

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: April 21, 2015
Public Hearing: May 12, 2015

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

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance changing the zoning of Lot 27, Block B, Pioneer Subdivision, 6550 Mohair Drive, City of El Paso, El Paso County, Texas from R-4/SP (Residential/Special Permit) to R-4 (Residential). The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: The City of El Paso, Location: 6550 Mohair Drive **PZRZ14-00045 (District 4)**

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 (6-0)

*****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 LOT 27, BLOCK B, PIONEER SUBDIVISION, 6550 MOHAIR DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4/SP (RESIDENTIAL/SPECIAL PERMIT) TO R-4 (RESIDENTIAL). 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 *Lot 27, Block B, Pioneer Subdivision, 6550 Mohair Drive, City of El Paso, El Paso County, Texas*, be changed from **R-4/sp (Residential/special permit)** to **R-4 (Residential)**, 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

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
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ14-00045

ORDINANCE NO. 16187

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00082, TO ALLOW FOR A FIRE STATION ON LOTS 26 AND 27, BLOCK B, PIONEER ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, the City of El Paso has applied for a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow for a fire station;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

WHEREAS, the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code;

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

- 1. That the property described as follows is in an R-4 (Residential) District:

Lots 26 and 27, Block B, Pioneer Addition, El Paso, El Paso County, Texas

- 2. That a fire station is authorized by Special Permit in R-4 (Residential) district under Section 20.14.040 of the El Paso Municipal Code; and

- 3. That the requirements for a fire station under Section 20.14.040 have been satisfied; and

- 4. That the City Council hereby grants a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow a fire station on the above-described property; and

- 5. That this Special Permit is issued subject to the development standards in the R-4 (Residential) district regulations and subject to the approved Site Development Plan, signed

DOC# 16463/PLANNING/12/ZON05-00082/MWAT

ORDINANCE NO. 16187

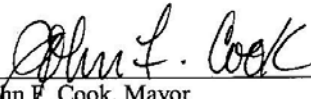
Special Permit No. ZON05-00082

by the Applicant, the City Manager, and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and

6. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00082** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

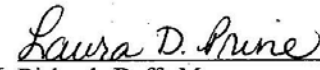
PASSED AND APPROVED this 18th day of October, 2005.

THE CITY OF EL PASO

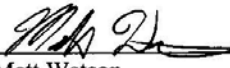


John F. Cook, Mayor

ATTEST:



for Richarda Duffy Momsen
ALTERNATE City Clerk

APPROVED AS TO FORM:



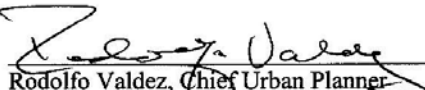
Matt Watson
Assistant City Attorney
Doc No. 16343

APPROVED AS TO CONTENT:



Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

DOC# 16463/PLANNING/12/ZON05-00082/MWAT

ORDINANCE NO. 16187

Special Permit No. ZON05-00082

MEMORANDUM

DATE: April 14, 2015

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

FROM: Harrison Plourde, Planner

SUBJECT: PZRZ14-00045

The City Plan Commission (CPC) on October 23, 2014, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from R-4/SP (Residential/Special Permit) to R-4 (Residential).

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.

Property Owner: The City of El Paso
Representative: Guillermo Sotomayor

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00045
Application Type: Rezoning
CPC Hearing Date: December 4, 2014
Staff Planner: Harrison Plourde, 915-212-1584, plourdeht@elpasotexas.gov
Location: 6550 Mohair Drive
Legal Description: Lot 27, Block B, Pioneer Subdivision, City of El Paso, El Paso County, Texas
Acreage: 1.00
Rep District: 4
Existing Zoning: R-4/sp (Residential/Special Permit)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Special Permit No. ZON05-00082, granted by Ordinance No. 16187, approved on October 18, 2005 (Attachment 3)
Request: From R-4/sp (Residential/Special Permit) to R-4 (Residential)
Proposed Use: Remain Vacant
Property Owner: The City of El Paso
Representative: Guillermo Sotomayor

SURROUNDING ZONING AND LAND USE

North: M-1 (Manufacturing) / Metal Workshop
South: R-4/sp (Residential/Special Permit) / Fire Station
East: RMH (Residential Mobile Home) / Residential
West: C-4/sc (Commercial/Special Contract) / Vacant

PLAN EL PASO DESIGNATION: G-7, Industrial and/or Railyard (Northeast Planning Area)

NEAREST PARK: Jorge Montalvo (2,655 feet)

NEAREST SCHOOL: Desertaire Elementary (4,606 feet)

NEIGHBORHOOD ASSOCIATIONS

Shearman Park Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 19, 2014. The Planning Division has not received any letters or phone calls in support or opposition to the rezoning request.

CASE HISTORY

On October 18, 2005, City Council approved Ordinance No. 16187 (Attachment 3), granting Special Permit No. ZON05-00082 to allow a fire station on the property. The fire station has been built on the lot adjacent to the subject lot to the south.

On October 23, 2014, City Plan Commission unanimously approved the rezoning proposed. The case is returning to CPC due to improper onsite notification signage, resulting in the need to restart the public notification process.

APPLICATION DESCRIPTION

The property owner is requesting a rezoning from R-4/sp (Residential/Special Permit) to R-4 (Residential) to allow for development permitted for that zoning district. The site plan shows a vacant lot of approximately 1 acre in size. Access to the subject property is from Mohair Drive. This application will

release the Special Permit on the property, which was approved in 2005 to allow development of a fire station. The fire station was constructed on the lot adjacent to the subject property to the south, a lot legally described as Lot 26, Block B, Pioneer Subdivision, 6565 Angora Loop Avenue.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-4/sp (Residential/Special Permit) to R-4 (Residential), and releasing the special permit.

The property is in proximity to other R-4 (Residential) zoned properties, and the Special Permit in effect on the property has been made unnecessary by the development of the fire station on Lot 26 to the south. The rezoning is compatible with adjacent properties and is compliant with the *Plan El Paso* Land Use Designation G-7 in the Northeast Planning Area.

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 Railyard: 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 mixed-use communities if the rail yards were moved out of town.

The purpose of the R-4 (Residential) district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

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.

City Development Department – Building Development & Permitting

No comments provided.

City Development Department – Landscape Review

No comments provided.

City Development Department - Land Development

No comments.

El Paso Fire Department

No comments provided.

El Paso Police Department

There are no objections or comments to add.

El Paso Water Utilities

EPWU does not object to this request.

The subject property is located within the City of El Paso Northeast Impact Fee Service Area. Impact fees will be assessed at the time of platting and collected after the El Paso Water Utilities receives an application for water and sanitary sewer services.

