

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: February 17, 2015
Public Hearing: March 17, 2015

CONTACT PERSON/PHONE: Harrison Plourde, 212-1584, PlourdeHT@elpasotexas.gov

DISTRICT(S) AFFECTED: 3

SUBJECT:

An Ordinance changing the zoning of the South 50 feet of the North 85 feet of Lot 3, Block 16A, Scotsdale Unit 2A, 3358 Wedgewood Drive, City of El Paso, El Paso County, Texas from C-1 (Commercial) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **PZRZ14-00058 (District 3)**

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (9-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DIRECTOR: _____
Mathew S. McElroy, City Development Director

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE SOUTH 50 FEET OF THE NORTH 85 FEET OF LOT 3, BLOCK 16A, SCOTSDALE UNIT 2A, 3358 WEDGEWOOD DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-2 (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 *the South 50 feet of the North 85 feet of Lot 3, Block 16A, Scotsdale Unit 2A, Wedgewood Drive, 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 **C-1 (COMMERCIAL)** to **C-2 (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 _____, 2015.

THE CITY OF EL PASO

ATTEST:

Oscar Leeser
Mayor

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Karla M. Nieman
Assistant City Attorney

Mathew S. McElroy, Director
Planning and Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ14-00058

EXHIBIT "A"

Date: 11/17 1997

DOC# 97069801

Grantor: BILL V. BANTA

Grantor's Mailing Address (including county):

Grantee: PAUL I. WORLEY

Grantee's Mailing Address (including county):

Consideration: TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration and a note of even date that is in the principal amount of THIRTY-FIVE THOUSAND AND NO/100 DOLLARS (\$35,000.00) and is executed by Grantee, payable to the order of BILL V. BANTA. The note is secured by a Vendor's lien retained in favor of BILL V. BANTA in this Deed and by a Deed of Trust of even date from Grantee to GEORGE W. BUTTERWORTH, P.C., Trustee.

Property (including any improvements):

All that certain portion of Lot 3, Block 16-A, SCOTSDALE SUBDIVISION, UNIT 2-A, a subdivision in El Paso, El Paso County, Texas, according to the map of said Subdivision of record in Book 20, Page 16, Plat Records of El Paso County, Texas, more particularly described by metes and bounds as follows:

BEGINNING at a point on the East right-of-way line of Wedgewood Street located South 01°02' East a distance of 35.00 feet from the Northwest corner of said Lot 3, Block 16-A, SCOTSDALE SUBDIVISION, UNIT 2-A, and

THENCE North 81°12' East a distance of 181.66 feet to a point on the East line a distance of said Lot 3;

THENCE South 01°02' East along said East line a distance of 50.0 feet;

THENCE South 81°12' West a distance of 181.66 feet to a point on the East right-of-way line of Wedgewood Street;

THENCE North 01°02' West along said East right-of-way line a distance of 50.00 feet to the POINT OF BEGINNING, containing 8,999.44 square feet equal to 0.207 acres of land more or less.

EXHIBIT "A"

POOR QUALITY ORIGINAL
BEST AVAILABLE IMAGE
BLACK BORDER VISIBLE
ON ORIGINAL DOCUMENT

MEMORANDUM

DATE: February 17, 2015

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

FROM: Harrison Plourde, Planner

SUBJECT: PZRZ14-00058

The City Plan Commission (CPC) on January 29, 2015, voted **9-0** to recommend **APPROVAL** of rezoning the subject property from C-1 (Commercial) to C-2 (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, 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.

No opposition.

Property Owner: Orlando Garza, Jr.
Representative: Carlos Lievanos, LievArch Architects

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00058
Application Type: Rezoning
CPC Hearing Date: January 29, 2015
Staff Planner: Harrison Plourde, 212-1584 plourdeht@elpasotexas.gov

Location: 3358 Wedgewood Drive
Legal Description: The south 50 feet of the north 85 feet of Lot 3, Block 16A, Scotsdale Unit 2A, City of El Paso, El Paso County, Texas
Acreage: 0.2066 acres
Rep District: 3
Existing Zoning: C-1 (Commercial)
Existing Use: Dental Office
Request: From C-1 (Commercial) to C-2 (Commercial)
Proposed Use: Veterinary Clinic, small animals
Property Owner: Orlando Garza, Jr.
Representative: Carlos Lievanos, LievArch Architects

SURROUNDING ZONING AND LAND USE

North: C-2 (Commercial) / Veterinary Clinic, small animals
South: C-1 (Commercial) / Laundromat
East: R-3 (Residential) / Retention Pond
West: C-1 (Commercial) / Laundromat

PLAN EL PASO DESIGNATION: G4, Suburban (Walkable) (East Planning Area)
NEAREST PARK: Cork Park (1,084 feet)
NEAREST SCHOOL: Edgemere Elementary (4,532 feet)

NEIGHBORHOOD ASSOCIATIONS

Notice of the request was sent to the Eastside Civic Association, the only association in whose boundaries the subject property falls.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 13, 2015. The Planning Division has not received any letters or phone calls in support or opposition to the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting a rezoning from C-1 (Commercial) to C-2 (Commercial) to allow for the expansion of the small veterinary clinic on the adjacent property (3368 Wedgewood Drive). The rezoning request is necessitated by Section 20.10.080(B)(1), which states that small animal veterinary hospitals or clinics are permitted in the C-1 (Commercial) zoning district by special permit only. The use is allowed by right in the C-2 (Commercial) zoning district, and the existing portion of the clinic is zoned C-2 (Commercial). Access to the subject area is from Wedgewood Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from C-1 (Commercial) to C-2 (Commercial).

