

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: January 21, 2020

PUBLIC HEARING DATE: February 18, 2020

CONTACT PERSON NAME AND PHONE NUMBER:

Philip F. Etiwe, (915) 212-1553, EtiwePF@elpasotexas.gov

Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.1 Provide business friendly permitting and inspection processes
3.2 Improve the visual impression of the community

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 1, Block 237, Vista Del Sol Unit Forty Seven, 1791 Lee Trevino, City of El Paso, El Paso County, Texas from C-1/sc (Commercial/Special Contract) to C-3/sc (Commercial/Special Contract). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: 1791 Lee Trevino. Owner: Malber LLC. PZRZ19-00031 (District 7)

BACKGROUND / DISCUSSION:

On December 19, 2019, the CPC reviewed and recommended approval of the proposed rezoning.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



Philip F. Etiwe, Director
Planning and Inspections Department

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 237, VISTA DEL SOL UNIT FORTY SEVEN, 1791 LEE TREVINO, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1/SC (COMMERCIAL/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT). 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, the zoning of a portion of Lot 1, Block 237, Vista del Sol Unit Forty Seven, 1791 Lee Trevino, located in the City of El Paso, El Paso County, Texas, be changed from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract), 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 _____, 2020.

THE CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____
20-1007-2562 / 960923
1791 Lee Trevino
RTA

Zoning Case No: PZRZ19-00031

EXHIBIT "A"

Being a portion of Lot 1, Block 237
Vista Del Sol Unit Forty Seven,
City of El Paso, El Paso County, Texas
December 27, 2019

METES AND BOUNDS DESCRIPTION

1791 N. Lee Trevino Drive
Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of Lot 1, Block 237, Vista Del Sol Unit Forty Seven, City of El Paso, El Paso County, Texas, being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found City Monument at the centerline intersection of Ben Crenshaw Drive (60' R.O.W.) and Trawood Drive (90' R.O.W.); **THENCE**, leaving said centerline intersection and along the centerline of Trawood Drive, North 89°32'00" East, a distance of 465.90 feet to a point; **THENCE**, leaving said centerline of Trawood Drive, South 00°28'00" East, a distance of 45.00 feet to a found 5/8 iron rod at the southerly right-of-way line of Trawood Drive and being the **POINT OF BEGINNING** of the herein described parcel;

THENCE, along said southerly right-of-way line of Trawood Drive, North 89°32'00" East, a distance of 130.00 feet to a found chiseled "X" for corner;

THENCE, leaving said southerly right-of-way line of Trawood Drive, 31.42 feet along the arc of a curve to the right whose radius is 20.00 feet, whose interior angle is 90°00'00", whose chord bears South 45°28'00" East, a distance of 28.28 feet to a found chiseled "X" for corner at the westerly right-of-way line of Lee Trevino Drive (130' R.O.W.);

THENCE, along said westerly right-of-way line of Lee Trevino Drive, South 00°28'00" East, a distance of 130.57 feet to a found nail for corner;

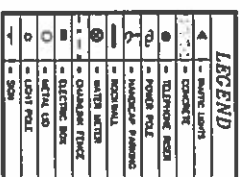
THENCE, leaving said westerly right-of-way line of Lee Trevino Drive, South 89°32'00" West, a distance of 150.00 feet to a found nail for corner;

THENCE, North 00°28'00" West, a distance of 150.57 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 22,499.66 square feet or 0.5165 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive, Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2019\19-2737_1791 Lee Trevino

IMPROVEMENT SURVEY
BEING A PORTION OF LOT 1, BLOCK 237,
VISTA DEL SOL UNIT FORTY SEVEN
CITY OF EL PASO, EL PASO COUNTY, TEXAS

OR 0.5165 ACRE±
SEE EXHIBIT "A"



BE-PAID-UP SALES AND ALL OTHERS OF THE SECURITY CLASS OF OFFICE RECORD.

CONSULTING COMPANY
1790 N. LEE TREVINO DR. SUITE 503
EL PASO, TEXAS 79936
TEL (915) 633-6422

[illegible]

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MEMORANDUM

DATE: January 13, 2020

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

FROM: Luis Zamora, Planner

SUBJECT: PZRZ19-00031

The City Plan Commission (CPC), on December 19, 2019 voted 8-0 to recommend **approval** to the rezoning of the property described as a portion of Lot 1, Block 237, Vista Del Sol Unit Forty Seven, 1791 Lee Trevino, City of El Paso, El Paso County, Texas from C-1/sc (Commercial/special contract) to C-3/sc (Commercial/special contract) pursuant to Section 20.04.360 of the El Paso City Code.

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 the rezoning will not have negative effects on the natural environment, social economic conditions, property values in the vicinity, and the city as a whole.

Planning receive no calls in support of or in opposition to the rezoning request.