Water

1. There is an existing 6-inch diameter water main extending along Mohair Drive that is available for service, the water main is located approximately 10 feet north from the center line of the right-of-way.
2. Previous water pressure from fire hydrant #5208 located approximately 88.5 feet west of Cougar Street has yielded a static pressure of 90 (psi), a residual pressure of 72 (psi), and a discharge of 1,126 gallons per minute.
3. 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.

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main extending along Cougar Street, the sewer main is located approximately 5 feet west from the center line of the right-of-way. Service to the subject property can be provided with the extension of an 8-inch diameter sanitary sewer main along Mohair Drive from the existing sanitary sewer main along Cougar Street. The Owner/Developer is responsible for the sanitary sewer main extension costs.

General

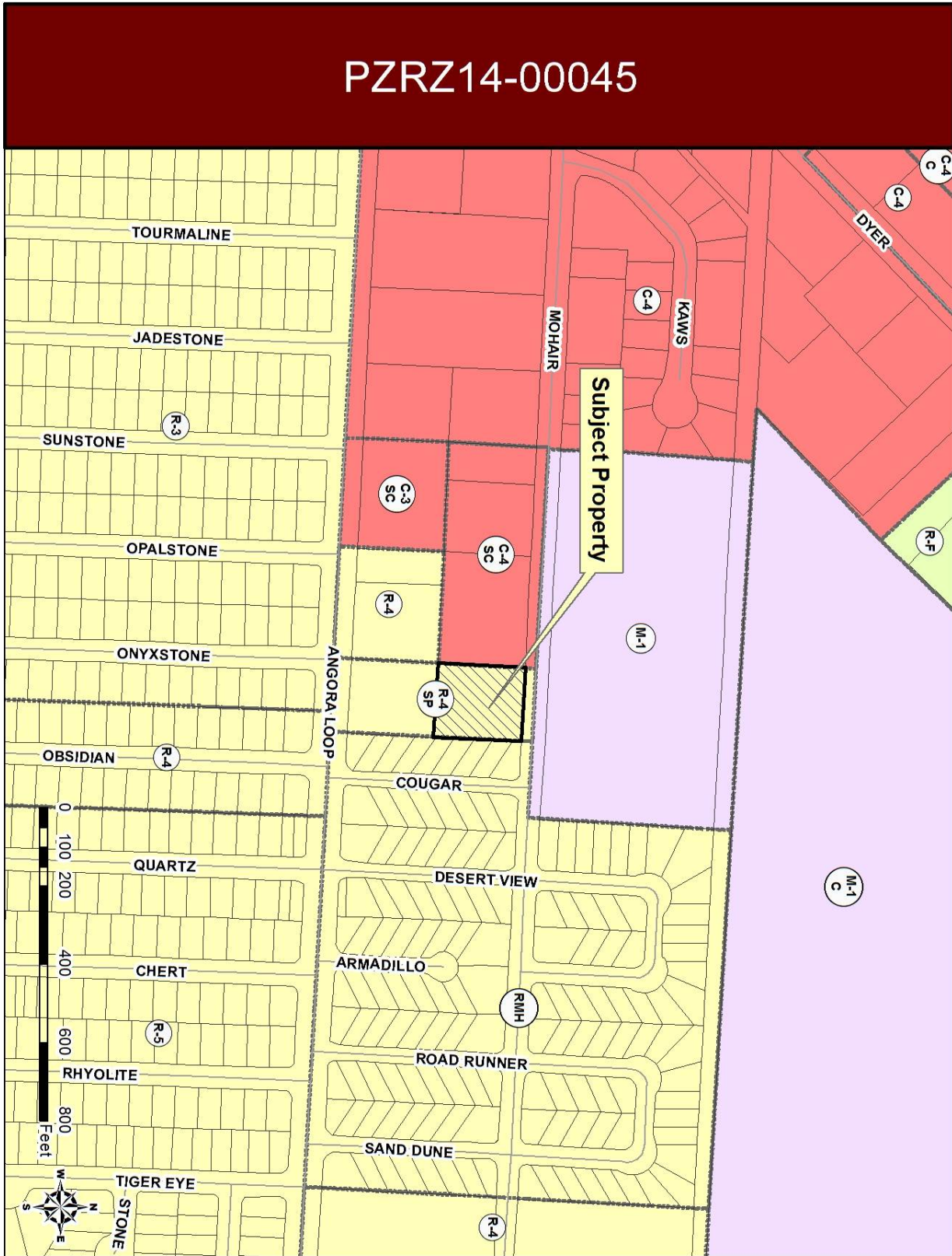
EPWU requires a new service application to provide additional service to the property. New service applications are available at 1154 Hawkins Drive, 3rd Floor, and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-occupancy 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.

Attachments:

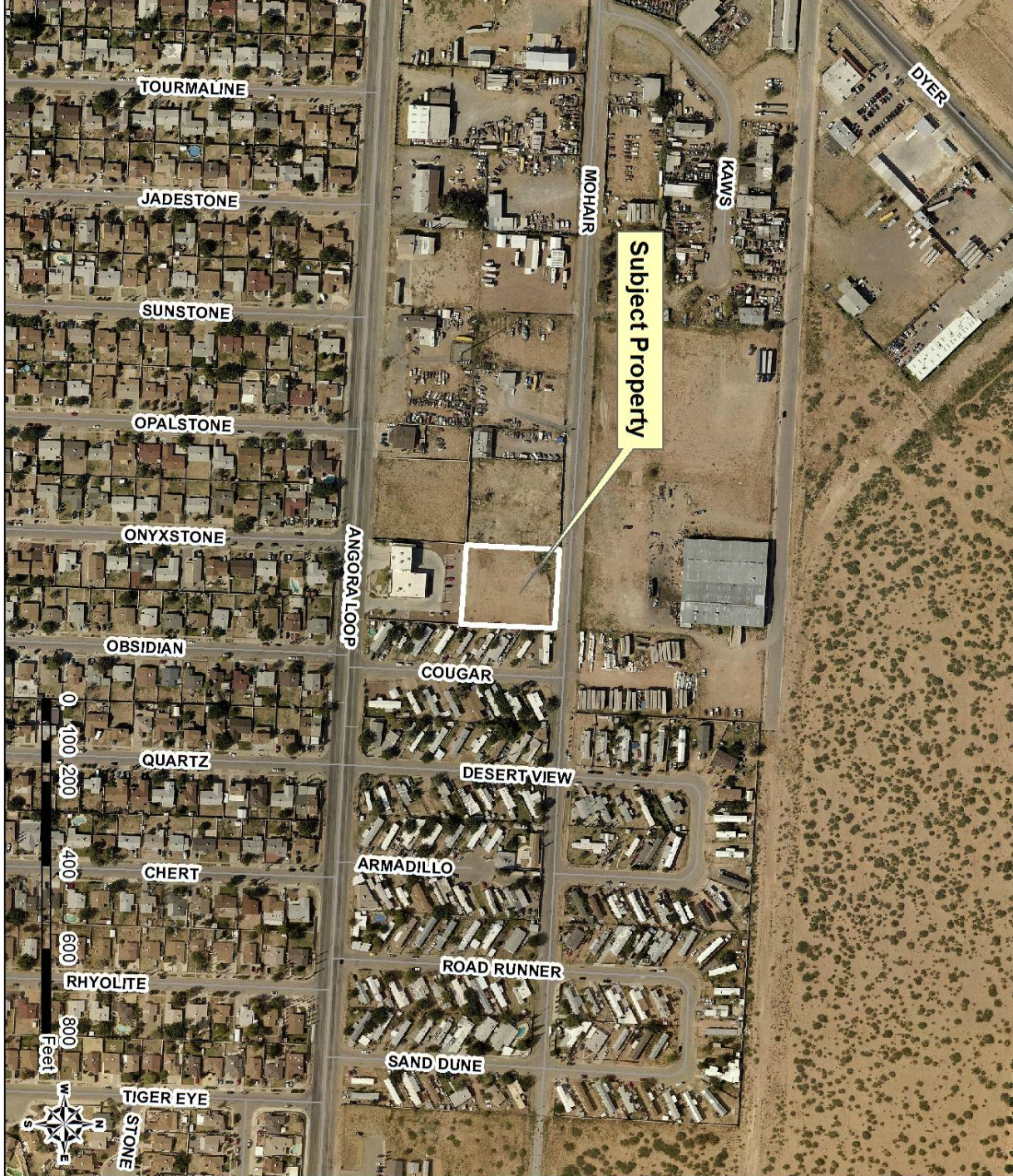
- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Plat of Survey
- Attachment 4: Special Permit Ordinance No. 16187, dated October 18, 2005

ATTACHMENT 1: ZONING MAP

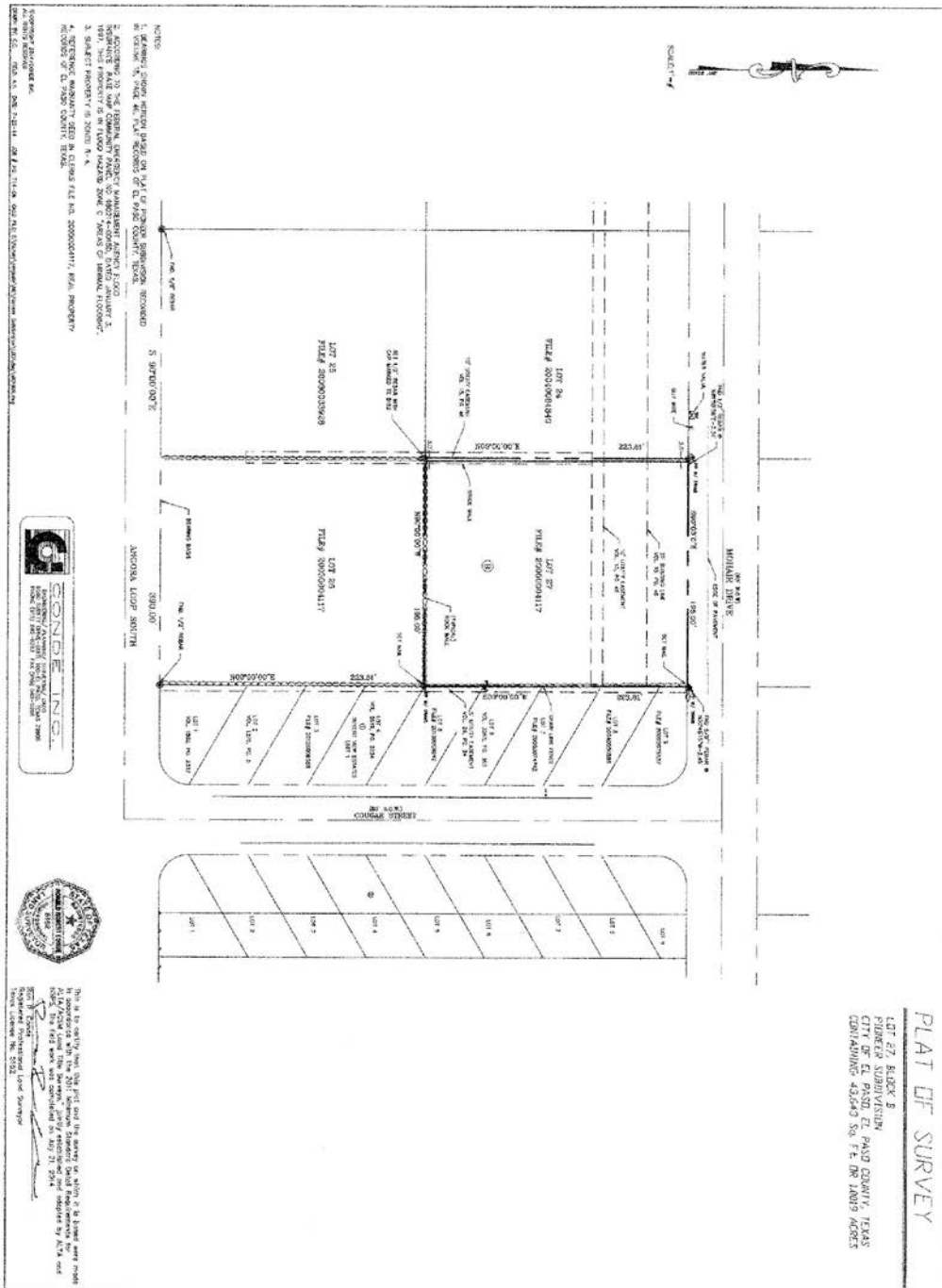
PZRZ14-00045



PZRZ14-00045



ATTACHMENT 3: MAP OF SURVEY



187

ORDINANCE NO. 16187

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00082, TO ALLOW FOR A FIRE STATION ON LOTS 26 AND 27, BLOCK B, PIONEER ADDITION, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

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WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

WHEREAS, the City Council of the City of El Paso finds that, except to the extent waived by City Council, the application conforms to all requirements of Section 20.04.320.D of the El Paso Municipal Code;

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2. That a fire station is authorized by Special Permit in **R-4 (Residential)** district under Section 20.14.040 of the El Paso Municipal Code; and

3. That the requirements for a fire station under Section 20.14.040 have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.14.040 of the El Paso Municipal Code, to allow a fire station on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the **R-4 (Residential)** district regulations and subject to the approved Site Development Plan, signed

DOC# 16463/PLANNING/12/ZON05-00082/MWAT

ORDINANCE NO. 16187

Special Permit No. ZON05-00082

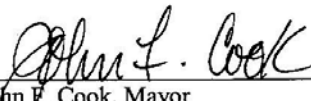
ATTACHMENT 4: SPECIAL PERMIT ORDINANCE NO. 16187, DATED OCTOBER 18, 2005
(CONTINUED)

by the Applicant, the City Manager, and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "A" and incorporated herein by reference for all purposes; and

6. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00082** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

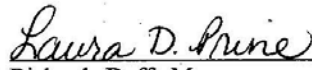
PASSED AND APPROVED this 18th day of October, 2005.

