

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: April 14, 2020

PUBLIC HEARING DATE: May 12, 2020

CONTACT PERSON NAME AND PHONE NUMBER:

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

Anne Guayante, (915) 212-1814, GuayanteAM@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 Tract 30, Block 29, Ysleta, 8149 Alameda Avenue, City of El Paso, El Paso County, Texas from R-4 (Residential) to C-1 (Commercial). 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: 8149 Alameda Avenue; Owner: Yolanda E. Calderon; PZRZ19-00035 (District 7)

BACKGROUND / DISCUSSION:

On February 20, 2020, 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 TRACT 30, BLOCK 29, YSLETA, 8149 ALAMEDA AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO C-1 (COMMERCIAL) AND IMPOSING A CONDITION. 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 Tract 30, Block 29, Ysleta, 8149 Alameda Avenue, located in the City of El Paso, El Paso County, Texas, and more particularly described in the attached metes and bound as Exhibit "A", be changed from R-4 (Residential) to C-1 (Commercial) and imposing a condition, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Prior to the issuance of any building permits, a detailed site plan must be approved by the El Paso City Plan Commission.

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

(Exhibit "A" on the following page)

ORDINANCE NO. _____
20-1007-2598 | 979676
8149 Alameda Ave.
RTA

PZRZ19-00035

EXHIBIT "A"

Calderon Engineering

3031 Trawood Drive
El Paso, Texas 79936
(915) 855-7552
Fax: 855-8350

CalderonEngineering@elpbizclass.com

September 10, 2019

METES & BOUNDS DESCRIPTION

Description of a parcel of land being all of Tract 30, Block 29, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows;

Beginning at a found chiseled cross marking the intersection of the East R.O.W. line of Alameda Ave. with the South R.O.W. line of Beatrix Ave. and marking the Northwest corner of Tract 30, all in Block 29, Ysleta Grant;

Thence North $56^{\circ}16'00''$ East, along the South R.O.W. line of Beatrix Ave. distance of 338.82 feet to a found iron pin;

Thence South $36^{\circ}55'00''$ West, along the East boundary of Tract 30 a distance of 367.70 feet to a found iron pin;

Thence North $29^{\circ}49'00''$ West, along the East R.O.W. line of Alameda Ave. a distance of 122.20 to the "Point of Beginning" and containing in all 20,653.00 square feet or 0.474 acres of land more or less. A plat of survey dated September 10, 2019 is a part of this description and is attached hereto;



Manuel Calderon
Calderon Engineering
Registered Professional Land Surveyor No. 2564
Registered Professional Engineer No. 42333
Texas Registered Engineering Firm No. F-3788
Texas Licensed Surveying Firm No. 100200-00

C6-SV
8149 Alameda

MEMORANDUM

DATE: March 19, 2020

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

FROM: Anne Guayante, Lead Planner - Planning & Inspections

SUBJECT: PZRZ19-00035

The City Plan Commission unanimously recommended **approval** (7-0) of the proposed rezoning case at its February 20, 2020 meeting.

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

Planning staff has received one call in opposition to the rezoning case.

Property Owner: Yolanda E. Calderon

Applicant: Yolanda E. Calderon

Attachments: Staff Report

8149 Alameda Avenue

City Plan Commission — February 20, 2020

REZONING



CASE NUMBER:	PZRZ19-00035
CASE MANAGER:	Marie Helwig, 915-212-1586, HelwigMK@elpasotexas.gov
PROPERTY OWNER:	Yolanda E Calderon
REPRESENTATIVE:	Yolanda E Calderon
LOCATION:	8149 Alameda Ave (District 7)
PROPERTY AREA:	0.48 acres
REQUEST:	Rezone from R-4 (Residential) to C-1 (Commercial)
RELATED APPLICATIONS:	None
PUBLIC INPUT:	None

SUMMARY OF REQUEST: The applicant is requesting to rezone the property from R-4 (Residential) District to C-1 (Commercial) District to allow for the continuation of past uses (bar, liquor store, and live-work flex unit).

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee recommended **APPROVAL** of the request on February 11, 2020. The proposed zoning is consistent with adjacent commercial properties within the vicinity and is in keeping with the policies of *Plan El Paso* for G-3, Post-War Future Land Use Designation in the Mission Valley Planning Area.

