

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

DEPARTMENT: Planning & Inspections Department, Planning Division

AGENDA DATE: Introduction: August 25, 2015
Public Hearing: September 15, 2015

CONTACT PERSON/PHONE: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of Tract 1-F-1-P, Block 5, Ascarate Grant, 753 N. Carolina Drive, City of El Paso, El Paso County, Texas, from R-3 (Residential) to S-D (Special Development), pursuant to Section 20.04.360, and approving a detailed site development plan pursuant to Section 20.04.150 and 20.10.360 of the El Paso City Code to allow for a rear setback reduction as permitted in the S-D (Special Development) zone district. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject property: 753 N. Carolina Drive. Property Owner: Ambrocio P. Baldonado. PZRZ15-00012 (District 7)

BACKGROUND / DISCUSSION:

Rezoning request is to permit the use of the property for retail and residential use.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission - Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Larry F. Nichols
Director, Planning and Inspections Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE PROPERTY DESCRIBED AS TRACT 1-F-1-P, BLOCK 5, ASCARATE GRANT, 753 N. CAROLINA DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT), PURSUANT TO SECTION 20.04.360, AND APPROVING A DETAILED SITE DEVELOPMENT PLAN PURSUANT TO SECTION 20.04.150 AND 20.10.360 OF THE EL PASO CITY CODE TO ALLOW FOR A REAR SETBACK REDUCTION AS PERMITTED IN THE S-D (SPECIAL DEVELOPMENT) ZONE DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, Ambrocio P. Baldonado, (Owner) has applied for a rezoning of property from **R-3 (Residential)** to **S-D (Special Development)** per Section 20.04.360 of the El Paso City Code; and,

WHEREAS, Owner has also applied for approval of a detailed site development plan pursuant to Sections 20.04.150 and 20.10.360 of the El Paso City Code for a rear setback reduction, which requires approval from both City Plan Commission and City Council; and,

WHEREAS, a public hearing was held for the rezoning and detailed site plan requests at a City Plan Commission meeting; and,

WHEREAS, City Plan Commission has recommended approval of the subject rezoning and detailed site development plan; and,

WHEREAS, the rezoning and detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval; and,

WHEREAS, the City Council of the City of El Paso finds that the application conforms to all requirements of the El Paso City Code.

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

1. Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning of *Tract 1-F-1-P, Block 5, Ascarate Grant, 753 N. Carolina Drive, City of El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on the attached Exhibit "A", be changed from **R-3 (Residential)** to **S-D (Special Development)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.
2. Pursuant to the requirements of the El Paso City Code, the City Council hereby approves the detailed site development plan submitted by the Owner, to reduce the rear setback as

ORDINANCE NO. _____

Zoning Case No: PZRZ15-00012

permitted under the **S-D (Special Development)** district regulations of 20.04.150 and 20.10.360. Council also grants a waiver of the 1 acre minimum district area.

3. A copy of the approved detailed site development plan, signed by the Owner, the City Manager, and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference for all purposes.
4. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **S-D (Special Development)** District regulations.
5. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **S-D (Special Development)** district. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.
6. The approval of this detailed site development plan shall automatically be void if construction on the property is not started in accordance with the attached plan Exhibit "B" within four (4) years from the date hereof.
7. The penalties for violating the standards imposed through this 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 Leaser
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Larry F. Nichols, Director
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ15-00012

AGREEMENT

By execution hereof, Ambrocio P. Baldonado ("Owner"), referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Detailed Site Development Plan attached to same Ordinance, and in accordance with the standards identified in the **S-D (Special Development)** District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this _____ day of _____, 2015

OWNER: Ambrocio P. Baldonado

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this ____ day of _____, 2015, by Ambrocio P. Baldonado.

My Commission Expires:

Notary Public, State of Texas

ORDINANCE NO. _____

Zoning Case No: PZRZ15-00012

Exhibit "A"

Tract 1-F-1-P, Block 5, ASCARATE GRANT, in the City of El Paso, El Paso County, Texas, according to the resurvey made by El Paso County, Texas, for tax purposes, and being more particularly described by Metes and Bounds as follows and made a part hereof for all purpose intended:

Beginning at a point for the Southwest corner of Tract 1F1C and Northwest corner of Tract 1F1K in said block 5 which corner is located South 0° 26' East 130 feet and North 73° 14' West 150 feet from the point of intersection of the South line of Adobe Drive with West line of Giles Street;

Thence South 0° 26' East 117.06 feet to the South line of Tract 1F1 and the South line of Block 5, Ascarate Grant;

Thence North 80° 21' West 96.66 feet;

