

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: December 22, 2015
Public Hearing: January 12, 2016

CONTACT PERSON/PHONE: Larry Nichols, (915) 212-1550, nicholslf@elpasotexas.gov
Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance changing the zoning of a portion of Tract 1-B, Lying in Section 45, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Zaragoza Road and East of Tierra Este Road. Property Owner: El Paso Electric Company. PZRZ15-00031 (District 5)

BACKGROUND / DISCUSSION:

On November 19, 2015, the CPC reviewed and recommended approval of the rezoning request.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this rezoning application.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Larry F. Nichols
Director, Planning and Inspection Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1-B, LYING IN SECTION 45, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) 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:

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of a *portion of Tract 1-B, lying in Section 45, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, located in the 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 **R-3 (RESIDENTIAL)** to **C-1 (COMMERCIAL)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, 2016.


THE CITY OF EL PASO

ATTEST:

Oscar Leaser
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Brie L. Franco
Assistant City Attorney

APPROVED AS TO CONTENT:

Larry F. Nichols, Director
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ15-000031

EXHIBIT A

METES AND BOUNDS DESCRIPTION

1.1067 Acres
PORTION OF AN EXISTING
300' WIDE EL PASO ELECTRIC COMPANY RIGHT-OF-WAY
LYING WITHIN TRACT 1-B, SECTION 45, BLOCK 79, TOWNSHIP 2,
TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS

Description of a parcel of land being a portion of Tract 1-B, lying in Section 45, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas and described as follows:


Beginning at a 1/2" rebar found at the most northerly corner of Lot 1, Block 100, Tierra del Este Unit Twenty (recorded in book 78, page 54, Plat Records of El Paso County), said rebar also lying at the most easterly lot corner of Lot 18, Block 12, Tierra del Este Unit One (recorded in book 76, pages 40, 40A and 40B, Plat Records of El Paso County), said rebar also lying North 42°30'50" East (bearing basis) a distance of 847.39' from a 5/8" rebar found at the most westerly corner of said Lot 1, and being the "Point Of Beginning";

Thence, along a line perpendicular to the northwesterly ROW line of Zaragosa Road (100' ROW), South 47°29'10" East distance of 300.00' to a 5/8" rebar with cap stamped 5372 set on the westerly ROW line of said Zaragosa Road and being the most easterly corner of this parcel;

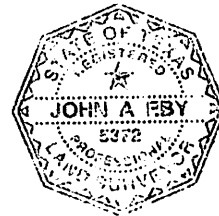
Thence, with said northwesterly ROW line of Zaragosa Road, South 42°30'50" West a distance of 321.38' to a 5/8" rebar with cap stamped 5372 set for corner at the southeast corner of said Lot 1;

Thence, leaving said northwesterly ROW line of Zaragosa Road and with east boundary line of said Lot 1, North 00°30'56" West a distance of 439.64' to the "Point Of Beginning" and containing 48,206 sq. ft. or 1.1067 acres.

Based on a field survey performed under my supervision and dated September 16, 2014.


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



MEMORANDUM

DATE: December 10, 2015

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Andrew Salloum, Planner

SUBJECT: PZRZ15-00031

The City Plan Commission (CPC) on November 19, 2015, voted 5-0 to recommend **approval** of rezoning the subject property from R-3 (Residential) to C-1 (Commercial) to allow an additional parking area in support of an existing commercial development.

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the 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 rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division received a phone call in support to the rezoning request.

Property Owner: El Paso Electric Company
Applicant: River Oaks Properties, Inc.
Representative: SLI Engineering, Inc.

Attachments:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ15-00031
Application Type: Rezoning
CPC Hearing Date: November 19, 2015
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: North of Zaragoza Road and East of Tierra Este Road
Legal Description: A portion of Tract 1-B, lying in Section 45, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas
Acreage: 1.1 acres
Rep District: 5
Existing Zoning: R-3 (Residential)
Existing Use: El Paso Electric Easement
C/SC/SP/ZBA/LNC: N/A
Request: R-3 (Residential) to C-1 (Commercial)
Proposed Use: Parking area in support of commercial development

Property Owner: El Paso Electric Company
Applicant: River Oaks Properties, Inc.
Representative: SLI Engineering, Inc.

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / El Paso Electric R.O.W.
South: El Paso ETJ / Vacant; C-3 (Commercial) / Vacant
East: R-3 (Residential) / El Paso Electric R.O.W.
West: C-3/c (Commercial/conditions) / Retail

PLAN EL PASO DESIGNATION: G-4, Suburban (Walkable) (East Planning Area)

NEAREST PARK: Salvador Rivas Park (3,726 feet)

NEAREST SCHOOL: Lujan Chavez Elementary (2,840 feet)

NEIGHBORHOOD ASSOCIATIONS

Las Tierras Neighborhood Association
Eastside Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 500 feet of the subject property on November 4, 2015. The Planning Division received a phone call in support to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-3 (Residential) to C-1 (Commercial) to allow an additional parking area in support of an existing commercial development. Parking serving a commercial use from residential zoned property is not permitted as the subject property is zoned R-3 (Residential), therefore necessitating the rezoning change. Currently, there is an existing C-3 (Commercial) zoned property to the west of the subject property that the applicant owns. The conceptual site plan shows a 1.1 acres parking area to serve an adjacent commercial development. Access to the subject property is proposed from Zaragoza Road.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to C-1 (Commercial). The recommendation is based on the compatibility with surrounding land use and the existing C-3 (Commercial) zoned properties to the south, east, and west of the subject property and compliance with the Plan El Paso land use designations G-4, Suburban (Walkable) in the East Planning Area.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-1 (Commercial) district 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.

