

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

DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: December 27, 2006
Public Hearing: January 16, 2007

CONTACT PERSON/PHONE: Stephen Schlett, 541-4935

DISTRICT(S) AFFECTED: #7

SUBJECT:

An Ordinance changing the zoning of Lot 2, Block 9, Lafayette Place, City of El Paso, El Paso County, Texas from C-1 (Commercial) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8021 North Loop. Applicants: Jorge Rivera & Blanca Serrano. ZON06-00130 (District 7)

BACKGROUND / DISCUSSION:

See attached report.

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation (unanimous)
City Plan Commission (CPC) – Approval Recommendation (vote 6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Alan Shubert

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 9, LAFAYETTE PLACE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL) AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 *Lot 2, Block 9, Lafayette Place, City of El Paso, El Paso County, Texas*, be changed from **C-1 (Commercial)** to **C-3 (Commercial)**, 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 condition which is necessitated by and attributable to the increased intensity 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:

That a detailed site development plan be reviewed and approved by the City Plan Commission prior to issuance of building permits.

PASSED AND APPROVED this _____ day of _____, 2006.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

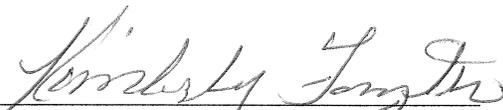
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Hillary S. McGinnes
Assistant City Attorney

APPROVED AS TO CONTENT:



Kimberly Forsyth, Senior Planner
Development Services Department



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES
PLANNING DIVISION**

December 8, 2006

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

FROM: Stephen Schlett, Planner

SUBJECT: ZON06-00130

The City Plan Commission (CPC), on November 16, 2006, voted **6 to 0** to recommend **APPROVAL** of rezoning the subject property from C-1(Commercial) to C-3 (Commercial) zoning with the following condition:

That a detailed site development plan be reviewed and approved by the City Plan Commission prior to issuance of building permits.

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 that 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.

Planning Division has received one letter in opposition to this request.

Attachment: Location Map, Aerial Map, Site Plan

STAFF REPORT

Rezoning Case: ZON06-00130

Property Owner(s): Jorge Rivera & Blanca Serrano

Representative: Victor M. Serrano

Legal Description: Lot 2, Block 9, Lafayette Place, City of El Paso, El Paso County, Texas

Location: 8021 North Loop

Representative District: #7

Area: 0.37 Acres

Present Zoning: C-1 (Commercial)

Present Use: Vacant

Proposed Zoning: C-3 (Commercial)

Proposed Use: Used Automobile Dealership

Recognized Neighborhood Associations Contacted: N/A

Surrounding Land Uses:

North -	R-3 (Residential) / Single Family Residence
South -	C-4 (Commercial) / Fence Company
East -	R-3 (Residential) / Single Family Residence
West-	C-4/c (Commercial / condition) / Church Parking Lot

Year 2025 Designation: Commercial (Lower Valley Planning Area)

**CITY PLAN COMMISSION HEARING, NOVEMBER 16, 2006
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00130

GENERAL INFORMATION:

The applicant is requesting a rezoning from C-1(Commercial) to C-3 (Commercial) in order to permit a used automobile dealership. The property is 0.37 acres in size and is currently vacant. The proposed site plan shows an office, garage and auto shop to be located on the site. Access is proposed via North Loop with 16 parking spaces provided. There are no zoning conditions currently imposed on this property.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has received one letter in opposition to this application. A previous request to rezone this property to C-4 (Commercial) was recommended for approval by the DCC and CPC but denied by City Council in 2005.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from C-1 to C-3 with the following condition:

“That a Detailed Site Development Plan be reviewed and approved by the City Plan Commission prior to the issuance of Building Permits.”

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for Commercial land uses.

C-3 zoning permits Used Automobile Dealership and **is compatible** with adjacent development.

The Commission must determine the following:

1. Will the C-3 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will used automobile dealership 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?

Information To The Applicant:

Development Services Department - Building Permits and Inspections Division

Comments:

Zoning Review

Used automobile dealership permitted on proposed C-3 (Commercial) district. Complies with front and rear setback requirements. Auto detail area (if covered) and new garage shall require a 10 ft. Setback when adjacent to a residential district. Meets minimum (10) parking space requirements. Shall require a 6 ft. high masonry screening wall along the property lines abutting R-3 (Residential) district.

Landscape Review

No comments received

Development Services Department - Planning Division Comments:

Current Planning:

1. The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for commercial land uses.
2. C-3 (Commercial) zoning permits a used automobile dealership and is compatible with adjacent development.

Subdivision Review:

No comments received.

Engineering Department - Traffic Division Comments:

No major traffic concerns with the proposed zoning change.

Fire Department Comments:

No comments received.

El Paso Water Utilities Comments:

Water:

There is an existing 8-inch diameter water main along the north side of North Loop fronting the subject property.

