

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

DEPARTMENT: Planning and Economic Development Department

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

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

DISTRICT(S) AFFECTED: 3

SUBJECT:

An ordinance changing the zoning of Tract 4B1 and 4B2, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas from M-1 (Manufacturing) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1000 Robert E. Lee Road. Property Owner: W.W. Paddy Littlefield. PZRZ11-00044 (**District 3**)

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 (4-0)

*****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 TRACT 4B1 AND 4B2, BLOCK 2, ASCARATE GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (MANUFACTURING) TO C-4 (COMMERCIAL). 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 4B1 and 4B2, Block 2, Ascarate Grant, 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 **M-1 (MANUFACTURING)** 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.

PASSED AND APPROVED this _____ day of _____, 2011.

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

PROPERTY DESCRIPTION

1000 ROBERT E. LEE

Description of a parcel of land being Tracts 4-B-1 and 4-B-2, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas, as shown on map of Ascarate Grant, Block 2, and also being that same parcel recorded in book 1804, page 1663 (Parcel 1), and again in book 4215, page 1807 (Parcel 1), El Paso County Clerks Records, and described as follows;

Beginning at a rebar found at the northwest corner of this parcel, said rebar also being the southwest corner of that parcel recorded in book 1802, page 616, said rebar also lying on the east ROW line of Robert E Lee Road, said rebar also lying South 81°09'48" West a distance of 726.39' from a rebar with cap stamped "2990" found at the northeast corner of that parcel recorded in Clerks File #20080044554 (Bearing Basis), and being the "Point Of Beginning";

Thence, with the northerly boundary line of this parcel and the southerly boundary line of said parcel recorded in book 1802, page 616, North 81°09'48" East passing the southeast corner of said parcel recorded in book 1802, page 616 at a distance of 226.30' and continuing with the southerly boundary line of that parcel recorded in Clerks File #20060123929 an additional distance of 291.19' for a total distance of 517.49' (517.99' record) to a rebar found at the northeast corner of this parcel;

Thence, with the common boundary line of this parcel and said parcel recorded in Clerks File #20080044554, South 08°35'04" East (South 08°34'02" East record) a distance of 59.70' (59.85' record) to a found nail at an angle point;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080044554, South 83°04'21" West (South 83°05'23" West record) a distance of 11.70' to a found nail at an angle point;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080044554, South 08°59'58" East (South 09°02'01" East record) a distance of 65.77' (65.50' record) to the face of an existing shed;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080044554 and with the face of said existing shed, North 81°00'03" East (North 80°57'59" East record) a distance of 6.35' to a corner of said shed and an angle point of said common boundary line;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080044554 and with the face of said existing shed, South 08°59'58" East (South 09°02'01" East record) a distance of 15.90' (16.00' record) to a corner of said shed and an angle point of said common boundary line;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080044554 and with the face of said existing shed, South 81°00'03" West (South 80°57'59" West record) a distance of 6.35' to an angle point of said common boundary line;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080044554, South 08°59'58" East (South 09°02'01" East record) passing a nail found at the southwest corner of said parcel recorded in Clerks File #20080044554 at a distance of 111.11' and continuing with the common boundary line of this parcel and that parcel recorded in Clerks File #20080052778 an additional distance of 33.84' for a total distance of 144.95' (144.79' record) to the face of an existing shed and an angle point of said common boundary line;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080052778 and with the face of said existing shed, North 81°00'03" East (North 80°57'59" East record) a distance of 5.67' (5.70' record) to a corner of said shed and an angle point of said common boundary line;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080052778 and with the face of said existing shed, South 08°59'18" East (South 09°02'01" East record) a distance of 15.90' (16.00' record) to a corner of said shed and an angle point of said common boundary line;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080052778 and with the face of said existing shed, South 81°00'03" West (South 80°57'59" West record) a distance of 5.67' (5.70' record) to an angle point of said common boundary line;

Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080052778, South 08°59'58" East (South 09°02'01" East record) passing a nail found at the southwest corner of said parcel recorded in Clerks File #20080052778 at a distance of 16.05' and continuing with the common boundary line of this parcel and that parcel recorded in Clerks File #20080095334 an additional distance of 33.00' for a total distance of 49.05' (48.80' record) to rebar found at the southwest corner of said parcel recorded in Clerks File #20080095334;

Thence, continuing with the common boundary line of this parcel and the southerly boundary line of said parcel recorded in Clerks File #20080095334, North 81°00'36" East (North 81°09'48" East record) a distance of 14.70' to a PK nail set in concrete at the northwest corner of that parcel recorded in Clerks File #20070084418;

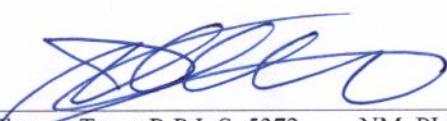
Thence, continuing with the common boundary line of this parcel and said parcel recorded in Clerks File #20080084418, South 08°28'04" East (South 08°50'12" East record) a distance of 125.24' (125.00' record) to an "X" chiseled in concrete at the southeast corner of this parcel and the southwest corner of said parcel recorded in Clerks File #20080084418 and lying on the northerly ROW line of Edgemere Boulevard (200' wide);

Thence, with said ROW line of Edgemere Boulevard, South 81°09'48" West passing a rebar found marking the common southerly corner of said Tracts 4-B-1 and 4-B-2 at a distance of 10.00' and continuing for a total distance of 563.60' to the southwest corner of this parcel;

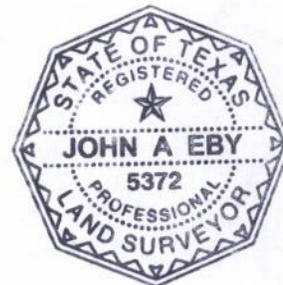
Thence, with said ROW line of Robert E. Lee Road, North 04°35'51" West (North 04°52'26" West record) a distance of 290.90' to a rebar found (bent) at an angle point;

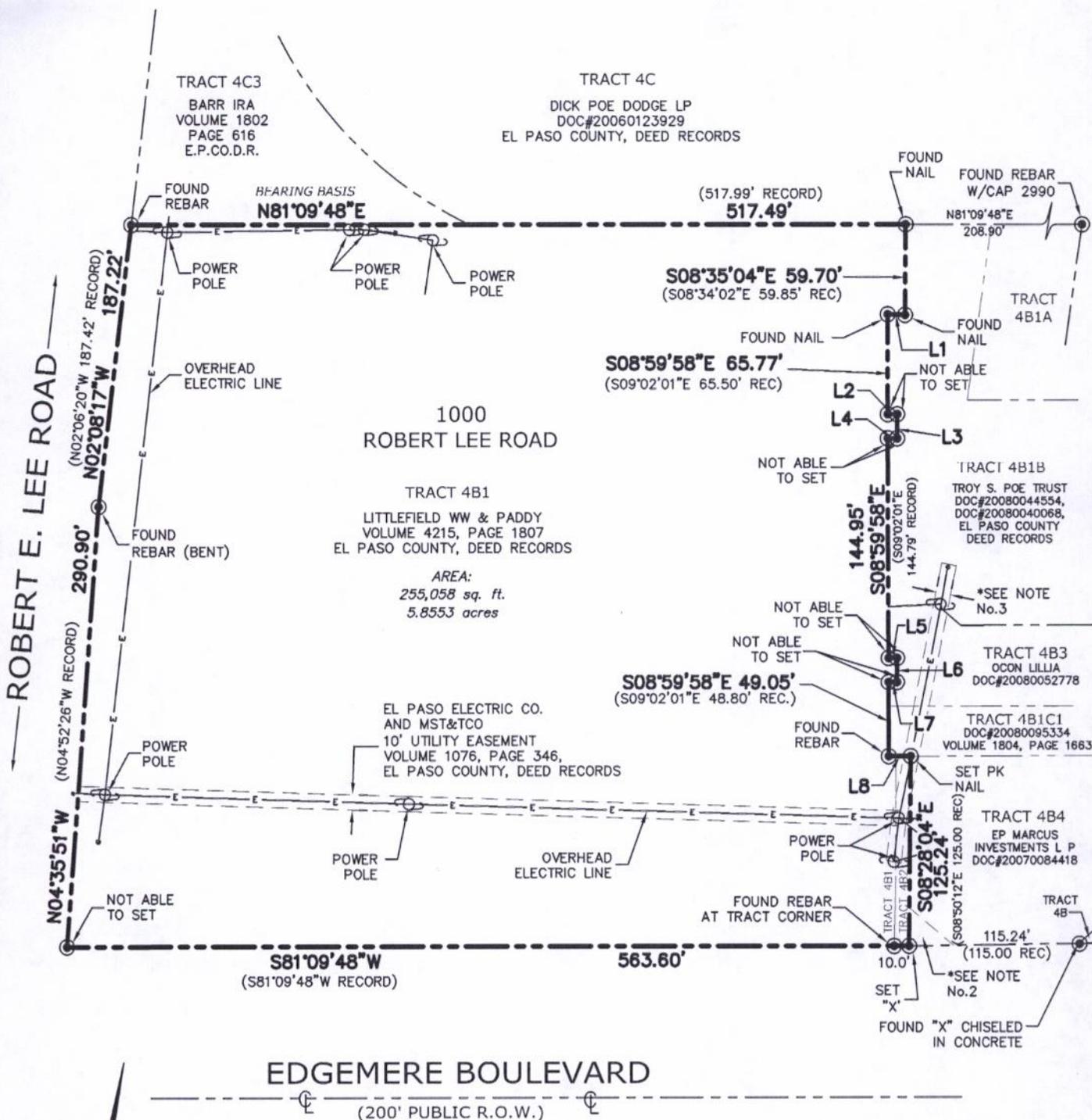
Thence, continuing with said ROW line of Robert E. Lee Road, North 02°08'17" West (North 02°06'20" West record) a distance of 187.22' (187.42' record) to the "Point Of Beginning" and containing 255,058 sq. ft. or 5.8553 acres.