Property Owner: Maber, LLC
Applicant: Maber, LLC
Representative: DEVCON Associates (David Etzold)

Attachments:
Staff Report

1791 Lee Trevino Drive

City Plan Commission — December 19, 2019

REZONING



CASE NUMBER: PZRZ19-00031
CASE MANAGER: Luis Zamora, 915-212-1552, zamoralf@elpasotexas.gov
PROPERTY OWNER: Malber, LLC
REPRESENTATIVE: DEVCON Associates
LOCATION: 1791 Lee Trevino Drive (District 7)
LEGAL DESCRIPTION: Portion of Lot 1, Block 237, Vista del Sol Unit Forty Seven, City of El Paso, El Paso County, Texas
PROPERTY AREA: 0.52 acres
REQUEST: Rezone from C-1 (Commercial) to C-3 (Commercial)
RELATED APPLICATIONS: None
PUBLIC INPUT: None

SUMMARY OF REQUEST: The applicant is requesting to rezone from C-1 (Commercial) district to C-3 (Commercial) district in order to accommodate proposed used car sales.

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee recommends **APPROVAL** of the rezoning request. The proposed district is in keeping with the adjacent commercial neighborhood and the policies of *Plan El Paso* for the G-4 (Suburban) Future Land Use Designation in the East Plan Area.

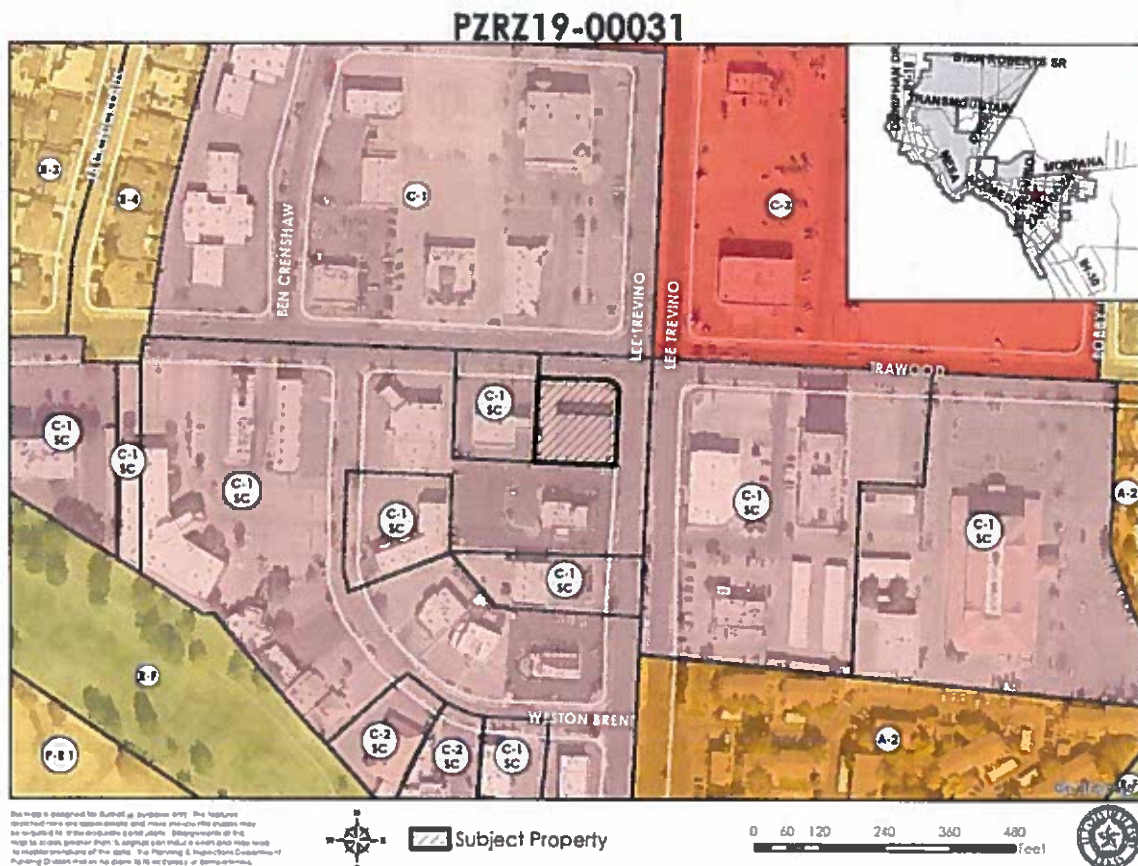


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from C-1 (Commercial) to C-3 (Commercial) to allow for proposed Automobile (sales, service, storage, and rental). The detailed site plan shows the existing building with an overhead canopy, an existing toilet building, existing gated trash structure, an existing sign, proposed parking stalls, and accessible access to the building from the sidewalk. Proposed access is from Lee Trevino Drive and Trawood Drive. Any future development will need to comply with the applicable standards of the El Paso City Code.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the commercial developments in close proximity and meets the established character of its surrounding neighborhood. Zoning districts surrounding the subject property include C-1 (Commercial) and C-3 (Commercial), with C-2 (Commercial) and A-2 (Apartment) beyond. The proposed zoning district and use are considered compatible with the surrounding neighborhood.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-4, Suburban: 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.</p>	<p>Yes, the applicant proposes to rehabilitate a vacant property that is intended to serve the nearby neighborhood.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-3(Commercial) District: The purpose of this district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.</p>	<p>Yes, the proposed development will provide commercial uses at a scale compatible with existing commercial development.</p>
<p>Preferred Development Locations: Is the property in a "Compact Urban" area?</p>	<p>Yes, the proposed development is located along the intersection of a Major Arterial and a Minor Arterial.</p>

THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	N/A
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None
Natural Environment: Anticipated effects on the natural environment.	The subject property does not lie within an arroyo or other sensitive environment. No negative environmental impacts are anticipated if the rezoning request is approved.
Stability: Whether the area is stable or in transition.	The area is in transition. Part of Vista Hills Country Club was rezoned from R-F to P-R I in 2018.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:

Main access is proposed from Lee Trevino Drive, classified as a Major Arterial, and from Trawood Drive, classified as a Minor Arterial. The higher classification of these streets is appropriate to serve the proposed commercial use. The existing infrastructure is adequate for a higher intensity use.

PUBLIC COMMENT: The subject property lies within the Eastside Civic Association boundaries, who were notified prior to application submittal. Surrounding property owners within 300 feet were notified by mail on December 4, 2019. The Planning Department has not received any communication in support of or in opposition to the rezoning request

CITY PLAN COMMISSION OPTIONS:

The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

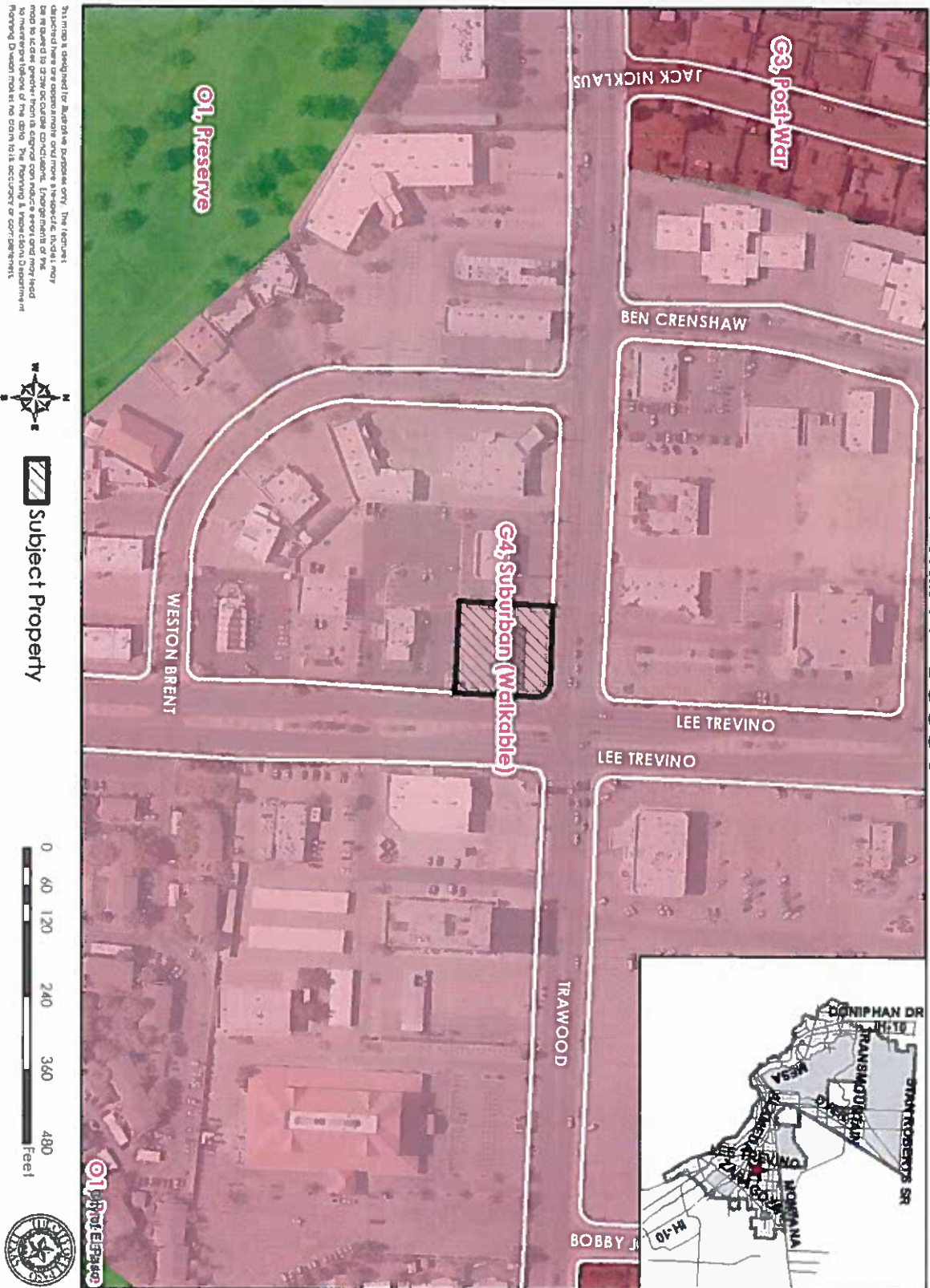
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