The area proposed for rezoning is in close proximity to other C-2 (Commercial) zoned properties. The rezoning request is compatible with adjacent properties and is compliant with the *Plan El Paso* Land Use Designation G-4 in the East Planning Area.

Plan El Paso-Future Land Use Map Designation

All applications for a 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-2 (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 district 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

No objections.

General Note:

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

Planning & Inspections Department – Building Development & Permitting

No comments provided.

Planning & Inspections Department – Landscape Review

No comments provided.

Planning & Inspections Department – Land Development

No comments provided.

El Paso Fire Department

Zoning change request does not adversely affect the Fire Department.

El Paso Police Department

El Paso Police Department does not see any conflict with this.

El Paso Water Utilities

Water

1. There is an existing 8-inch diameter water main that extends along Wedgewood Drive located approximately 21 feet east of the right-of-way centerline. This main is available for service.
2. Previous water pressure tests from fire hydrant #8624 located at the northeast corner of Wedgewood Drive and Okrney Road have yielded a static pressure of 88 (psi) pounds per square inch, a residual pressure of 80 (psi) pounds per square inch, and a discharge of 1,034 (gpm) gallons per minute.
3. EPWU records indicate an active ¾-inch water meter serving the subject property. The service address for

this meter is 3358 Wedgewood Drive.

Sanitary Sewer

1. There is an existing 8-inch diameter sanitary sewer main that extends along Wedgewood Drive located approximately 5 feet west of the right-of-way centerline. This main is available for service.
2. There is an existing 6-inch diameter sanitary sewer force main. This main is located approximately 10 feet east of the property's eastern boundary line. No service connections are allowed to this main.

General

1. EPWU-PSB requires a new service application to provide additional services. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities-Public Service Board (EPWU-PSB) Rules and Regulations. 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.

Sun Metro

Sun metro does not oppose this request. Route 58 provides services along Montana Avenue with two bus stops 0.10 miles north of the subject site.

Texas Department of Transportation

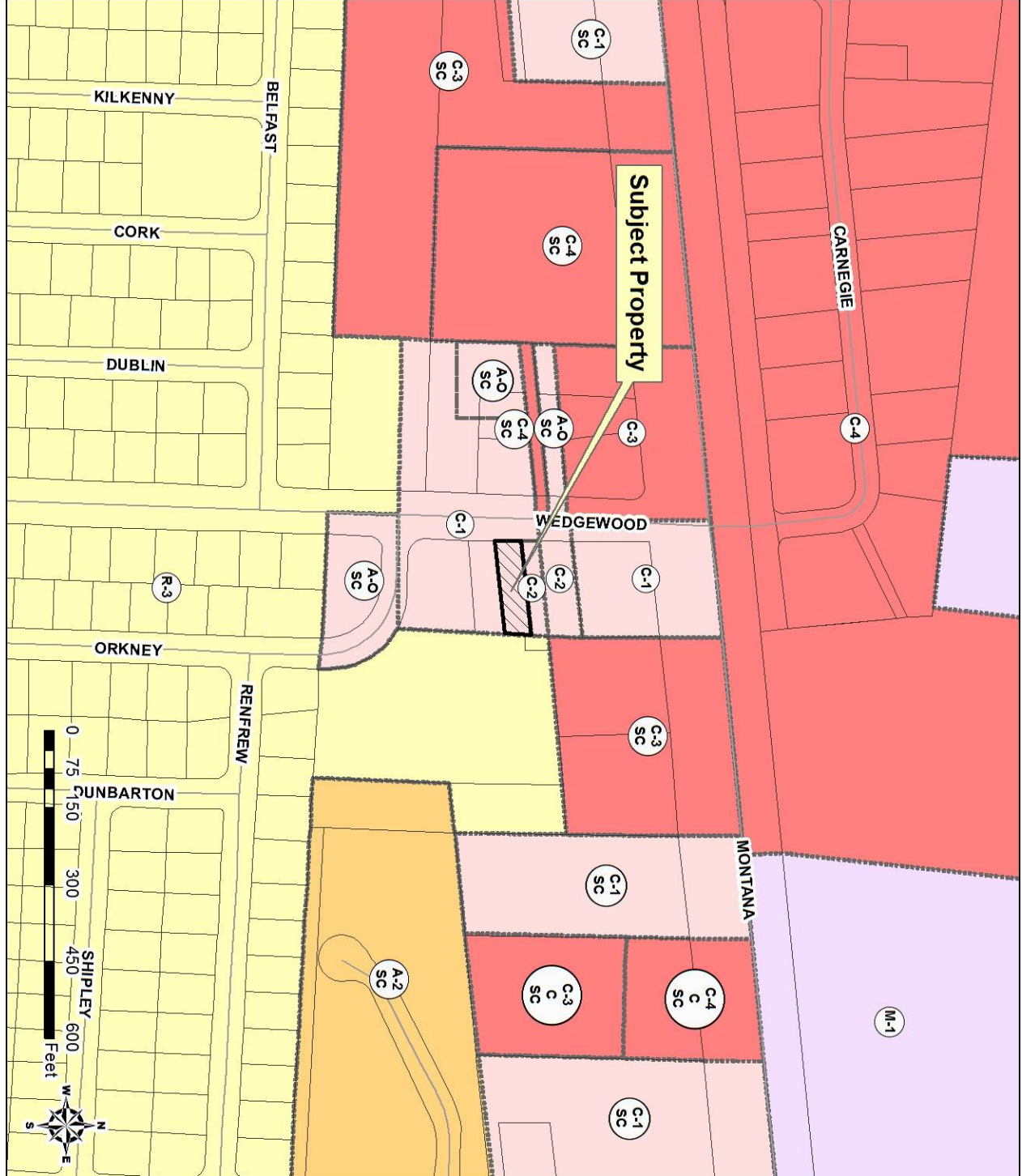
No objection – not on a state roadway.

