

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

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DEPARTMENT: Development Services Department

AGENDA DATE: Introduction: July 8, 2008
Public Hearing: July 29, 2008

CONTACT PERSON/PHONE: Mirian Spencer, (915) 541-4192, spencerm2@elpasotexas.gov

DISTRICT(S) AFFECTED: 3

SUBJECT:

An Ordinance changing the zoning of Lot 3, Block 1, Farah Subdivision, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8877 Gateway West Boulevard
Applicant: Hawkins Motor Lodge of El Paso ZON08-00035 (District 3)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:  Victor Q. Torres, Director

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

CITY CLERK DEPT.

08 JUN 30 AM 9:12

AN ORDINANCE CHANGING THE ZONING OF LOT 3, BLOCK 1, FARAH SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT MANUFACTURING) TO C-4 (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:

That the zoning of *Lot 3, Block 1, Farah Subdivision, City of El Paso, El Paso County, Texas*, be changed from **M-1 (Light Manufacturing)** to **C-4 (Commercial)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2008.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Assistant City Attorney

for Victor Q. Torres, Director
Development & Infrastructure Services



**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

MEMORANDUM

DATE: June 26, 2008

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

FROM: Mirian Spencer, Planner

SUBJECT: ZON08-00035

The City Plan Commission (CPC), on June 19, 2008, voted (6-0) to recommend **Approval** of rezoning the subject property from M-1 (Light Manufacturing) to C-4 (Commercial) concurring with Staff's recommendation.

The applicant is requesting the rezoning from M-1 (Light Manufacturing) to C-4 (Commercial) in order to permit a retail development. The requested C-4 (Commercial) will match the zoning of the 50 acre parcel located East of the subject property. The property is 5.176 acres in size and is a restaurant and vacant motel. Access is proposed via Gateway West Boulevard, Hawkins Boulevard, and the adjacent Access Road. There are no conditions imposed on the property.

The property owners are requesting tax incentives from the City of El Paso and El Paso County. The request for incentives is not related to the Rezoning request, and is not related to land use considerations used to evaluate rezoning requests.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety, and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

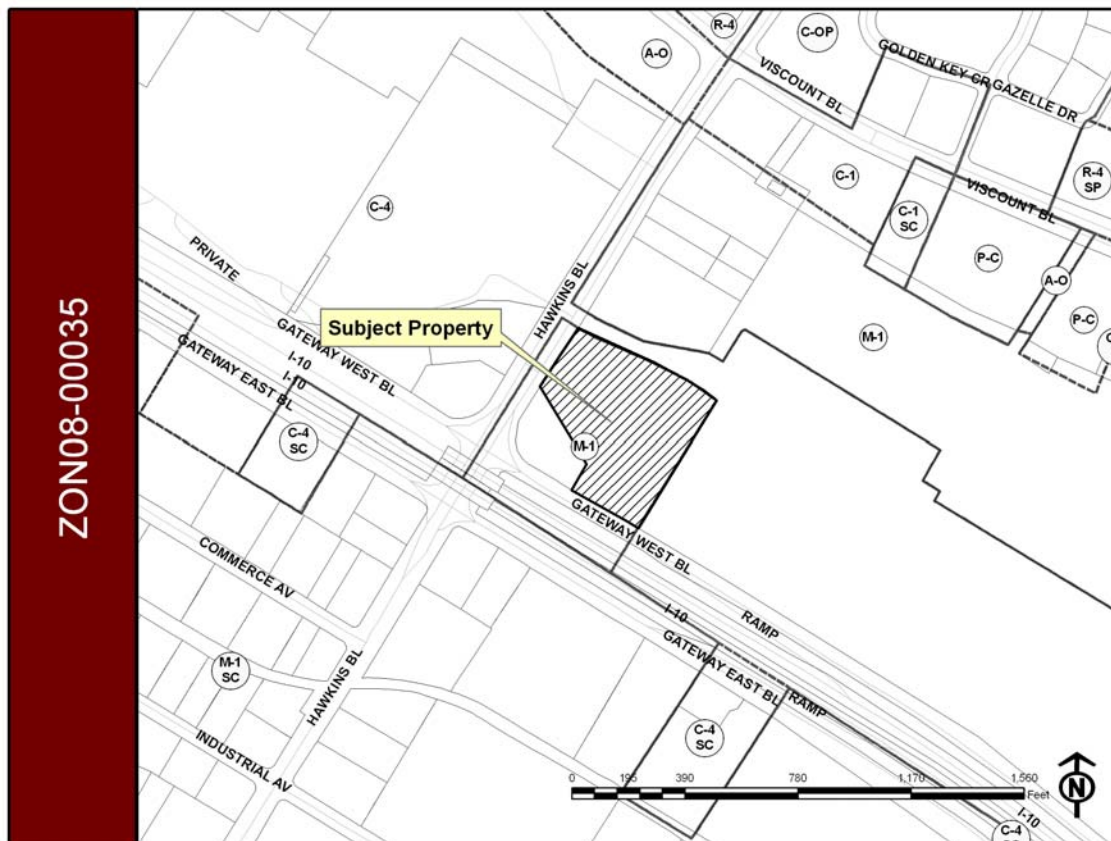
There were **THREE SPEAKERS in OPPOSITION** to this request. One person was objecting due to existing traffic issues at the intersection of Hawkins Boulevard, Gateway West Boulevard, and Interstate Highway 10. The remaining opposition was due to the pending request for tax incentives for the property and the adjacent 50 acre parcels.

