

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: December 18, 2007
Public Hearing: January 8, 2008

CONTACT PERSON/PHONE: Arturo Rubio, 541-4633

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance changing the zoning of a portion of Pridham Survey 274, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-2 (Apartment) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Altura Avenue and East of Lackland Street. Applicant: David C. Bombach. ZON07-00077 (District 2).

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 (6-0)

*****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 A PORTION OF THE PRIDHAM SURVEY NO. 274, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2 (APARTMENT), 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 a portion of the Pridham Survey No. 274, City of El Paso, El Paso County, Texas, be changed from R-4 (Residential) to A-2 (Apartment), 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 detailed site development plan to address buffering and safety issues be reviewed and approved per the El Paso City Code prior to building permits being issued, and
2. That the adjacent alley be improved to City standards if used for access to the property.

PASSED AND APPROVED this _____ day of _____, 20_____.

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:

Kelly Carpenter
Kelly Carpenter, AICP, Deputy Director
Development Services Department -
Planning Division

CITY CLERK DEPT.
07 DEC -7 PM 3:23

ORDINANCE NO. _____

Zoning Case No: ZON07-00077



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

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 DEC -7 PM 3:23

DATE: December 7, 2007
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Arturo Rubio, Planner
SUBJECT: ZON07-00077

The City Plan Commission (CPC), on November, 2007, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from R-4 (Residential) to A-2 (Apartment) and imposing conditions.

1. *That a detailed site development plan to address buffering and safety issues be reviewed and approved per the El Paso City Code prior to the building permits being issued, and*
2. *That the adjacent alley be improved to City standards if used for access to the property.*

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 conditions placed on ZON07-00077 reflect changes by City Plan Commission from the original staff recommendations shown on staff report.

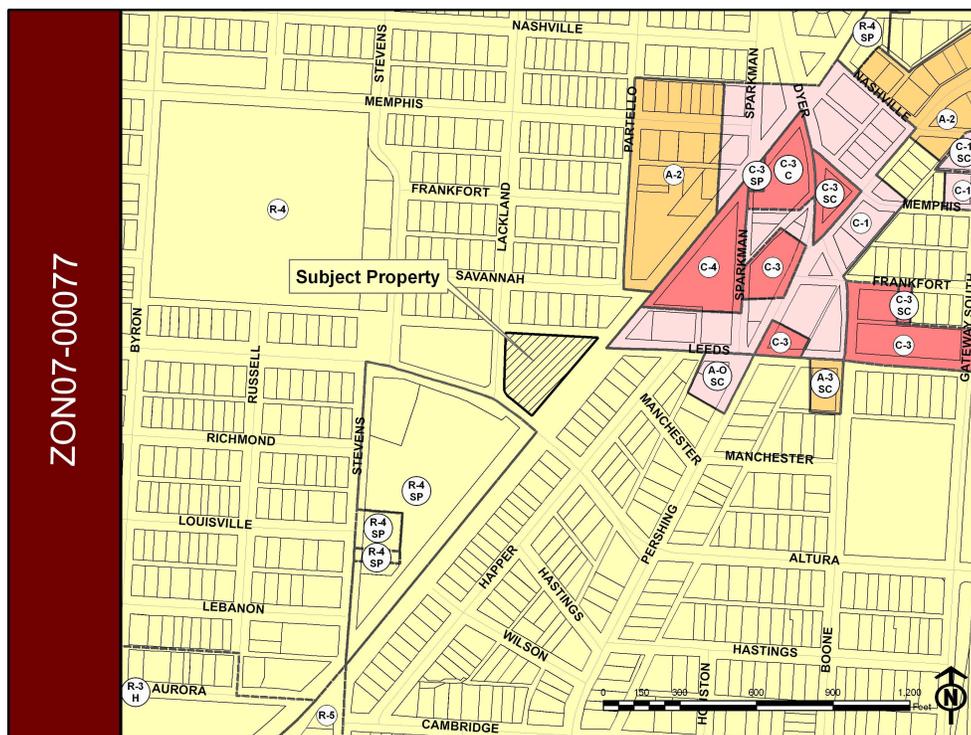
There were 42 letters and 4 phone calls in opposition.

