; and*
4. *That an 8' high masonry screening wall be required along the southerly property line where it abuts residential uses.*

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:

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Kimberly Forsyth, Senior Planner  
Development Services Department

ORDINANCE NO. \_\_\_\_\_

Zoning Case No: ZON07-00078



JOHN COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER

R. ALAN SHUBERT  
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP  
DEPUTY DIRECTOR, PLANNING

**DEVELOPMENT SERVICES  
PLANNING DIVISION  
MEMORANDUM**

**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

**DATE:** November 16, 2007

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

**FROM:** Melissa Granado, Planner

**SUBJECT:** **ZON07-00078**

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The City Plan Commission (CPC), on October 18, 2007, voted **7-0** to recommend **APPROVAL** of rezoning the subject property from A-2 (Apartment) to C-1/c (Commercial/condition) and imposing the following conditions:

1. That a ten foot (10') landscape buffer consisting of evergreen trees planted at 15' on center shall be required along the southerly and westerly property lines; and
2. That no additional vehicular access shall be permitted from Val Verde Street onto the property; and
3. That the entire width of the alley which abuts the easterly boundary of the property shall be improved to City Standards; and
4. That an 8' high masonry screening wall be required along the southerly property line where it abuts residential uses.

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.

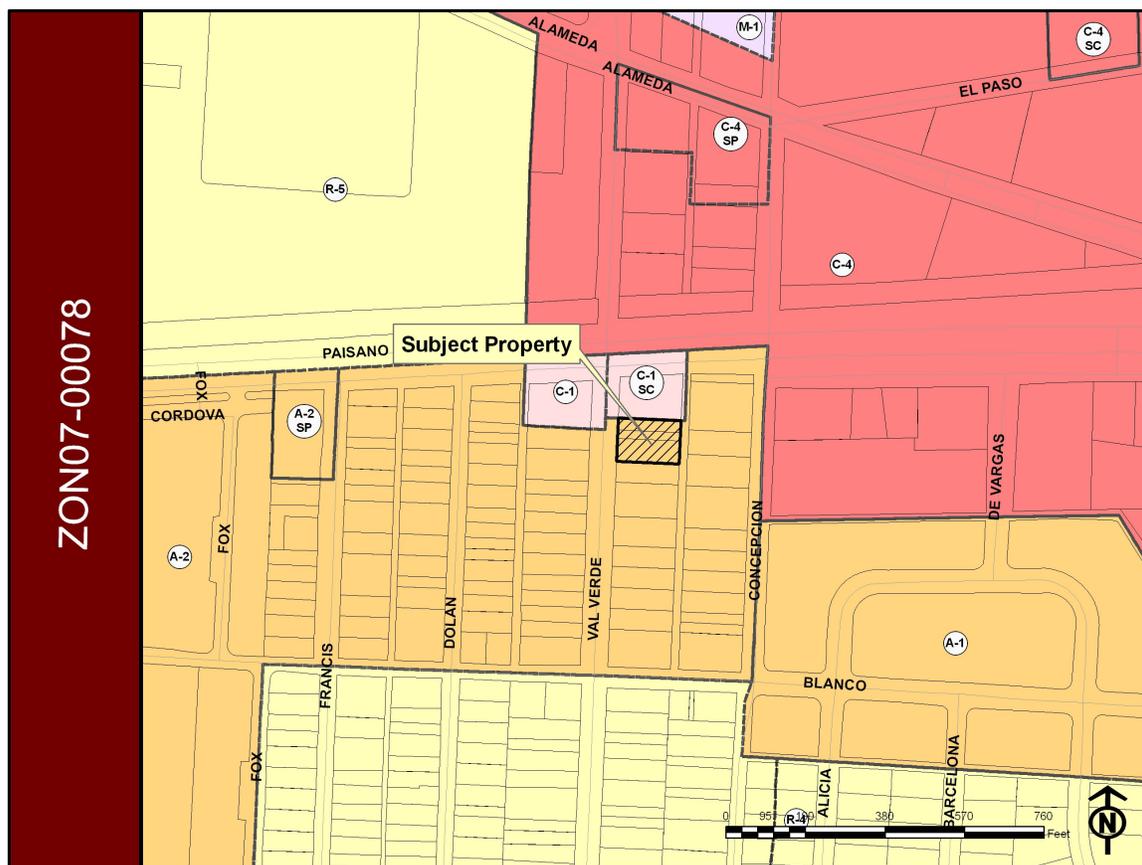
The Planning Division received one letter in opposition to this request.