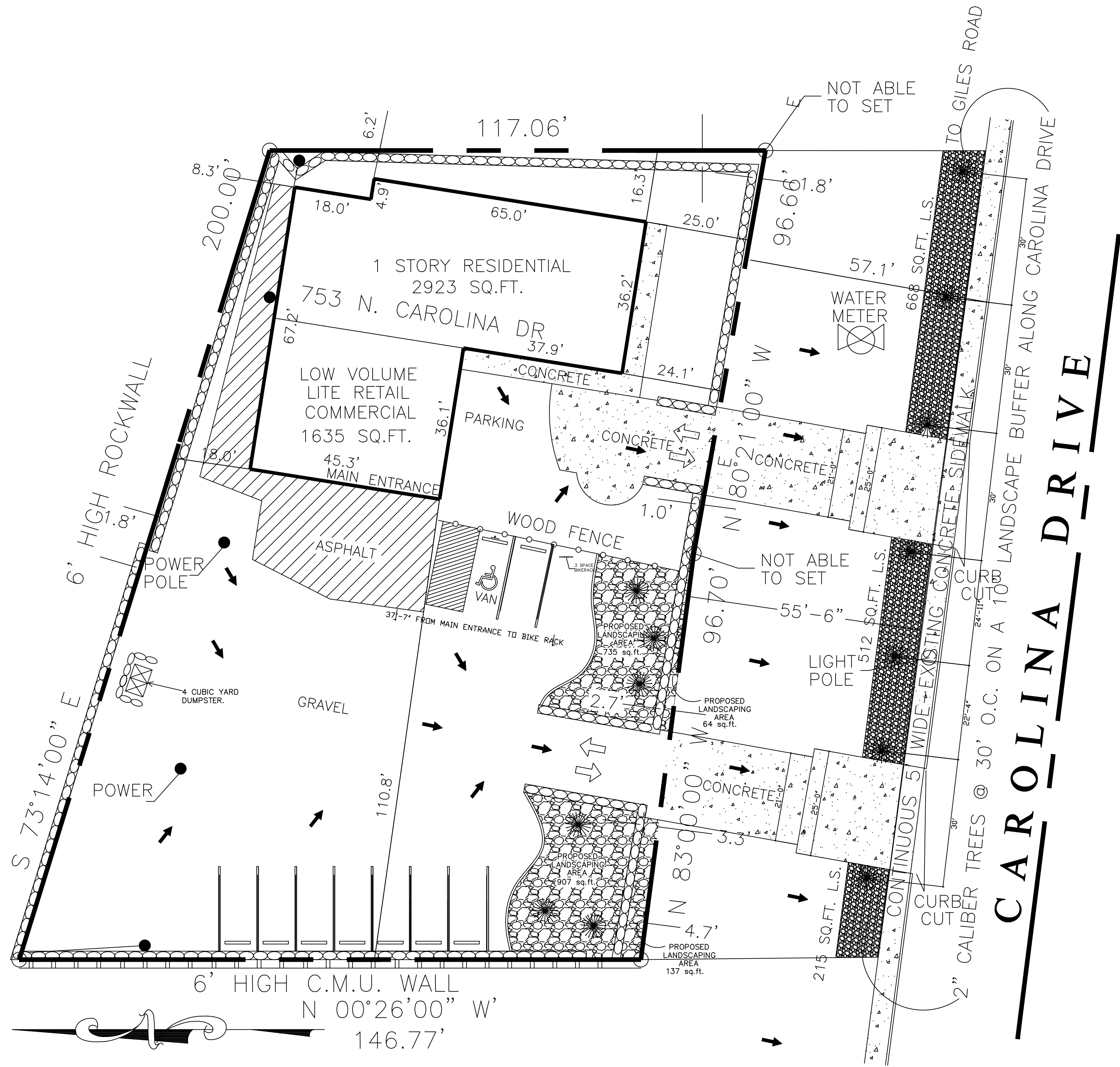
Thence North 83° 00' West 99.69 feet to the Southwest corner of this tract which point is South 0° 26' East 21.31 feet and South 83° 00' East 48.17 feet from the Southeast corner of Tract 1F1N;

Thence North 0° 26' West 146.94 feet to the Southwest corner of Tract 1F1F for the Northwest corner of this tract;