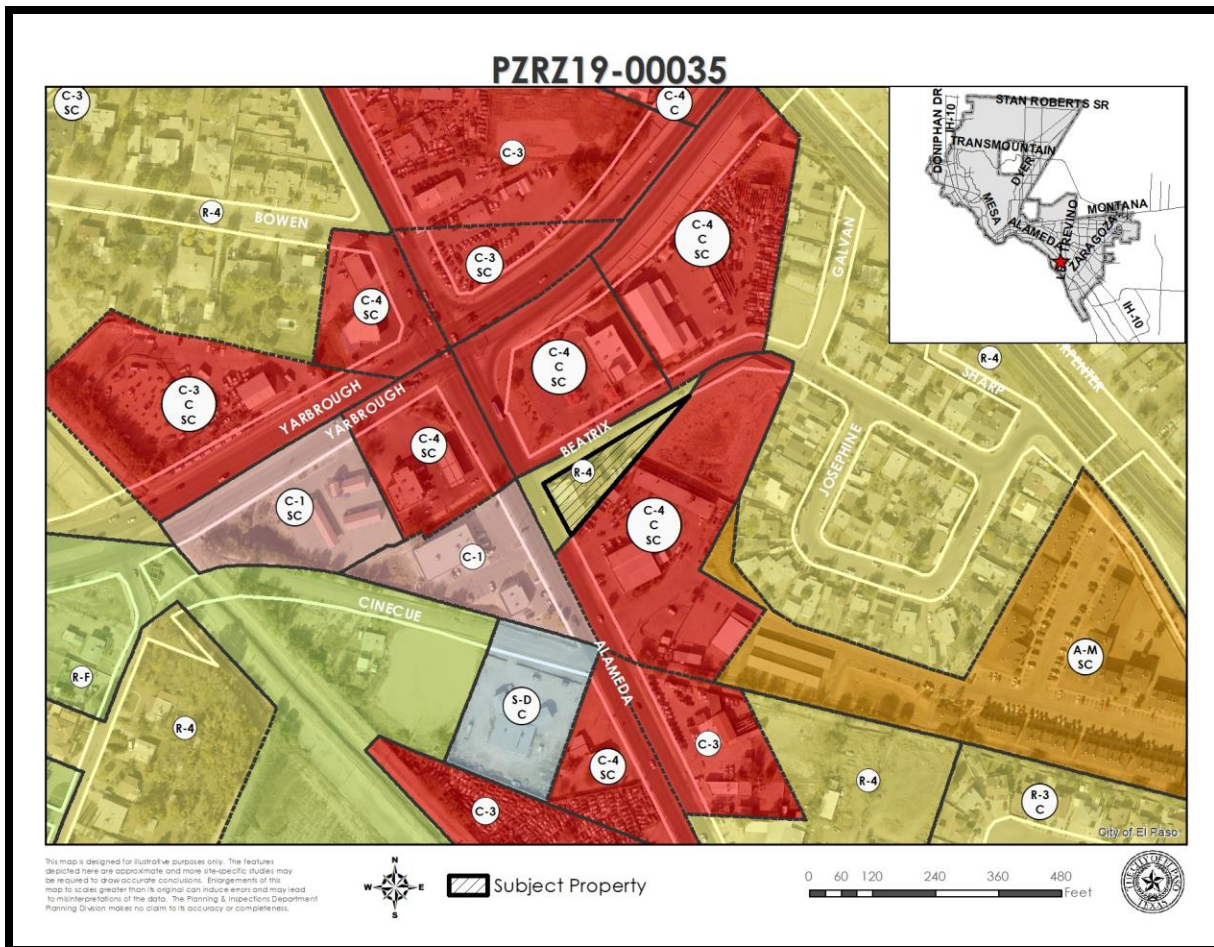


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the property from R-4 (Residential) to C-1 (Commercial) to allow for the continuation of past uses (bar, liquor store, and live-work flex unit). The commercial uses on the site had been in operation for more than 60 years. No site modifications are proposed as part of this application. The site plan shows the current configuration of the lot with a 1,250 square foot bar, 750 square foot liquor store, a 1,870 square foot live-work flex unit, and 27 parking spaces.

