CITY CLERK DEPT.
2011 NOV -8 AM 7:48

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

DEPARTMENT: **Planning and Economic Development Department, Planning Division**

AGENDA DATE: **Introduction: November 15, 2011**
Public Hearing: December 6, 2011

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 2

SUBJECT:
An ordinance changing the zoning of Lots 12, 13, 14 save & except that portion of Lot 13 previously conveyed to the State of Texas in warranty deed recorded in Volume 211, Page 313, Real Property Record, Block 52, Map No 2. of Government Hill Addition, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment/Office). The penalty is as provided for in chapter 20.24 of the El Paso City Code. Subject Property: 4131 Trowbridge Drive. Applicant: Gateway Mission Training & Conference Center, Inc. PZRZ11-00036 **(District 2)**

BACKGROUND / DISCUSSION:
N/A

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
Development Coordinating Committee (DCC) – Reviewed
City Plan Commission (CPC) – Approval Recommendation (5-2)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

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

_____

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 12, 13, 14 SAVE AND EXCEPT THAT PORTION OF LOT 13 PREVIOUSLY CONVEYED TO THE STATE OF TEXAS IN WARRANTY DEED RECORDED IN VOLUME 211, PAGE 313, REAL PROPERTY RECORD, BLOCK 52, MAP NO. 2 OF GOVERNMENT HILL ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (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 *Lots 12, 13, 14 save and except that portion of Lot 13 previously conveyed to the State of Texas in warranty deed recorded in Volume 211, Page 313, Real Property Record, Block 52, Map No. 2 of Government Hill 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-4 (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 _____, 2011.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

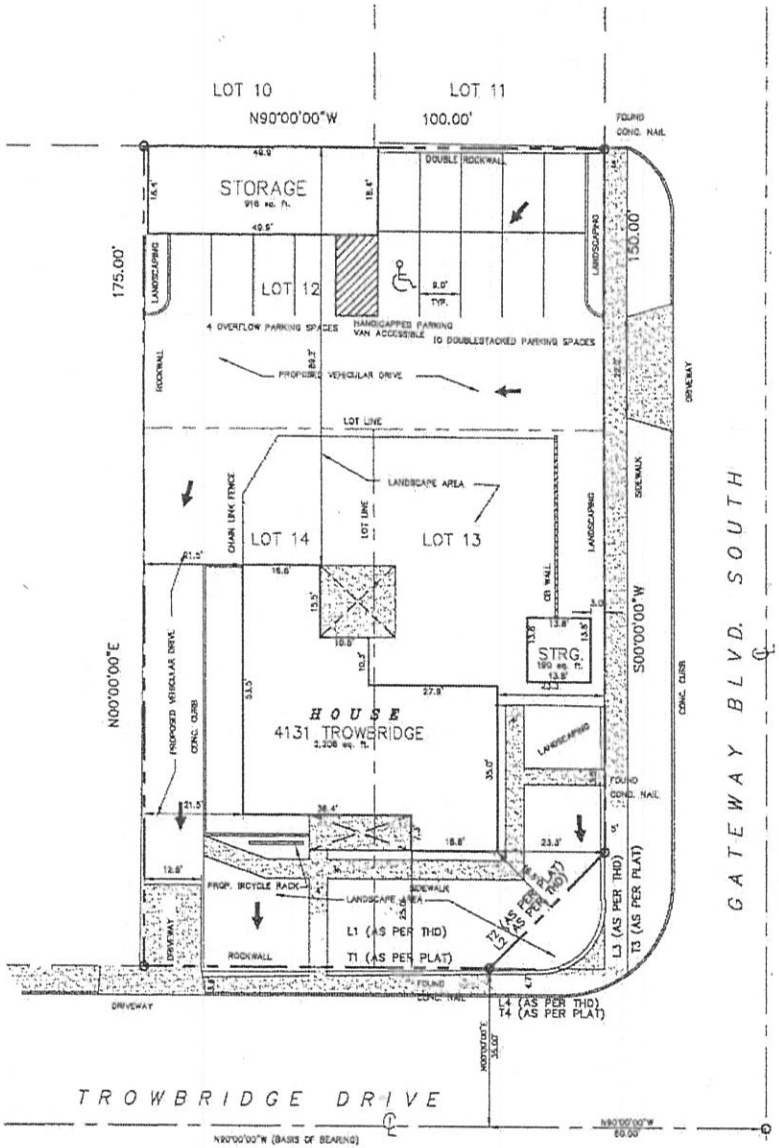
_____
Lupe Cuellar
Assistant City Attorney