COMMENTS:

Planning Division - Transportation

Traffic Impact Analysis (TIA) is not required.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Planning and Inspections Department – Building and Development Permitting

No objection to proposed rezoning. The conceptual plan submitted was not reviewed for conformance with any applicable codes.

Planning and Inspections Department - Land Development

No objections.

TXDOT -

TXDOT AMC approved the location of the proposed driveway. The permit will be executed once the grading and drainage plan is approved.

Note: the applicant shall coordinate with TXDOT at the time of permitting.

Street and Maintenance Department

A TIA waiver was received and approved by Street and Maintenance Department.

Fire Department

Rezoning does not adversely affect the Fire Department.

Police Department

We have seen an increase in businesses and rezoning in that general area, but do not anticipate any conflicts from this.

El Paso Water Utilities

No comments received.

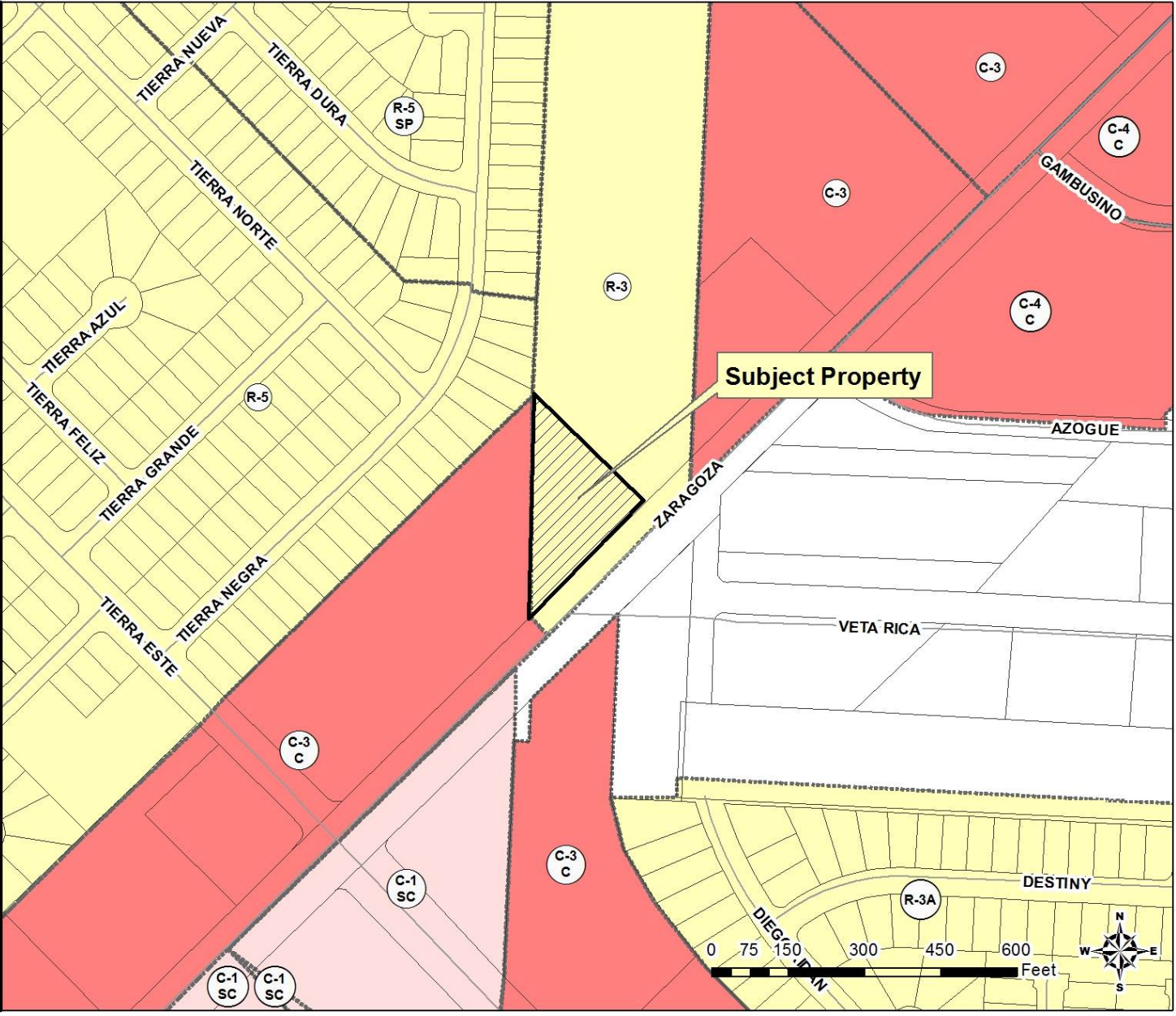
El Paso Water Utilities - Stormwater Division

1. Storm sewer cannot flow into Zaragoza Rd.; TXDOT roads are not designed to carry outside storm sewer flow.
2. The developer shall be responsible for the additional stormwater runoff generated by the proposed subdivision, and must ensure that the historic runoff volume, peak and duration are maintained.
3. Not required but recommended: Using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