PREVIOUS CASE HISTORY: A legal nonconforming approval was granted in 2012. This approval terminated due to the abandonment of the nonconforming use for more than 120 days.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed rezoning is consistent with the commercial developments in close proximity and meets the established character of its surrounding neighborhood. The proposed rezoning meets the intent of the G-3, Post War use designation of *Plan El Paso*, the City's Comprehensive Plan.

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-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. 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 proposed zoning is compatible with the G-3, Post-War Future Land Use designation. The proposed zoning will allow for commercial uses typically missing from the G-3 designations.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-1 (Neighborhood Commercial) District: The purpose of the 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.</p>	<p>Yes, the surrounding properties are zoned C-1 and C-4 (Commercial) districts and are of similar character to the subject property.</p>
<p>Preferred Development Locations: Is the property in a "Compact Urban" area?</p>	<p>Yes, the subject property is along Alameda Avenue, which is classified as a Major Arterial.</p>
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>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.</p>	<p>N/A</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>The requested zoning classification is not anticipated to pose any adverse effects on the community and would will allow the existing uses to legally remain.</p>

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:	
	The proposed (C-1) zoning is more consistent with the surrounding commercial zoning districts than the present (R-4) zoning district.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	Stable. There have been minimum requests for zone changes in the area. The property located at 100 Cinecue Way, which is within 300 ft. of the subject property, was approved for a rezoning from R-4 to S-D to allow for a 2,500 sq. ft. single-family residence in 2016 (PZRZ16-00020).
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The subject property is within an older area of the city which complies with the G-3, Post-war neighborhood.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: No major site modifications are currently proposed. Access to the subject property is provided from Alameda Avenue and Beatrix Lane.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to the proposed rezoning. There were no adverse comments received. Applicant is responsible for obtaining all applicable permits and approvals prior to any site modifications.

PUBLIC COMMENT: The subject property is within Save the Valley 21, Mission Valley Civic Association and Corridor 20 Civic Association. Notices were sent to the surrounding neighborhood associations and to property owners within 300 feet of the subject property. One call was received in opposition of the request.

RELATED APPLICATIONS: N/A

OTHER CONSIDERATIONS: The proposed zoning will allow for the continuation of the current property uses. No site modifications are proposed at this time.

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:

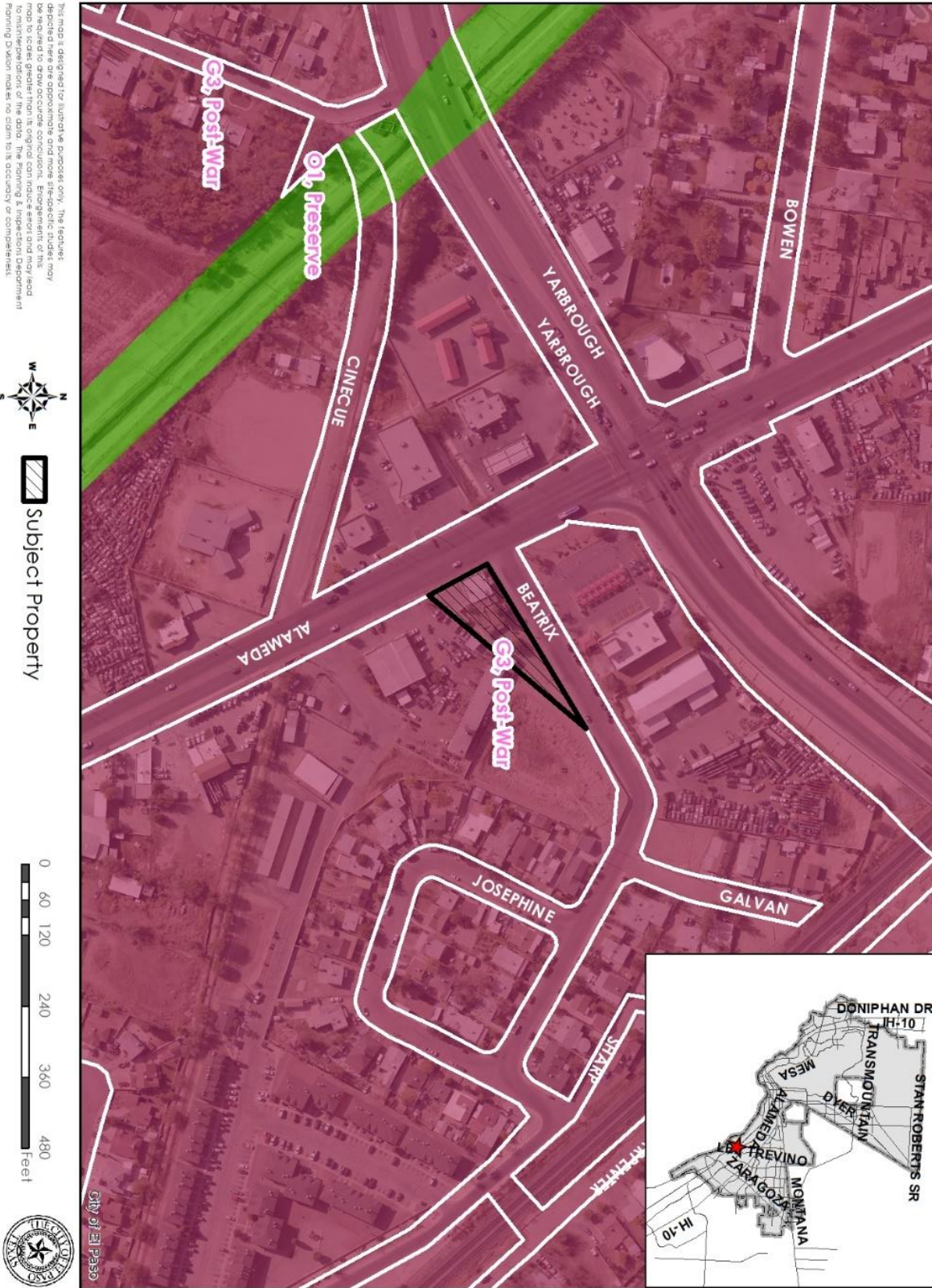
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
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. Department Comments
3. Neighborhood Notification Boundary Map
4. Site Plan (Current Conditions)

ATTACHMENT 1

PZR19-00035



ATTACHMENT 2

Planning and Inspections Department - Planning Division

No objections.

Texas Department of Transportation

No objections. Please coordinate with TxDOT if there are plans for any reconstruction, regrade, or modifications to the existing access drive along Alameda.

Planning and Inspections Department – Plan Review & Landscaping Division

Reviewed and approved for rezoning only.

Planning and Inspections Department – Land Development

1. Draw any existing driveways and sidewalks with width dimensions. At time of building permit, provide sidewalk along Street ROWs abutting entire property lot lines continuous across driveways and parking lot with a directional ADA ramp at street corner as per (DSC 6-17 & 6-20).
2. Coordinate any improvement along Alameda with TXDOT for access and drainage requirements at time of permitting.

Fire Department

Recommend Approval.

Police Department

No comments received.

