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

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

AGENDA DATE: **Introduction: December 21, 2010**
Public Hearing: January 11, 2011

CONTACT PERSON/PHONE: Arturo Rubio, (915) 541-4633, rubioax@elpasotexas.gov

DISTRICT(S) AFFECTED: 5

SUBJECT:
An ordinance changing the zoning of a portion of Lot B, Block 79, Eastwood Heights, City of El Paso, El Paso County, Texas from C-OP (Commercial Office Park) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2155 Wedgewood Drive. Applicant: Project Vida Community Development Corporation. ZON10-00103 **(District 5)**

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) – Pending Recommendation

**********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 A PORTION OF LOT B, BLOCK 79, EASTWOOD HEIGHTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM COP (COMMERCIAL OFFICE PARK) TO C-1 (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 a *Portion of Lot B, Block 79, Eastwood Heights, City of El Paso, El Paso County, Texas,* as further described by metes and bounds in the attached Exhibit A, be changed from **COP (Commercial Office Park) to C-1 (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

_____
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
Development Services Department
Planning Division

EXHIBIT "A"

Barragan & Associates Inc.
Land Planning & Land Surveying

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lot B, Block 79, Eastwood Heights (Unit G), an addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in book 17, page 41, Plat Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING for reference at an existing city monument located at the centerline intersection of Camwood Drive and Wedgewood Drive, from **WHENCE**, a city monument located at the centerline intersection of Monaco Drive and Wedgewood Drive bears N 01° 00' 00" W (Bearing Basis), a distance of 280.06 feet; **THENCE**, S 01° 00' 00" E, along the centerline of Wedgewood Drive, a distance of 340.00 feet to a to a point; **THENCE**, S 89° 00' 00" W, leaving said centerline a distance of 45.00 feet to a set nail on the Westerly right-of-way line of Wedgewood Drive for the **POINT OF BEGINNING** of this description:

THENCE, S 01° 00' 00" E, along said Westerly right-of-way line of Wedgewood Drive, a distance of 180.00 feet to a set nail for a point of curvature;

THENCE, 31.42 feet along the arc of a curve to the right, having a radius of 20.00 feet, a central angle of 90° 00' 00", and a chord which bears S 44° 00' 00" W, a distance of 28.28 feet to a set nail, on the common line of said Lot B, Block 79, Eastwood Heights Unit G, and Lot C, Block 79, Eastwood Heights Unit L, an addition to the city of El Paso, El Paso County, Texas, according to the plat thereof on file in Book 20, Page 53, Plat Records of El Paso County, Texas;

THENCE, S 89°00'00" W, along the common line of said Lots B and C, a distance of 38.91 feet to a set nail for a point of curvature;

THENCE, continuing along the common line of said Lots B and C, 196.53 feet along the arc of a curve to the left, having a radius of 682.43 feet, a central angle of 16° 30' 00", and a chord which bears S 80° 45' 00" W, a distance of 195.85 feet to a set nail for the common southerly corner of Lots A and B, in said Block 79, Eastwood Heights Unit G;

THENCE, N 17°00'00" W, along the common line of said Lots A and B, a distance of 237.29 feet to a set nail;

THENCE, N 89°00'00" E, a distance of 318.14 feet to the **POINT OF BEGINNING** of this parcel, and containing in all 1.37 acres of land more or less.

NOTES:
1. A Plat of Survey of even date accompanies this Description.
2. This property may be subject to easements whether of record or not.
3. Bearings recited herein are based on the filed plat for Eastwood Heights (Unit G).
4. This description does not intent to be a subdivision process which may be required by City of El Paso ordinance. The client/owner has been advised of this, and it is their responsibility to verify if this process is required.

Benito Barragan TX R.P.L.S. 5615, October 19, 2010
Wedgewood Apartments

N:\D_Computer\WEDGEWOOD APAR

EXHIBIT "A"

