

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

**DEPARTMENT:** Development Services Department

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

**CONTACT PERSON/PHONE:** Arlan Greer, 541-4745

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance changing the zoning of the following real property described as: Parcel 1: Lots 1 and 2, Block B, Pasodale, City of El Paso, El Paso County, Texas, be changed from C-1 (Commercial) to C-3 (Commercial); and Parcel 2: Lot 3, Block B, Pasodale, City of El Paso, El Paso County, Texas, be changed from R-3 (Residential) to C-1/c (Commercial/conditions), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Parcel 1: 8400-8404 Alameda Avenue and Parcel 2: 104 Pasodale Road. Applicant: Albert Nabhan. ZON07-00087 (District 7).

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** N/A

**FINANCE:** N/A

**DEPARTMENT HEAD:** Kelly Carpenter

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

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

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS:

PARCEL 1: LOTS 1 AND 2, BLOCK B, PASODALE, CITY OF EL PASO, EL PASO COUNTY TEXAS, BE CHANGED FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL); AND,

PARCEL 2: LOT 3, BLOCK B, PASODALE, CITY OF EL PASO, EL PASO COUNTY TEXAS, BE CHANGED FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL/CONDITIONS), 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 the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

**Parcel 1:** *Lots 1 and 2, Block B, Pasodale, City of El Paso, El Paso County Texas*, be changed from **C-1 (Commercial)** to **C-3 (Commercial)**; and,

**Parcel 2:** *Lot 3, Block B, Pasodale, City of El Paso, El Paso County Texas*, be changed from **R-3 (Residential)** to **C-1/c (Commercial/conditions)**.

Further, that the property described as Parcel 2, be subject to the following conditions, which are necessitated by and attributable to the increased intensity 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 10' landscaped buffer with evergreen trees 15' on center be provided along the property line abutting residential zoning and uses; and,
2. That the following uses are prohibited on Parcel 2:
  - Automobile and light truck tune-up service
  - Automobile and light truck lubrication service
  - Gasoline and diesel fueling pumps

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

*(Signatures on following page)*

CITY CLERK DEPT.  
07 NOV 16 PM 4:42

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

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

**APPROVED AS TO CONTENT:**

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

CITY CLERK DEPT.  
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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

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 CLERK DEPT.  
07 NOV 19 PM 2:37

**DATE:** November 16, 2007  
**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager  
**FROM:** Arlan Greer, Planner  
**SUBJECT:** ZON07-00087

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The City Plan Commission (CPC), on September 20, 2007, voted to recommend APPROVAL of rezoning the subject property from C-1 (Commercial) to C-3 (Commercial) on Parcel 1; and R-3 (Residential) to C-1 / c (Commercial / conditions) on Parcel 2 and imposing conditions as recommended by the staff.

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.

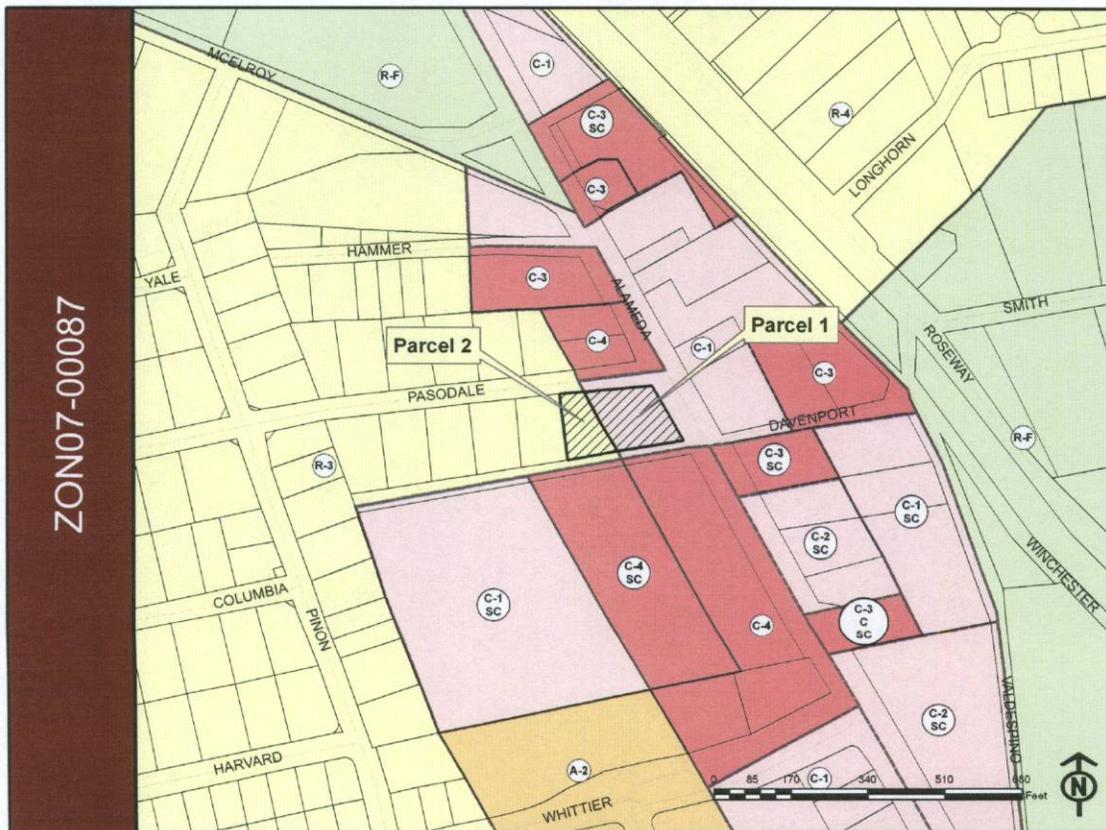
Attachment: Staff Report, Aerial, Site Plan, Application