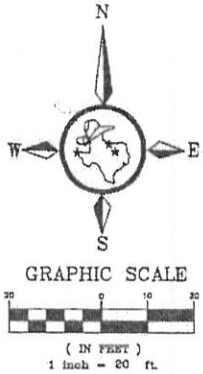
APPROVED AS TO CONTENT:

_____
Mathew S. McElroy, Deputy Director
Planning and Economic Development Department

88190/11-1007-031.028 v1 – Planning/PZRZ11-00036/ORD/Rezoning
Document Author: LCUE

Exhibit A





PROPERTY DESCRIPTION

BEING LOTS 12,13 AND 14 SAVE AND EXCEPT THAT PORTION OF LOT 13 PREVIOUSLY CONVEYED TO THE STATE OF TEXAS IN WARRANTY DEED RECORDED IN VOLUME 211, PAGE 313, REAL PROPERTY RECORDS, EL PASO COUNTY, TEXAS, BLOCK 52, MAP NO. 2 OF THE GOVERNMENT HILL ADDITION IN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF TROWBRIDGE DRIVE AND GATEWAY BLVD. SOUTH; THENCE ALONG SAID CENTERLINE INTERSECTION OF TROWBRIDGE DRIVE, NORTH 90°00'00" WEST A DISTANCE OF 60.00 FEET TO A POINT; THENCE DEPARTING SAID CENTERLINE NORTH 00°00'00" EAST A DISTANCE OF 35.00 FEET TO A FOUND CONCRETE NAIL ON THE NORTH RIGHT OF WAY LINE OF TROWBRIDGE DRIVE AND BEING THE POINT OF BEGINNING;

THENCE ALONG SAID NORTH RIGHT OF WAY LINE NORTH 90°00'00" WEST A DISTANCE OF 75.00 FEET TO A POINT;

THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE NORTH 00°00'00" EAST A DISTANCE OF 175.00 FEET TO A POINT;

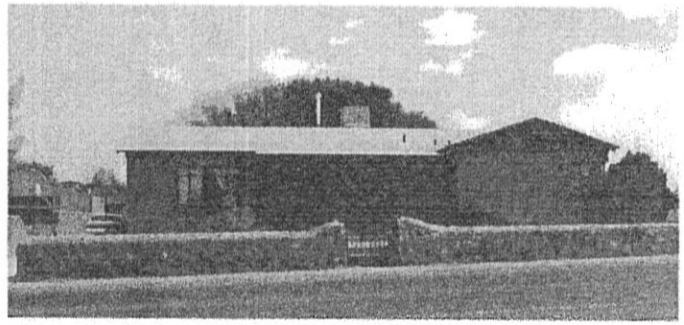
THENCE SOUTH 90°00'00" EAST A DISTANCE OF 100.00 FEET TO A FOUND CONCRETE NAIL ON THE WEST RIGHT OF WAY LINE OF GATEWAY BLVD. SOUTH;

THENCE ALONG SAID WEST RIGHT OF WAY LINE SOUTH 00°00'00" WEST A DISTANCE OF 150.00 FEET TO FOUND CONCRETE NAIL;

THENCE SOUTH 45°00'00" WEST A DISTANCE OF 35.36 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.395 ACRES OR 17,188 SQUARE FEET OF LAND.

AS PER PLAT GOVERNMENT HILL ADD.		
LINE	BEARING	DISTANCE
L1	N90°00'00"W	75.00'
L2	S45°00'00"W	35.36'
L3	S00°00'00"W	25.00'
L4	N90°00'00"W	25.00'

AS PER TEXAS HIGHWAY DEPART.		
LINE	BEARING	DISTANCE
T1	N90°00'00"W	75.00'
T2	S45°00'00"W	35.36'
T3	S00°00'00"W	25.00'
T4	N90°00'00"W	25.00'



ZONING DATA

EXISTING (R-4)		PROPOSED (A-0)
10'	FRONT SETBACK	20'
45'	REAR SETBACK	5'
5'	SIDE SETBACK	5'
10'	SIDE SETBACK-STREET	10'
35'	BUILDING HEIGHT	VARIES
6,000SF	LOT SIZE	6,000SF
2	PARKING REQUIRED	9 (OFFICE USE)
2	PARKING PROVIDED	14
-	BICYCLE PARKING	3

LEGEND

- BOUNDARY LINE
- CONCRETE
- STORM DRAINAGE FLOW

LANDSCAPE AREA

EXISTING 5,612 SQ. FT.