THE CITY OF EL PASO

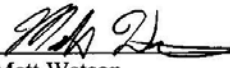


John F. Cook, Mayor

ATTEST:


for Richarda Duffy Momsen
ALTERNATE City Clerk

APPROVED AS TO FORM:



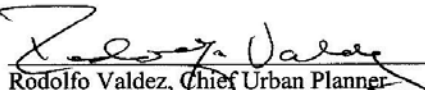
Matt Watson
Assistant City Attorney
Doc No. 16343

APPROVED AS TO CONTENT:



Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

DOC# 16463/PLANNING/12/ZON05-00082/MWAT

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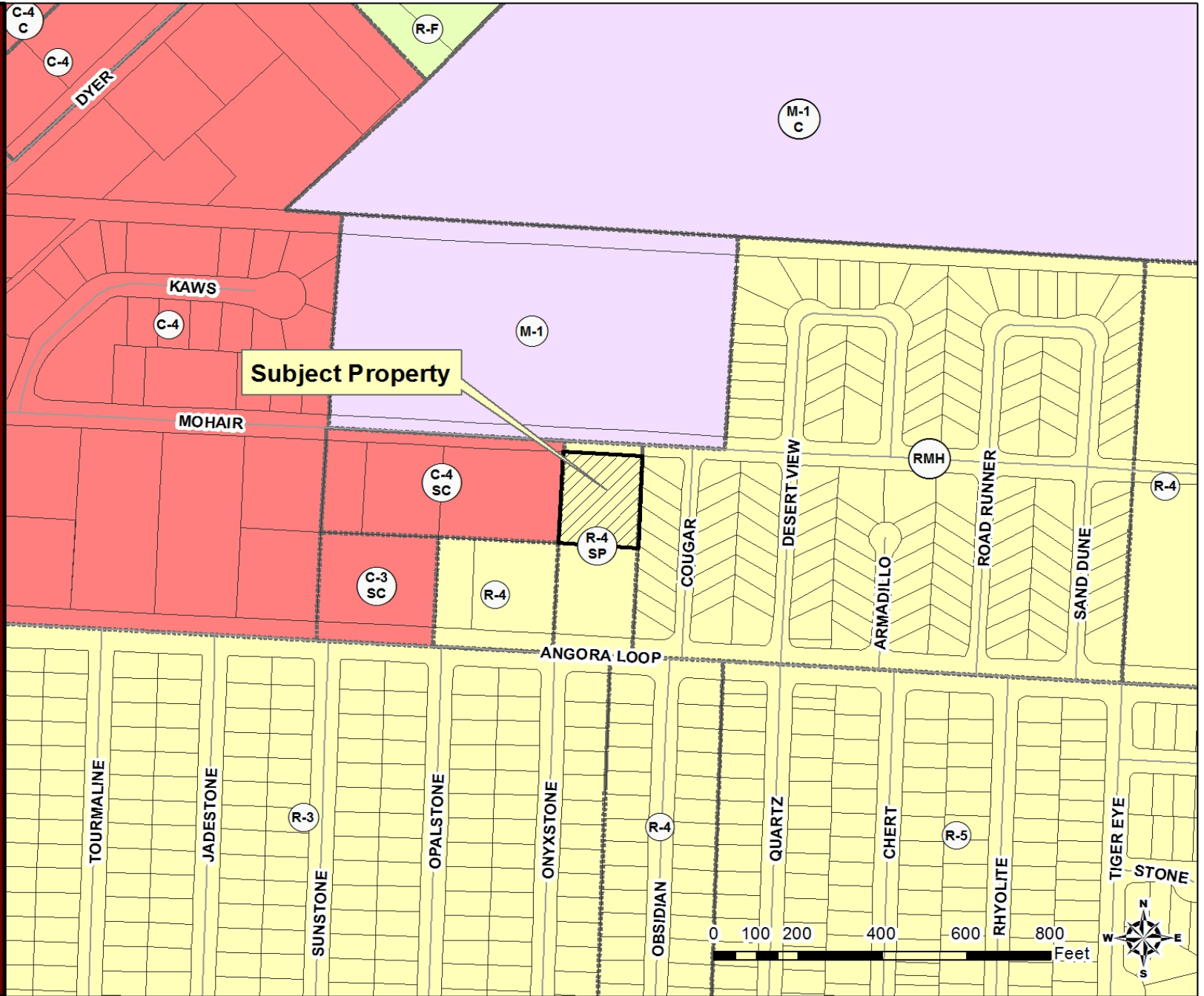
Special Permit No. ZON05-00082



