

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: November 30, 2010
Public Hearing: December 21, 2010

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 8

SUBJECT:

An ordinance changing the zoning of portion of Block 302, Pierce Finley Addition and a portion of Pierce Street and an ally adjacent to a portion of Block 302, Pierce Finley Addition, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1211 Cliff Street. Property Owner: City of El Paso. ZON10-00070 (**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) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

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

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF PORTION OF BLOCK 302, PIERCE FINLEY ADDITION AND A PORTION OF PIERCE STREET AND AN ALLEY ADJACENT TO A PORTION OF BLOCK 302, PIERCE FINLEY ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-O (APARTMENT/OFFICE). 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 *portion of Block 302, Pierce Finley Addition and a portion of Pierce Street and an alley adjacent to a portion of Block 302, Pierce Finley 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 **R-5 (Residential)** to **A-O (Apartment/Office)**, 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. ZON10-00070

Prepared For: George L. Hermann
Date: October 11, 2010
WO. No. 050910-2

METES AND BOUNDS DESCRIPTION

Description of a 0.0400 acre parcel of land being a portion of Block 302, Pierce Finley Addition to the City of El Paso, El Paso, County, Texas and a portion of Pierce Street closed by ordinance 2859, Dated February 14, 1963, and alley adjacent to said portion of Block 302, Pierce Finley Addition, and being more particularly described by metes and bounds as follows to wit:

Starting at an existing city monument located at the intersection of Brown Street and River Street, said monument being located ten feet (10') North and ten feet (10') East of the centerline intersection, Thence North 37°37'00" West as per Pierce Finley Addition as filed in Book 15, Page 54, Plat records of El Paso County, Texas along the monument line of Brown Street a distance of 329.60 feet to a point; said point lying along the Southerly line of the Collins Survey No. 209 and the Northerly line of Pierce Finley Addition, Thence South 90°00'00" West as per the Collins Survey No. 209 and Pierce Finley Addition) along the Collins Survey No. 209 and Pierce Finley Addition line a distance of 852.70' feet to a set "x" on rockwall, said "x" mark lying along the Westerly right-of-way line of Cliff Drive, said point also being the "True point of Beginning";

Thence along the westerly right-of-way line of Cliff Drive, along an arc of a curve to the left a distance 104.75 feet, whose radius is 553.48 feet, whose central angle is 10°50'38" and whose chord bears South 17°17'38" West a distance of 104.60 feet to a set 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C.;

Thence North 37°36'02" West (North 37°37'00" West) a distance of 6.07 feet to a set 5/8"Ø rebar with yellow plastic cap stamped Roe Engineering, L.C., said rebar lying along the common line of Alexander Addition and Pierce Finley Addition;

Thence North 00°00'00" West as per the Alexander Addition and Pierce Finley Addition a distance of 95.06 feet to a set nail and shiner on pavement, said rebar being the the southwest corner of Collins Survey No. 209;

Thence North 90°00'00" East a distance of 34.80 feet back to the "TRUE POINT OF BEGINNING" and said parcel containing 1,741.10 square feet or 0.0400 acres of land more or less.


Bradley Roe, R.P.L.S. 2449
Roe Engineering, L.C.

