

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

**DEPARTMENT:** Planning, Research & Development

**AGENDA DATE:** Introduction: September 27, 2005  
Public Hearing: October 18, 2005

**CONTACT PERSON/PHONE:** Christina Valles, 541-4930

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance changing the zoning of Tracts 2B2, 2B4 and 2B4A, Block 18, Ysleta Grant, El Paso, El Paso County, Texas from R-3 (Residential) to S-D (Special Development District). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 7929 Heid Ave. Applicant: Ramon/Rosina Frescas Jr. ZON05-00023 (District 7)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Denial Recommendation  
City Plan Commission (CPC) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** George Sarmiento, AICP

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF TRACTS 2B2, 2B4 AND 2B4A, BLOCK 18, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the zoning of *Tracts 2B2, 2B4 and 2B4A, Block 18, Ysleta Grant, El Paso, El Paso County, Texas*, be changed from R-3 (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 \_\_\_\_\_, 2005.

**THE CITY OF EL PASO**

\_\_\_\_\_  
John F. Cook  
Mayor

**ATTEST:**

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carolyn J. Crosby  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Christina Valles, Planner II  
Development Services Department

\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Development Services Department

DOC #

**ORDINANCE NO.** \_\_\_\_\_

**Zoning Case No: ZON05-00023**

JOHN COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER

GEORGE G. SARMIENTO, AICP  
DEPUTY DIRECTOR



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 DEPARTMENT  
PLANNING DIVISION**

September 19, 2005

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

**FROM:** Christina Valles, Planner II

**SUBJECT:** ZON05-00023

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The City Plan Commission (CPC), on September 8, 2005, voted **3-1** to recommend **APPROVAL** of this rezoning request, **contrary to Staff's** recommendation.

The CPC found that this rezoning request 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 request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this application.

**Attachment:** Location Map, Site Plan.

**STAFF REPORT**

**Rezoning Case:** ZON05-00023

**Property Owner(s):** Ramon/Rosina Frescas Jr.

**Applicant(s):** Ramon/Rosina Frescas Jr.

**Representative(s):** Luis De La Cruz

**Legal Description:** Tracts 2B2, 2B4 and 2B4A, Block 18, Ysleta Grant

**Location:** 7929 Heid Avenue

**Representative District:** # 7

**Area:** 0.877 Acres

**Present Zoning:** R-3 (Residential)

**Present Use:** Single-Family

**Proposed Zoning:** S-D (Special Development)

**Proposed Use:** Retail Commercial

**Recognized Neighborhood Associations Contacted:** N/A

**Surrounding Land Uses:**

<b>North -</b>	R-3 (Residential) / <b>Vacant</b>
<b>South -</b>	R-3 (Residential) / <b>Single-Family</b>
<b>East -</b>	C-1/sc (Commercial/special contract) / <b>Multi-Family</b> , R-5/sc (Residential/special contract) / <b>Single-Family</b>
<b>West-</b>	R-3 (Residential) / <b>Vacant</b>

**Year 2025 Designation:** Residential (Mission Valley Planning Area)

**CITY PLAN COMMISSION HEARING, September 08, 2005  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**Zoning Case: ZON05-00023**

**General Information:**

The applicant is requesting a rezoning from R-3 (Residential) to S-D (Special Development) in order to permit **retail commercial**. The property is 0.877 acres in size and is currently single-family residential. The proposed site plan shows a 14,790 square foot building to be located on the site. Access is proposed via Heid Street and Giles Road with 35 parking spaces provided. There are no zoning conditions currently imposed on this property.

**Information to the Commission:**

The Planning Department has received **no calls or letters** in support or opposition to this application.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **denial (with Streets dissenting)** of this request for rezoning from R-3 (Residential) to S-D (Special Development).

The recommendation is based on the following:

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.”

**The Year 2025 Projected General Land Use Map** for the Mission Valley Planning Area designates this property for **residential** land uses.

**S-D (Special Development) zoning** permits retail commercial and **is not compatible** with adjacent development.

The Commission must determine the following:

- A. Will the S-D (Special Development) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will retail commercial be compatible with adjacent land uses?

**Information To The Applicant:**

Building Permits and Inspections Department Notes:

No comments.

Engineering Department, Development Division Notes:

No Objections.

Engineering Department, Traffic Division Notes:

- No apparent traffic concerns with the proposed zoning change.

NOTE: Access to proposed commercial retail shall be thru Giles Road only.