## ZON07-00087

**Application Type:** Rezoning  
**Property Owner(s):** Albert Nabhan  
**Representative(s):** Ray Mancera  
**Legal Description:** Parcel 1: B Pasodale, TR 1 and TR 2, City of El Paso, El Paso County, Texas  
Parcel 2: B Pasodale, Lot 3, City of El Paso, El Paso County, Texas

**Location:** Parcel 1: 8400 – 8404 Alameda, and Parcel 2: 104 Pasodale  
**Representative District:** 2 **Area:** 0.7737 Acres  
**Present Zoning:** C-1 (Commercial) and R-3 (Residential) **Present Use:** Retail Use  
**Proposed Zoning:** Parcel 1: C-3 (Commercial)  
Parcel 2: C-1 / c (Commercial / conditions)  
**Proposed Use:** Car Stereo Installation, Auto repair and Auto Parts Sales  
**Recognized Neighborhood Associations Contacted:** Teens in Action for a Healthy Community, Save the Valley 21  
**Public Response:** None  
**Surrounding Land Uses:** **North:** C-1, Commercial **South:** R-3, Residential  
**East:** C-4, Commercial **West:** C-3, Commercial  
**Residential** (Mission Valley Planning Area)  
**Year 2025 Designation:**



## General Information:

The applicant requests a rezoning from C-1 (Commercial) to C-3 (Commercial) on Parcel 1; and from R-3 (Residential) to C-1 / c (Commercial / conditions) on Parcel 2. The property consists of 0.7737 acres of land. Parcel 2 is currently vacant land; there is an existing building on Parcel 1. The site plan shows an existing building and a proposed building. Access is proposed via Alameda Ave. and Pasodale Rd, eleven new parking spaces are provided; two of them are handicapped parking spaces. No zoning conditions are currently on this property.

## Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this request for rezoning from C-1 (Commercial) to C-3 (Commercial) on Parcel 1, and **APPROVAL** of C-1 / c (Commercial) on Parcel 2 with the following conditions:

1. That a 10' landscaped buffer with evergreen trees 15' on center be provided along the property line abutting residential zoning and uses.
2. That the following uses are prohibited on the C-1 (Commercial) parcel of the site:
  - automobile and light truck tune up service
  - automobile and light truck lubrication service
  - gasoline and diesel fueling pumps

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 Mission Valley Planning Area designates this property for Mixed Use Land uses.
- **C-3 (Commercial) zoning** permits car stereo installation, auto repair and parts sales and **is compatible** with adjacent development along Alameda, and;
- **C-1 / c (Commercial) zoning** permits retail commercial uses and **is compatible** with adjacent residential uses along Pasodale.

## Findings:

The Commission must determine the following:

1. Will C-3 (Commercial) zoning and C-1 / c (Commercial) with conditions protect the best interest, health, safety / welfare of the public in general?
2. Will a car stereo installation, auto repair and parts sales and retail uses 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 Comments:**

*Zoning Review:* Retail center permitted on proposed C-3 (Commercial) District. Meets minimum yard and lot standards. Adequate parking spaces provided. Shall need to provide a six foot high masonry screening wall along property line abutting R-3 (Residential) District.

**Development Services Department - Planning Division Comments:**

*Current Planning:*

1. The 2025 Projected General Land Use Map in the Central Planning Area designates this property for Mixed Use land uses.
2. C-3 (Commercial) zoning is compatible with adjacent development along Alameda for Parcel 1.
3. C-1 / c (Commercial) zoning permits retail uses and is compatible with adjacent residential uses on Parcel 2, with conditions as stated to mitigate the impact on abutting residential properties.