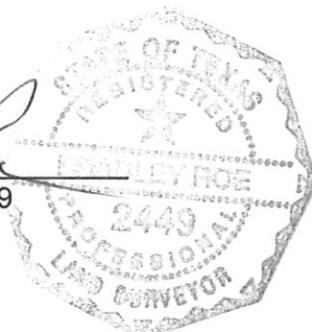
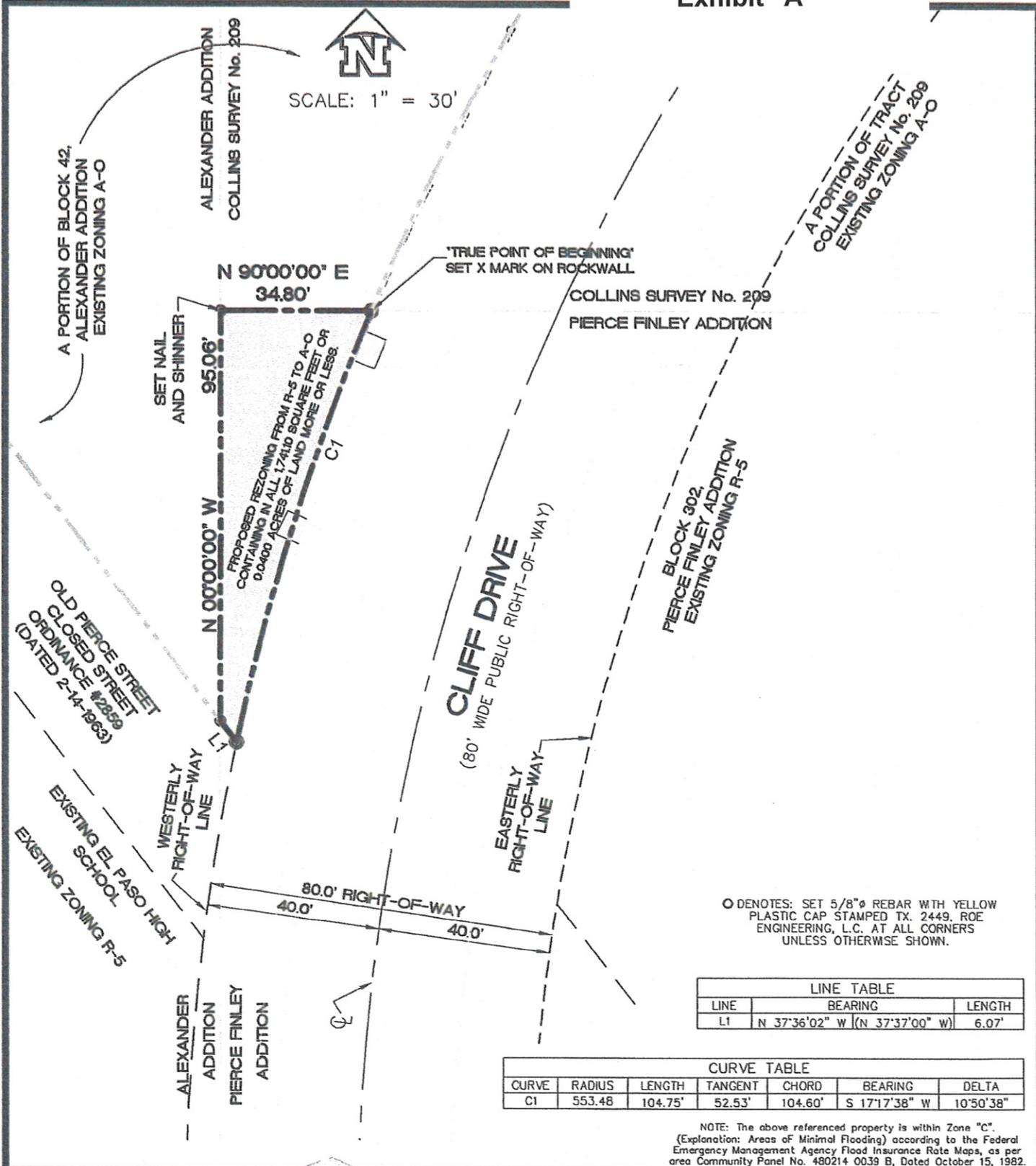


Exhibit "A"



○ DENOTES: SET 5/8"Ø REBAR WITH YELLOW PLASTIC CAP STAMPED TX. 2449. ROE ENGINEERING, L.C. AT ALL CORNERS UNLESS OTHERWISE SHOWN.

| LINE TABLE | | |
|------------|-------------------------------|--------|
| LINE | BEARING | LENGTH |
| L1 | N 37°36'02" W (N 37°37'00" W) | 6.07' |

| CURVE TABLE | | | | | | |
|-------------|--------|---------|---------|---------|---------------|-----------|
| CURVE | RADIUS | LENGTH | TANGENT | CHORD | BEARING | DELTA |
| C1 | 553.48 | 104.75' | 52.53' | 104.60' | S 17°17'38" W | 10°50'38" |

NOTE: The above referenced property is within Zone "C". (Explanation: Areas of Minimal Flooding) according to the Federal Emergency Management Agency Flood Insurance Rate Maps, as per area Community Panel No. 480214 0039 B, Dated October 15, 1982.

| FILING INFORMATION | |
|---------------------|-------------------|
| DATE: | OCTOBER 11, 2010 |
| CENSUS TRACT: | 22.01 |
| DISTRICT: | WEST 1 |
| AREA: | 10 |
| COUNTY PLAT RECORDS | |
| BOOK: | N/A |
| PAGE: | N/A |
| FIELD: | J.B. |
| OFFICE: | L.A.J. |
| W.O.: | 120693-3 |
| FILE: | ZONING SURVEY.DWG |
| SCALE: | 1" = 30' |

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION AND THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN. ONLY PLATTED EASEMENTS ARE SHOWN.