Based on a field survey performed under my supervision and dated January 7, 2011.


John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.
13998 Bradley Road
El Paso, TX. 79938
915-241-1841



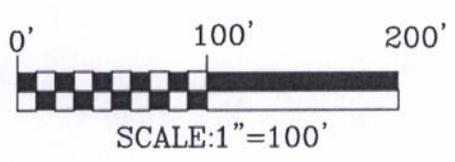


1. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.
2. *TRIANGULAR EASEMENT AREA FOR DRIVEWAY PURPOSES IN BOOK 297, PAGE 1839 (TO BENEFIT ZORK)
3. *EL PASO ELECTRIC COMPANY, 10' UTILITY EASEMENT, VOLUME 200, PAGE 1901, VOLUME 658, PAGE 1075, EL PASO COUNTY, DEED RECORDS

CERTIFICATION

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY IS BASED ON A FIELD SURVEY PERFORMED UNDER MY SUPERVISION AND COMPLIES WITH THE CURRENT TEXAS BOARD OF PROFESSIONAL LAND SURVEYING PROFESSIONAL AND TECHNICAL STANDARDS

JOHN A. EBY, R.P.L.S. TX-5372, NM-17779



TRACTS 4-B-1 AND TRACT 4-B-2, BLOCK 2,
(AS DESCRIBED BY METES AND BOUNDS)
ASCARATE GRANT, CITY OF EL PASO, EL PASO
COUNTY, TEXAS.

PLAT RECORD:
VOLUME: N/A
PAGE: N/A

TITLE CO: STEWART TITLE FILE#: 103893 DATED: 01/06/2011
FIRM ZONE: C PANEL#: 480214-0035 B DATED: 10/15/1982
DATE OF SURVEY: 01/07/2011 OFFICE: LM FIELD: JAE, AG, JC
PASO DEL NORTE SURVEYING INC. PH. 915-241-1841
13998 BRADLEY ROAD, EL PASO, TEXAS 79938 FAX 915-855-6925
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NOT VALID WITHOUT IMPRESSION SEAL



Date: November 15, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZRZ11-00044 Rezoning**

The City Plan Commission (CPC) on October 20, 2011, voted **4-0** to recommend **approval** of this rezoning request. The request is to change the zoning from M-1 (Manufacturing) to C-4 (Commercial). The applicant is proposing the construction of a four-story hotel with a height of 65 ft. The C-4 (Commercial) zoning allows a maximum height of 60 ft., and the height may be exceeded when an additional setback of one foot is provided from all adjacent yard lines for each foot of height in excess of 60 ft.