Attachments:

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Survey Map
- Attachment 4: Site Plan

ATTACHMENT 1: ZONING MAP

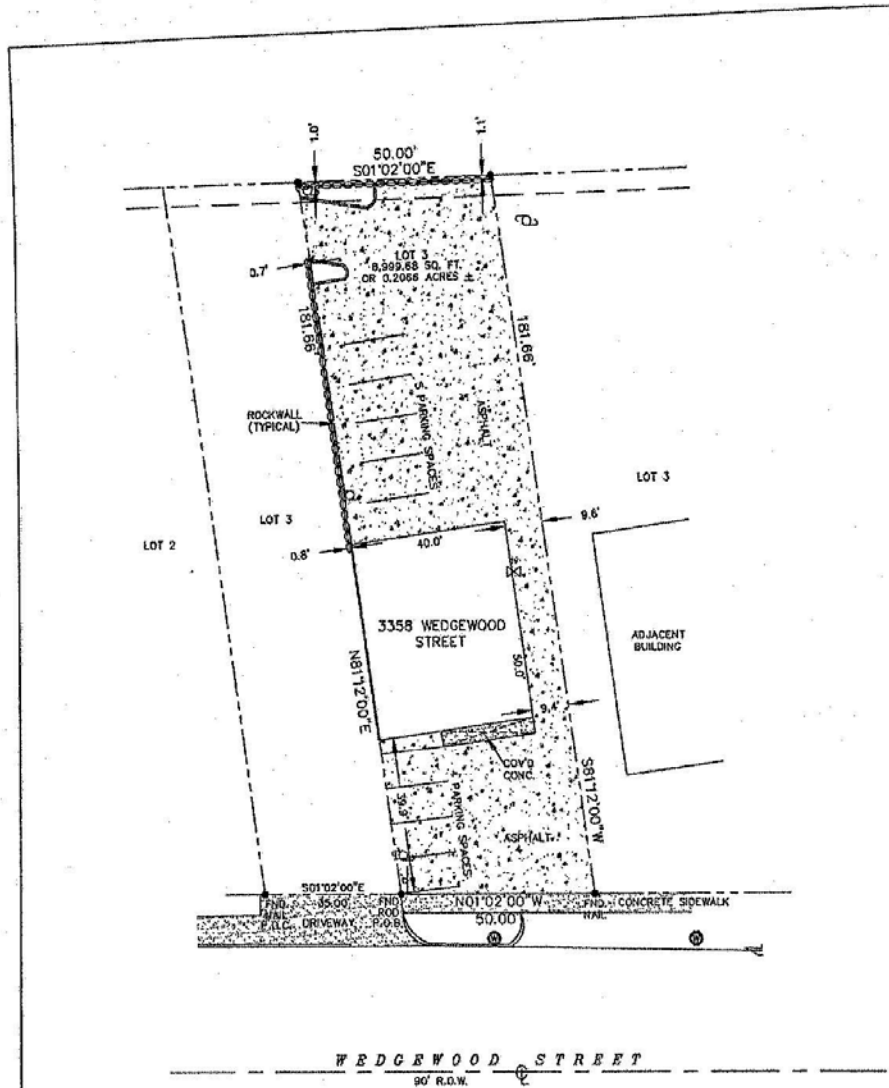
PZRZ14-00058



PZRZ14-00058



ATTACHMENT 3: SURVEY MAP



LEGEND

- = WATER METER
- = POWER POLE
- = MANHOLE
- = GAS METER
- = SIGN



NOTE:
THIS SURVEY WAS
DONE WITHOUT THE
BENEFIT OF A
TITLE COMMITMENT.