Sun Metro

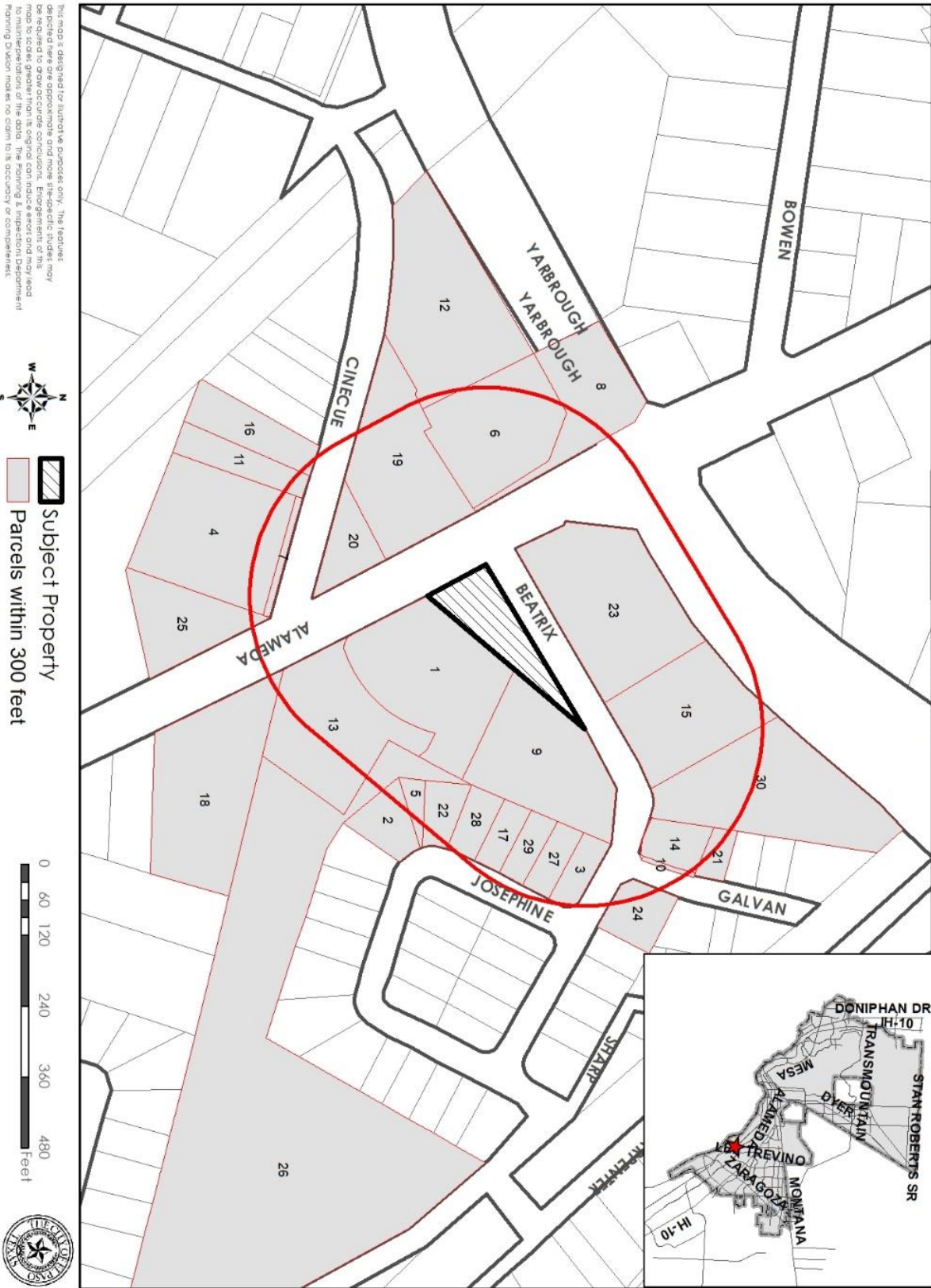
Recommend Approval. No objections.

El Paso Water

If the property is further developed or redeveloped, EPWater – SW 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.