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 East 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
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00044
Application Type: Rezoning
CPC Hearing Date: October 20, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 1000 Robert E. Lee Road
Legal Description: Tract 4B1 and 4B2, Block 2, Ascarate Grant, City of El Paso, El Paso County, Texas
Acreage: 5.8553 acres
Rep District: 3
Zoning: M-1 (Manufacturing)
Existing Use: Warehouse
Request: C-4 (Commercial)
Proposed Uses: Hotel
Property Owner: W.W. and Paddy Littlefield
Representative: Jorge Garcia

SURROUNDING ZONING AND LAND USE

North: M-1 (Manufacturing) / Restaurant, Automotive Sales
South: C-4/sc (Commercial/special contract), C-4 (Commercial) / Credit Union
East: M-1 (Manufacturing), C-4 (Commercial) / Automotive Sales, Automotive Repair, Golf Shop
West: C-4/sc (Commercial/special contract) / Self Storage Facility

The Plan for El Paso Designation: Commercial (East Planning Area)

Nearest Park: Edgemere Median (109 feet)

Nearest School: Bonham Elementary (2,263 feet)

NEIGHBORHOOD ASSOCIATIONS

Cielo Vista Neighborhood Association, East Side Civic Association

NEIGHBORHOOD INPUT

Notices of the October 20, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on October 5, 2011. The Planning Division has not received any phone calls or letters in support or opposition of this rezoning request.

APPLICATION DESCRIPTION

The request is to change the zoning from M-1 (Manufacturing) to C-4 (Commercial) for a proposed hotel. The conceptual site plan shows a four-story hotel with access from Robert E. Lee Road, Edgemere Boulevard, and a shared private access easement from Airway Boulevard.

PLANNING AND ECONOMIC DEVELOPMENT-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: 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.
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

The purpose of the C-4 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire City. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the Central Business District, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

Development Coordinating Committee Review

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

Department of Transportation

Department of Transportation does not object to the proposed rezoning request.

Notes:

Although the change in zoning would not necessitate a Traffic Impact Analysis (TIA) in accordance with Section 20.04.380.G, due to the size of the property, a TIA will be required to be submitted with a preliminary plat for the property in accordance with Section 19.18.

Parking stall, aisle and travel aisle dimensions are not shown on conceptual site plan. All dimensions shall be compliant with city standards and addressed at the time of city permitting.

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.

Engineering – Construction Management Division-Plan Review

No comments received.

Engineering – Land Development

No objections

Fire Department

El Paso Fire Department has no objections to this rezoning request. The case remains subject to further review at later stages of the process including, but not limited to, Fire Department Plan review. The Dwelling as shown on the “conceptual site plan” is subject the requirements of the 2009 International Fire Code, section D105.1, but cannot be reviewed for compliance at this time due to a lack of dimensions.

Police Department

A field check of the proposed site, revealed to be no issues of the future site having a negative impact within the community.

El Paso Water Utilities

1. EPWU does not object to this request.

EPWU-PSB Comments:

Water:

2. There is an existing 24-inch diameter water main that extends along Robert E. Lee Road fronting the

western boundary of the subject property (1000 Robert E. Lee Road). This water main is available for service.

3. EPWU records indicate a vacant (shut-off) 1-inch water meter, a vacant (shut-off) 1-inch yard meter and an 8-inch fire line at the subject property. The service address for these meters is 1000 Robert E. Lee Road.

Sanitary Sewer:

4. There is an existing 12-inch diameter sanitary sewer main that extends along Robert E. Lee Road fronting the western boundary of the subject property (1000 Robert E. Lee Road). This sanitary sewer main is available for service.