**Engineering Department - Traffic Division Comments:**

No apparent traffic concerns with proposed zoning change. NOTE: *Sidewalks and adequate parking shall be provided.*

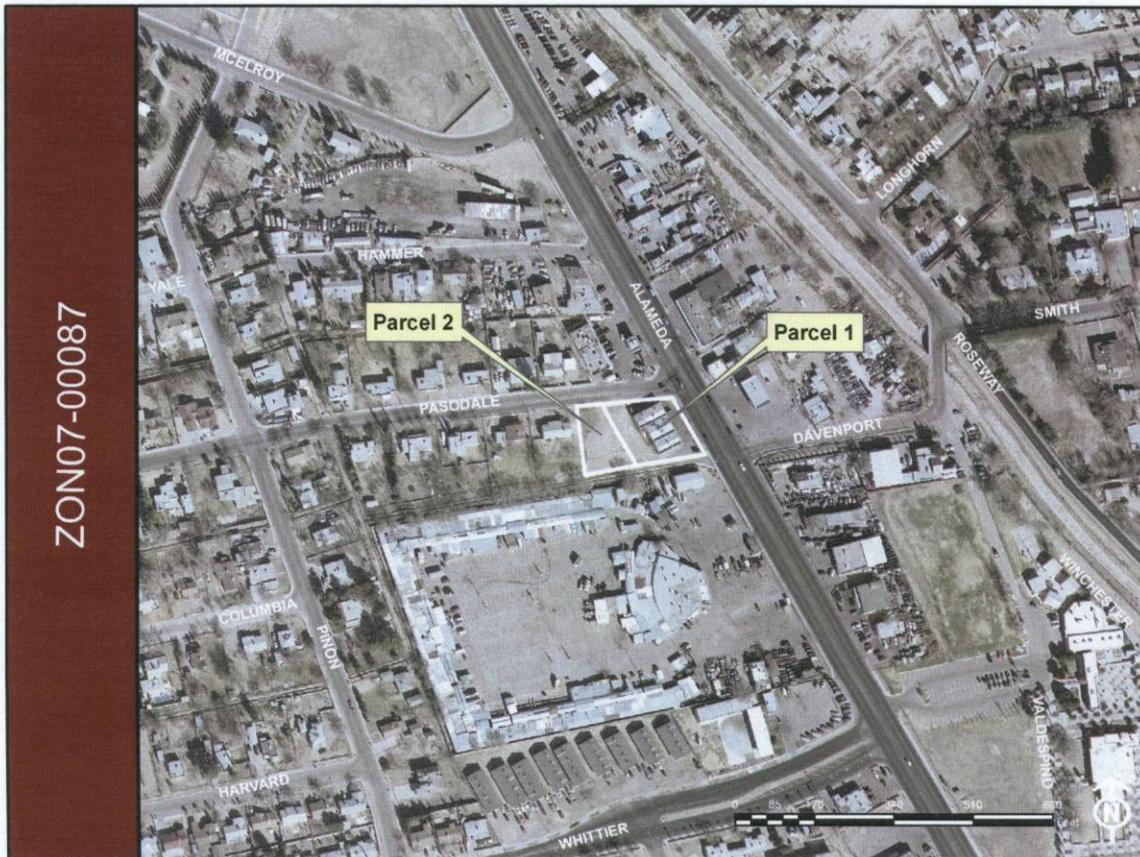
**Fire Department Comments:**

No comments received.

**El Paso Water Utilities Comments**

EPWU does not object to this rezoning request.

**Aerial**





Attachment 2



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

1. CONTACT INFORMATION

PROPERTY OWNER(S): ALBERT NABHAN  
ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
REPRESENTATIVE(S): RAY MANCERA

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: PS91999000B0100  
LEGAL DESCRIPTION: B PASODALE, TR 1 (0.2415 AC) + TR. 2 (0.2282 AC)  
STREET ADDRESS OR LOCATION: 8400 - 8404 ALAMEDA REP DISTRICT: 7  
ACREAGE: 0.4697 PRESENT ZONING: C-1 PRESENT LAND USE: RETAIL/OFFICES  
PROPOSED ZONING: C-3 PROPOSED LAND USE: CAR STEREO INSTALLATION - AUTO REPAIR, AUTO PARTS SALES

3. PARCEL TWO INFORMATION PS91999000B2700

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
LEGAL DESCRIPTION: B PASODALE LOT 3  
STREET ADDRESS OR LOCATION: 104 PASODALE REP DISTRICT: 7  
ACREAGE: 0.3040 PRESENT ZONING: R-3 PRESENT LAND USE: VACANT  
PROPOSED ZONING: C-3 PROPOSED LAND USE: CAR STEREO INSTALLATION/AUTO REPAIR

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: ALBERT NABHAN Signature: [Signature]  
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 C-1-CC-87 RECEIVED DATE: 7/16/07 APPLICATION FEE: \$ 715.00  
DCC REVIEW DATE: 8/8/07 (8:30 am, Planning Department Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
CPC REVIEW DATE: 9/6/07 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
ACCEPTED BY: \_\_\_\_\_ FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004

07 NOV 19 PM 2:38  
CITY CLERK DEPT.