ATTACHMENT 3

PZR19-00035



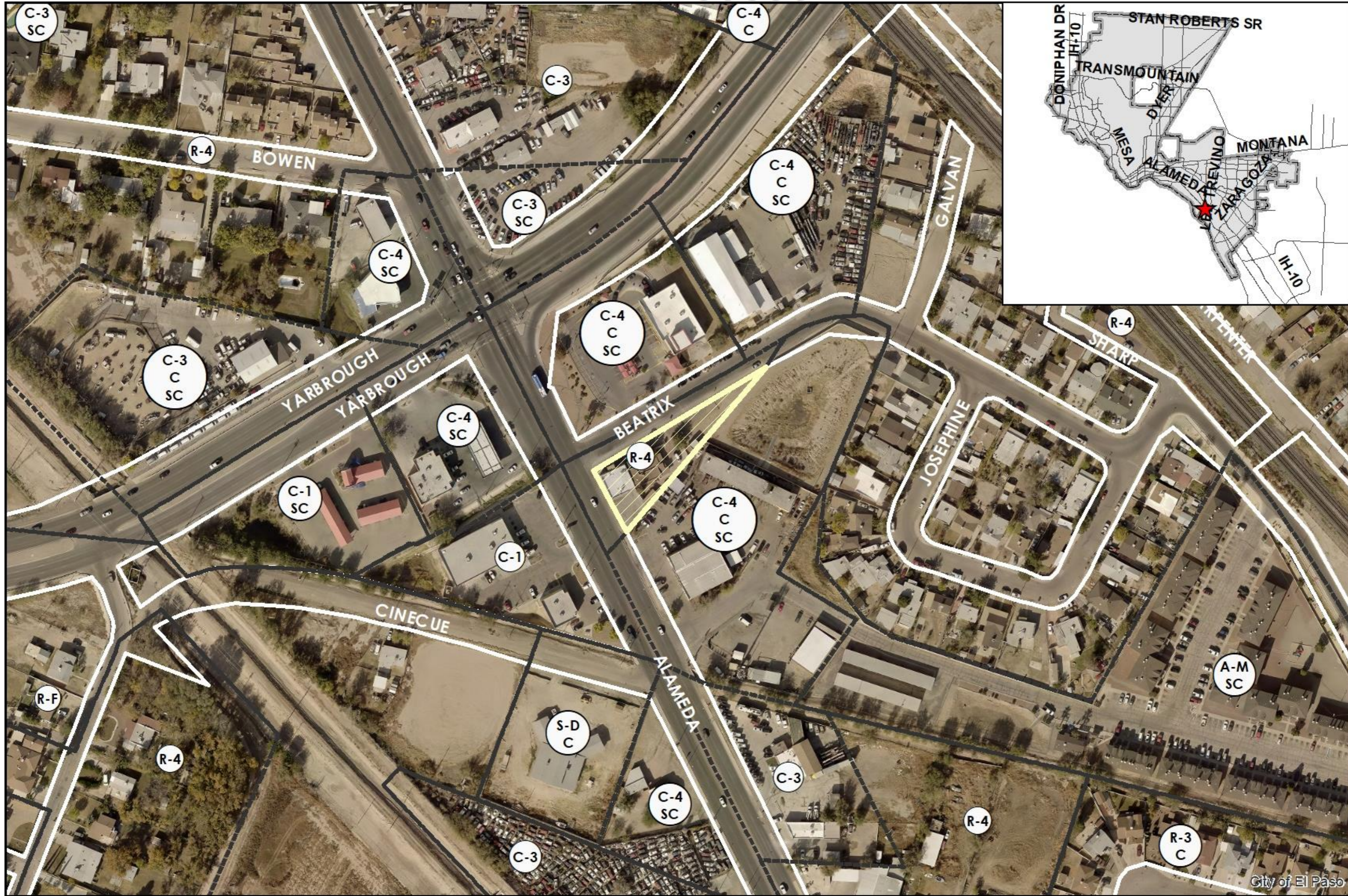
I T E M 8

8149 Alameda Avenue

Rezoning

PZRZ19-00035