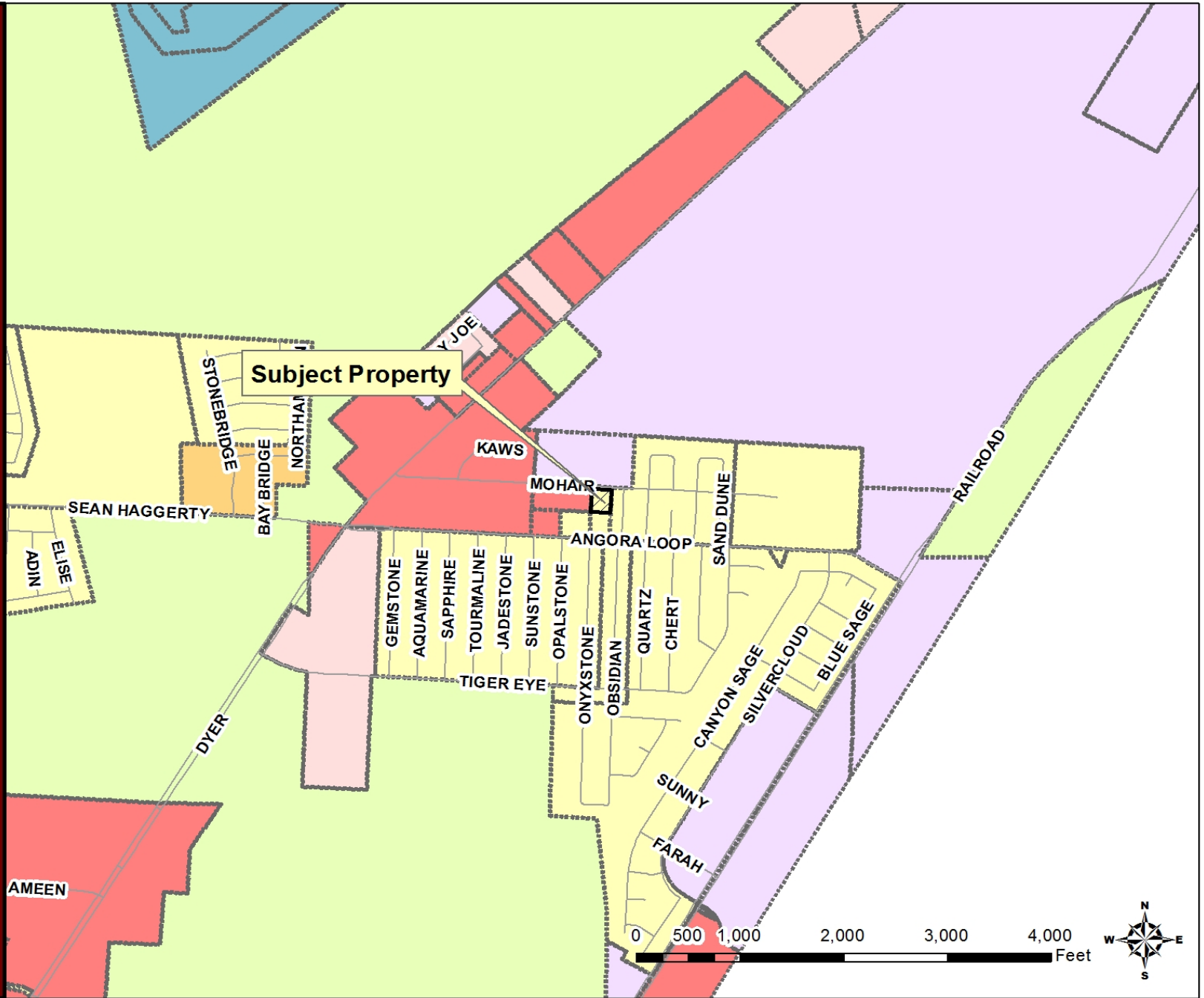
Recommendation/Public Input

- **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 inspection processes
 - 3.2 – Improve the visual impression of the community