Attachments:

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

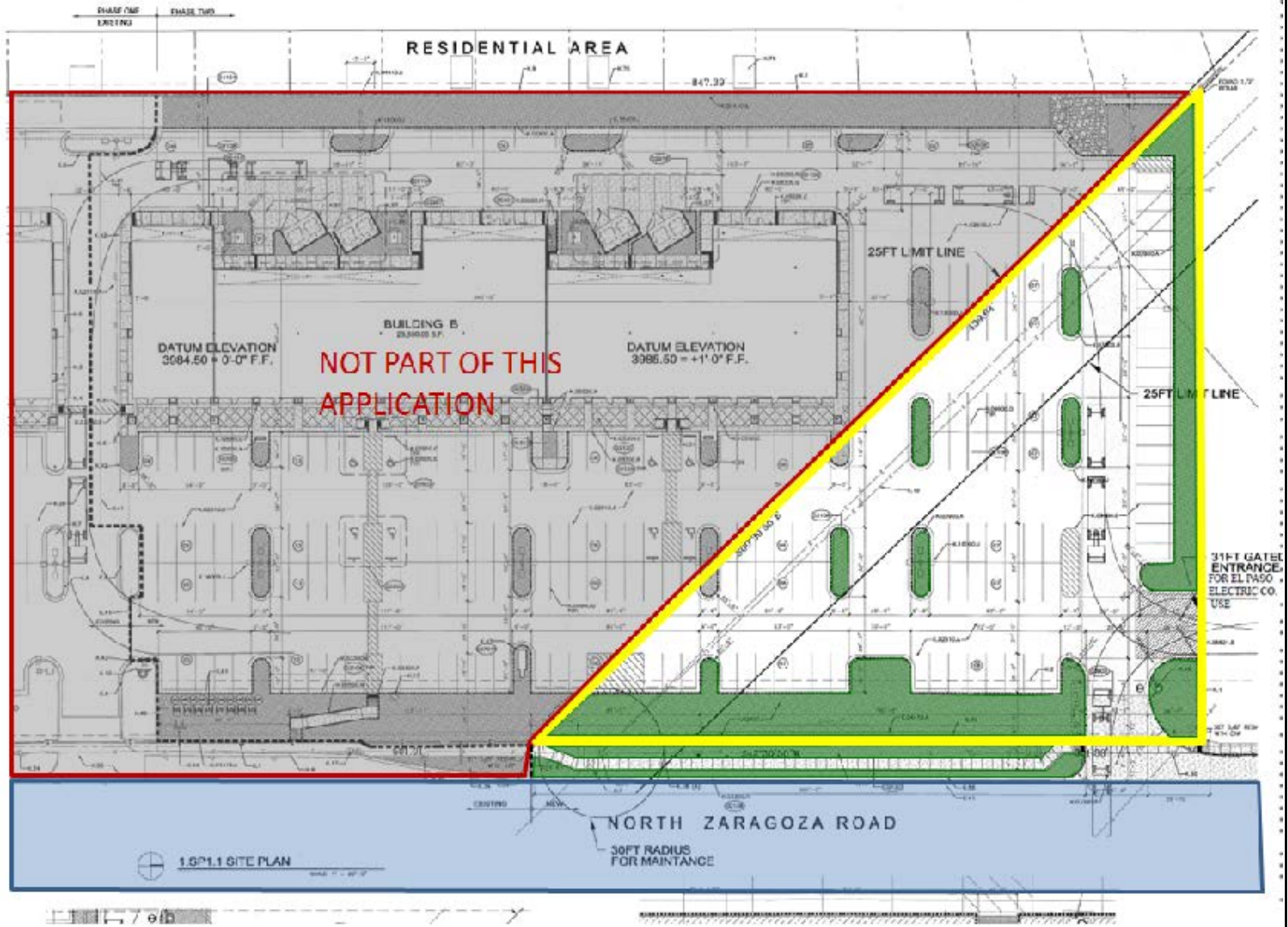
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ATTACHMENT 3: CONCEPTUAL SITE PLAN





Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (5-0)
- **Public Input:** The Planning Division received a phone call in support to the rezoning request.