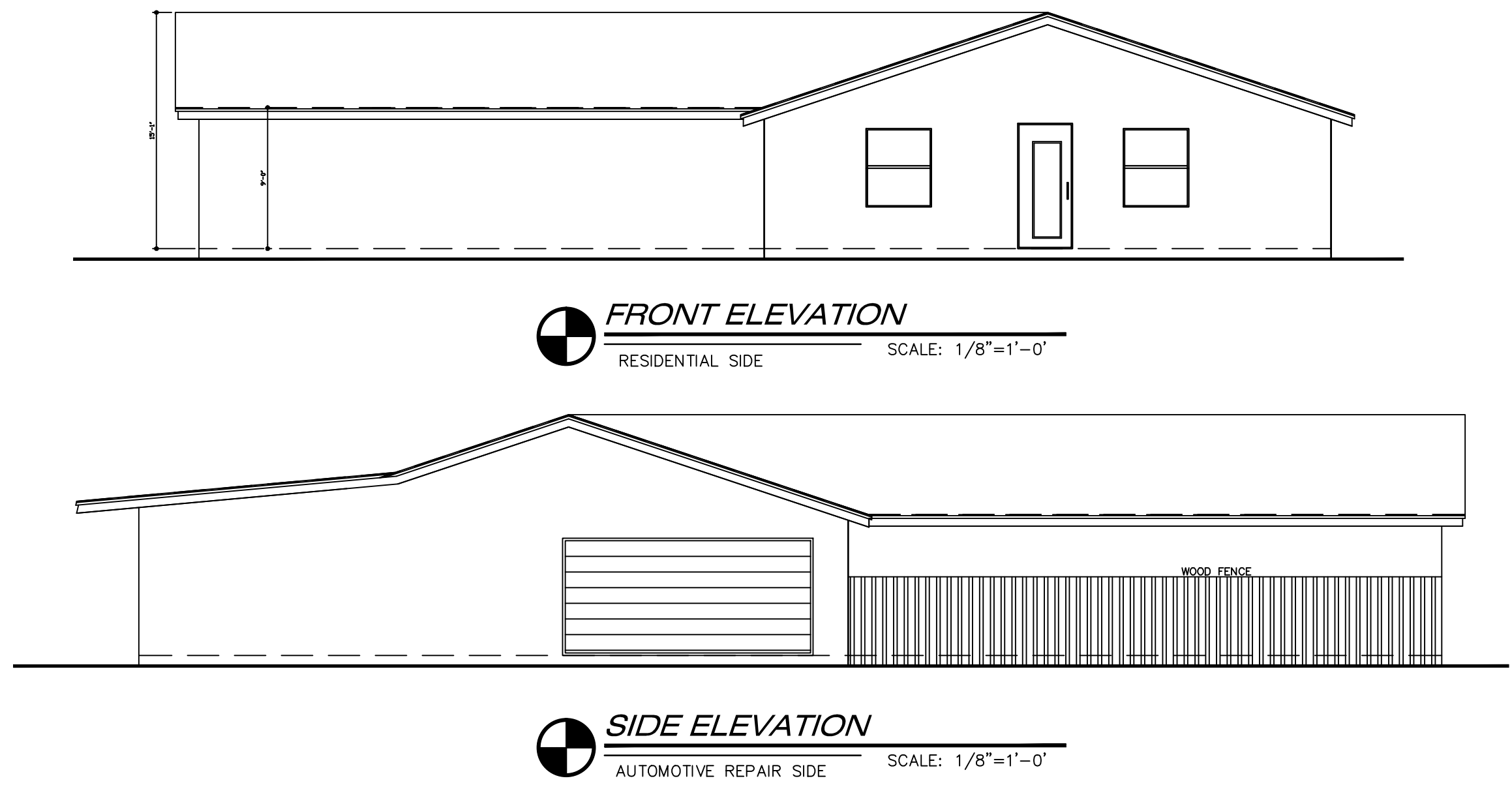
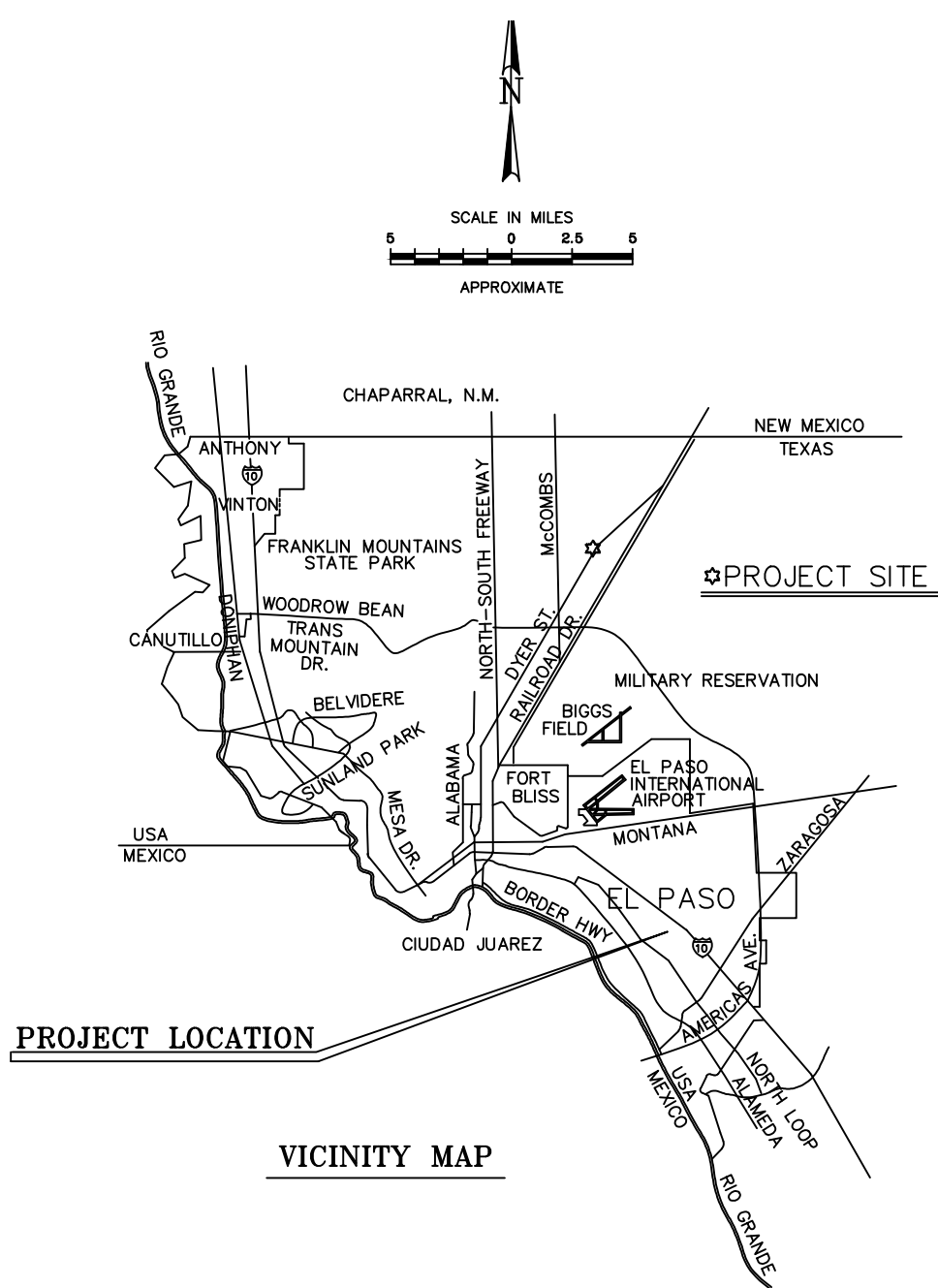
Thence South 73° 14' East 200 feet to the place of beginning.



[Handwritten signature]
5/14/15
F-12195



SCALE:
1/16"=1'



- NOTES:
1. EASEMENT TO EPECO AND MST&T CO RECORDED IN BOOK 16, PAGE 115, REAL PROPERTY RECORDS, OF EL PASO COUNTY, TEXAS. (BLANKET EASEMENT FOR 4 POLES AND 3 ANCHORS WITH NO EXACT LOCATION OR WIDTH GIVEN)
 2. 5' UTILITY EASEMENT TO EL PASO ELECTRIC CO. IN BOOK 3087, PAGE 48, EL PASO COUNTY CLERKS DEED RECORDS.
 3. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.