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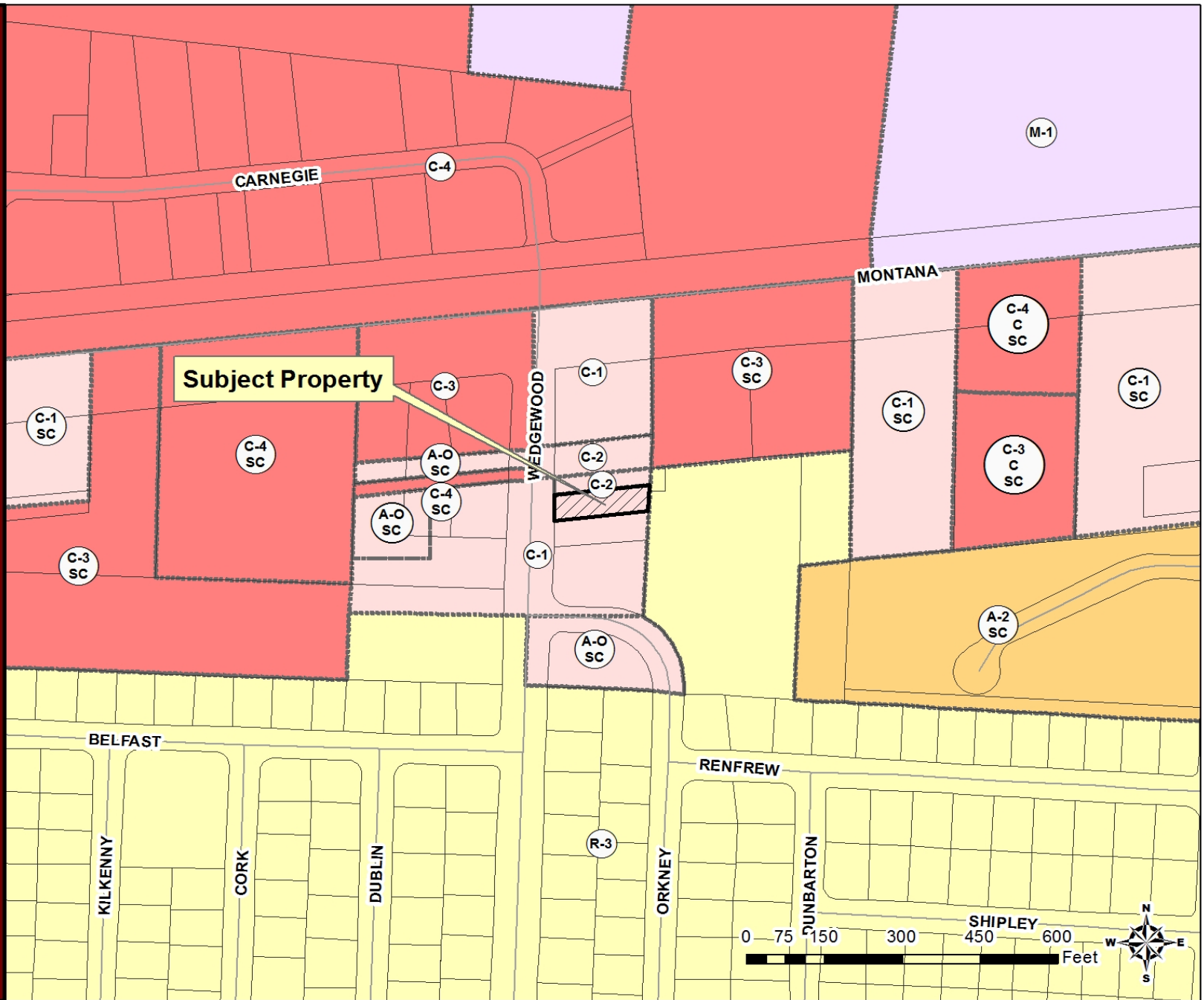
| | |
|---|---|
| <p>CERTIFICATION</p> <p>I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY SURVEY WAS MADE ON THE GROUND AND UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF THAT THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN HEREON.</p> <p><i>Carlos M. Jimenez</i> CARLOS M. JIMENEZ R.P.L.S. No. 3950</p> | <p>JOB # 14-2662 DATE: 12-08-14 FIELD: JM OFFICE: EA FILE: NET\ENRIQUE\2014\14-2662</p> |
| | <p>LOCATED IN ZONE A15,B,C PANEL # 480214-0036-B DATED 10-15-82</p> |
| <p>RECORDED IN VOLUME 20 PAGE 16 PLAT RECORDS, EL PASO COUNTY, TX</p> | <p>3358 WEDGEWOOD STREET -- THE SOUTH 50 FEET OF THE NORTH 85 FEET OF LOT 3, BLOCK 16A SCOTSDALE UNIT 2A (SEE EXHIBIT "A") CITY OF EL PASO, EL PASO COUNTY, TEXAS</p> |
| <p>FIRM# 10099300</p> | <p>CD CONSULTING COMPANY 1790 LEE TREVINO DRIVE SUITE 503 EL PASO, TEXAS 79936 (915) 633-6422</p> |



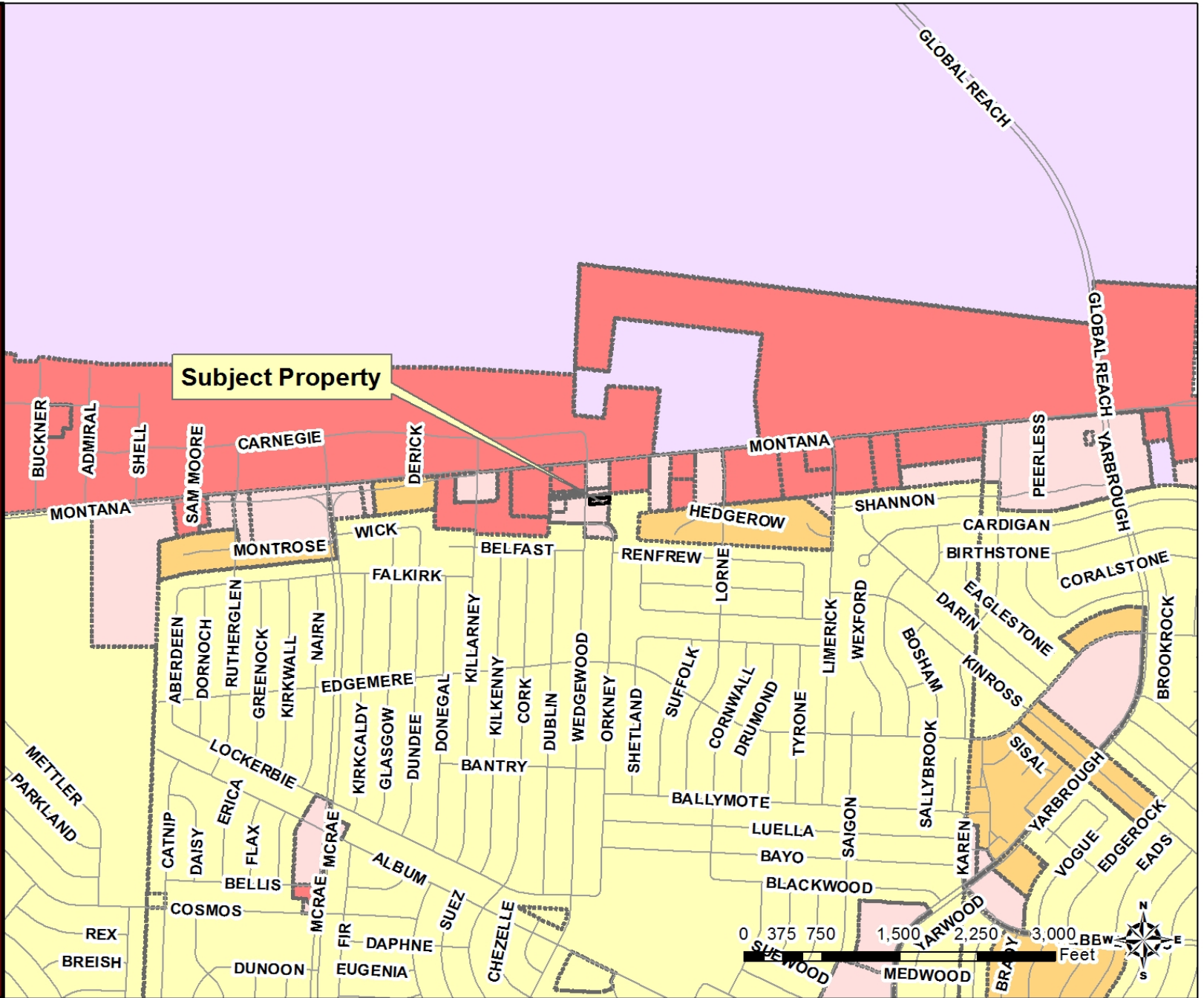
Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** 6-0
- **Public Input:** No communication received from the public in support or opposition to the rezoning request.
- **Strategic Goal 3:**
 - 3.1 – Provide business-friendly permitting and inspections processes
 - 3.2 – Improve the visual impression of the community