ATTACHMENTS:

1. Future Land Use Map
2. Neighborhood Notification Boundary Map
3. Detailed Site Development Plan
4. Department Comments

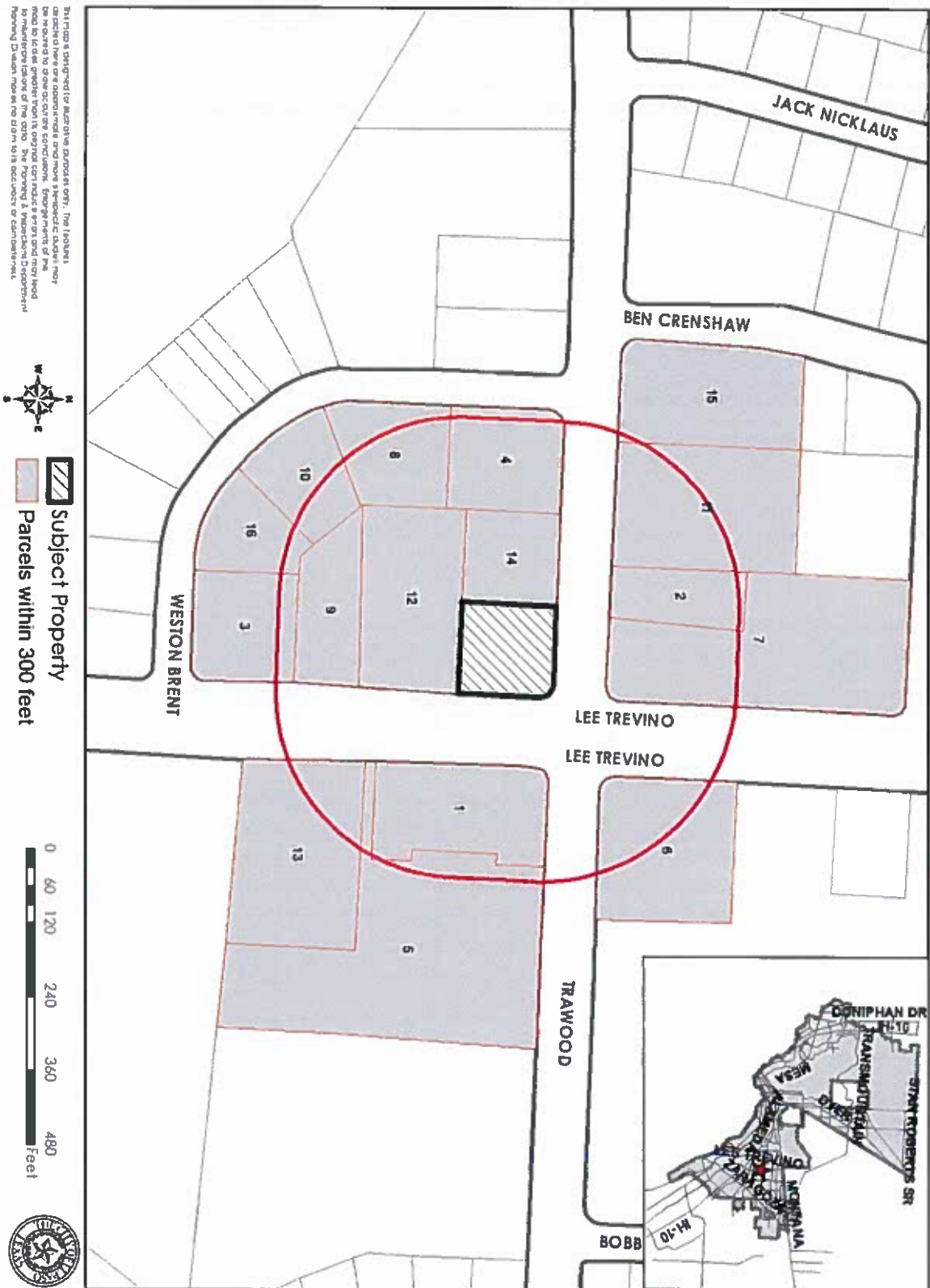
ATTACHMENT 1

PZR219-00031

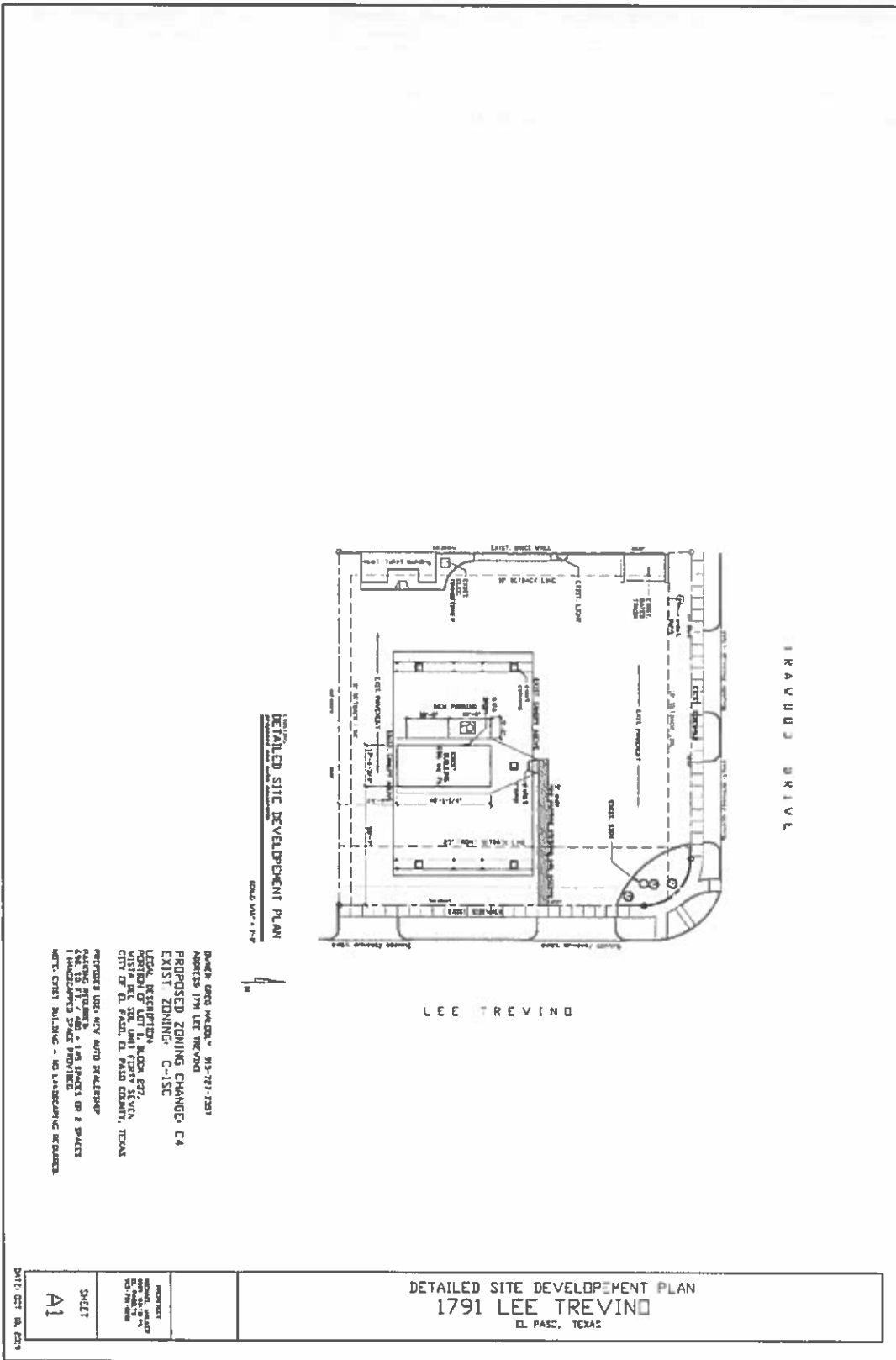


ATTACHMENT 2

PZRZ19-00031



ATTACHMENT 3



ATTACHMENT 4

Planning and Inspections Department - Planning Division

No objection.

Planning and Inspections Department – Plan Review & Landscaping Division

Reviewed for rezoning, not approval of submitted detailed site plan.

Planning and Inspections Department – Land Development

No comments received.

Parks and Recreation:

No comments received.

Texas Department of Transportation

Proposed development is not abutting TxDOT right of way.

Fire Department

Recommend approval.

Police Department

No comments received.

Sun Metro

Recommend approval.

El Paso County Water Improvement District (EPCWID)

No within the boundaries of EPCWID.

El Paso Water

No comments received.

EPWU-PSB Comments

No comments received.

Stormwater:

Most of the runoff in this area is handled on the surface via the street's curb & gutter; EPW - Stormwater Engineering recommends using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed storm water runoff and to mitigate adverse downstream drainage conditions.

PZRZ19-00031

1791 Lee Trevino





Recommendation | Public Input

2

Planning/DCC recommendation:

Approval of the rezoning request.

CPC Vote:

Approval recommendation (8-0).