Strategic Goal #3 Promote the Visual Image of El Paso

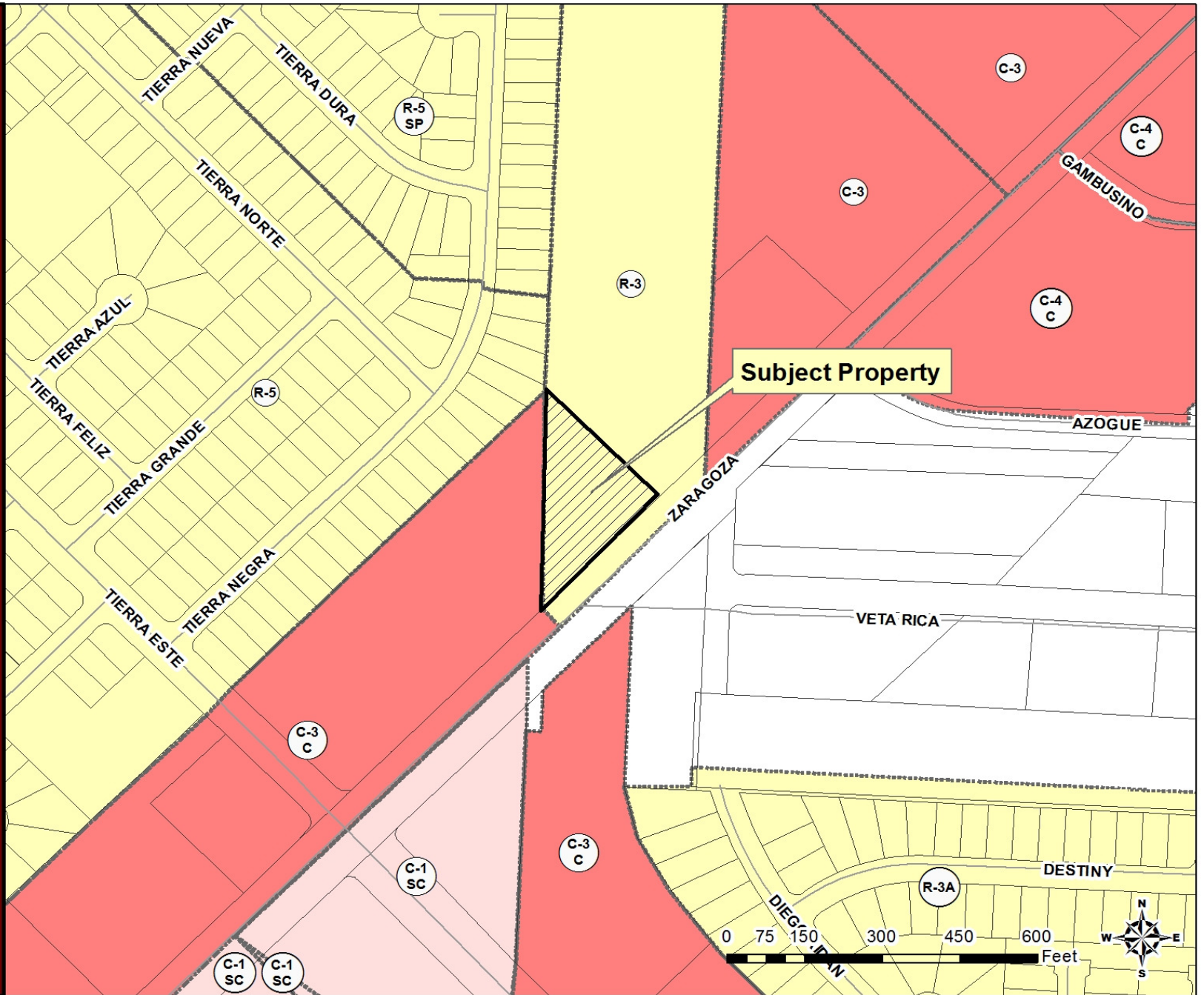
3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

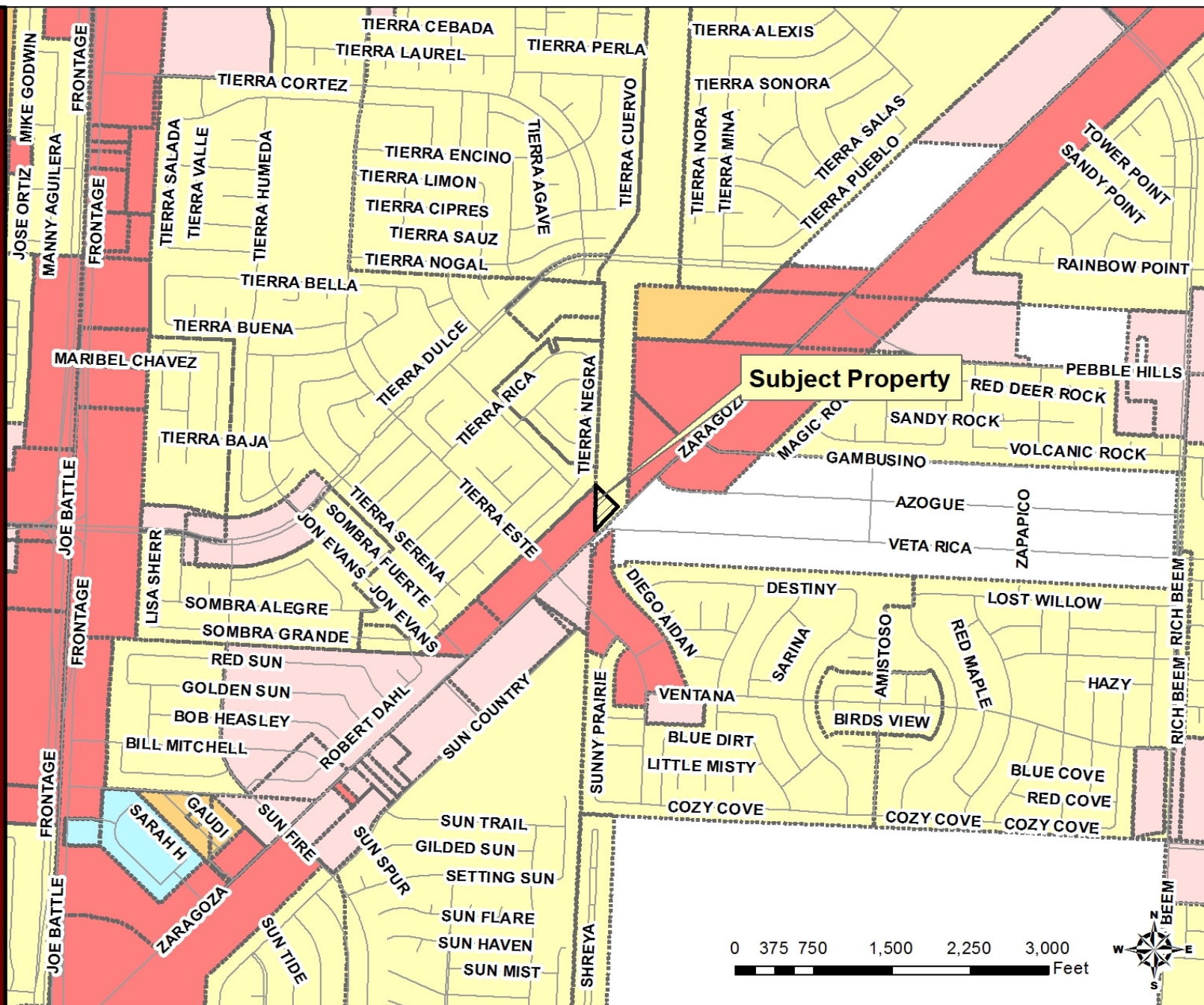
"Delivering Outstanding Services"