General:

5. Application for new water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. 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:

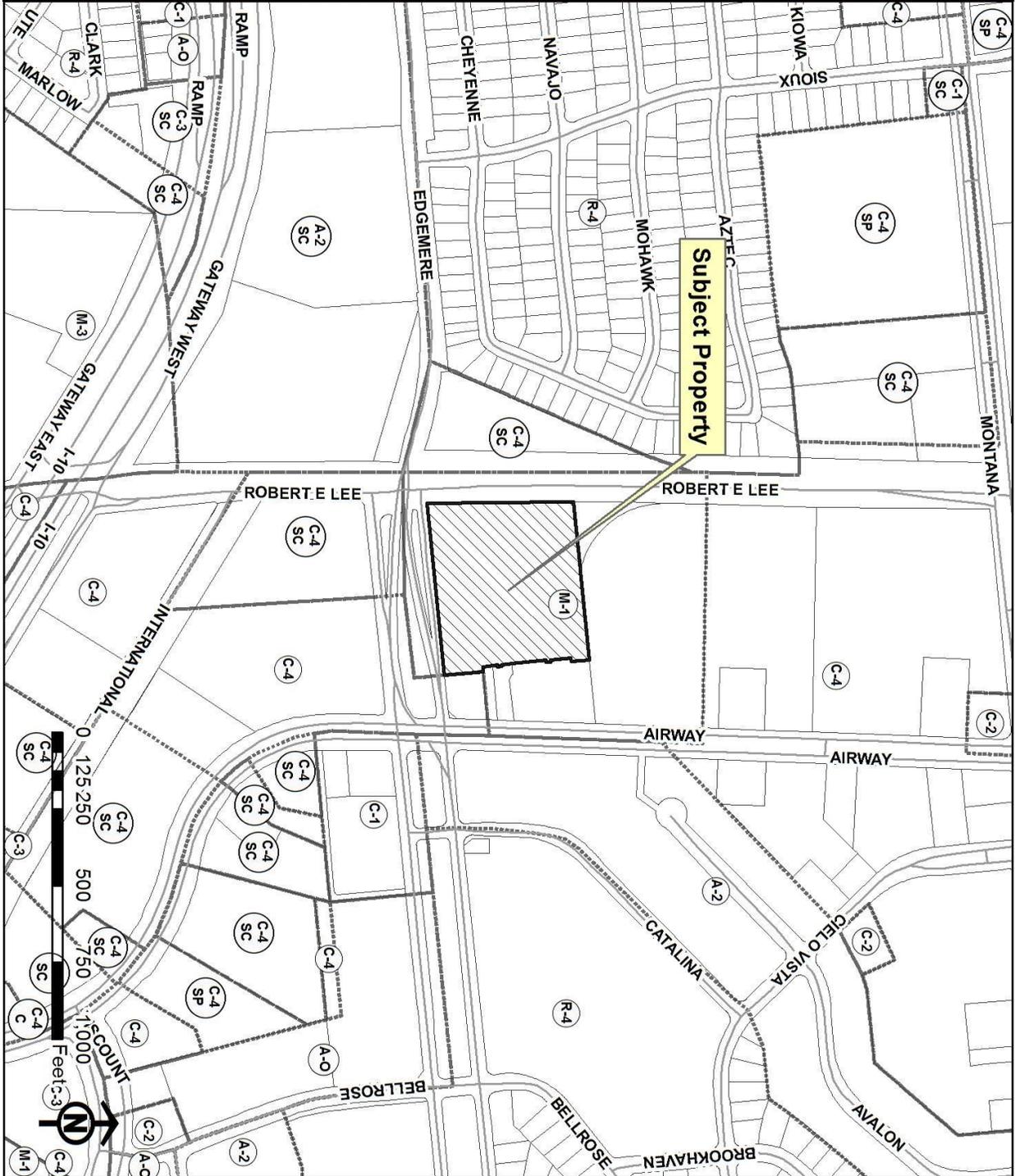
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into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