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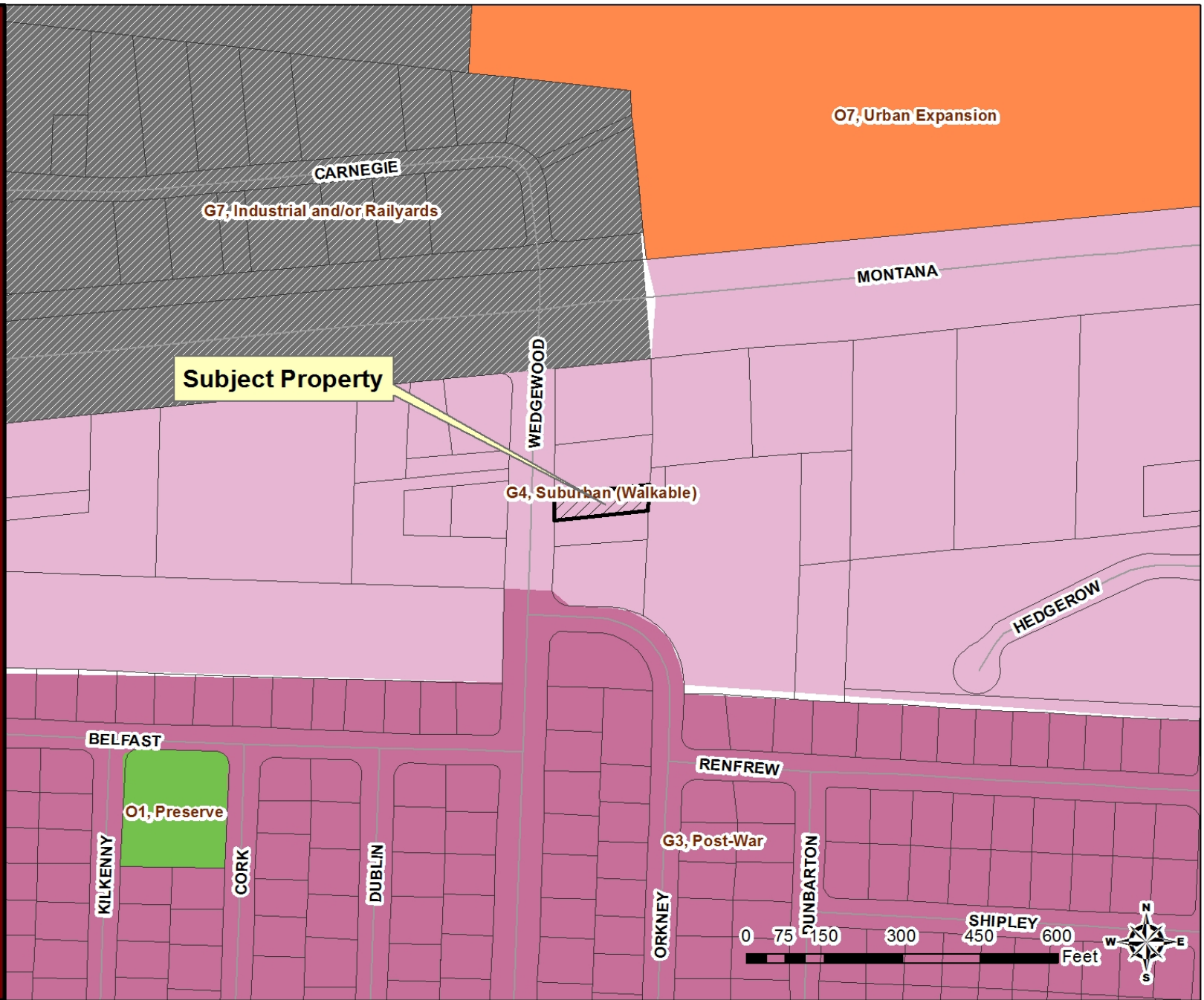
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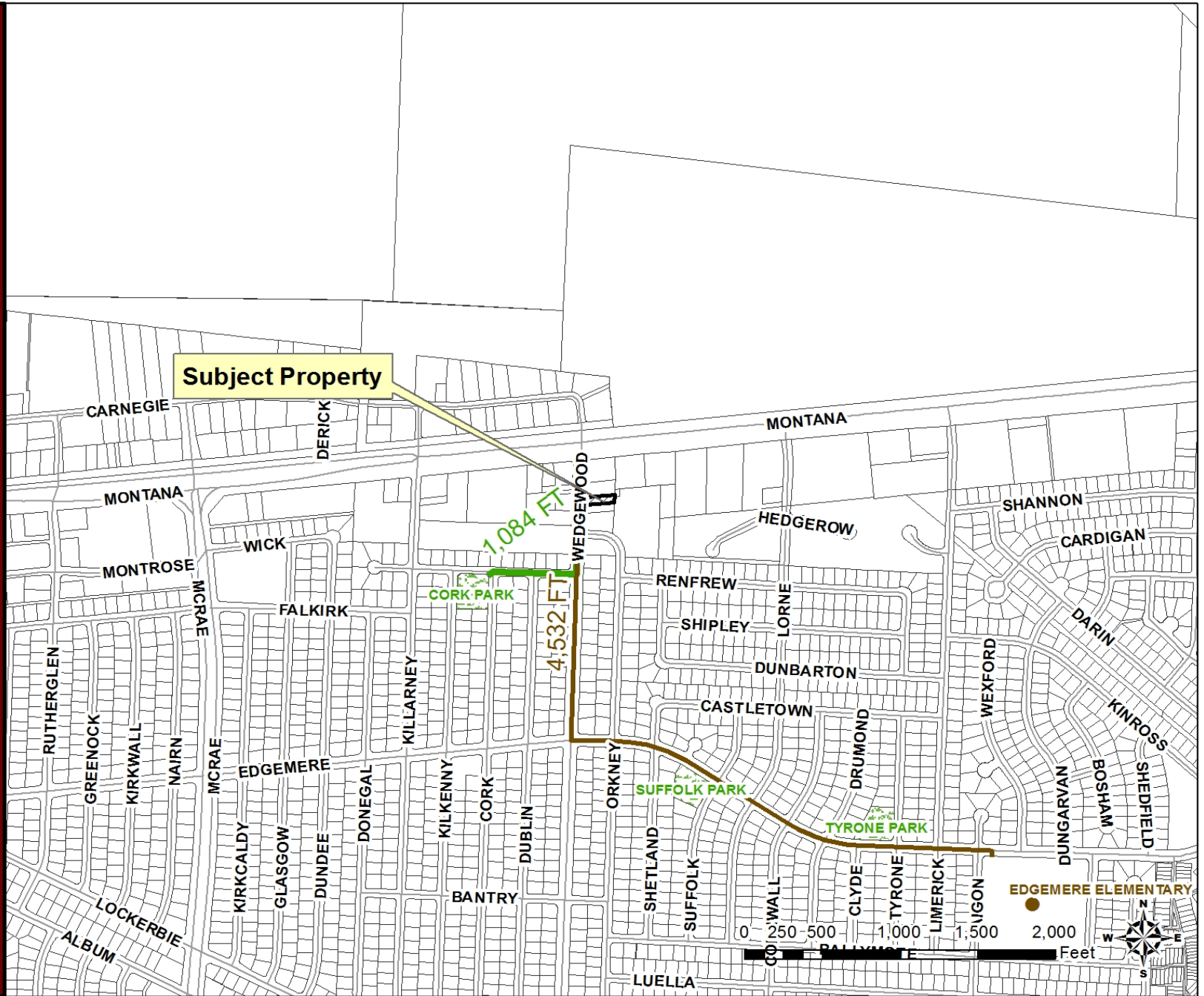