AREA: 0.395 ACRES = 17,188 SQUARE FEET

STATE OF TEXAS
G. GLEN KISTENMACHER
65021
REGISTERED PROFESSIONAL ENGINEER

DATE	REVISION DESCRIPTION
5/9/11	
RHT	
6/10/11	
RHT	

SITE PLAN

LOTS 12,13 & 14 SAVE & EXCEPT THAT PORTION OF LOT 13 PREVIOUSLY CONVEYED TO THE STATE OF TEXAS IN WARRANTY DEED RECORDED IN VOL. 211, PG. 313 RPREPCT

MAP NO. 2 OF GOVERNMENT HILL ADDITION

CITY OF EL PASO EL PASO COUNTY TEXAS

DATE: MAY 23, 2011 | SCALE: 1"=20' | DRAWING FILE: GH-SITE | DATA FILE:

KISTENMACHER ENGINEERING COMPANY, INC.

DRAWN BY: RHT | PROJECT NO.

MEMORANDUM

DATE: October 27, 2011

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

FROM: Andrew Salloum, Planner

SUBJECT: **PZRZ11-00036**

The City Plan Commission (CPC), on October 6, 2011, voted 5-2 to recommend **approval** of rezoning the subject property from R-4 (Residential) to A-O (Apartment/Office) to allow for apartment and office.

The CPC found that the rezoning is in conformance with the Plan for El Paso. The CPC also determined that the 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 rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Planning Division has received 2 letters in opposition to the rezoning request. There were 5 neighbors presented at CPC and expressed their opposition to the request.

Attachment:
Staff Report

City of El Paso – City Plan Commission Staff Report

Case No:	PZRZ11-00036
Application Type:	Rezoning
CPC Hearing Date:	October 6, 2011
Staff Planner:	Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov
Location:	4131 Trowbridge Drive
Legal Description:	Lots 12, 13, 14 save & except that portion of Lot 13 previously conveyed to the State of Texas in warranty deed recorded in Volume 211, Page 313, Real Property Record, Block 52, Map No 2. of Government Hill Addition, City of El Paso, El Paso County, Texas
Acreage:	0.395-acre
Rep District:	2
Zoning:	R-4 (Residential)
Existing Use:	Office
Request:	From R-4 (Residential) to A-O (Apartment/Office)
Proposed Use:	Apartment and Office
Property Owner	Gateway Mission Training & Conference Center, Inc.
Applicant	Gateway Mission Training & Conference Center, Inc.
Representative	David Etzold

SURROUNDING ZONING AND LAND USE

North: R-4 (Residential) / Single-family residential
South: R-4 (Residential) / Single-family residential
East: R-4 (Residential) / US-54/Patriot Freeway
West: A-O/c (Apartment/Office/condition) / Office

THE PLAN FOR EL PASO DESIGNATION: Residential (Central Planning Area)
NEAREST PARK: Raynolds Median Park (2,859 feet)
NEAREST SCHOOL: Hillside Elementary (2,690 feet)

NEIGHBORHOOD ASSOCIATIONS

Five Points Development Association
El Paso Central Business Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 15, 2011. The Planning Division received 2 letters in opposition to the rezoning request (see Attachment 4, page 9-10).

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-4 (Residential) to A-O (Apartment/Office) to allow for apartment and office. Access to the subject property is proposed from Trowbridge Drive and Gateway South Boulevard.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-4 (Residential) to A-O (Apartment/Office) based on the location of the property, at the intersection of Trowbridge Drive and Gateway Boulevard South and compatibility with the adjacent property to the west and southwest zoned A-O (Apartment/Office).

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 uses.

b. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.

c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

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 nonresidential 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.**

Engineering & Construction Management Services Department – Plan Review

Plan review: recommends approval for zoning change, but note to owner that tandem parking is not permitted per 20.14.040 (A) zoning code.