10 3:10:53 PM MDT

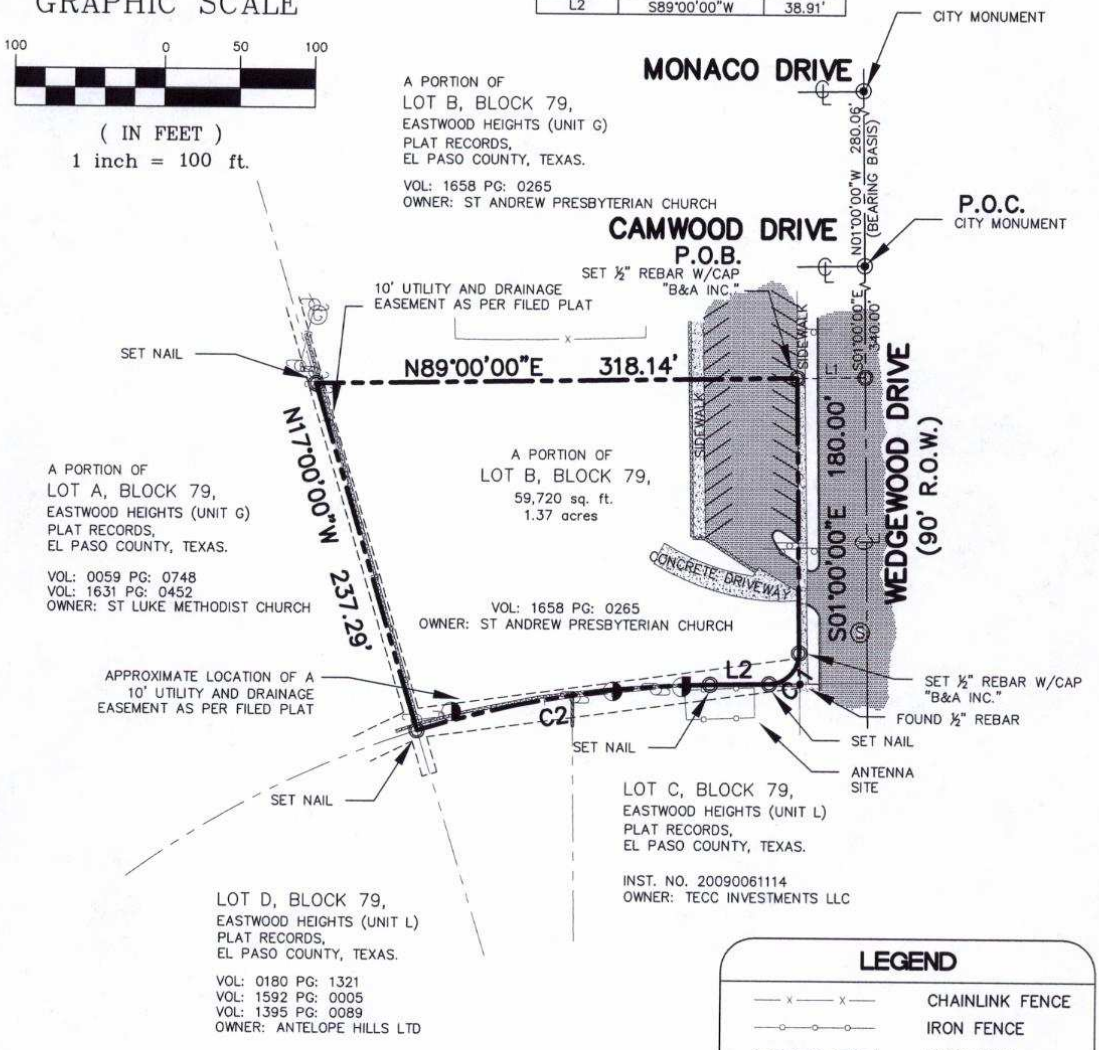
CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD
C1	31.42'	20.00'	20.00'	90°00'00"	S44°00'00"W	28.28'
C2	196.53'	682.43'	98.95'	16°30'00"	S80°45'00"W	195.85'

LINE TABLE		
LINE	BEARING	LENGTH
L1	S89°00'00"W	45.00'
L2	S89°00'00"W	38.91'

GRAPHIC SCALE

100 0 50 100

(IN FEET)
1 inch = 100 ft.



LEGEND

- CHAINLINK FENCE
- IRON FENCE
- ROCK WALL
- POWER LINE
- CURB AND GUTTER
- BOUNDARY
- PAVEMENT
- CONCRETE
- MAN HOLE
- SIGN
- WOODEN POST
- GAS METER
- POWER POLE
- ANCHOR

NOTES

1. BEARINGS SHOWN ARE BASED ON THE FILED PLAT FOR EASTWOOD HEIGHTS (UNIT G).
2. SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE "X", PER F.I.R.M. PANEL NUMBER 42C, LAST REVISION DATE 02-16-06. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.
3. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT, (NOT SHOWN).
4. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS DESCRIPTION.
5. THIS PLAT DOES NOT INTENT TO BE A PART OF A SUBDIVISION PROCESS WHICH MAY BE REQUIRED BY THE CITY OF EL PASO ORDINANCE. IT MAY BE ILLEGAL TO CONVEY PROPERTY BY MEANS OF METES AND BOUNDS, AND IT IS THE CLIENT/OWNER'S RESPONSIBILITY TO VERIFY A SUBDIVISION PROCESS IS REQUIRED.