PZRZ15-00031

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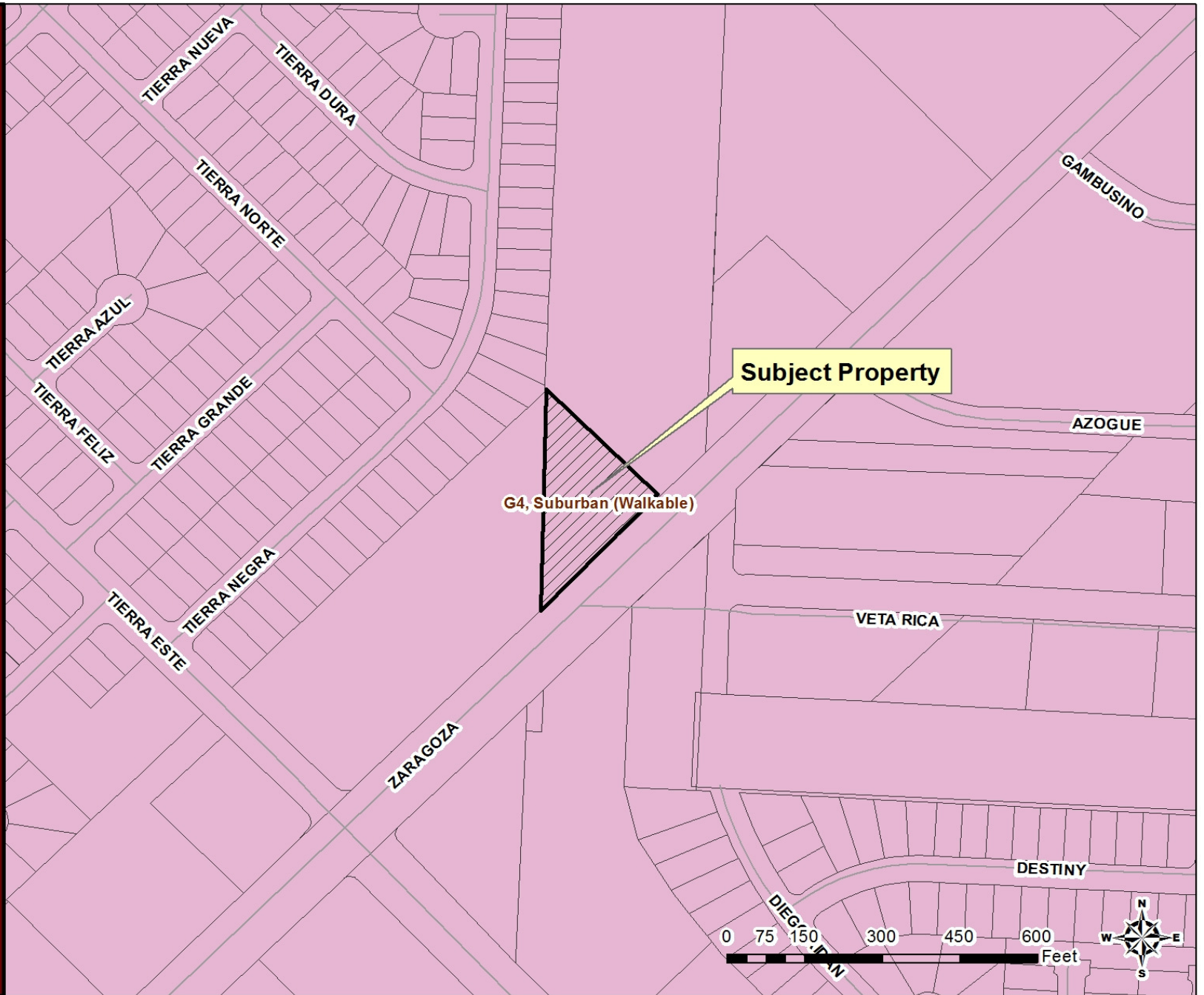