Engineering & Construction Management Service Department - Land Development

No objections.

Department of Transportation

Department of Transportation does not object to rezoning. The proposed change in zoning will not create a substantial increase in traffic.

The following are to be addressed at the time of permitting.

1. Parking does not comply. No tandem parking. (Section 20.14.040)
2. The driveway facing Trowbridge Drive does not comply (Section 13.12)
3. Rockwall is encroaching on R.O.W. and requires coordination with TXDOT
4. Requires TXDOT approval for driveway on Gateway Blvd. South.
5. Provide dimensions for sidewalk.
6. Sidewalk shall be continuous across driveway and shall comply with ADA standards
7. Landscape area must not block line of sight.

Notes: 1. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with the current City of El Paso Design Standards for Construction and shall be ADA/TAS compliant.

Fire Department

El Paso Fire Department has no objections to this rezoning request.

El Paso Water Utilities

We have reviewed the zoning change request reference above and provide the following comments:

1. EPWU does not object to this request.

Water:

2. There is an existing 4-inch diameter water main extending along Gateway Boulevard South that is available for service, the water main is located approximately 5-feet east from the eastern property line.

3. There is an existing 4-inch diameter water main extending along the alley between Gateway Boulevard South and Boone Street that is available for service, the water main is located approximately 182-feet north from the southern property line.

4. EPWU records indicate a 1-inch water meter serving the subject property. The service address for this meter is 4131 Trowbridge Drive.

Sewer:

5. There is an existing 8-inch diameter sanitary sewer main extending along the alley between Gateway Boulevard South and Boone Street that is available for service, the sewer main is located approximately 5-feet north from the northern property line.

General:

6. 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

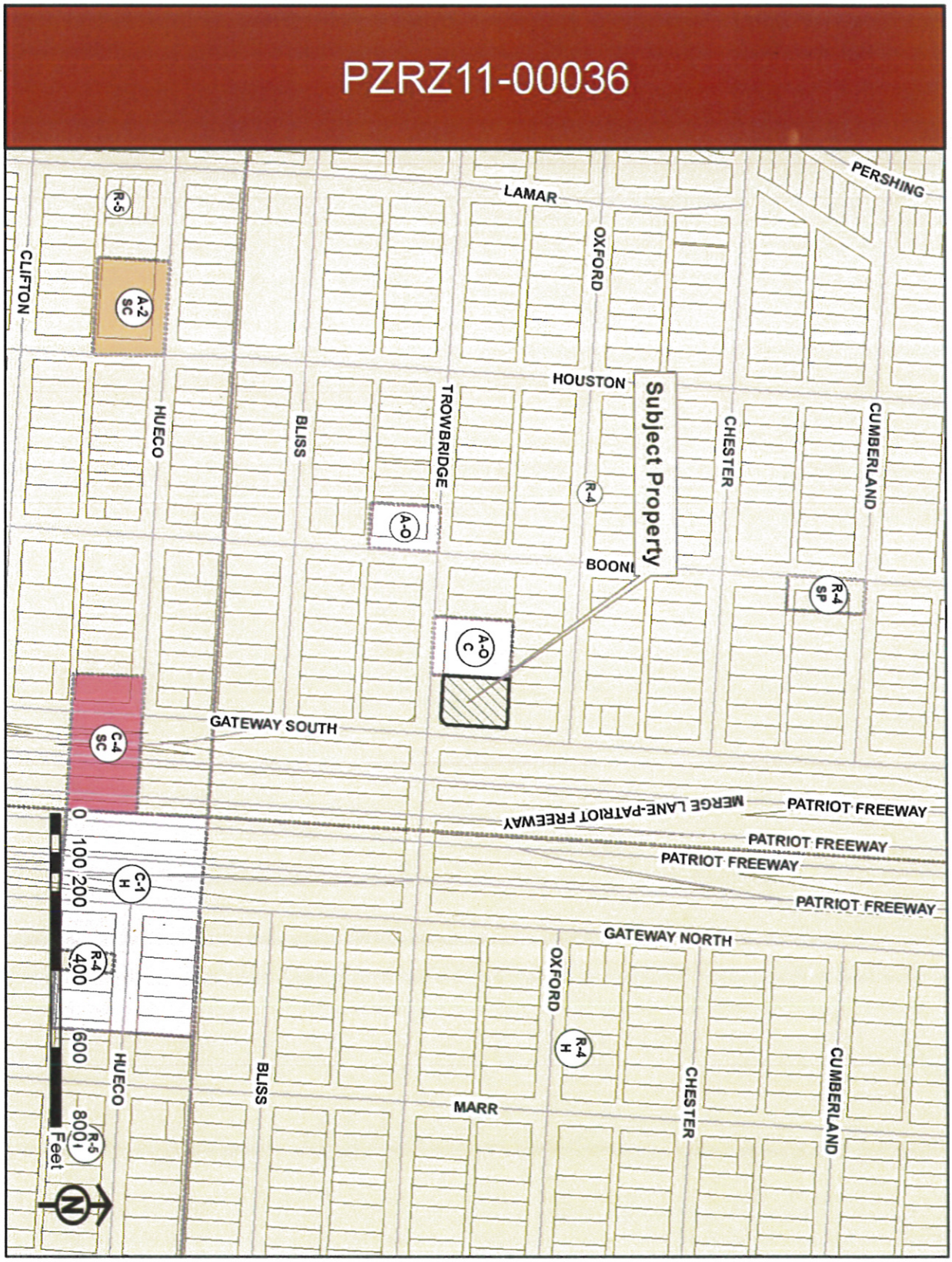
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