TRACT 1-F-1-P, BLOCK 5,
ASCARATE GRANT,
CITY OF EL PASO, EL PASO COUNTY, TEXAS

PLAT RECORD:
VOLUME: N/A
PAGE: N/A

DATE OF SURVEY BY OTHERS: 02/10/14

LANDSCAPE REQUIRED
LOT=24,993 sq.ft.-Building 4,558 sq.ft.=20,435 sq.ft.
15% X 20,435=3,065 sq.ft. LANDSCAPING REQUIRED
PROVIDED LANDSCAPING 3,238

CODE SURVEY
BUILDING CLASSIFICATION:
LOW VOLUME COMMERCIAL
ZONING R3
CONSTRUCTION ONE STORY, NON SPRINKLED
GROSS AREA 4,558 sq.ft.

PARKING REQUIRED	
1 UNIT 3 BEDROOM	=2 SPACES
LOW VOLUME COMMERCIAL	=6 SPACES
TOTAL PARKING REQUIRED =8 SPACES	
PARKING PROVIDED	
H/C PROVIDED	= 1
TOTAL =	9 SPACES

BICYCLE SPACES REQUIRED	3
BICYCLE SPACES PROVIDED	3

14.00 Sales, Retail & Wholesale	Automobile & Light Truck	Bicycle Heavy Truck Trailer	Gravel Screen Parking	
	Minimum	Maximum	Required Notes	
14.26 Other retail establishment (low-volume)	1/300 sf GFA	1/250 sf GFA	NOTE 3 1/50,000 sf GFA Allowed	2C

DETAILED SITE PLAN FOR:

753 N. CAROLINA DRIVE

EL PASO, TEXAS

LEGAL DESCRIPTION
TRACT 1-F-1-P, BLOCK 5, ASCARATE GRANT
EL PASO COUNTY, TEXAS
SQUARE FOOTAGE

PROJECT No.

CLIENTS APPROVAL
X _____
X _____

DATE
JULY 7, 2015

SHEET TITLE
DETAILED
SITE PLAN

SHEET No.
SD1
1 of **1**

MEMORANDUM

DATE: August 10, 2015

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

FROM: Michael McElroy, Senior Planner

SUBJECT: PZRZ15-00012

The City Plan Commission (CPC), on July 16, 2015, voted (6-0) to recommend **approval** of the rezoning request from R-3 (Residential) to S-D (Special Development), and reduction of the rear setback, for retail and residential use.

The CPC determined that the rezoning request protects the best interest, health, safety and welfare of the public in general; 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 have been no communications in support or opposition to this request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ15-00012
Application Type: Rezoning & Detailed Site Development Plan Review
CPC Hearing Date: July 16, 2015
Staff Planner: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location: 753 N. Carolina Drive
Legal Description: Tract 1-F-1-P, Block 5, Ascarate Grant, City of El Paso, El Paso County, Texas
Acreage: 0.57 acres
Rep District: 7
Existing Zoning: R-3 (Residential)
Existing Use: Automotive Repair Shop
C/SC/SP/ZBA/LNC: N/A
Request: From R-3 (Residential) to S-D (Special Development)
Proposed Use: Retail and Residential
Property Owner: Ambrocio P. Baldonado
Representative: Derek Gavilanes

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Single-family dwellings
South: C-2 (Commercial) / Funeral Home
West: S-D (Special Development) / Day Care
East: C-1 (Commercial) / Florist

PLAN EL PASO DESIGNATION: G-3, Post-War (Mission Valley Planning Area)

NEAREST PARK: Carolina Park (1,257 feet)

NEAREST SCHOOL: Sageland Elementary (2,790 feet)

NEIGHBORHOOD ASSOCIATIONS

Mission Valley Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 25, 2015. The Planning Division did not receive any communication in support or opposition to the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting a rezoning from R-3 (Residential) to S-D (Special Development) to accommodate retail and residential uses. The current use of the property is for automotive repair and residential. The existing 2,923 sq. ft. residential structure and 1,635 sq. ft. commercial structure are proposed to remain. The development proposes a reduction in rear yard setback from 10' to 8.3'. The proposed development requires eight parking spaces and provides nine, to include ADA and bicycle parking. Eighteen-hundred and forty-three sq. ft. of landscaping is proposed on-site, to include a 10' buffer with street trees, totaling 3,238 sq. ft. of landscaping. As the subject property is less than 1 acre, City Council shall be asked to waive the 1 acre minimum for the S-D (Special Development) zoning district. Access is proposed from Carolina Drive.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to S-D (Special Development) and acceptance of the detailed site development plan. The subject property is

situated within an area characterized by similar S-D (Special Development) and C-1 (Commercial) land uses.

Plan El Paso-Future Land Use Map Designation

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

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.

The purpose of the S-D (Special Development) district is to provide mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. Designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. Older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

COMMENTS:

Planning and Inspections Department – Planning Division - Transportation

No objections.

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.

Planning and Inspections Department - Land Development

No objection.

Planning and Inspections Department – Plan Review

No objections to proposed rezoning. At the time of submittal for building permits the project will need to comply with all applicable provisions of the IBC, TAS and local municipal code.

Planning and Inspections Department - Landscaping

No objections to proposed rezoning at the time of submittal for building permits project will need to comply with all provisions of title 18.46 as applicable.

El Paso Fire Department

Recommend approval.

El Paso Water Utilities

EPWU does not object to this request.

Water

1. Along Carolina Drive west of Giles Road there is an existing six (6) inch diameter water main fronting the subject Property. This main is available for service.
2. Previous water pressure readings conducted on fire hydrant located at the corner of Carolina Drive and Giles Road have yielded a static pressure of 90 pounds per square inch (psi), residual pressure of 78 psi, discharge of 750 gallons per minute (gpm). 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 Owner shall be

responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer

Along Carolina Drive west of Giles Road there is an existing eight (8) inch diameter sanitary sewer main fronting the subject Property. This main is available for service.