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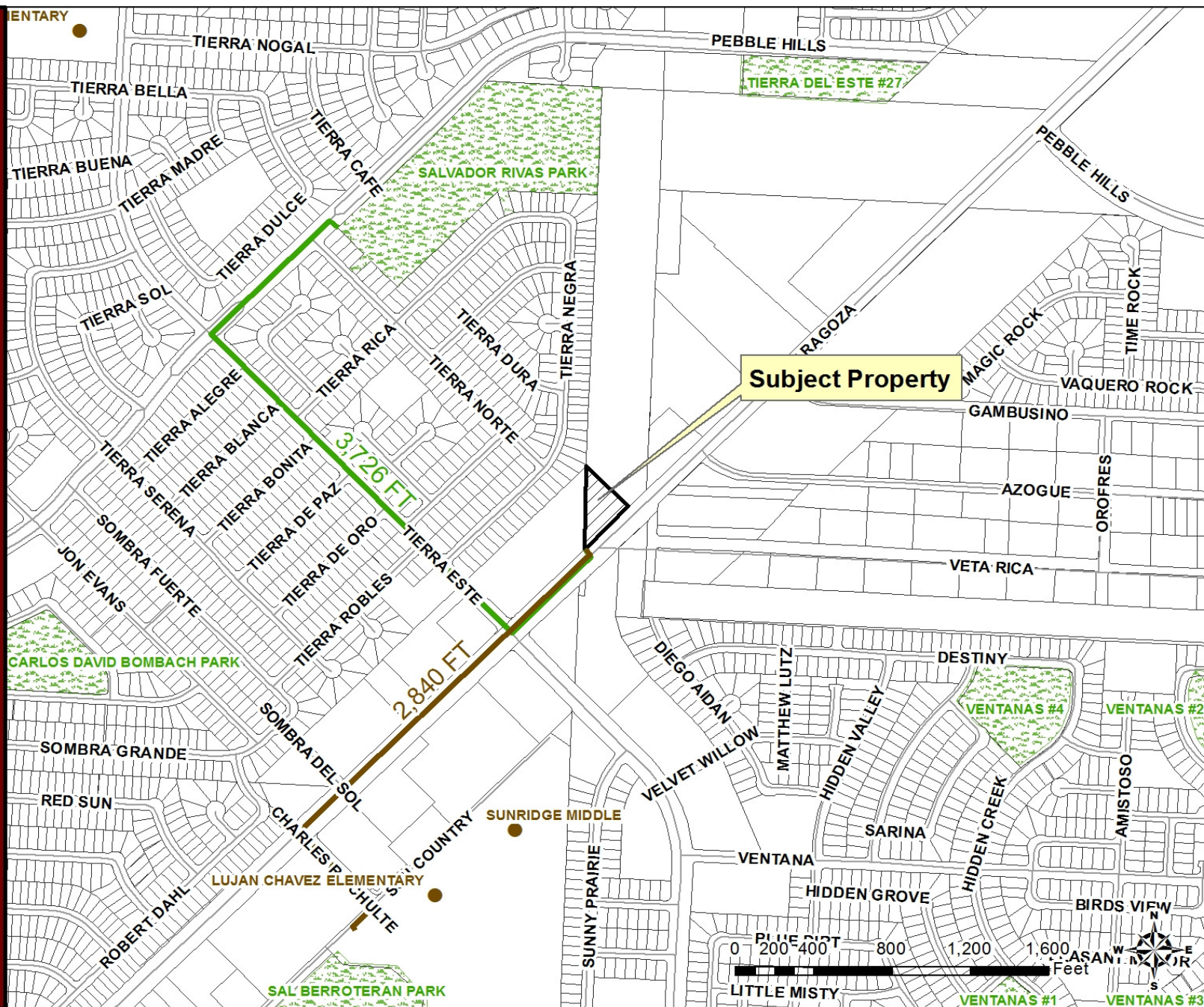
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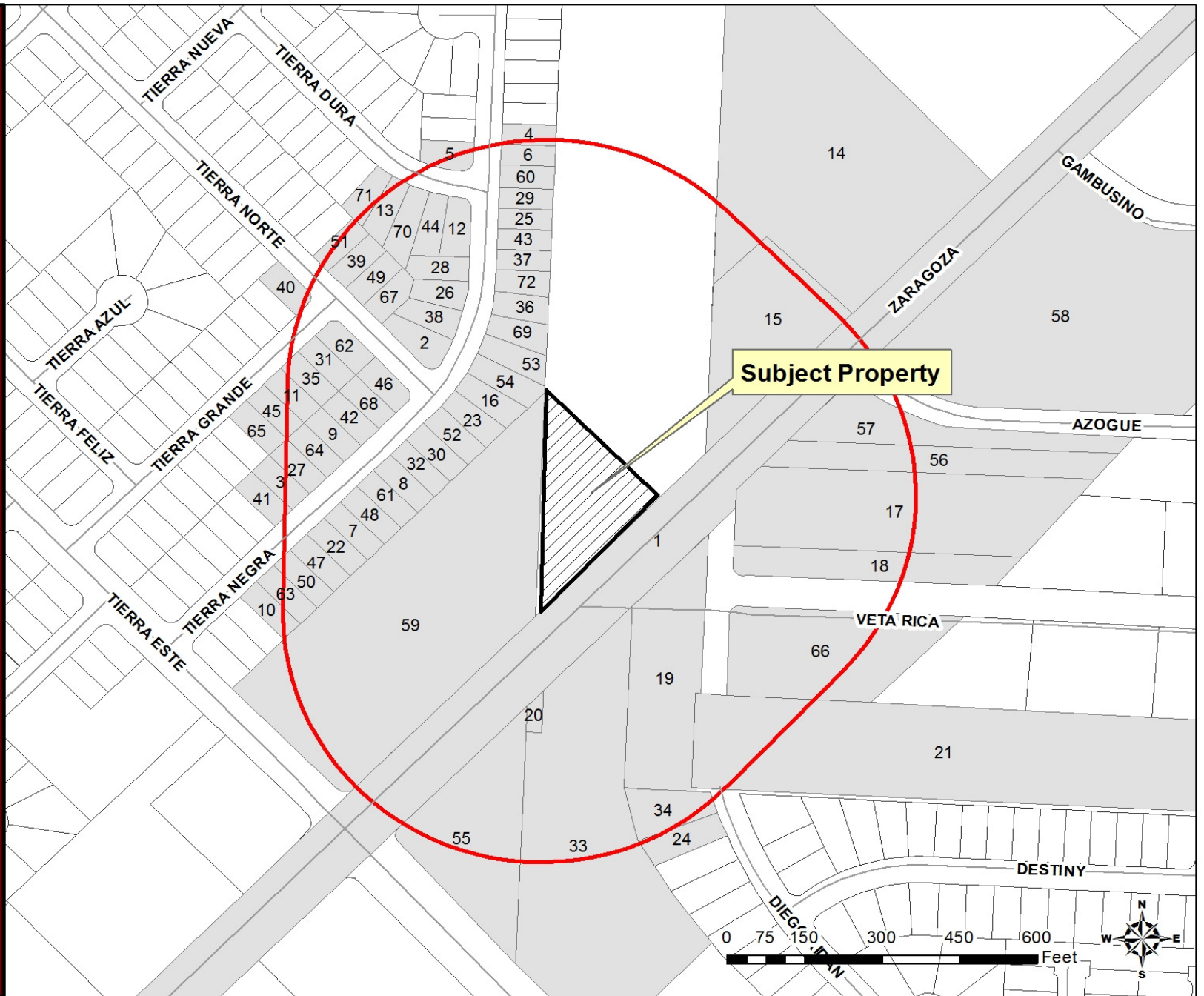