Attachment: Staff Report, Conceptual Site Plan, Application



ZON08-00035

Application Type: Rezoning
Property Owner(s): Hawkins Motor Lodge of El Paso
Representative(s): Regency Centers
Legal Description: Lot 3, Block 1, Farah Subdivision, City of El Paso, El Paso County, Texas
Location: 8877 Gateway West Boulevard
Representative District: 3
Area: 5.176 acres
Present Zoning: M-1 (Light Manufacturing)
Present Use: Restaurant and Motel
Proposed Zoning: C-4 (Commercial)
Proposed Use: Retail Shops
Recognized Neighborhood Associations Contacted: Cielo Vista Neighborhood Association; East Side Civic Association
Public Response: None
Surrounding Land Uses: North - C-4 (Commercial) /M-1 (Light Manufacturing) - EPWU; South - C-4 (Commercial) – Retail & Restaurants; East – C-4 (Commercial) – Vacant Farah Building; West- M-1 (Light Manufacturing) & C-4 (Commercial) - Diamond Shamrock & Cielo Vista Mall
Year 2025 Designation: Commercial (East)



General Information:

The applicant is requesting a rezoning from M-1 (Light Manufacturing) to C-4 (Commercial) in order to permit a retail development. The applicants are requesting the change of zoning to match the zoning of the property located to the East of the subject property, in order to develop both sites concurrently. The property is 5.176 acres in size and is a restaurant and vacant motel. The conceptual site plan shows **Retail development** to be located on the site. Access is proposed via **Gateway West Boulevard, Hawkins Boulevard, and the adjacent Access Road**. There are no zoning conditions imposed on the property.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of the request for rezoning from M-1 (Light Manufacturing) to C-4 (Commercial).

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the **East** Planning Area designates this property for **Commercial** land uses.

C-4 zoning permits retail/pharmacy and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will the C-4 (Commercial) zoning protect the best interest, health, safety, and welfare of the public in general?
2. Will retail development be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city's Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division:

Zoning Review: No objections to the proposed rezoning request. Retail development permitted within the proposed C-4 (Commercial) district.

Landscape Review: No comments received

Development Services Department - Planning Division:

Current Planning: The Year 2025 Projected General Land Use Map for the **East** Planning Area designates this property for **Commercial** land uses. C-4 (Commercial) zoning permits retail development and is compatible with adjacent development.

Subdivision Review:

1. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
2. Grading plan and permit shall be required.*
3. Storm Water Pollution Prevention Plan and/or permit be required.*
4. Drainage plans must be approved by the Development Services Department, Engineering Section.*
5. Coordination with TXDOT.
6. Additional Comments: Site location is **not** located within a Special Flood Hazard Area, Flood Zone **X** (Unshaded), Panel **480214 0041C**, Effective Date: February 16, 2006.

* This requirement will be applied at the time of development.

Engineering Department - Traffic Division:

No apparent traffic concerns.

Fire Department:

No comments received.

El Paso Water Utilities:

EPWU does not object to this request.