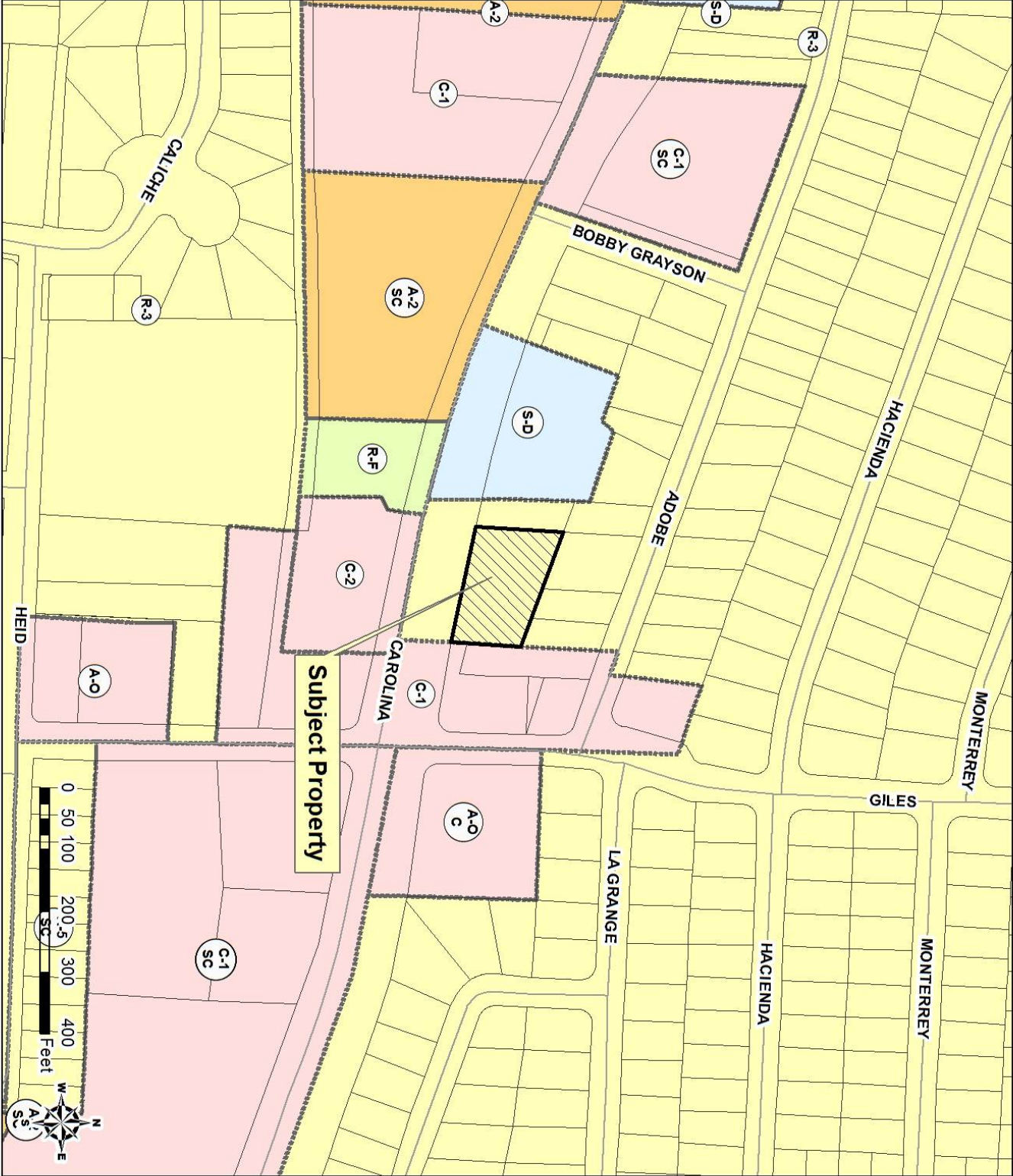
General

1. As per EPWU-PSB Records 753 N. Carolina Drive has single three-quarter (3/4) inch diameter water service. The sanitary sewer service line pertaining to 753 N. Carolina Drive discharges unto the above-described main.
2. Application for 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.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations

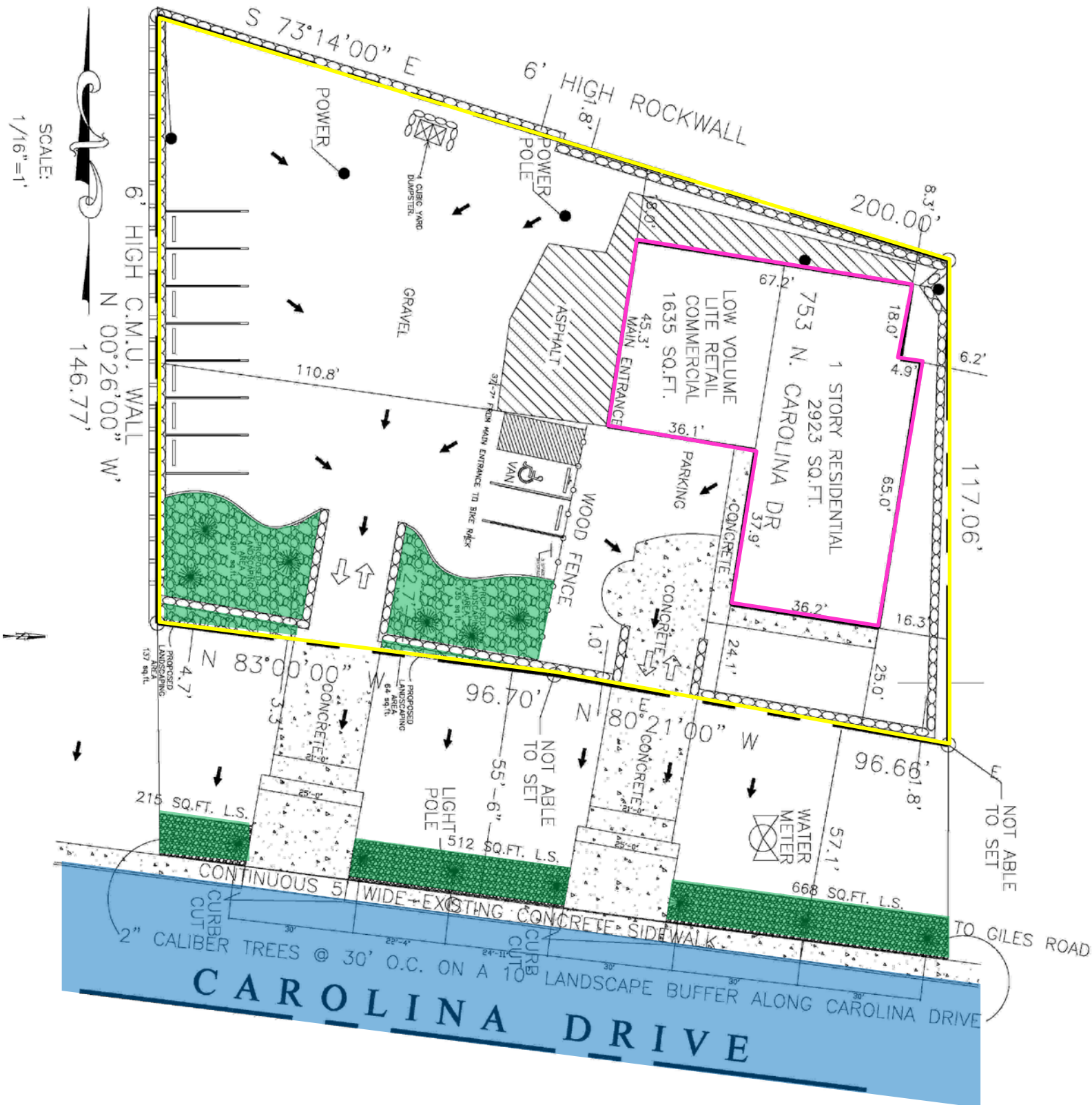
PZRZ15-00012



PZRZ15-00012



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN





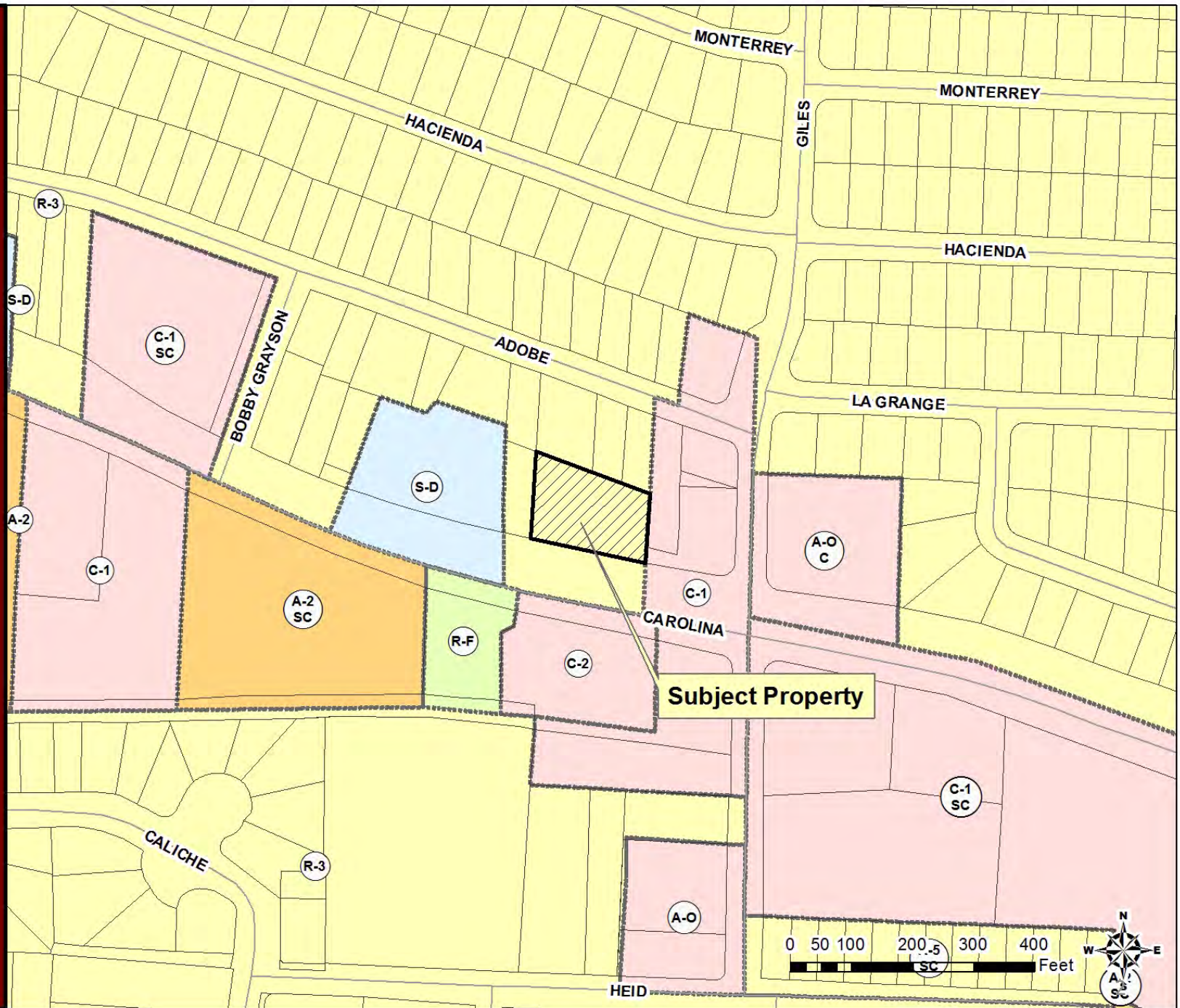
Recommendation/Public Input

- Planning Division recommendation: Approval
- CPC Vote: Approval Recommendation (6-0)
- Public Input: No communications in support or opposition to the rezoning request