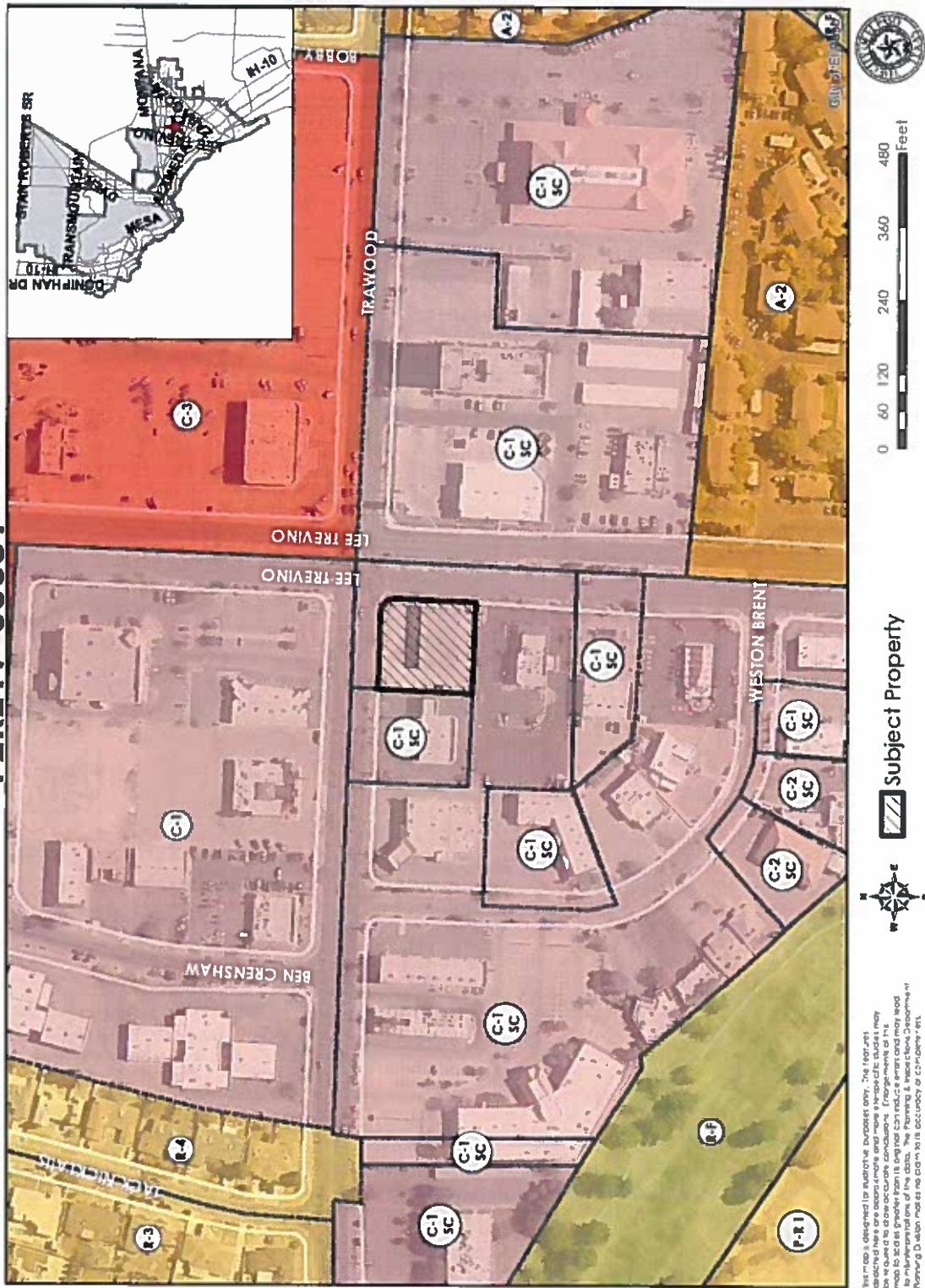
Public Input:

- The Planning Division has received no calls in support of or in opposition to the rezoning request