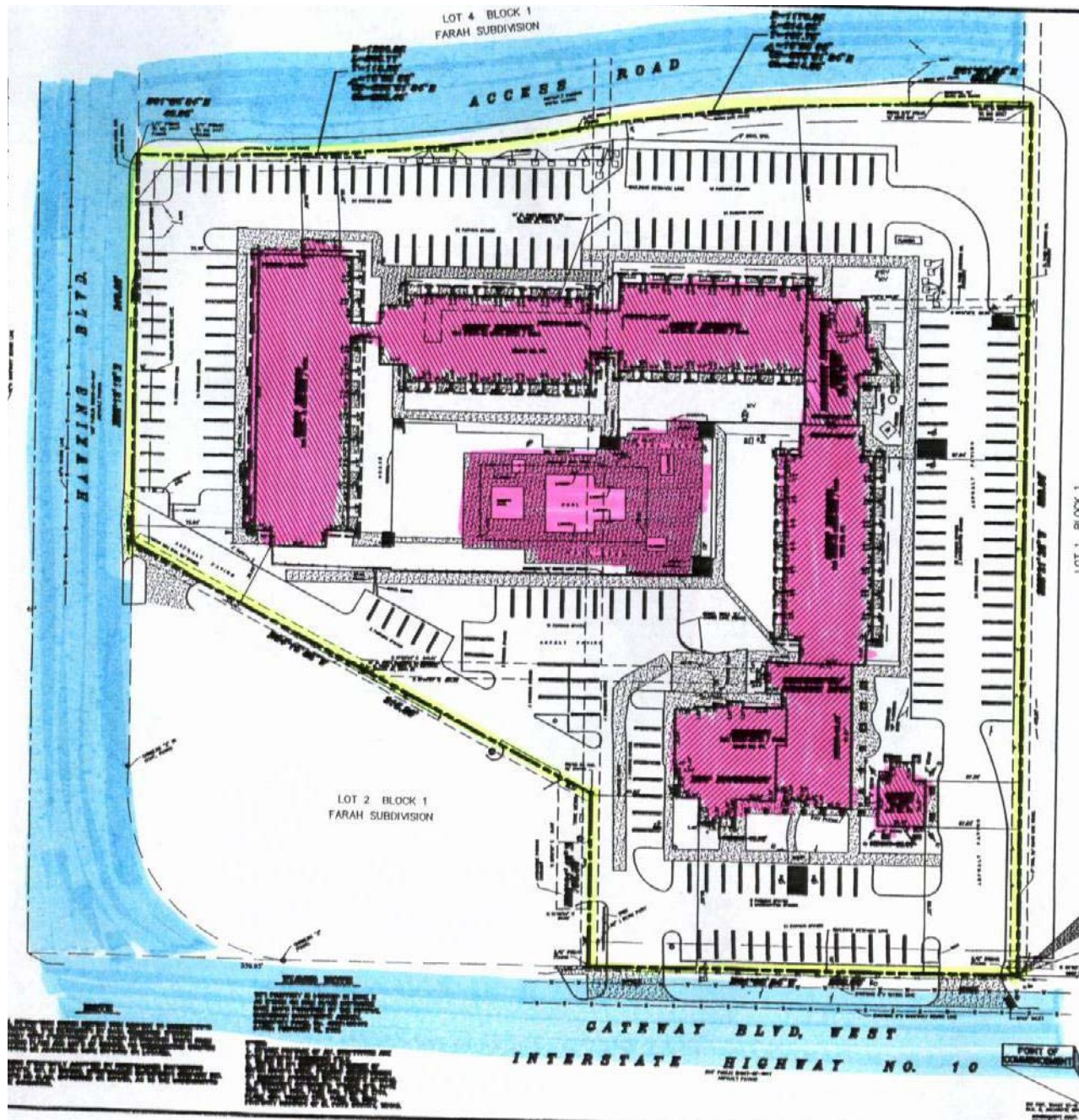


List of Attachments

Attachment 1: Conceptual Site Plan

Attachment 2: Application

ATTACHMENT 1: CONCEPTUAL SITE PLAN



ATTACHMENT 2: APPLICATION



**REZONING APPLICATION
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

City of El Paso, Texas
2 Civic Center Plaza
El Paso, TX 79901-1196
915-541-4024

1. CONTACT INFORMATION

PROPERTY OWNER(S): Hawkins Motor Lodge of El Paso
 ADDRESS: 9514 Montana Ave. ZIP CODE: 79925 PHONE: _____
 E-MAIL ADDRESS: _____ FAX: _____

REPRESENTATIVE(S): West Miller / Dorothy Parks
 ADDRESS: 8080 N. Central Expy. ZIP CODE: 75206 PHONE: 214-706-2500
 E-MAIL ADDRESS: wmiller@regencycenters.com / dparks@regencycenters.com FAX: 214-696-9512

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: F1759900101300
 LEGAL DESCRIPTION: Lot 1 of the Farah Subdivision Lot 3 Block 1 3rd
 STREET ADDRESS OR LOCATION: 8877 Gateway REP DISTRICT: 3
 ACREAGE: 5.176 PRESENT ZONING: M-1 PRESENT LAND USE: rest. / hotel
 PROPOSED ZONING: C-4 PROPOSED LAND USE: retail / pharmacy

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING: _____ PROPOSED LAND USE: _____

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING: _____ PROPOSED LAND USE: _____

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Jonathan W. Rogers Jr. Signature: Jonathan W. Rogers Jr.
 Printed Name: _____ Signature: _____
 Printed Name: _____ Signature: _____

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

****OFFICE USE ONLY****

ZON 08-00035 RECEIVED DATE 4/23/08 APPLICATION FEE: \$ 810.00
 DCC REVIEW DATE: 5/21/08 (8:30 am, Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 6/19/08 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: [Signature]