ATTACHMENT 1: ZONING MAP

PZRZ11-00044

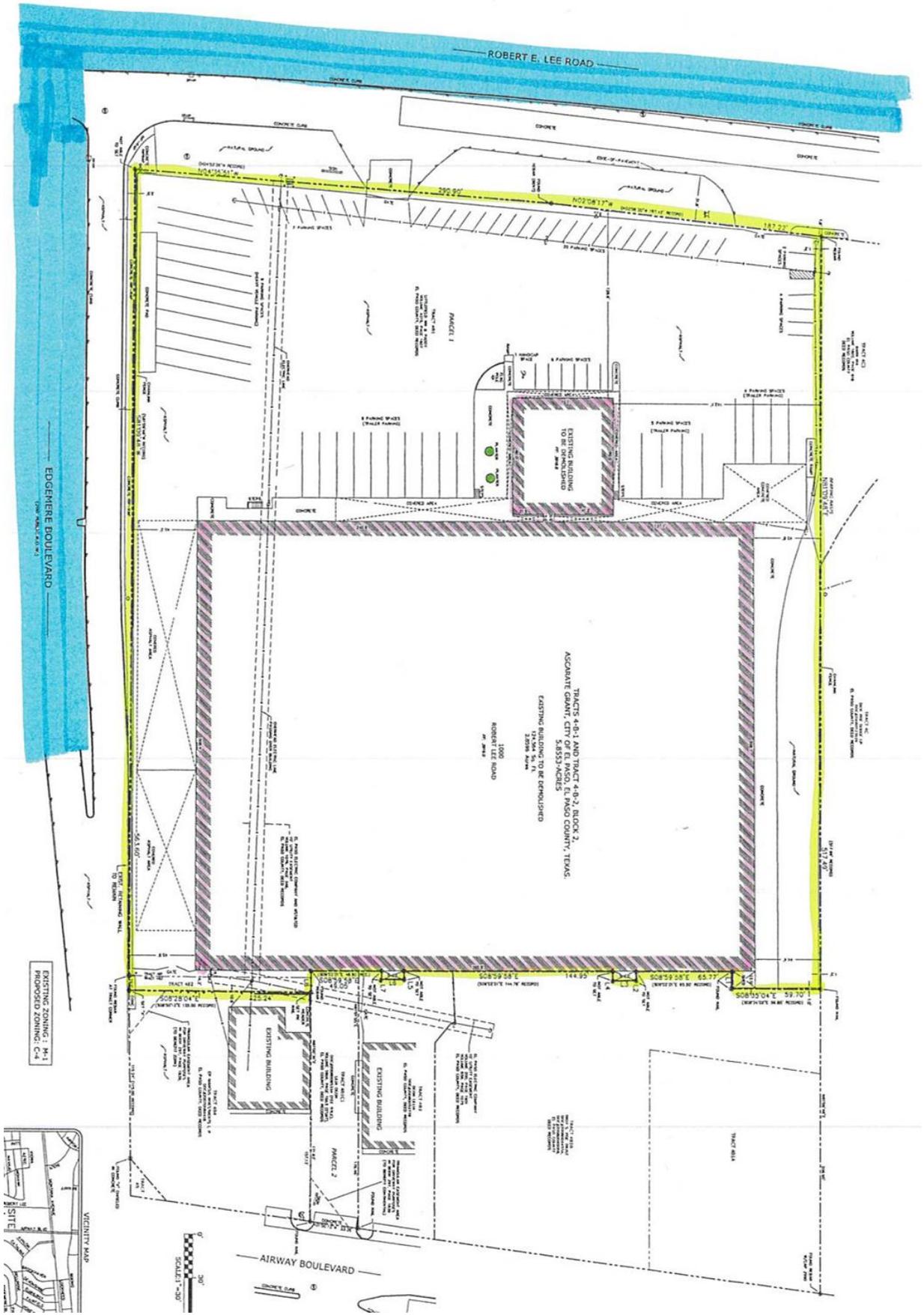


ATTACHMENT 2: AERIAL MAP

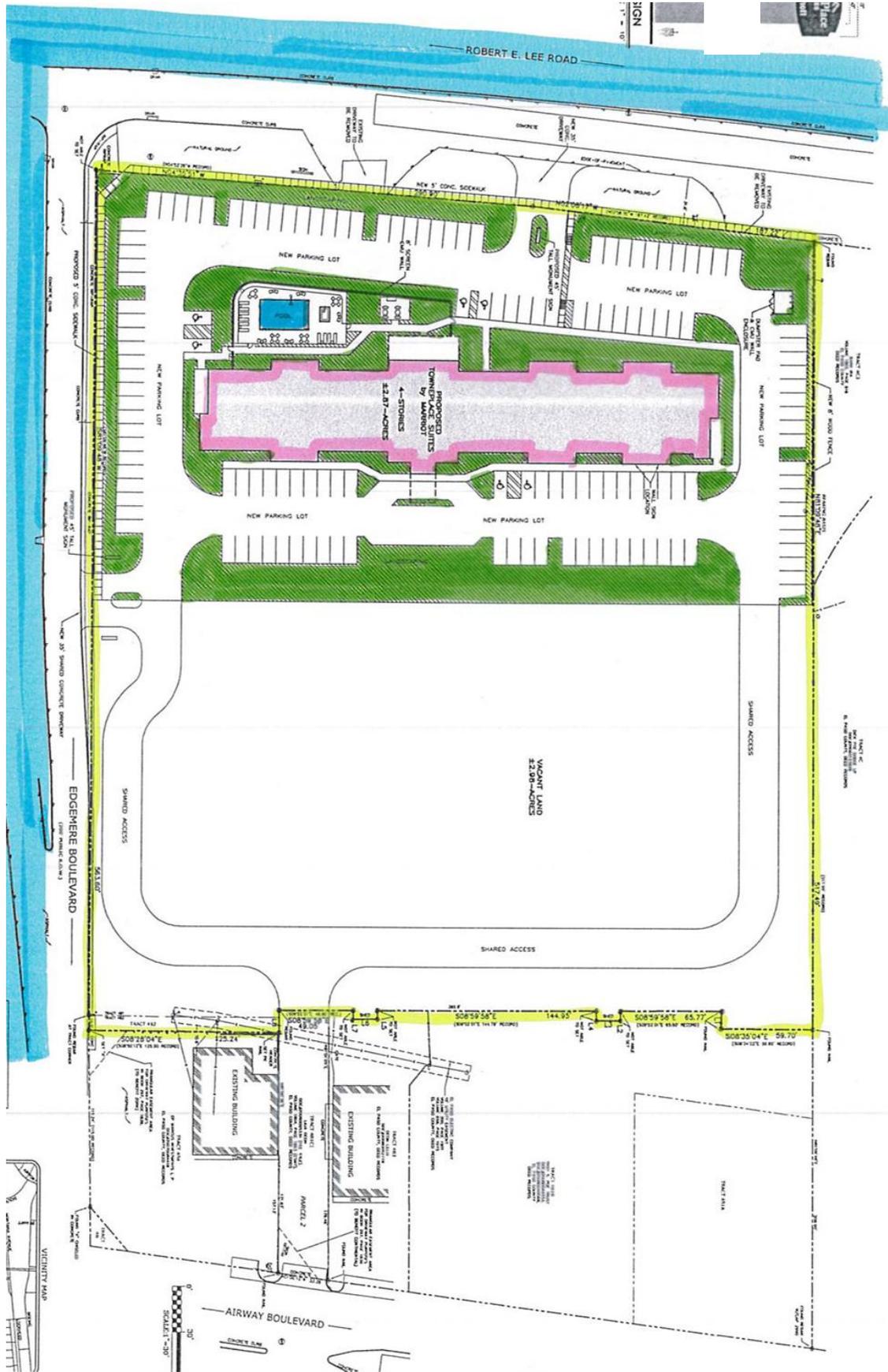
PZRZ11-00044



ATTACHMENT 3: EXISTING SITE PLAN



ATTACHMENT 4: CONCEPTUAL SITE PLAN



ATTACHMENT 5: ELEVATIONS