Barragan & Associates Inc.

LAND PLANNING & SURVEYING
10950 Pellicano Dr. Building-F,
El Paso, Tx 79935
Phone (915) 591-5709 Fax (915) 591-5706

Plat of Survey

A PORTION OF
LOT B, BLOCK 79,
EASTWOOD HEIGHTS (UNIT G),
AN ADDITION TO
THE CITY OF EL PASO,
EL PASO COUNTY, TEXAS
AREA 1.37 ACRES ±

Plat Reference Vol/Bk 17 Pages 41

Scale: 1"=100' Date: 10/19/10 Drawn By: BM

I hereby certify that the foregoing boundary survey was made on the ground and under my supervision and is true and correct to the best of my knowledge and belief.

BENITO BARRAGAN 5615 REGISTERED PROFESSIONAL LAND SURVEYOR

Benito Barragan TX R.P.L.S. No. 5615

Job No. 100930-02 Copy Rights ©

MEMORANDUM

DATE: December 14, 2010

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

FROM: Arturo Rubio, Senior Planner

SUBJECT: **ZON10-00103**

The City Plan Commission (CPC) is scheduled to review the case on December 16, 2010 for rezoning the subject property from C-OP (Commercial Office Park) to C-1 (Commercial).

The DCC reviewed on December 8, 2010 and concurred with Planning recommendation for approval.

There was no **OPPOSITION** to this request.

Attachment: Staff Report

City of El Paso – City Plan Commission Staff Report

Case No:	ZON10-00103
Application Type:	Rezoning
CPC Hearing Date:	December 16, 2010
Staff Planner:	Arturo Rubio, 915-541-4633, rubioax@elpasotexas.gov
Location:	2155 Wedgewood Drive
Legal Description:	A portion of Lot B, Block 79, Eastwood Heights Unit G, City of El Paso, El Paso County, Texas
Acreage:	1.37 acres
Rep District:	5
Zoning:	C-OP (Commercial Office Park)
Existing Use:	Vacant
Request:	From C-OP (Commercial Office Park) to C-1 (Commercial)
Proposed Use:	Multi-family dwellings (Apartments)
Property Owner:	St. Andrew Presbyterian Church
Applicant:	DVCDC
Representative:	CEA Group

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential)/Church / Single-family dwellings
South: C-1/sc (Commercial/special contract) / Gas station / Retail
East: C-1 (Commercial) / Retail
West: R-3 (residential) / Church

THE PLAN FOR EL PASO DESIGNATION: Commercial (East Planning Area)
Nearest Park: Travis White Park (2,137 feet)
Nearest School: Eastwood High School (2,343 feet)

NEIGHBORHOOD ASSOCIATIONS

East Side Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 29, 2010. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone property from C-OP (Commercial Office Park) to C-1 (Commercial) to allow for multi-family dwellings. The proposed access is from Wedgewood Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the subject property from C-OP (Commercial Office Park) to C-1 (Commercial).

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 wide range of housing types that respond to the needs of all economic segments of the community.
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 C-1 (Commercial) districts is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

Development Coordinating Committee
The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for **APPROVAL.**

Engineering & Construction Management – Plan Review
1. A six (6) foot masonry screening wall is required between a C district and any A or R districts.
2. As shown on site plan, two (2) apartment units encroach on the ten (10) foot utility & drainage easement to the south.
3. Nine (9) accessible parking spaces seems to be in excess of the required amount leaving an insufficient number for the other tenants. How many accessible units are to being provided for this development?
(Standard Comments for conceptual plan that can be addressed at the permitting stage)

Engineering & Construction Management - Land Development
1. Provide drainage flow, (on-site-ponding).
2. Provide rock wall (6') from high side abutting residential zone.
3. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
4. Grading plan and permit shall be required.*
5. Storm Water Pollution Prevention Plan and/or permit required.*
6. Drainage plans must be approved by Engineering and Construction Management, Land Development Section.*
7. No water runoff allowed outside the proposed development boundaries, (on-site ponding required).
8. The Subdivision is within Flood Zone X, "Areas of minimal flooding"- Panel # 480214 0042C, date February 16, 2006.

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

Department of Transportation
1. No objection.
2. All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.
(Standard Comments for conceptual plan that can be addressed at the permitting stage)

El Paso Water Utilities
1. EPWU does not object to this request.
EPWU-PSB Comments
Water:
2. There is an existing 12-inch diameter water main that extends along Wedgewood Drive fronting the subject property.