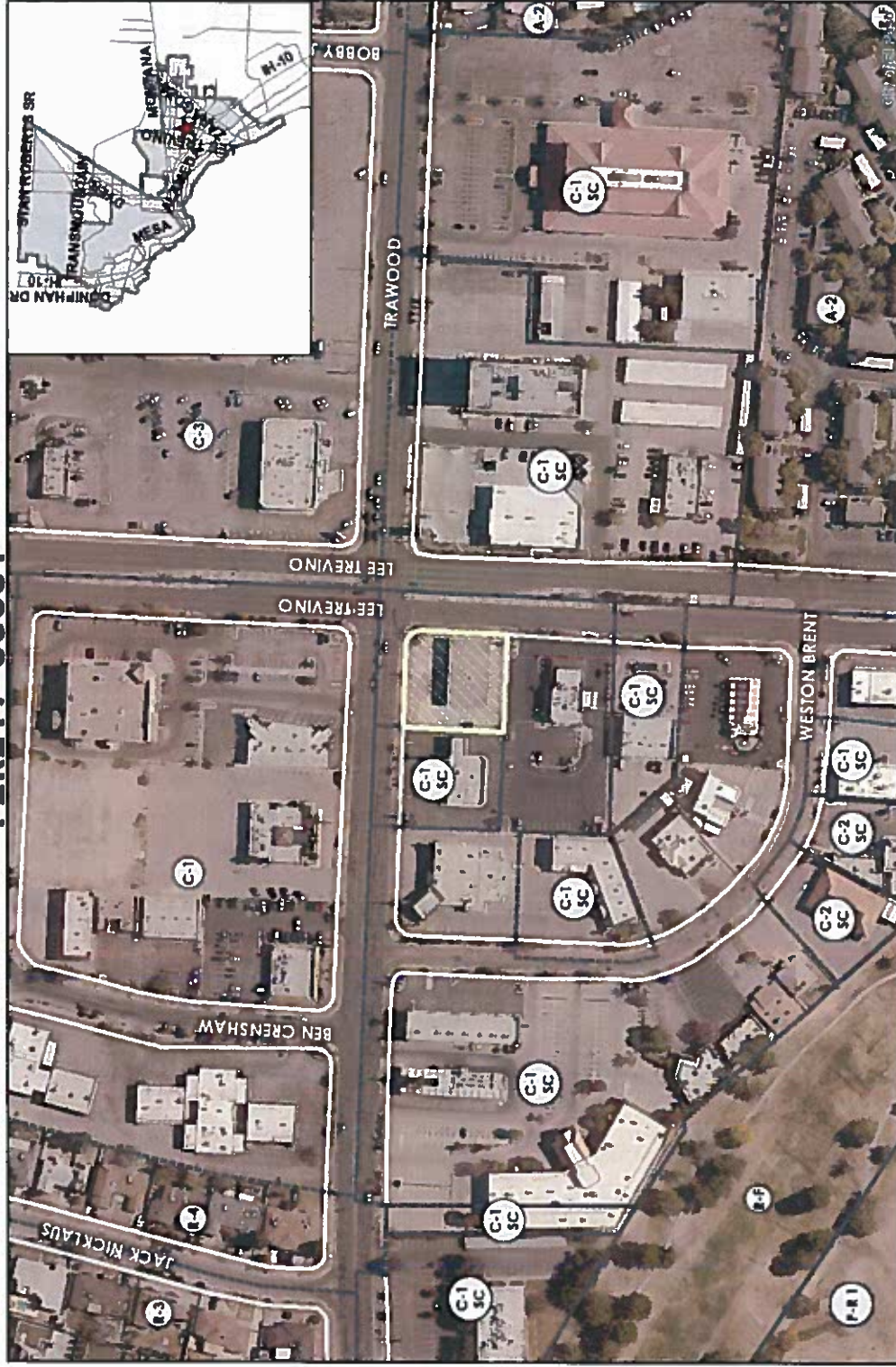
Strategic Goal #3 Promote the Visual Image of El Paso

- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community

PZRZ19-00031



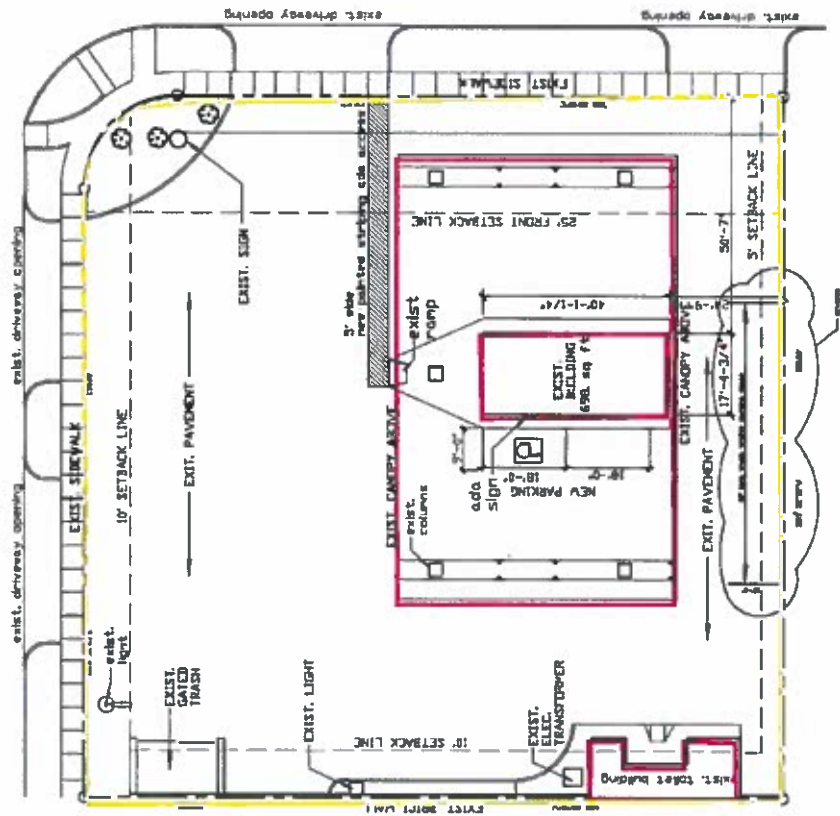
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Subject Property



