

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: February 11, 2014
Public Hearing: March 4, 2014

CONTACT PERSON/PHONE: Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 3

SUBJECT:

An Ordinance changing the zoning of a Portion of Lots 22, 23 and 24, Palmdale Acres, 7235 North Loop Drive, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 7235 North loop Drive. Property Owner: Lillian Jacquez & Carlos Diaz Jr. PZRZ13-00030 (**District 3**)

BACKGROUND / DISCUSSION:

Staff report attached.

PRIOR COUNCIL ACTION:

N/A

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:

Mathew S. McElroy
Director, City Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 22, 23 AND 24, PALMDALE ACRES, 7235 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) 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 Lots 22, 23, and 24, Palmdale Acres, 7235 North Loop Drive, 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-F (Ranch-Farm)** 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.

PASSED AND APPROVED this _____ day of _____, 2014

THE CITY OF EL PASO

Oscar Leaser,
Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Karla M. Nieman,
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

ORDINANCE NO. _____
#245480/14-1007-946/PZRZ13-00030 - 7235 North Loop Drive
KMN

Zoning Case No: PZRZ13-00030

Exhibit "A"

A portion of Lots 22, 23 and 24,
Palmdale Acres,
City of El Paso, El Paso County, Texas

August 29, 2013

METES AND BOUNDS DESCRIPTION

7235 North Loop Road

Exhibit "A"

FIELD NOTE DESCRIPTION of a portion of Lots 22, 23 and 24, Palmdale Acres, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found iron rod located the common boundary corner of Lot 24 and Lot 25, same being the northerly right-of-way line of North Loop Road and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said northerly right-of-way line along the common boundary line of Lots 24 and 25, North $44^{\circ}32'00''$ East, a distance of 241.14 feet to a found iron rod for corner;

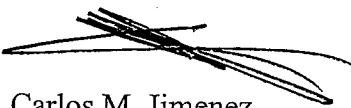
THENCE, leaving said common boundary line, South $51^{\circ}00'05''$ East, a distance of 125.08 feet to a found iron rod for corner;

THENCE, South $32^{\circ}25'09''$ West, a distance of 104.84 feet to a found nail for corner;

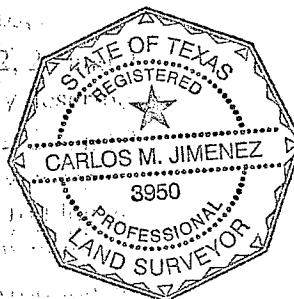
THENCE, South $44^{\circ}32'00''$ West, a distance of 63.81 feet to a found iron rod for corner;

THENCE, South $32^{\circ}07'00''$ West, a distance of 35.69 feet to a found iron rod for corner;

THENCE, North $64^{\circ}07'00''$ West, a distance of 162.72 feet to the **POINT OF BEGINNING** of the herein described lot and containing 31,737.29 square feet or 0.7286 Acres of land more or less.


Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950

CAD CONSULTING COMPANY.
1790 Lee Trevino Suite # 503
El Paso, Texas 79936
(915) 633-6422
7235.wpd



MEMORANDUM

DATE: January 29, 2014

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

FROM: Michael McElroy, Planner

SUBJECT: **PZRZ13-00030**

The City Plan Commission (CPC), on December 19, 2013, voted 5-0 to recommend **approval** of rezoning the subject property from R-F (Ranch-Farm) to C-1 (Commercial).