**Attachment:** Staff Report, Conceptual Site Plan, Application, Opposition Letter



## ZON07-00078

**Application Type:** Rezoning  
**Property Owner(s):** Good Time Stores, Inc  
**Representative(s):** Dorado Engineering, Inc  
**Legal Description:** Lots 11-14, Block 7, Val Verde, City of El Paso, El Paso County, Texas  
**Location:** 222, 224, 226 Val Verde Street  
**Representative District:** 8 **Area:** 0.34 acres  
**Present Zoning:** A-2 (Apartment) **Present Use:** Vacant  
**Proposed Zoning:** C-1 (Commercial)  
**Recognized Neighborhood Associations Contacted:** A Presidential Neighborhood Association, Pasadena Neighborhood Association  
**Public Response:** One letter of opposition  
**Surrounding Land Uses:** **North:** C-1/sc / Gas Station, **South:** A-2 / Residential, **East:** A-2 / Residential, **West:** C-1, A-2 / Restaurant, Residential Residential (Central Planning Area)  
**Year 2025 Designation:**



**General Information:**

The applicant requests a rezoning from A-2 (Apartment) to C-1 (Commercial). The conceptual site plan proposes a new convenience store and an existing building that is to be demolished. Access is proposed from the existing Chevron station to the north, which has access points on Val Verde Street and Paisano Drive. There are no zoning conditions currently on this property.

The subject property is under the same ownership (Good Time Stores, Inc.) as the property immediately to the north. The current square footage would allow a building of approximately 11,500 square feet, excluding parking and landscaping requirements.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this rezoning request with the following conditions:

1. A ten foot (10') landscape buffer shall be required along the southerly and westerly property lines.
2. There shall be no vehicular access from Val Verde Street onto the property.
3. The entire width of the alley which abuts the easterly boundary of the property shall be improved to City standards.

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.”
- **The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for **Residential** land uses; however, there are existing commercial uses that are similar in nature adjacent to this property.
- **C-1 (Commercial) zoning** permits a commercial development and **is compatible** with surrounding development, in particular, the gas station immediately to the north.

**Findings:**

The Commission must determine the following:

1. Will C-1 (Commercial) 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 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 and Inspections Division:**

Zoning Review: Retail establishment permitted on proposed C-1 Commercial District. Submittal does not show off-street parking. Requires a ten foot side setback abutting apartment district. Shall need to provide a six foot high masonry screening wall along property line(s) abutting apartment district.

Landscaping: No comments received.

**Development Services - Planning Division:**

Current Planning: Recommends approval. Proposed zoning is compatible with adjacent uses and development. In order to foster responsible neighborhood commercial development, planning recommends a 10' buffer along the south and west property lines, no vehicular access from Val Verde in order to encourage pedestrian traffic, and improvement of the alley to encourage side and rear parking as well as access from the rear.

Land Development: No comments received.

**Engineering Department, Traffic Division:**

No traffic concerns with proposed zoning change. NOTE: Required parking shall be provided.

**Fire Department:**

No comments received.

**El Paso Water Utilities Notes:**

EPWU does not object to this rezoning request.