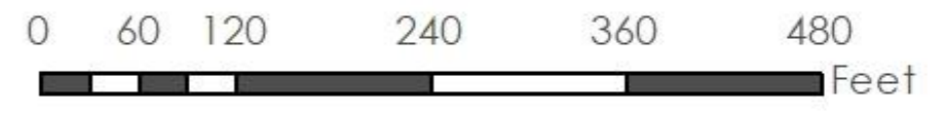




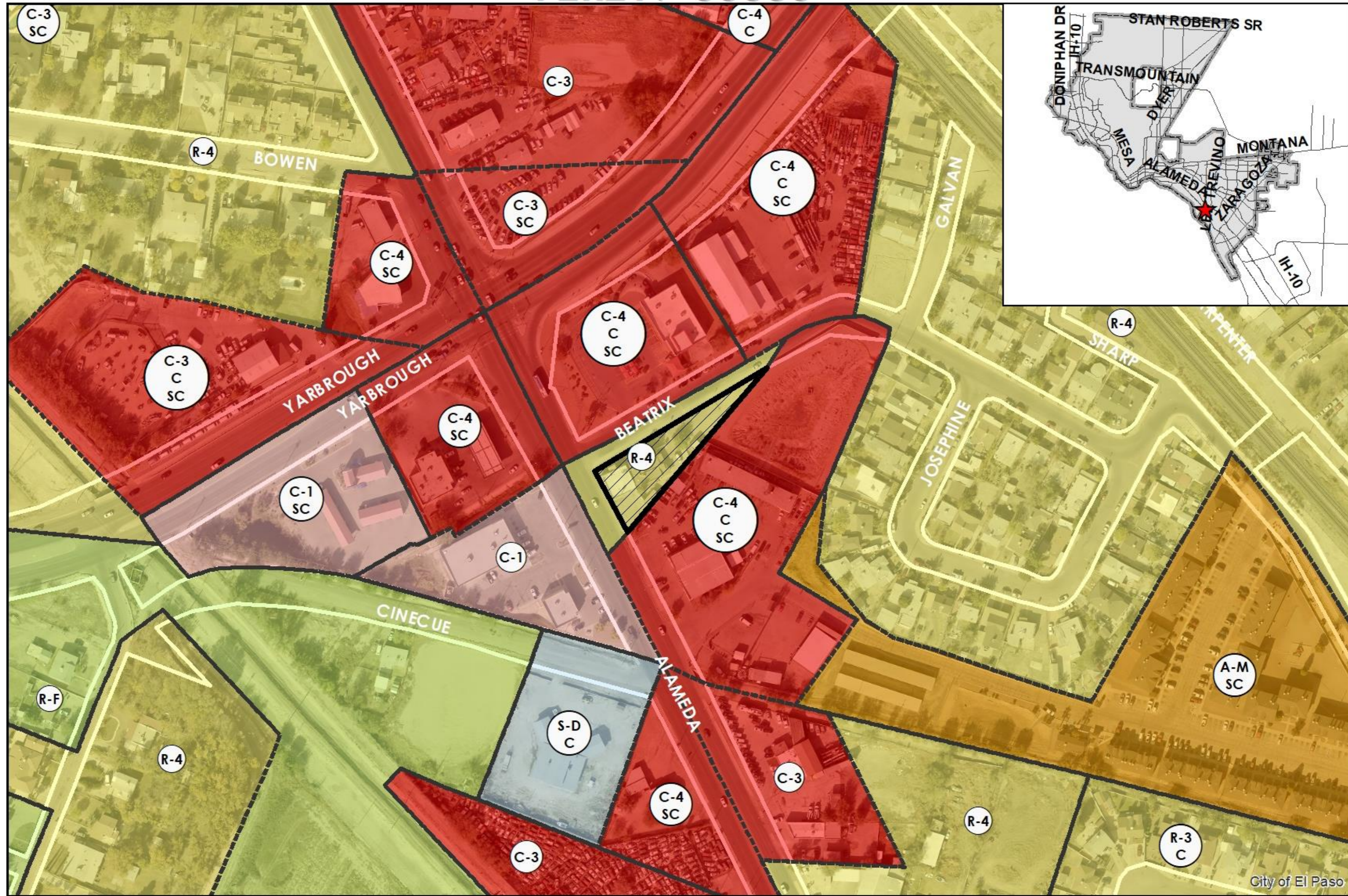
This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