Attachment: Staff Report



ZON07-00077

Application Type: Rezoning
Property Owner(s): The Bombach Family Trust
Applicant(s): David C. Bombach
Representative(s): Wright & Dalbin Architects
Legal Description: A portion of Pridham Survey 274, City of El Paso, El Paso County, Texas.
Location: North of Altura Avenue and East of Lackland Street
Representative District: 2 **Area:** 1.65 acres
Present Zoning: R-4 (Residential) **Present Use:** Vacant
Proposed Zoning: A-2 (Apartment)
Recognized Neighborhood Associations Contacted: Central Neighborhood Association, A Presidential Neighborhood Association
Public Response: Three phone calls and 42 letters in opposition.
Surrounding Land Uses: **North:** R-4 **South:** R-4/sp Child Crisis Center of El Paso **East:** Southern Pacific Railroad **West:** R-4 /Vacant Lot Residential (Central Planning Area)
Year 2025 Designation:



General Information:

The applicant is requesting a rezoning from R-4 (Residential) to A-2 (Apartment). The property is 1.65 acres and is currently vacant. The non-binding conceptual site plan proposes four new structures to be located on the site. Access is proposed via Lackland Street. There are no zoning conditions on this property.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this request for rezoning from R-4 (Residential) to A-2 (Apartment) with the following conditions:

1. That the density be limited to a maximum of 20 units per acre; and
2. That a 10 foot landscape buffer with evergreen trees placed at 15 feet on center with a 2 inch caliper be provided along the easterly property line abutting the railroad right-of-way, except where adjacent to parking lots; and
3. That all playground areas abutting the railroad right-of-way be fenced; and
4. That the alley be improved to city standards if used for access to the property.

The recommendation is based on the following:

- **The Plan for El Paso City-Wide Land-Use Goals** recommends that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”
- **The Year 2025 Projected General Land Use Map** for the Central Planning Area designates this property for **Residential** land uses.
- **A-2 (Apartment) zoning** permits an apartment complex and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will A-2 (Apartment) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will an Apartment Complex 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:

Zoning Review: No comments received

Landscape Review: No comments received

Development Services – Planning Division:

Current Planning: Recommends approval with four conditions:

1. That the density be limited to a maximum of 20 units per acre (the R-4 would allow 6 duplexes or 7 single-family units per acre); and
2. That a 10 foot landscaped buffer consisting of evergreen trees placed at 15 feet on center with a 2 inch caliper be provided along the easterly property line abutting railroad right-of-way; and

3. That a 6 foot screening wall be provided along the easterly property line adjacent to railroad right-of-way; and
4. That the alley be improved to city standards if used for access to the property.

The A-2 (Apartment) zoning is compatible with existing development and land uses.

Land Development: No Comments Received

Engineering Department - Traffic Division:

No apparent traffic concerns with proposed zoning change.

Sidewalks shall be provided on Altura Avenue and Lackland Street.

Fire Department:

No comments received.

EI Paso Water Utilities:

EPWU does not object to this request.

List of Attachments:

Attachment 1: Aerial

Attachment 2: Conceptual Site Plan

Attachment 3: Application

Attachment 4: Opposition

Attachment 1: Aerial



Attachment 2: Conceptual Site Plan



Attachment 3: Application

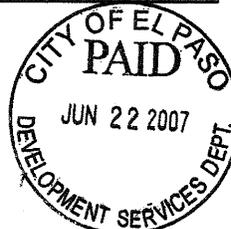


REZONING APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO, TEXAS

PROPERTY OWNER(S): The Bombach Family Trust

APPLICANT(S): David C. Bombach, Trustee

REPRESENTATIVE(S): Wright & Dalbin Architects – Frederic P. Dalbin



PROPERTY IDENTIFICATION NUMBER: X27499900009000
LEGAL DESCRIPTION: Pridham Survey 274 Abst. 166, Parcel 2
STREET ADDRESS OR LOCATION: 0 Altura REP DISTRICT: 2
ACREAGE: 0.857 PRESENT ZONING: R4 PRESENT LAND USE: Vacant
PROPOSED ZONING: A2 PROPOSED LAND USE: Apartment Complex

PROPERTY IDENTIFICATION NUMBER: X27499900004900
LEGAL DESCRIPTION: Pridham Survey 274 Abst. 166, Parcel 3
STREET ADDRESS OR LOCATION: 0 Altura REP DISTRICT: 2
ACREAGE: 0.804 PRESENT ZONING: R4 PRESENT LAND USE: Vacant
PROPOSED ZONING: A2 PROPOSED LAND USE: Apartment Complex

PROPERTY IDENTIFICATION NUMBER:
LEGAL DESCRIPTION:
STREET ADDRESS OR LOCATION: REP DISTRICT: 2
ACREAGE: PRESENT ZONING: PRESENT LAND USE:
PROPOSED ZONING: PROPOSED LAND USE:

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):

Printed Name: David C. Bombach, Trustee 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 07-00077 RECEIVED DATE: 06/22/07 APPLICATION FEE: \$ 770.00
DCC REVIEW DATE: 07/25/07 (8:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)
CPC REVIEW DATE: 08/23/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
ACCEPTED BY: [Signature] FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004

CITY CLERK DEPT.
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