**List of Attachments**

Attachment 1: Conceptual Site Plan

Attachment 2: Application

Attachment 3: Opposition letter



Attachment 2: Application



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

1. CONTACT INFORMATION

X PROPERTY OWNER(S): Good Time Stores  
 \* ADDRESS: 7108 Airport ZIP CODE: 79906 PHONE: 779-6105  
 \* APPLICANT(S): Ms MARTHA VENEGA  
 \* ADDRESS: 7108 Airport ZIP CODE: 79906 PHONE: 779-6105  
 REPRESENTATIVE(S): DORADO ENGINEERING, INC.  
 ADDRESS: 2717 E. YANDELL STREET ZIP CODE: 79903 PHONE: 562-0002  
 E-MAIL ADDRESS: doradoengineering@sbcglobal.net FAX: 562-7743

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: V08899900701300  
 LEGAL DESCRIPTION: Lot 11, Block 7, Valverde Addition  
 STREET ADDRESS OR LOCATION: 222 Valverde Street REP DISTRICT: 8  
 ACREAGE: 0.0861 PRESENT ZONING: A-2 PRESENT LAND USE: Vacant  
 PROPOSED ZONING: C-1 PROPOSED LAND USE: Commercial/Retail Store

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: V08899900701700  
 LEGAL DESCRIPTION: PORTION OF Lot 12, Block 7, Valverde Addition Pt.  
 STREET ADDRESS OR LOCATION: 224 Valverde Street REP DISTRICT: 8  
 ACREAGE: 0.0689 PRESENT ZONING: A-2 PRESENT LAND USE: Vacant  
 PROPOSED ZONING: C-1 PROPOSED LAND USE: Commercial/Retail Store

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: V08899900702100  
 LEGAL DESCRIPTION: Lots 13 & 14 and Pt. of 12, block 7, Valverde Addition  
 STREET ADDRESS OR LOCATION: 226 valverde Street REP DISTRICT: 8  
 ACREAGE: 0.1894 PRESENT ZONING: A-2 PRESENT LAND USE: Vacant  
 PROPOSED ZONING: C-1 PROPOSED LAND USE: Commercial / Retail Store

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):  
 \* Printed Name: Ms MARTHA VENEGA S Signature: X Martha Veneza  
 \* 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 \_\_\_\_\_ RECEIVED DATE: 06/25/07 APPLICATION FEE: \$ 715.00  
 DCC REVIEW DATE: 07/25/07 (8:30 am, Planning Department Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
 CPC REVIEW DATE: 08/23/07 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
 ACCEPTED BY: Melissa Juarez FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004

Attachment 3: Opposition letter

Item No. 6  
CPC  
10/18/07

October 18, 2007

City Plan Commission  
Development Services Department  
c/o Ms. Kimberly Forsyth  
5<sup>th</sup> Floor, City Hall  
2 Civic Center Plaza  
El Paso, TX 79901

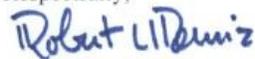
RE: ZON07-00078/Request for Rockwall Height Adjustment

Honorable Commission Members:

Thank you for informing me and other affected residents of the referenced application requesting the re-zoning of 222, 224 and 226 Val Verde from A-2 (Apartment) to C-1 (Commercial). I reside at 228 Val Verde Street. If you move to approve Good Time Store's request, their commercial property and my home will be sharing a 150' property line. I ask that you please be considerate of what my family and numerous neighbors to my south will be faced with when the new construction takes place: a substantial increase in noise levels, an increase in night-time illumination than already currently exists, higher amounts of idling vehicle emissions, and significantly higher customer volumes, since Good Time Stores, Inc. intends to add a full size, 24-hour walk-in/drive-up convenience store.

*OK*  
The developer's current preliminary design calls for the construction of a 6-ft. rock wall between the two properties. Given that my home's floor level is approximately 19 inches above ground level, a 6-ft. wall will not be much effective in maintaining a fair level of privacy and noise reducer. I ask that you please request that the developer instead construct an 8-ft. rock wall between the proposed commercial development and our property. The increased height adjustment will not only benefit us, but also numerous other residents along Val Verde Street to our south in maintaining a reasonably peaceful and safe living environment given the expected rise in commercial activity. Thank you for your consideration.

Respectfully,



Robert L. Ramirez  
228 Val Verde Street