 Subject Property



PZRZ19-00035



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



 Subject Property

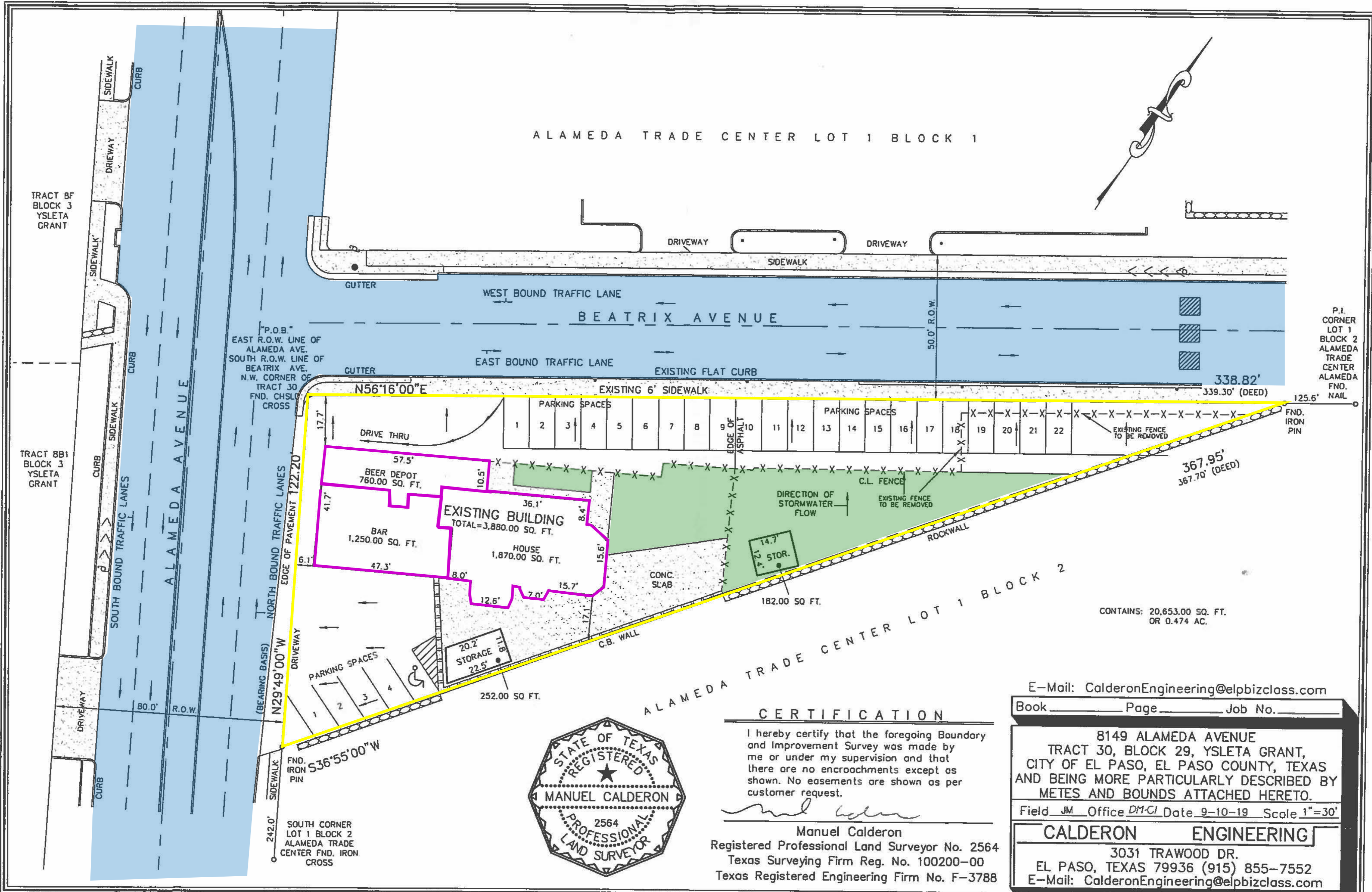


PZRZ19-00035



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.





CERTIFICATION

I hereby certify that the foregoing Boundary and Improvement Survey was made by me or under my supervision and that there are no encroachments except as shown. No easements are shown as per customer request.

Manuel Calderon

Manuel Calderon
Registered Professional Land Surveyor No. 2564
Texas Surveying Firm Reg. No. 100200-00
Texas Registered Engineering Firm No. F-3788

E-Mail: CalderonEngineering@elpbizclass.com

Book _____ Page _____ Job No. _____

8149 ALAMEDA AVENUE
TRACT 30, BLOCK 29, YSLETA GRANT,
CITY OF EL PASO, EL PASO COUNTY, TEXAS
AND BEING MORE PARTICULARLY DESCRIBED BY
METES AND BOUNDS ATTACHED HERETO.

Field JM Office DM-GJ Date 9-10-19 Scale 1"=30'

CALDERON ENGINEERING

3031 TRAWOOD DR.
EL PASO, TEXAS 79936 (915) 855-7552
E-Mail: CalderonEngineering@elpbizclass.com



LA VENTANITA
BEER DEPOT

8147

NO
PARKING

NO
PARKING

8149

Blue Room
BAR
POOL TABLE

2

PARKING

2

RUBIO'S AUTO SERVICE

CHAIREZ AUTO SERVICE



N



W

E

S





Recommendation | Public Input

Planning Division and DCC recommendation:

Approval of the rezoning request.

Public Input:

- Notices were sent to the surround property owners and neighborhood associations within 300 feet on February 6th.
- The Planning Division received one call in opposition of the rezoning.

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

THANK YOU