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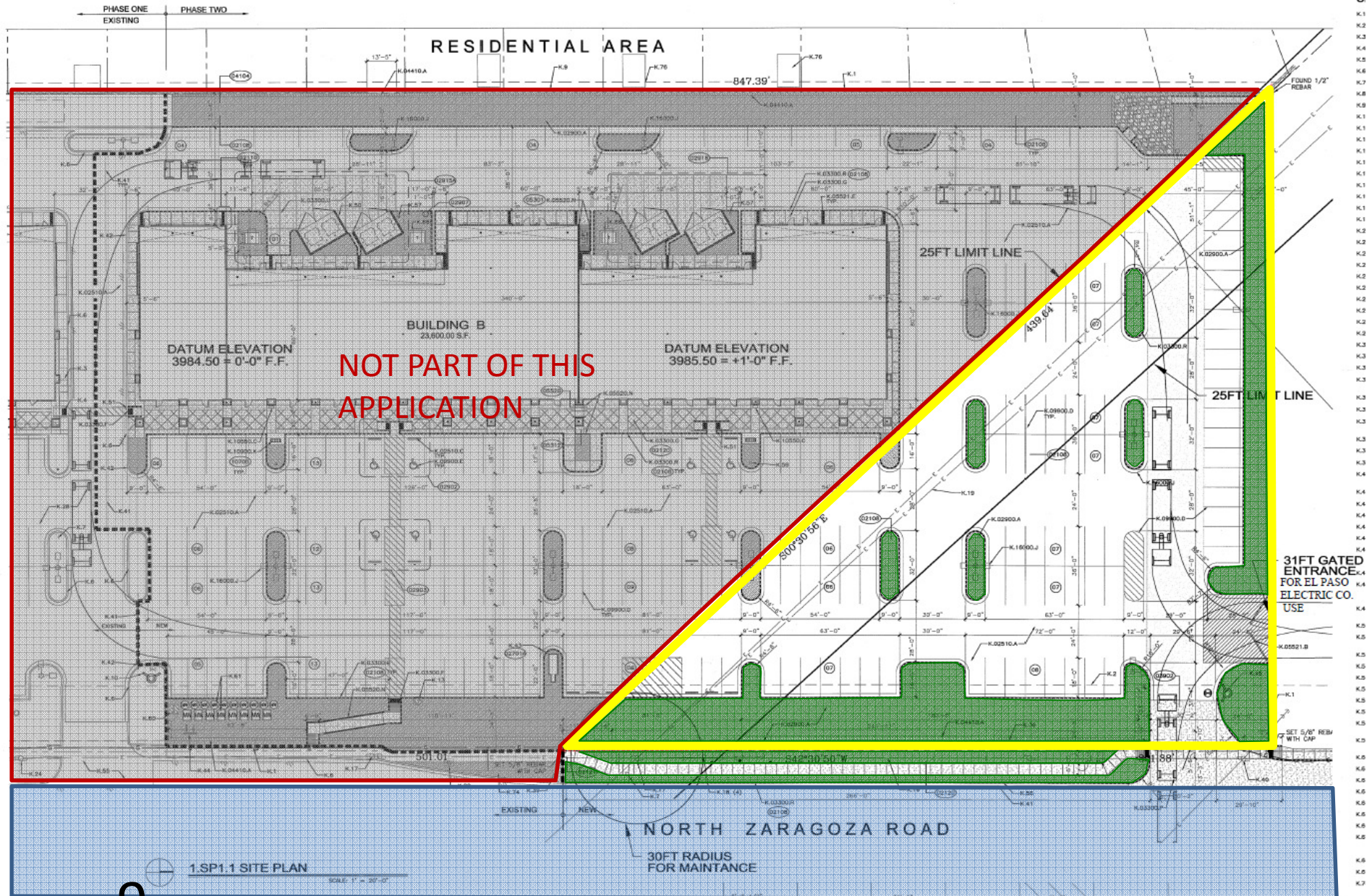
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Subject Property