Bradley Roe
 BRADLEY ROE, R.P.L.S. 2449

BOUNDARY SURVEY

BEING A PORTION OF BLOCK 302, PIERCE FINLEY ADDITION TO THE CITY OF EL PASO, EL PASO COUNTY, TEXAS AND A PORTION OF PIERCE STREET CLOSED BY ORDINANCE 2859, DATED FEBRUARY 14, 1963, AND A ALLEY ADJACENT TO SAID PORTION OF BLOCK 302, PIERCE FINLEY ADDITION. CONTAINING IN ALL 1,741.10 SQUARE FEET OR 0.0400 ACRES OF LAND MORE OR LESS.

PREPARED FOR:
 GEORGE L. HERMANN

Proe Engineering, L.C.
 801 N. Cotton St. Suite No. 6 El Paso, Tx. 79902
 (915) 533-1418 - FAX: (915) 533-4972
 EMAIL: roeeng@swbell.net

ENGINEERING/LAND DEVELOPMENT/PLANNING/SURVEYING



Date: November 15, 2010
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: ZON10-00070

The City Plan Commission (CPC) on October 7, 2010, voted **5-0** to recommend **approval** of a rezoning request to allow the development of a medical office complex. The City of El Paso is in the process of selling this property (1,741.20 sq. ft.) to the abutting property owner (related zoning condition release application ZON10-00069).

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

The CPC found that the rezoning is in conformance with The Plan for El Paso. The CPC found that the proposed use is in conformance with the 2025 Projected General Land Use Map for the Central Planning Area. The CPC also determined that the rezoning protects the best interest, health, safety, and welfare of the public in general; and 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 one present at the meeting to speak in favor or in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: ZON10-00070
Application Type: Rezoning
CPC Hearing Date: October 7, 2010
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 1211 Cliff Drive
Legal Description: Portion of Block 302, Pierce Finley Addition and a portion of Pierce Street and an alley adjacent to portion of Block 302, Pierce Finley Addition, City of El Paso, El Paso County, Texas
Acres: 0.0384 acre (1,672.704 sq. ft)
Rep District: 8
Existing Use: Vacant

Request: R-5 (Residential) to A-O (Apartment/Office)
Proposed Use: Medical Office Complex
Property Owner: City of El Paso
Representative: Roe Engineering, L.C.

SURROUNDING ZONING AND LAND USE

North: A-O/c (Apartment/Office/condition) / lodge (vacant building)
South: R-5 (Residential) / children's home
East: A-O/c (Apartment/Office/condition) / lodge (vacant building), medical offices
West: R-5 (Residential) / El Paso High School

The Plan for El Paso Designation: Residential (Central Planning Area)
Nearest Park: Tom Lea Park (1,075 feet)
Nearest School: El Paso High (925 feet)

NEIGHBORHOOD ASSOCIATIONS

Central El Paso Community Organization, El Paso Central Business Association

NEIGHBORHOOD INPUT

Notices of the October 7, 2010 City Plan Commission hearing were mailed out to property owners within 300 feet of the subject property on September 27, 2010. The Planning Division has received no calls or letters in favor or in opposition to this request.

APPLICATION DESCRIPTION

The request is to change the zoning from R-5 (Residential) to A-O (Apartment/Office) to allow the development of a medical office complex. The City of El Paso is in the process of selling the subject property to the abutting property owner (related zoning condition release application ZON10-00069).

DEVELOPMENT SERVICES DEPARTMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning request.

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 use.
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a

- negative impact on the residential living environment.
- c. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.

The purpose of the A-O (Apartment/Office) district is to promote and preserve residential development within the City associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities.

Development Coordinating Committee Review

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for approval.

Transportation Department

No objection to zoning change.

Engineering – 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 Engineering Section.*
5. The Subdivision is within Flood Zone C - "Areas of minimal flooding, (no shading)." - Panel # 480214 0039B, dated October 15, 1982.

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

Engineering – Construction Management Division

No objections.

Fire Department

No objections or adverse comments.

Police Department

No objections.

El Paso Water Utilities

1. EPWU does not object to this request

Water:

2. There is an existing 24-inch diameter water main extending parallel to the western subject property line approximately 20-feet west from the western property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations. The water main is located within a 20-foot wide easement.
3. Along Cliff Drive between Brown Drive and Octavia Street there is an existing 8-inch diameter water main that is available for service.
4. Previous water pressure from fire hydrant #8249 located approximately 593-feet west from the intersection of Brown Drive and Cliff Drive and 62-feet south from the northern right of way property line has yield a static pressure of 136 (psi), a residual pressure of 132 (psi), and a discharge of 1,913 (gpm).
5. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot

owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sewer:

6. There is an existing 8-inch diameter sanitary sewer main that extends along Cliff Drive that is available for service, the sanitary sewer main is located approximately 45-feet south from the northern right of way property line.