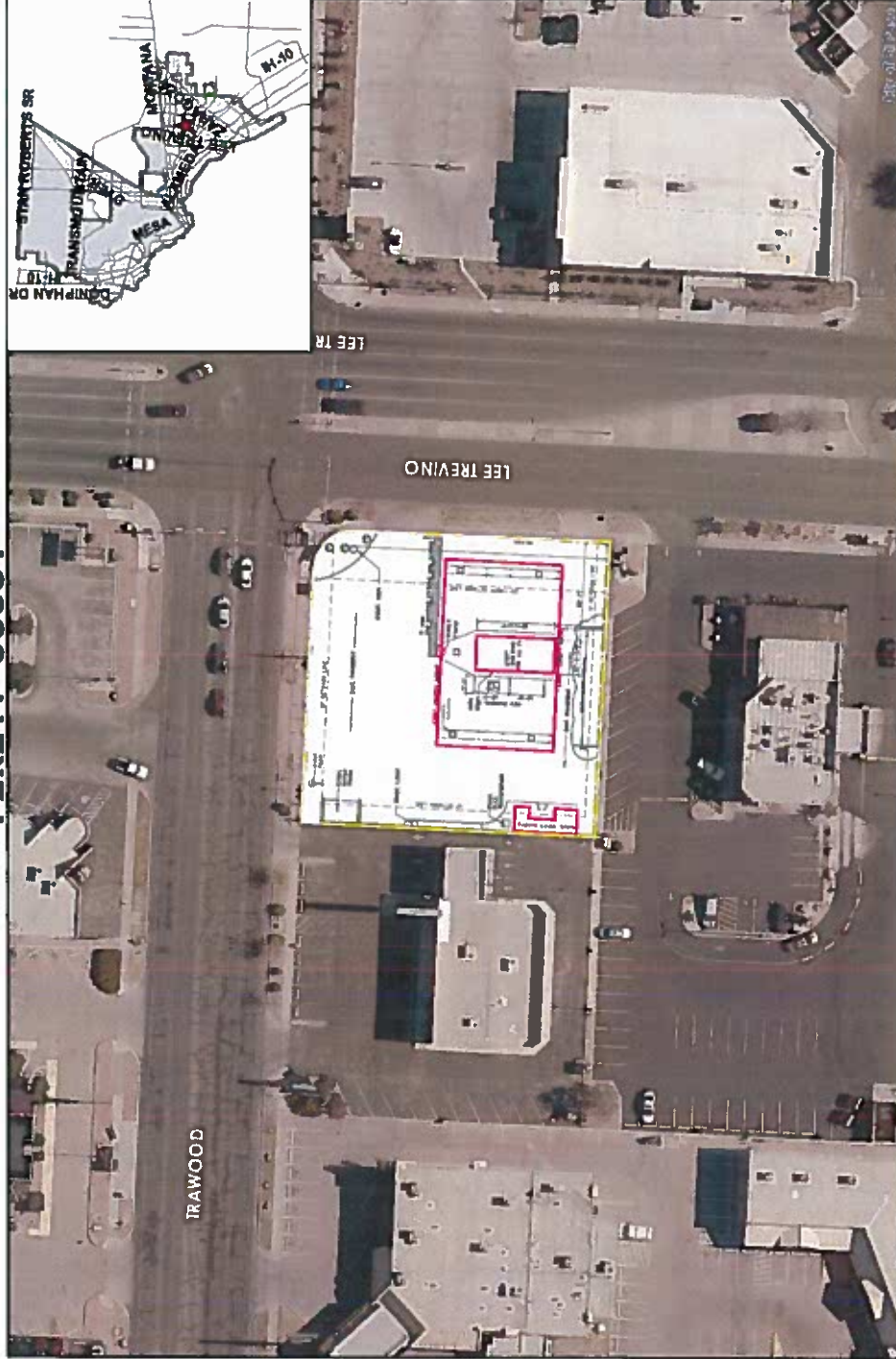
This map is designed for display on a computer screen. The features depicted here are based on aerial photography and may not reflect the current status of the property. The map is not to be used for any other purpose. The map is not to be used for any other purpose. The map is not to be used for any other purpose.



EXISTING
DETAILED SITE DEVELOPMENT PLAN
proposed new auto dealership

2011-11-11

PZRZ19-00031



This map is designed for illustrative purposes only. The features shown are not intended to be used for any purpose other than as a general reference. The map is not a legal document and should not be used for any legal purpose. The map is not a legal document and should not be used for any legal purpose.

Subject Property





THANK YOU