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 in the Plan by the CPC.

Attachments:

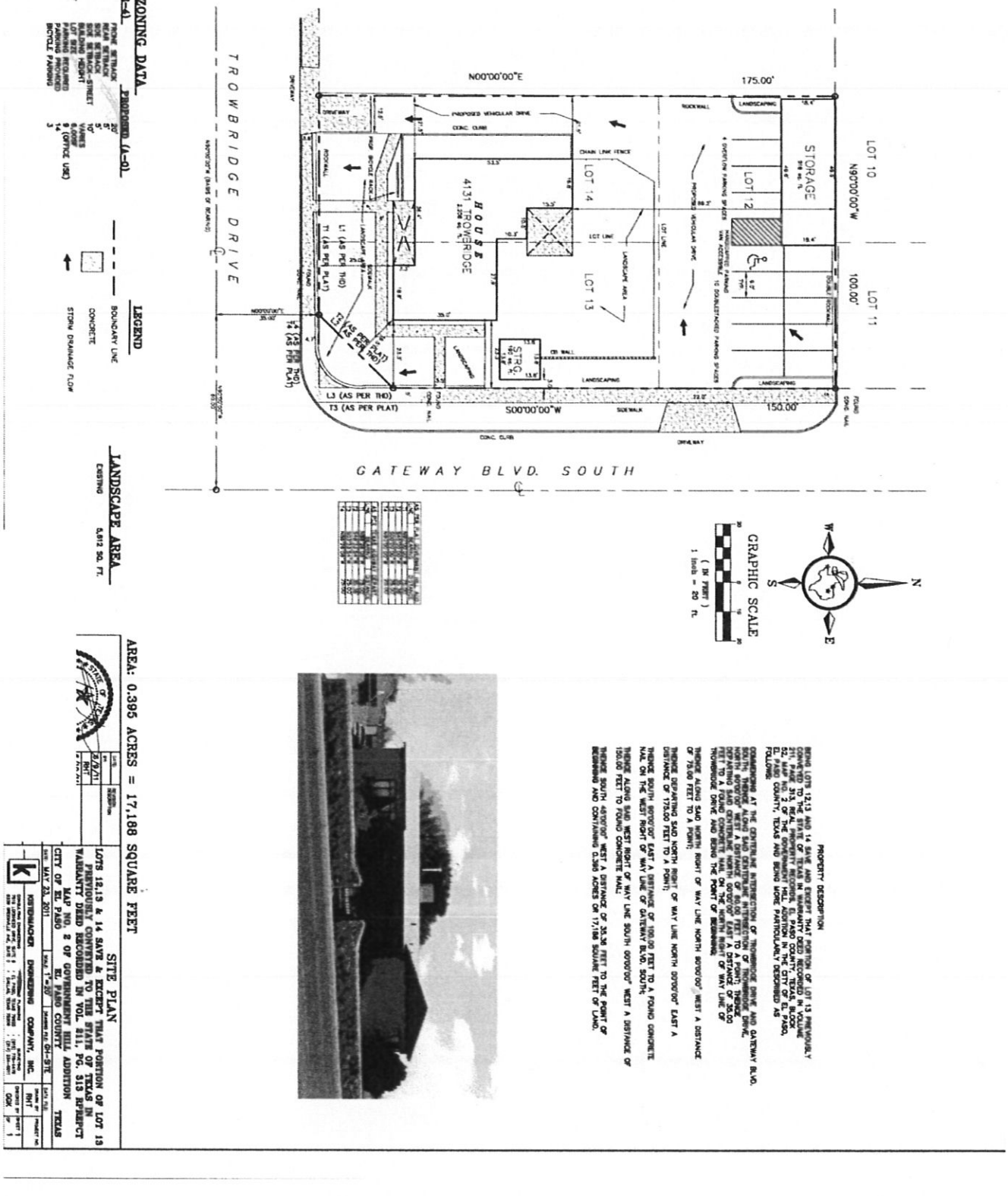
Attachment 1: Zoning Map
Attachment 2: Aerial Map
Attachment 3: Conceptual Site Plan
Attachment 4: Opposition Letter