A private water pressure regulating device and backflow prevention assembly may be required at the discharge side of the water meter.

Sanitary Sewer:

There is an existing 12-inch diameter sanitary sewer main along the north side of North Loop fronting the subject property.

General:

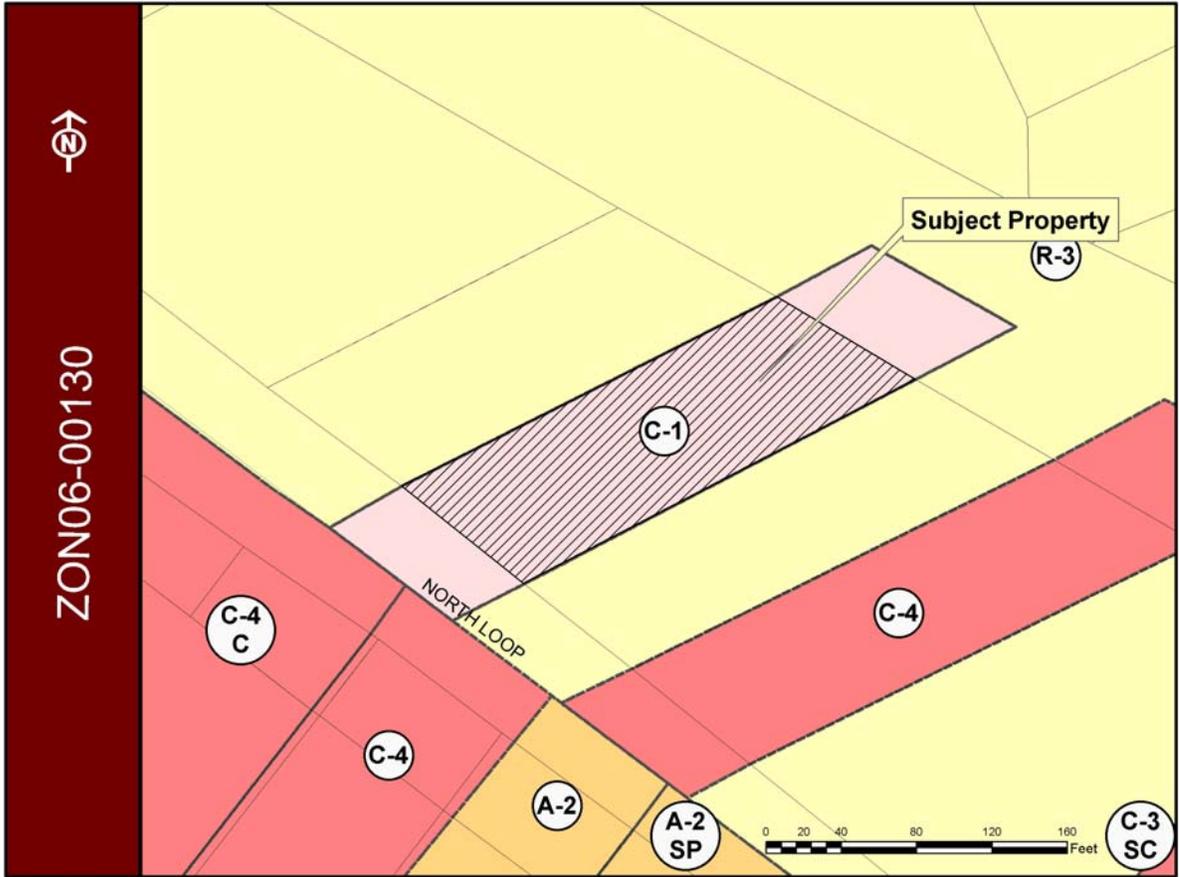
EPWU-PSB records indicate that there is one (1) vacant water meter connection (3/4" domestic), located at 8021 North Loop.

Application for additional water and sanitary sewer services should be made 6 to 8 weeks prior to any construction to ensure water for construction work. A site plan, a 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. 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

EPWU does not object to this request.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DIVISION AT (915) 541-4056.