PZRZ14-00045



PZRZ14-00045



PZRZ14-00045



PZRZ14-00045



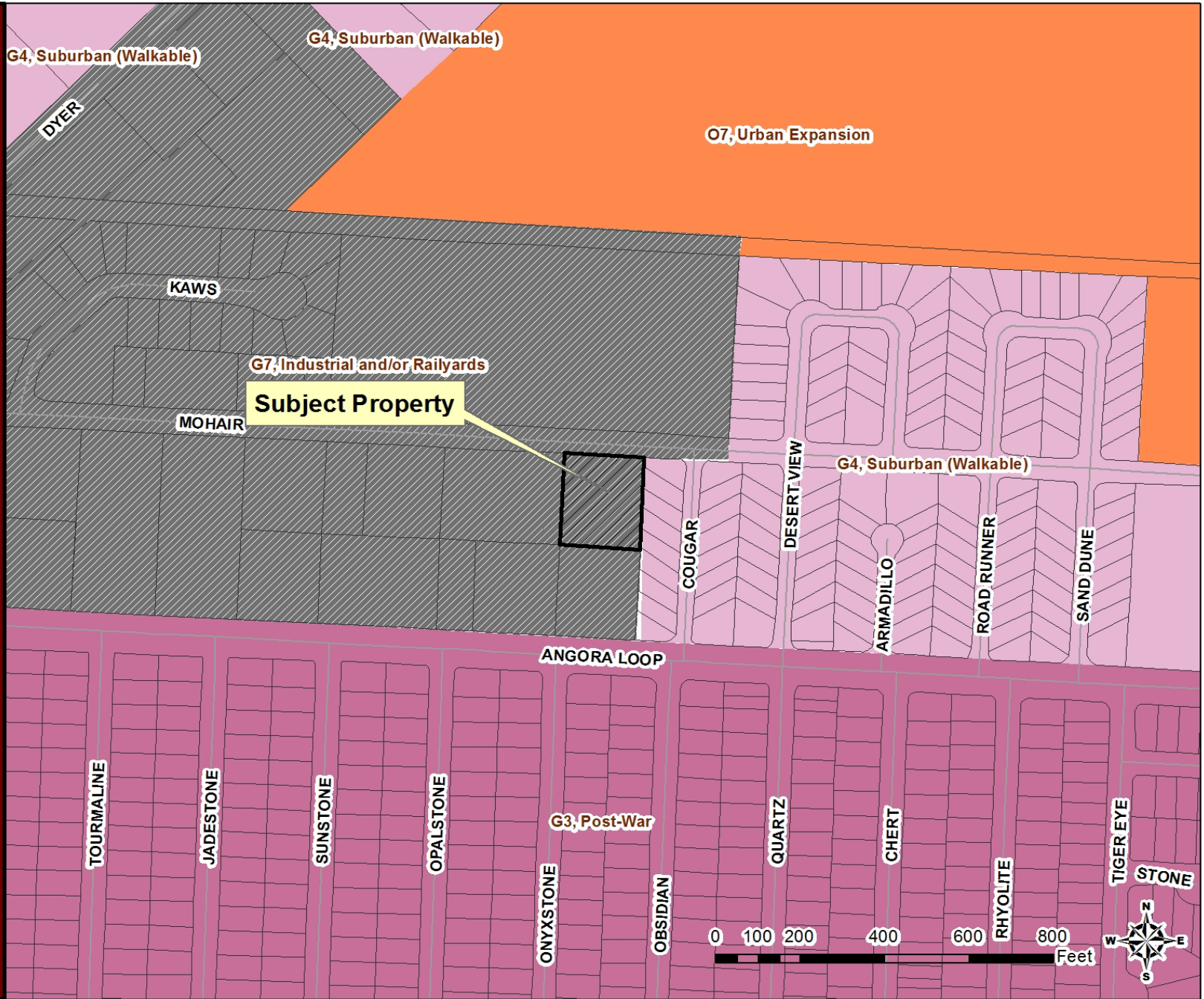
Subject Property

AMEEN

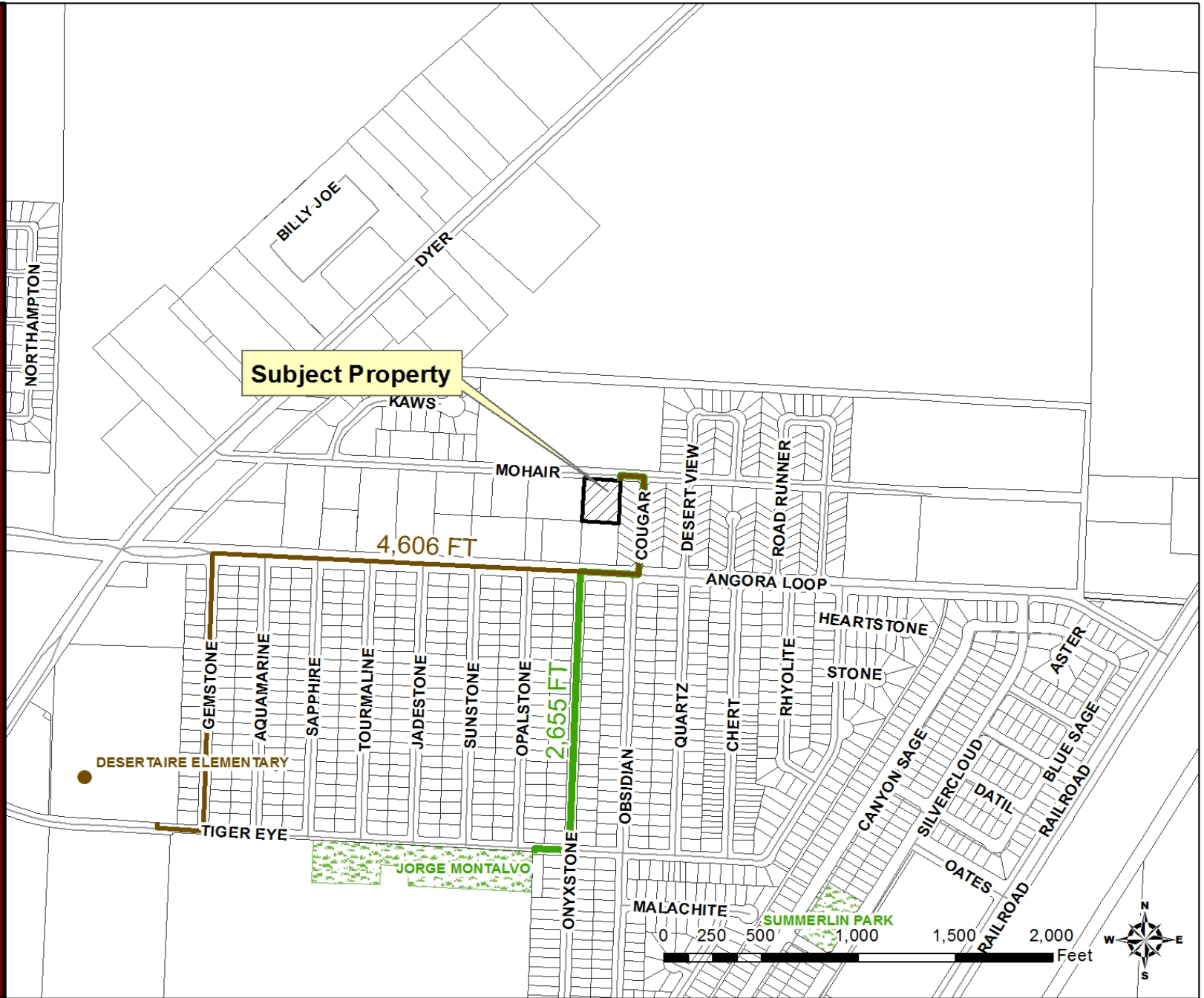
0 500 1,000 2,000 3,000 4,000 Feet



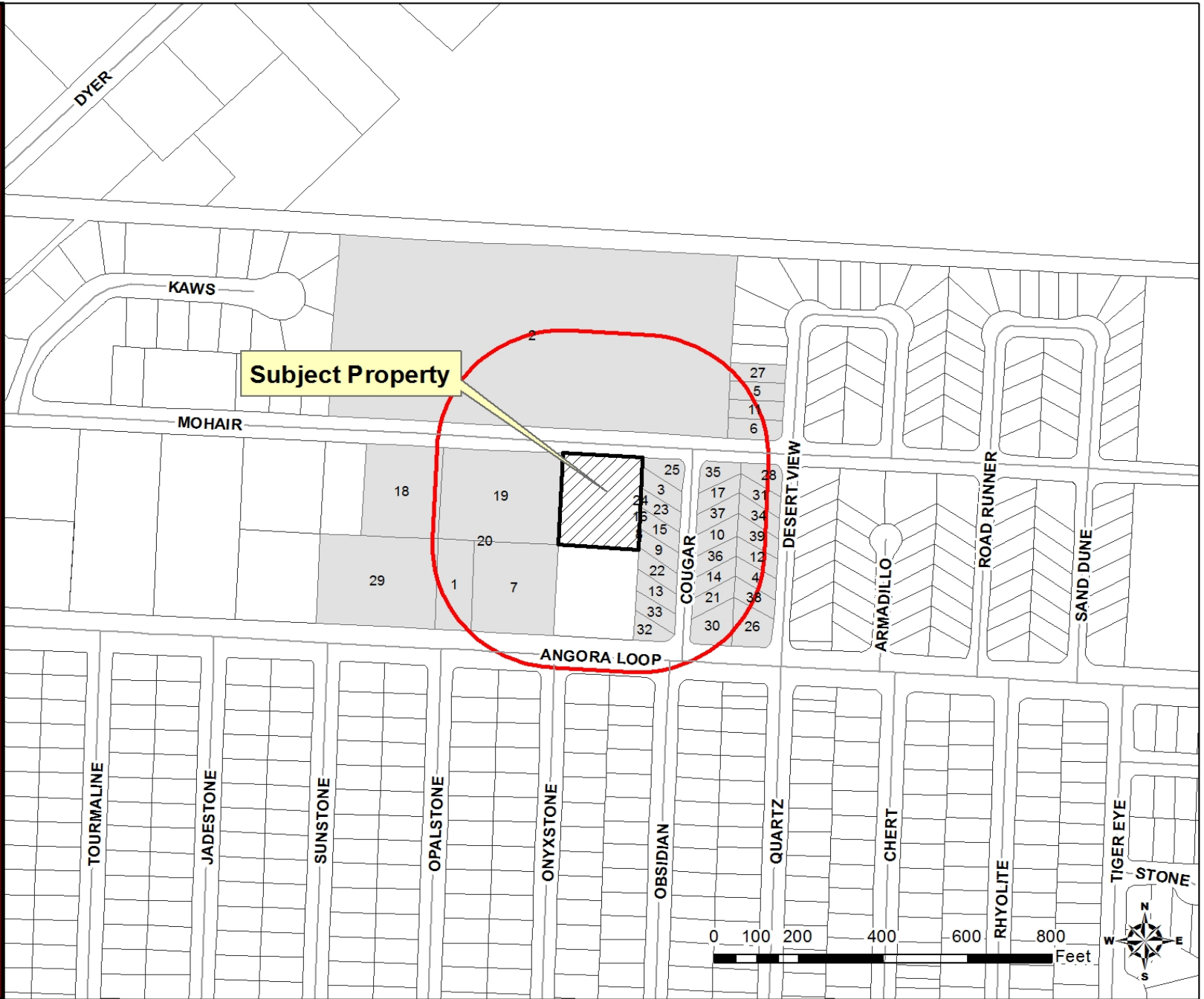