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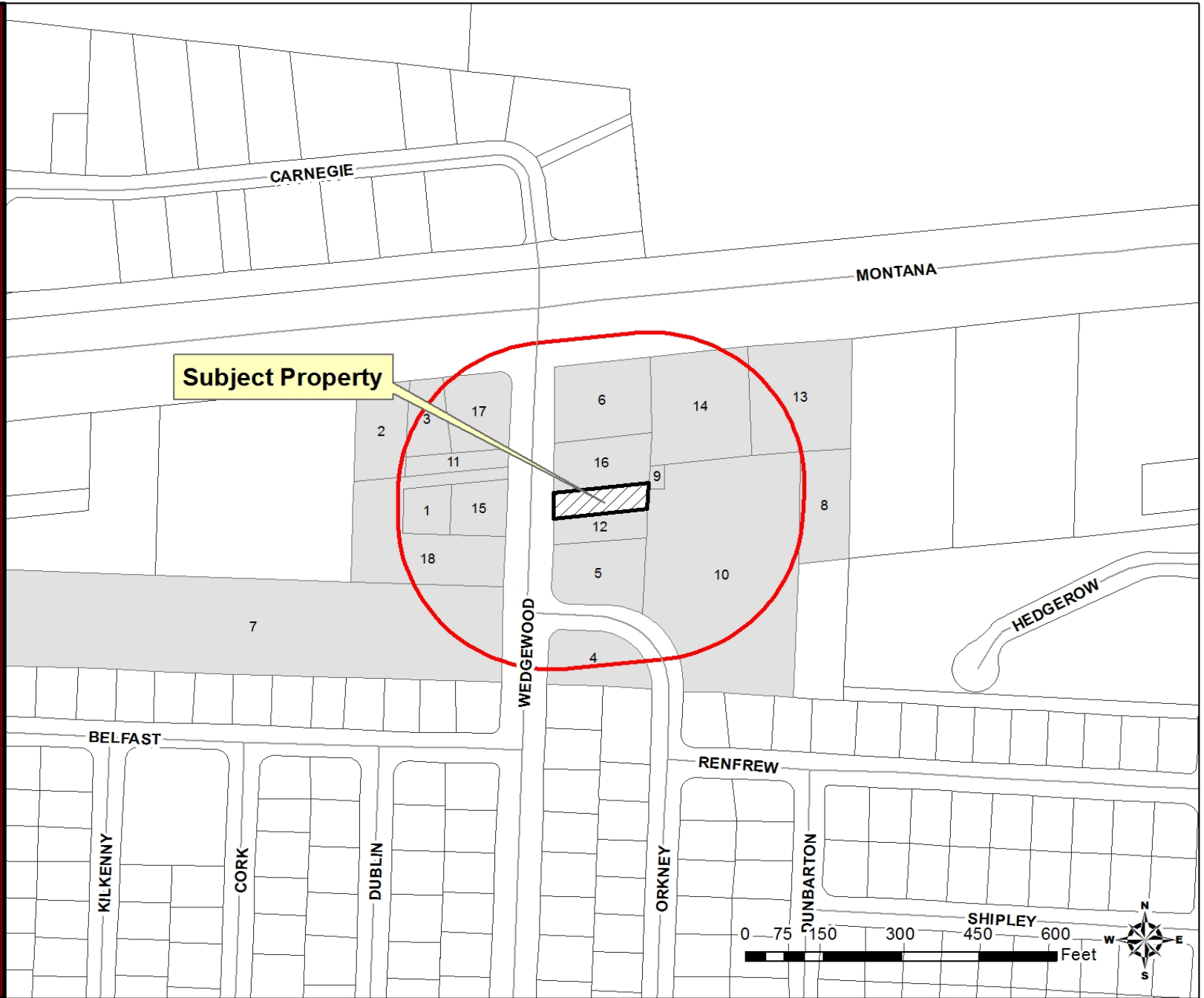
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East