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 have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was one phone call in opposition to this request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

REVISED

Case No:	PZRZ13-00030
Application Type	Rezoning
CPC Hearing Date	December 19, 2013
Staff Planner	Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov
Location	7235 North Loop Drive
Legal Description	Portion of Lots 22, 23 and 24, Palmdale Acres, City of El Paso, El Paso County, Texas
Acreage	0.7334 acres
Rep District	3
Current Zoning	R-F (Ranch-Farm)
Existing Use	Single Family Home
C/SC/SP/ZBA/LNC	No
Request	R-F (Ranch-Farm) to C-1 (Commercial)
Proposed Use	Assisted Living Facility (4+ persons)
Property Owner	Lillian Jacquez & Carlos Diaz Jr.
Representative	Ray Mancera

SURROUNDING ZONING AND LAND USE

North: M-1 (Manufacturing) / Vacant

South: C-4 (Commercial) / Retail

East: M-1 (Manufacturing) / Agricultural

West: M-1 (Manufacturing) / Vacant

PLAN EL PASO DESIGNATION: G-7, Industrial and/or Railyards (Mission Valley Planning Area)

NEAREST PARK: Stiles Park (1,765 feet)

NEAREST SCHOOL: Ramona Elementary (4,140 feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area. This was verified through Community Development Department data on recognized neighborhood associations.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on December 3, 2013.

The Planning Division received 1 phone call in opposition to the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting a rezoning from R-F (Ranch-Farm) to C-1 (Commercial) to permit an adult living facility (4+ persons). The detailed site plan shows existing structures consisting of an approximately 5,600 s.f. single family home and an approximately 2,700 s.f. storage and accessory building. The existing single family dwelling will be used as the adult living facility as no improvements to the structures are proposed. Four parking spaces, including 1 handicapped and 3 bicycle parking spaces, are also proposed. Access to the subject property is proposed from North Loop.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning from R-F (Ranch-Farm) to C-1 (Commercial). This section of North Loop features several zoning districts of greater intensity than the requested C-1 zone. Rezoning to low-intensity commercial will permit the property owner to pursue the proposed use while bringing the parcel into a greater zoning parity with the surrounding properties.

Plan El Paso-Future Land Use Map Designation

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

G-7 – Industrial and/or Railyards: This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso’s economy; however, when an industrial use becomes obsolete, there can be potential for mixed use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mix-use communities if the rail yards were moved out of town.

The purpose of the C-1 (Neighborhood Commercial) district is to provide compatible neighborhood convenience goods and services that serve day-to-day needs. Permit locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

COMMENTS:

Planning Division - Transportation

No objections. A TIA is not required.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

City Development Department – Plan Review

No objections.

City Development Department - Land Development

No objections.

El Paso Fire Department

Recommend “Approval” of “Site Plan Application” as presented. *****NOTE ***** PZRZ13-00030 In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi-family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. “When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”. The Fire Planning Division has reviewed the submitted “Preliminary Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES comply within the zoning regulations.

El Paso Water Utilities

1. EPWU does not object to this request.

EPWU-PSB Comments

Water

2. There is an existing 8-inch diameter water main that extends along North Loop Dr. This main is

fronting lots 23, 24 and 25 only. This main is available for service.

3. There is an existing 12-inch diameter water main that extends along North Loop Dr. located approximately 8-feet north of the street southern right of way line. This main is available for service.
4. Previous water pressure readings from fire hydrant #3068, located approximately 270 LF west of the intersection of Hawkins Blvd. and North Loop Dr. have yielded a static pressure of 96 pounds per square inch (psi), a residual pressure of 82 psi and a discharge of 1233 gallons per minute (gpm).
5. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.
6. EPWU records show two (2) existing active water meters serving the subject property. One of the meters is a 4-inch fire line and the second is a ¾ -inch service meter. The service address for this meter is 7235 North Loop Dr.

Sanitary Sewer:

7. There is an existing 12-inch diameter sanitary sewer main that extends along North Loop Dr. located approximately 18.5 feet north of the street southern right of way line. This sewer main is available for service.

General:

8. Application for new water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, 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. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant 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.

CITY PLAN COMMISSION OPTIONS

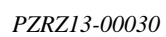
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of Plan 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 Plan 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 Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

Attachments:

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Detailed Site Plan

PZRZ13-00030



ATTACHMENT 2: AERIAL MAP

PZRZ13-00030



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