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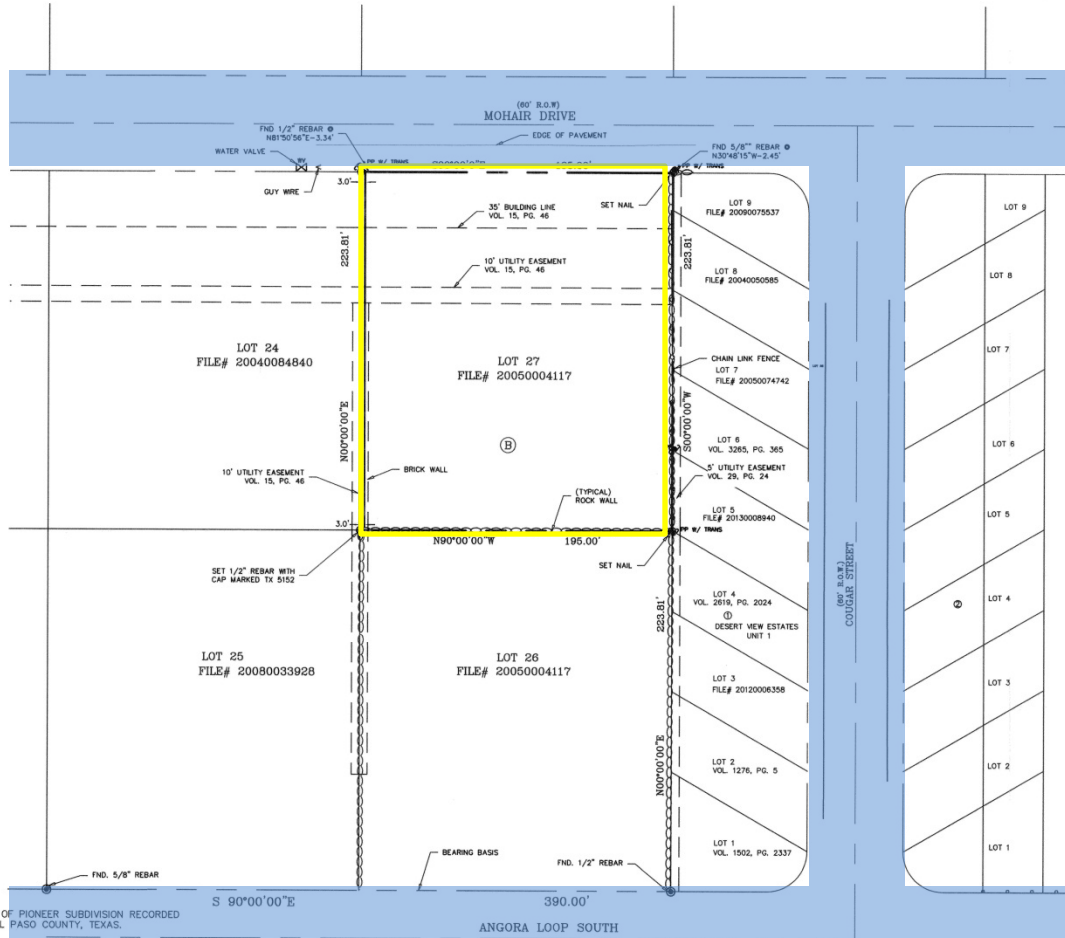


PLAT OF SURVEY

LOT 27, BLOCK B
 PIONEER SUBDIVISION
 CITY OF EL PASO, EL PASO COUNTY, TEXAS
 CONTAINING: 43,643 Sq. Ft. OR 1.0019 ACRES



SCALE: 1" = 40'