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: CONCEPTUAL SITE PLAN



ATTACHMENT 4: OPPOSITION LETTER

DAVID J. ELLIS
ATTORNEY AT LAW
4115 TROWBRIDGE DRIVE
EL PASO, TEXAS 79903

OFFICE (915) 566-7000

FAX (915) 566-01

VIA FACSIMILE 915-541-4725
September 26, 2011

City of El Paso
City Plan Commission c/o Planning Division
2 Civic Center Plaza, 5th floor
El Paso, Texas 79901

Re: Case No. PZRZ11-00036 (Rezoning)

Gentlemen:

I am advised that my next door neighbor wishes to change the zoning on their house from R-4 to A-0.

I am opposed to this change because the home sits on a busy corner and the additional traffic created by the change would be a traffic hazard. The driveway on the I-54 North-South access road was never used prior to their tearing down a rock wall. The driveway on Trowbridge is only 40-50 feet from the intersection with cars driving in and out of these driveways more frequently, a traffic accident will surely occur. The intersection is already hazardous enough with collisions occurring with regularity.

The home has always been a home. The garage, which was a carport at best when purchased by the applicants, appears to have been converted without professional design or labor. I do not believe much of the work on the conversion was inspected or done with a permit.

This is a residential neighborhood and should be left as such. There is plenty of office space on Montana and apartments all over town. The zoning should remain the same to be consistent with the planning of this area and the way the property area has developed over the years. The property was zoned R-4, when they bought it and if it no longer fits their needs, they should sell it and buy something appropriately zoned.

I am opposed to the zoning change for the reasons stated 1) traffic hazard; 2)deterioration of the area; 3) fire hazard and safety hazard of the converted garage; 4) over crowding of the area; and 5) maintain consistency with the planning of this area.

Please notify me of any additional information regarding these matters, please feel free to contact my office.

Thanking you for your attention, herein, I remain,

Very truly yours,

David J. Ellis
DJE:mm
cc: Susie Byrd-Council Member District #7

Case No:	PZRZ11-00036 (Rezoning)
Date:	October 6, 2011
Time:	1:30 PM
Place:	City Council Chambers, 2nd Floor, City Hall

City Planning Commission
Planning Division
5th floor, City Hall
2 Civic Center Plaza,
El Paso, Texas 79901

To whom it may concern:

I have just received notice of the hearing scheduled for tomorrow regarding this rezoning request. I **am entering my opposition to this request**. I am opposed for the following reasons:

- The amount of traffic will increase around this intersection.
- On a regular basis, this intersection has car accidents. Increasing the traffic flow will exacerbate this problem.
- This is a residential area. We already have two A-O designations. One on each block. I don't see the need to change this property.
- At present the neighborhood is a quite, pleasant one. If an apartment complex were built on this property, then the characteristics of this neighborhood could suffer and the noise levels dramatically increase.

Thank you for your consideration,

George Ybarra

George Ybarra
4020 Oxford Ave.
El Paso, Texas 79903