West



North

Thomas E. Webb
D.D.S.
GENERAL DENTISTRY
3358

EAST EL PASO
ANIMAL
HOSPITAL

RIGHT LANE
MUST
TURN RIGHT



East El Paso



South



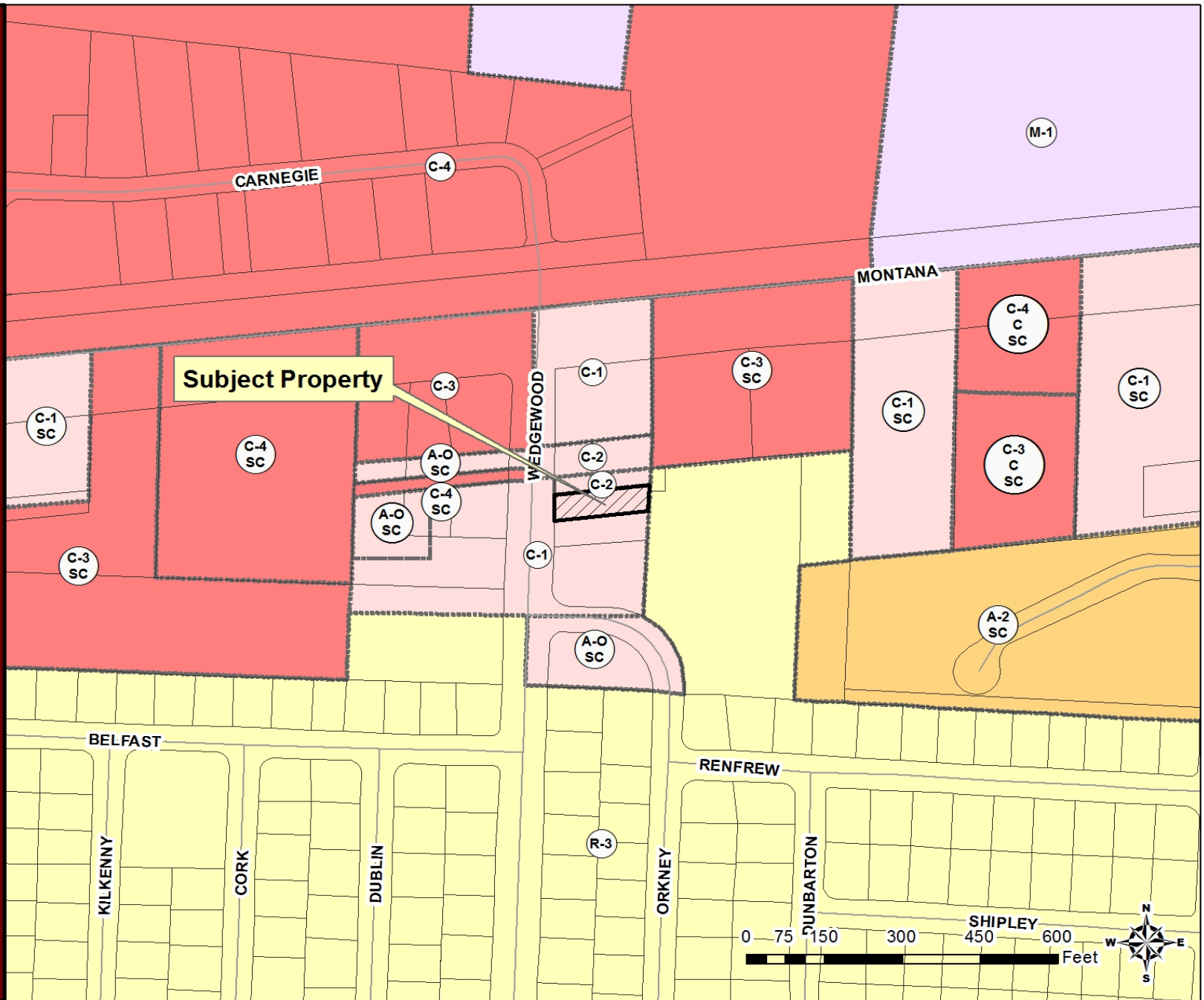
AAA CLEANERS
TAILOR ON DUTY
ALL KINDS OF ALTERATIONS
SHIRT SERVICE
591-2731

MACADDO'S BAR

3354
ALTERATIONS
591-2731
DRAPERIES
MILITARY UNIFORMS
WEDDING SPECIALS



PZRZ14-00058





- 20.02.1140 Veterinary treatment center (small animals)