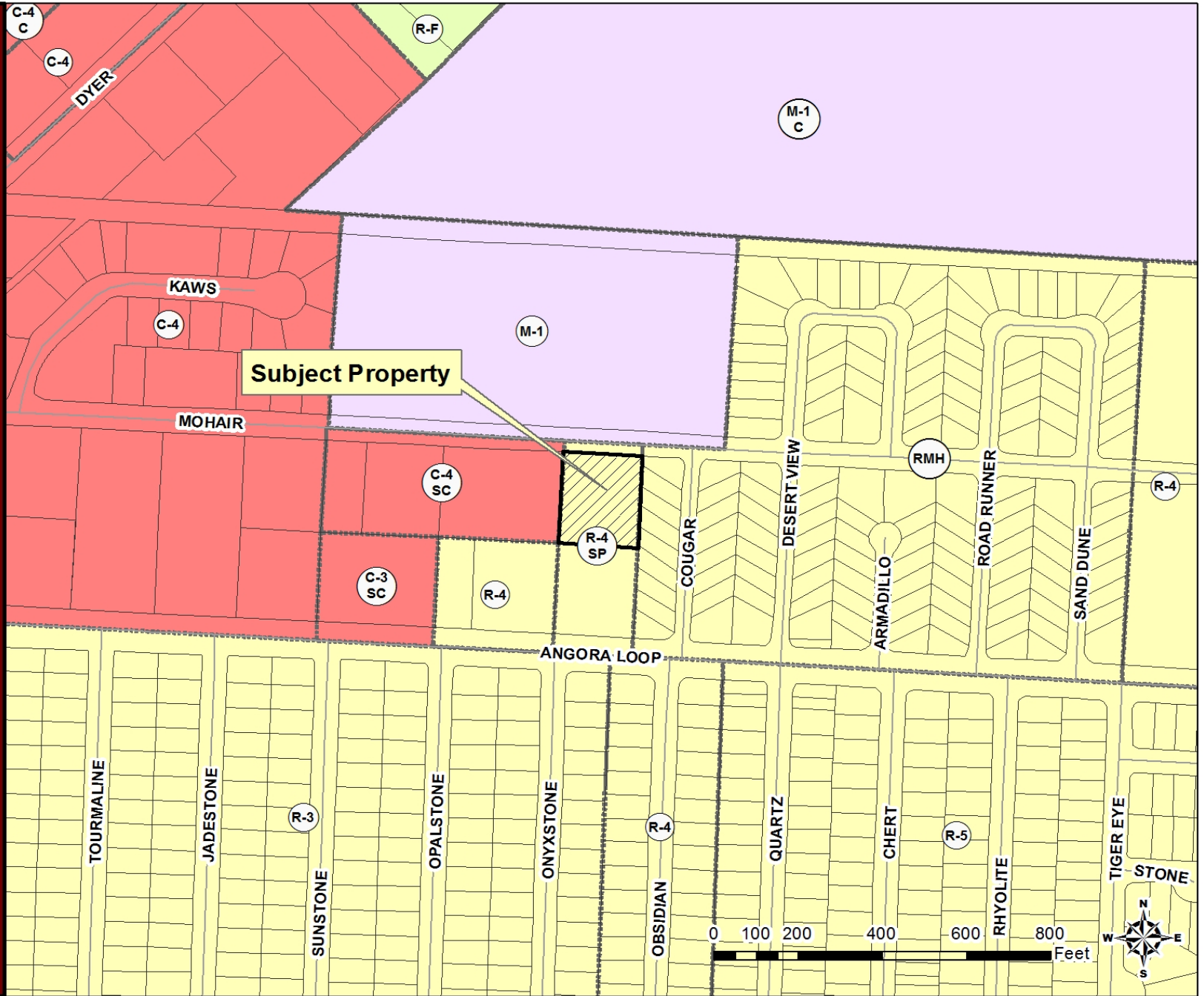
- NOTES:
1. BEARINGS SHOWN HEREON BASED ON PLAT OF PIONEER SUBDIVISION RECORDED IN VOLUME 15, PAGE 46, PLAT RECORDS OF EL PASO COUNTY, TEXAS.
 2. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO 480214-0015D, DATED JANUARY 3, 1997, THIS PROPERTY IS IN FLOOD HAZARD ZONE C "AREAS OF MINIMAL FLOODING".
 3. SUBJECT PROPERTY IS ZONED R-4.
 4. REFERENCE WARRANTY DEED IN CLERKS FILE NO. 20050004117, REAL PROPERTY RECORDS OF EL PASO COUNTY, TEXAS.



This is to certify that this plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS. The field work was completed on July 21, 2014.

Ron R. Conde
 Ron R. Conde
 Registered Professional Land Surveyor
 Texas License No. 5152

PZRZ14-00045





South

North





East

West



LOCATION OF PROPOSED REZONING
PUBLIC HEARINGS ARE SCHEDULED
PLEASE CALL 915-212-1569

PROPUESTA DE REZONIFICACION
STAN PROGRAMADAS AUDIENCIAS PUBLICA
POR FAVOR LLAME 915-212-1569

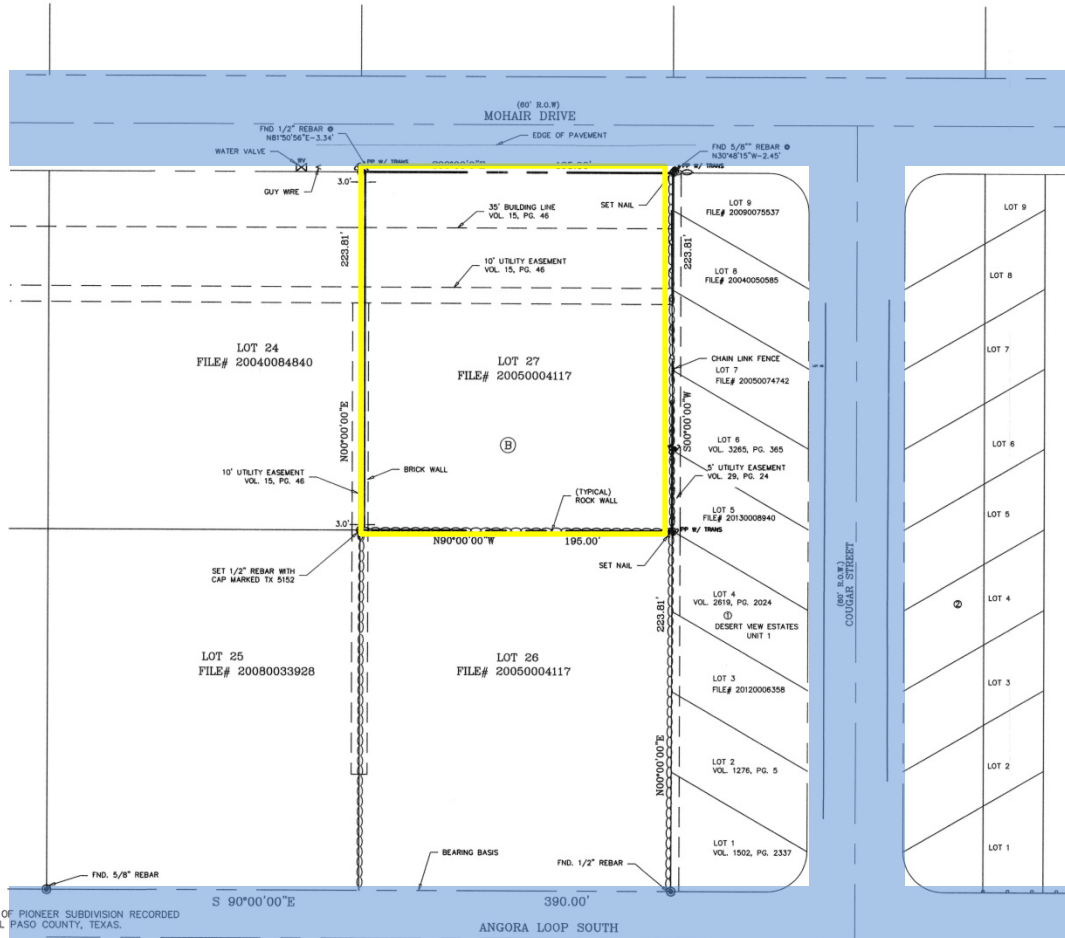


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 PIONEER SUBDIVISION
 CITY OF EL PASO, EL PASO COUNTY, TEXAS
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