General:

7. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, 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. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant 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.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

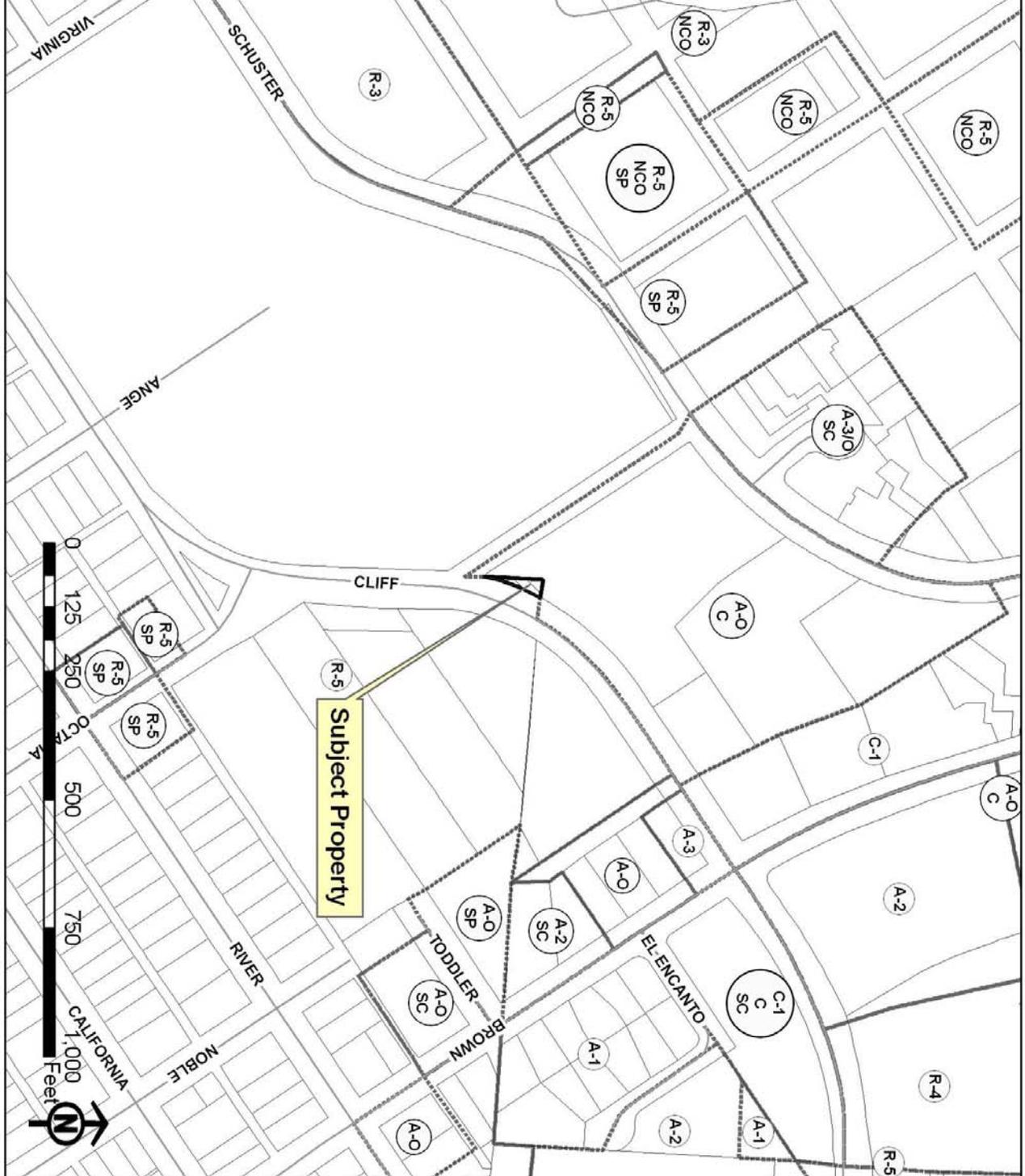
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into 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 from the Plan by the CPC.

Attachments

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

ZON10-00070



ATTACHMENT 2: AERIAL MAP

ZON10-00070