Subject Property





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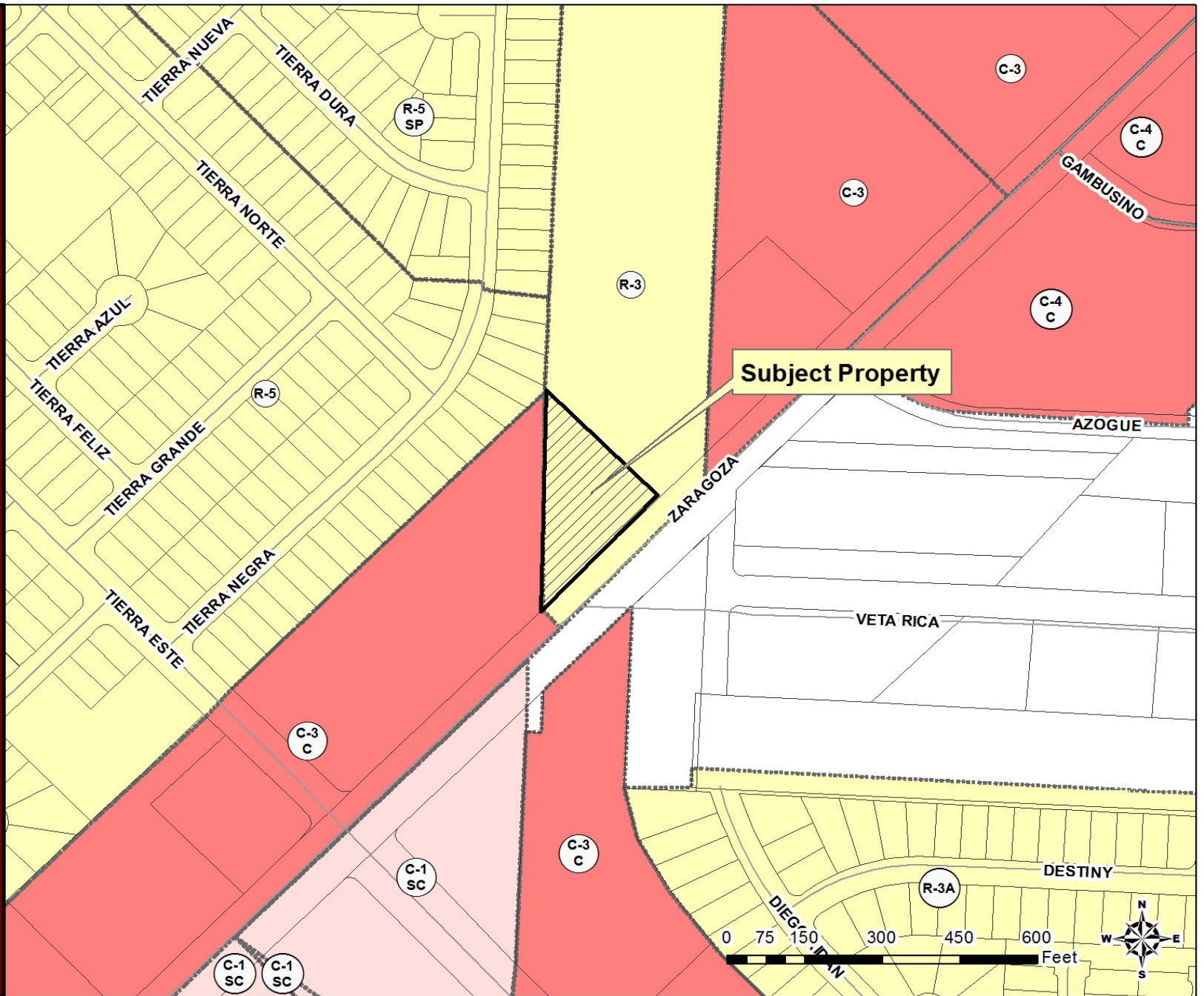
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16



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17