3. Private backflow prevention devices may be required at the discharge side of each water meter. The Owner is responsible for the operation and maintenance of the above mentioned backflow prevention devices.

Sewer:

4. There is an existing 15-inch diameter sanitary sewer main that extends along Wedgewood Drive fronting the subject property.

General:

5. EPWU-PSB requires a new service application to provide service to the site. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of improvement plans, including drainage and grading plans; (3) digital copy of site plan; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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.

Fire Department

El Paso Fire Department has no objections to the rezoning request. Please assure fire apparatus roads are compliant with the 2003 International Fire Code.

(Standard Comments for conceptual plan that can be addressed at the permitting stage)

CITY PLAN COMMISSION OPTIONS

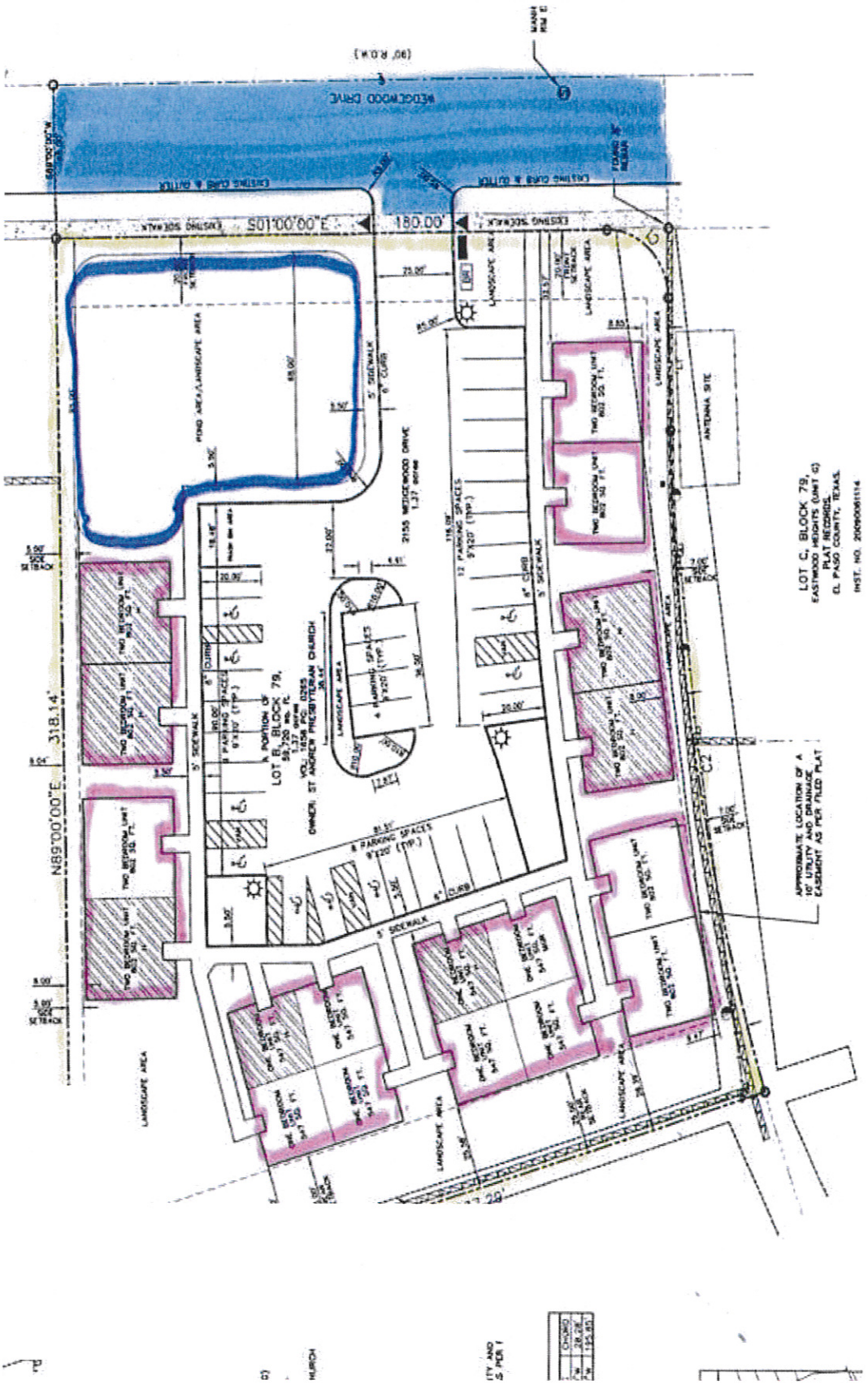
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

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 1: ZONING MAP

ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: CONCEPTUAL SITE PLAN