Fire Department Notes:

No comments

El Paso Water Utilities Notes:

No comments

Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Mission Valley Planning Area designates this property for residential land uses.
- B. S-D (Special Development) zoning permits retail commercial and is not compatible with adjacent development.

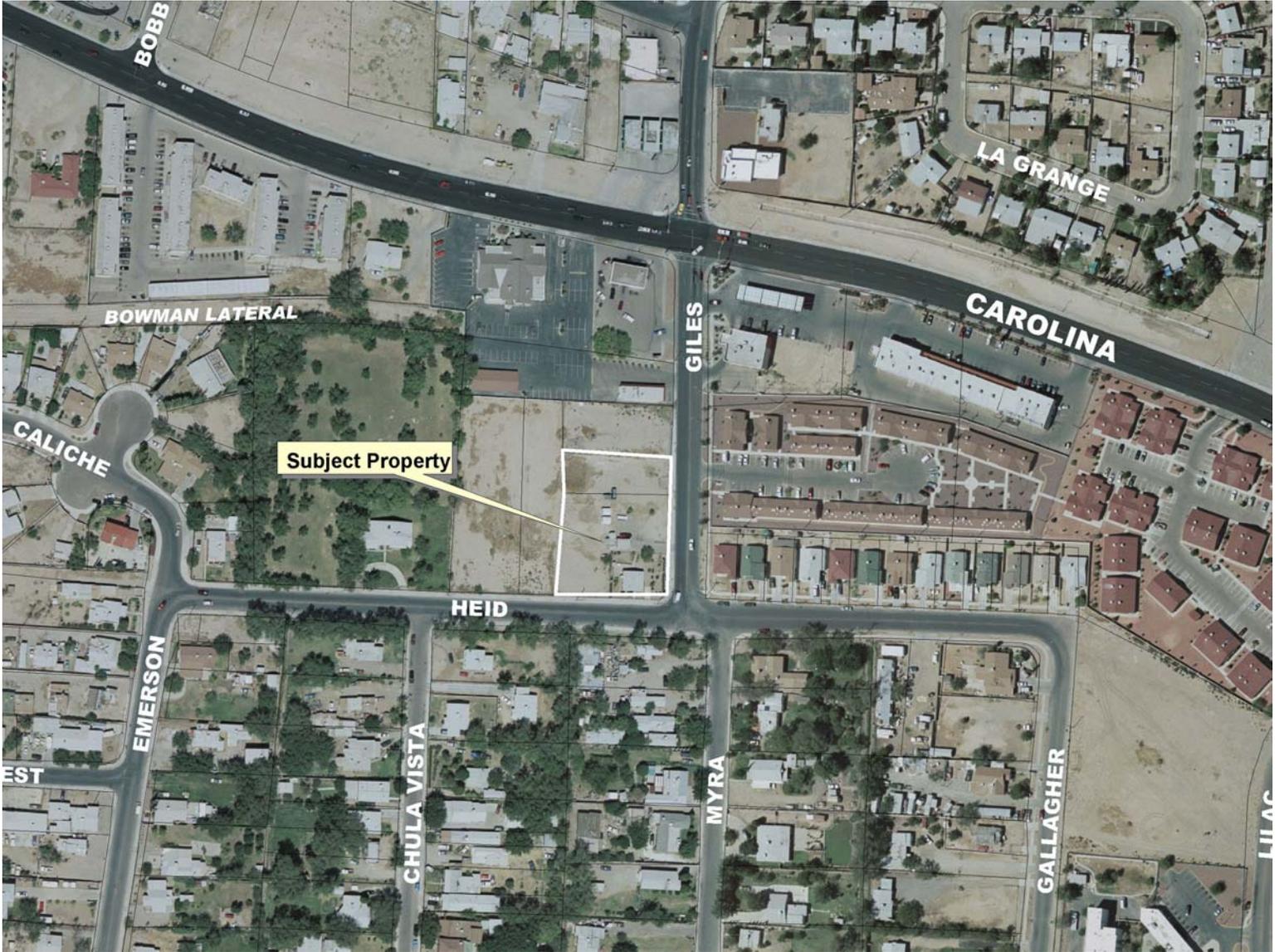
**ATTACHMENT:** Site Plan; Location Map.

**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 DEPARTMENT AT (915) 541-4056.

**LOCATION MAP**



**AERIAL MAP**



# GENERALIZED PLOT PLAN