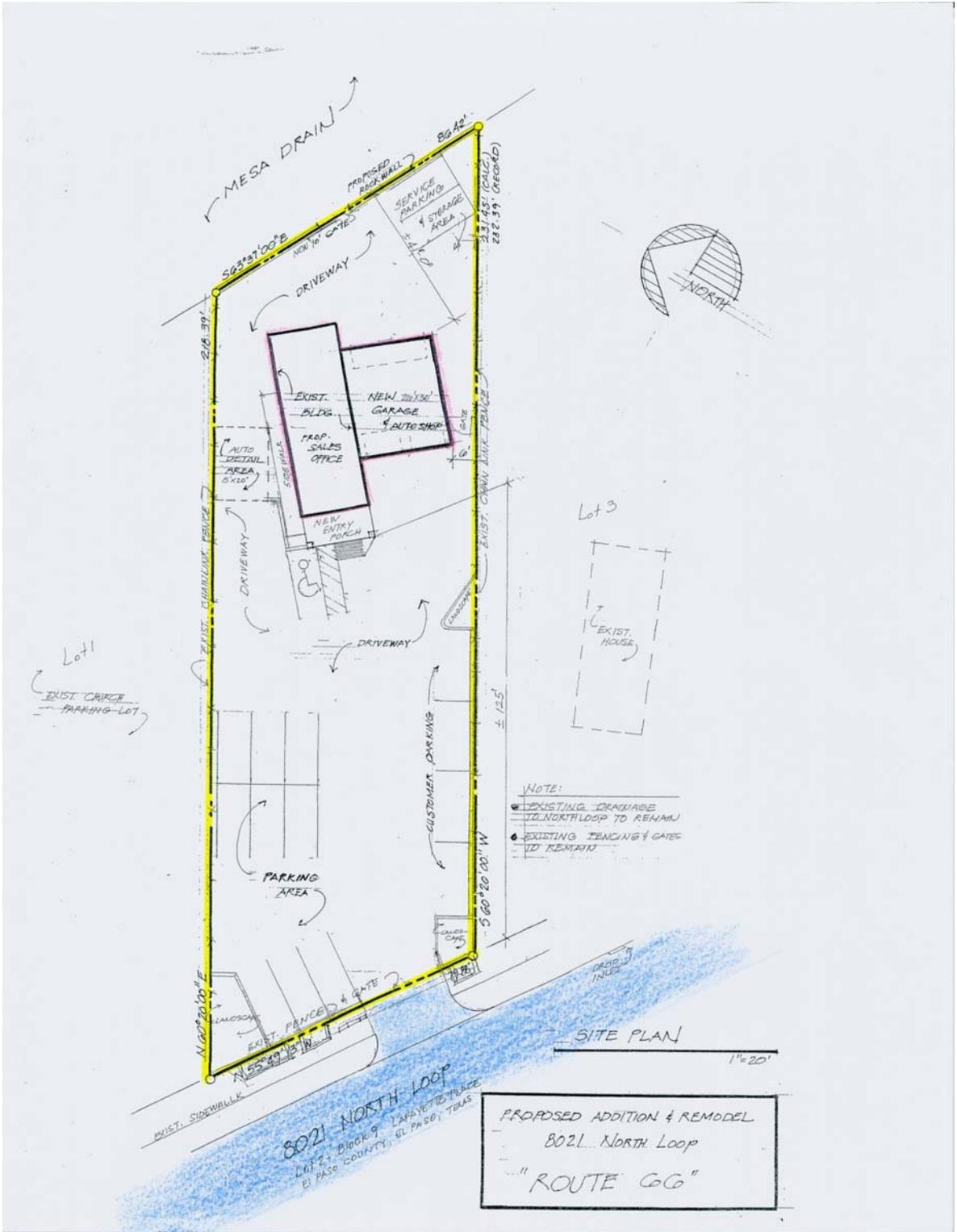
LOCATION MAP



AERIAL



SITE PLAN



NOTE:
 • EXISTING DRAINAGE TO NORTH LOOP TO REMAIN
 • EXISTING FENCING & GATES TO REMAIN

PROPOSED ADDITION & REMODEL
 802L NORTH LOOP
 "ROUTE 66"

Luis and Catherine Olivas _____

City Plan Commission
C/o Development Services
Planning Division, 5th Floor, City Hall
2 Civic Center Plaza
El Paso, TX 79901-1196

RE: Case No. ZoN06-00130

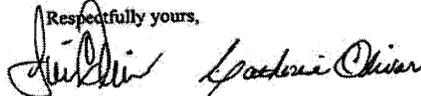
Dear Sirs:

We write to state our position of protest against the re-zoning of the property located at 8021 North Loop. This property was last re-zoned to our knowledge to allow for the development and operation of a restaurant which we had no problem or protest. A business of that sort would benefit the surrounding community. However the current proposed re-zoning to allow for the development of a used car dealer and service center is not anything we would like to see occur so close to our home, the adjacent church or the adjacent residential property.

While other businesses exist on the 8000 block of North Loop, their business operations are of a more professional type of business whereas a used car dealer does not in our opinion have any type of prestigious reputation and would only lower the standard of our community. Now that North Loop road has been redeveloped we would prefer to see the property in question developed into a commercial business such as flower shop, a small specialty store, a small restaurant or other type of small business but never a used car sales lot. There are more than enough of those types of businesses all along Alameda Avenue, many of which are a front for some behind the scene illegal business transactions.

To reiterate, we hereby protest against the re-zoning of the property.

Respectfully yours,



Luis Olivas and Catherine Olivas