“Veterinary treatment center (small animals) means a facility where small animals such as domesticated dogs and cats and common household pets are given medical or surgical treatment and are cared for during the time of such treatment.”

- 20.02.1138 Veterinary treatment center (large animals)

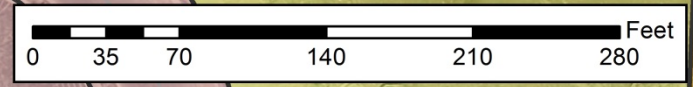
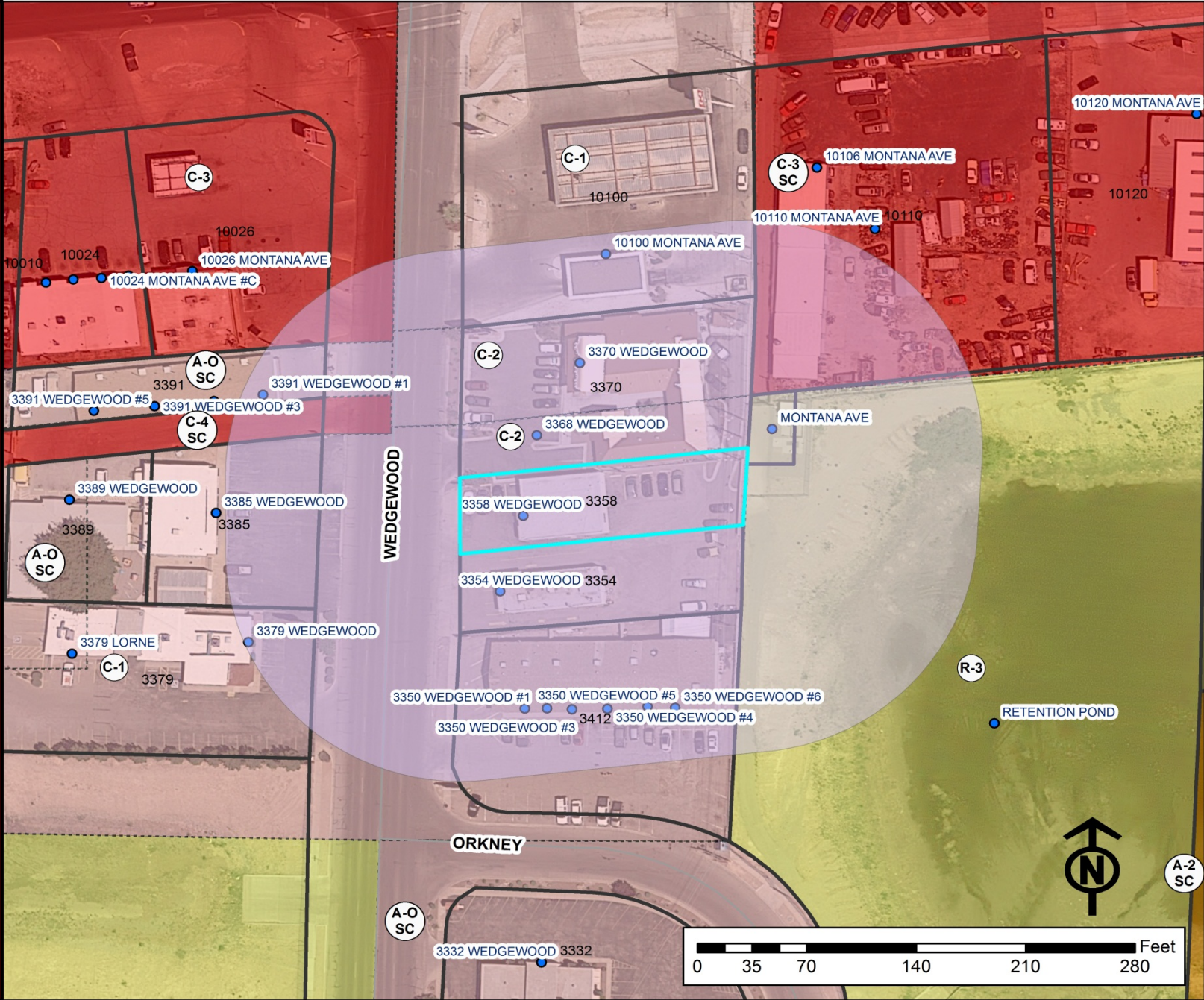
“Veterinary treatment center (large animals) means a facility where farm animals, to include, but not limited to, horses, cattle, sheep, goats and pigs, are given medical or surgical treatment and are cared for during the time of such treatment.”



21.10.080(B) Small animal veterinary hospitals or clinics are permitted when in compliance with... the following conditions:

1. In the R-1 and C-1 zoning districts (with a special permit approved by city council):
2. In C-2, C-3, C-4 and M-1 zoning districts:
 - c. No building, structure or open area shall be used for any hospital or clinic purpose unless it is at least 150 feet from... any residential or apartment **use**

PZRZ14-00058



A-2 SC