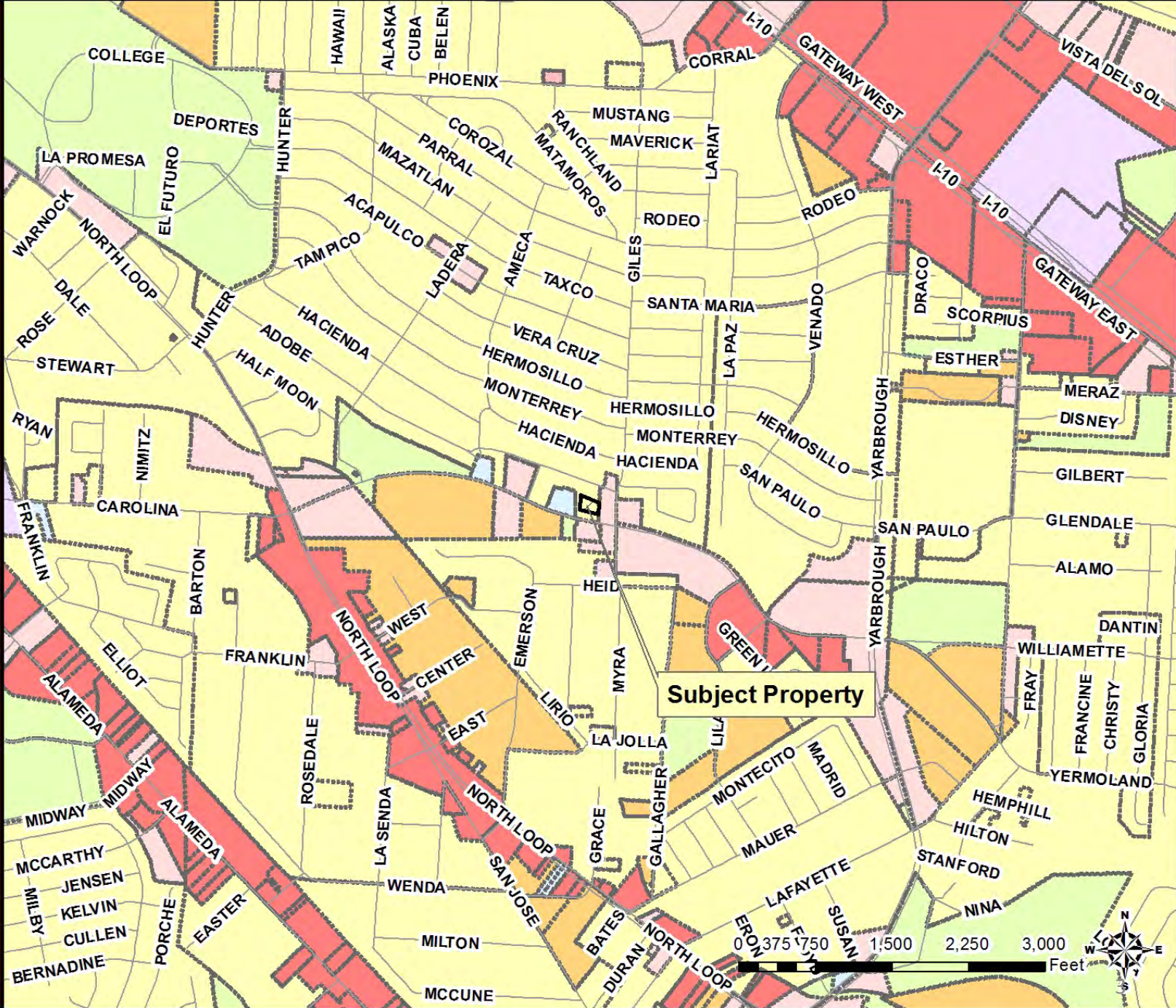
Strategic Goal #3 Promote the Visual Image of El Paso

- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community

PZRZ15-00012



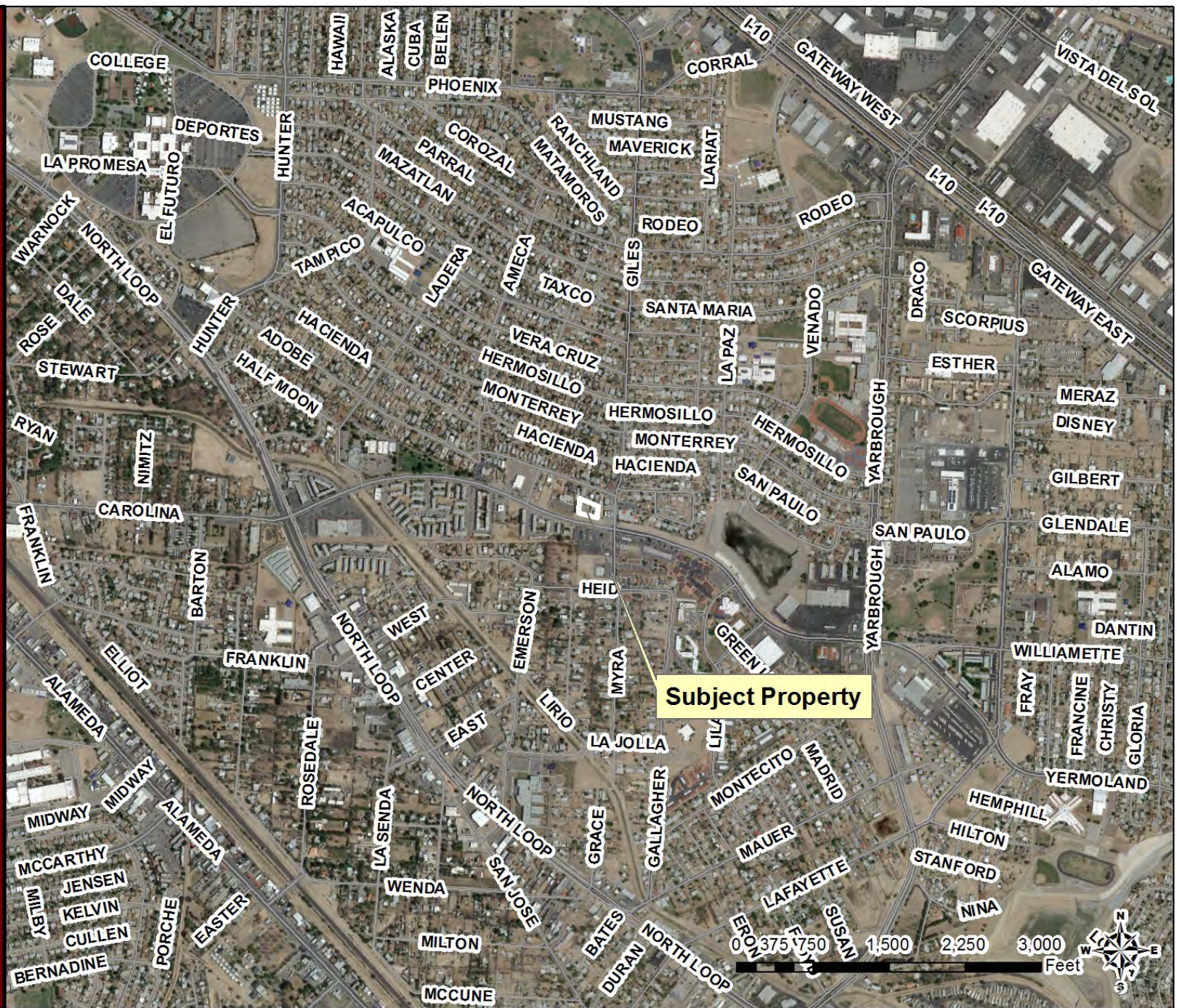
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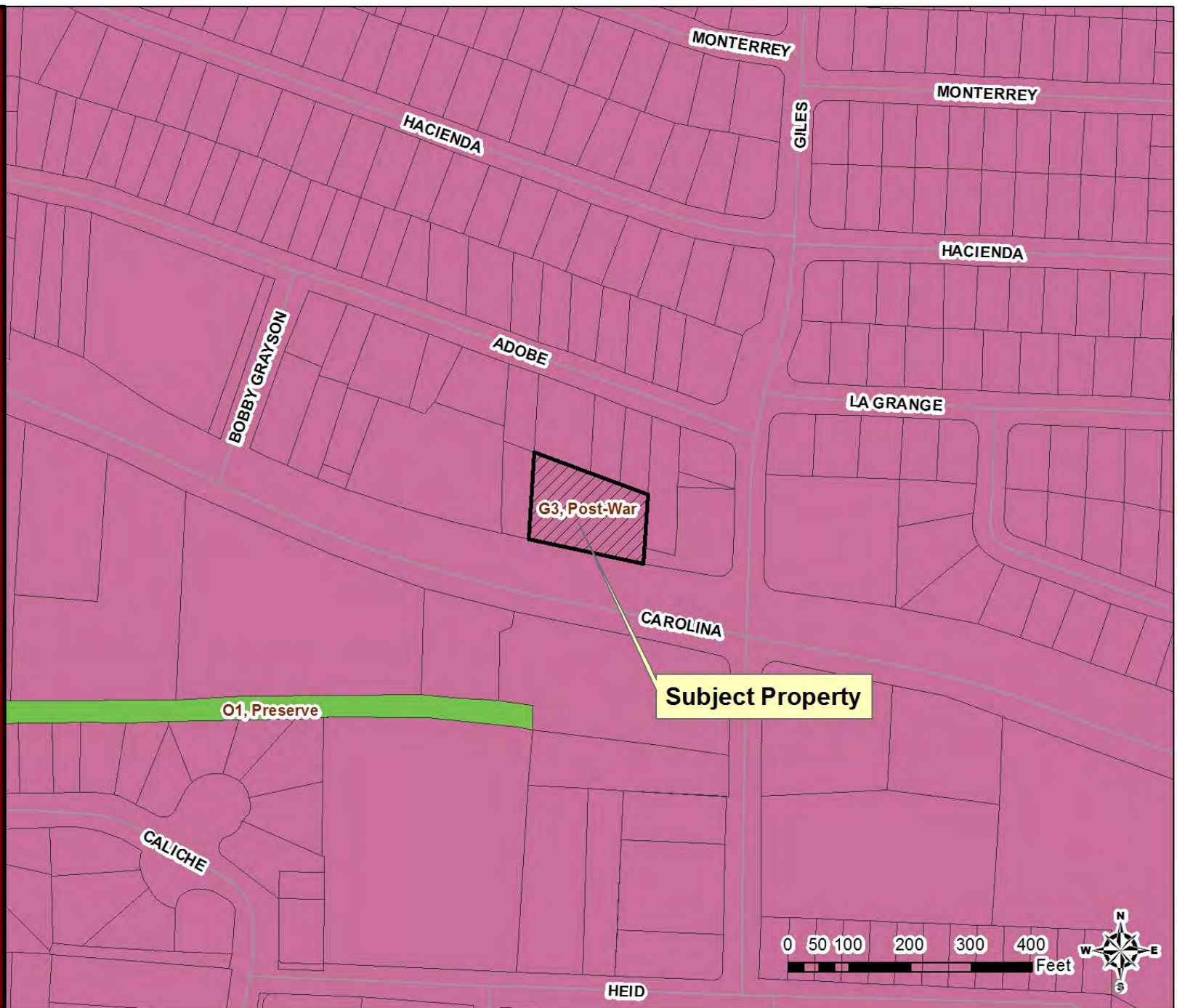
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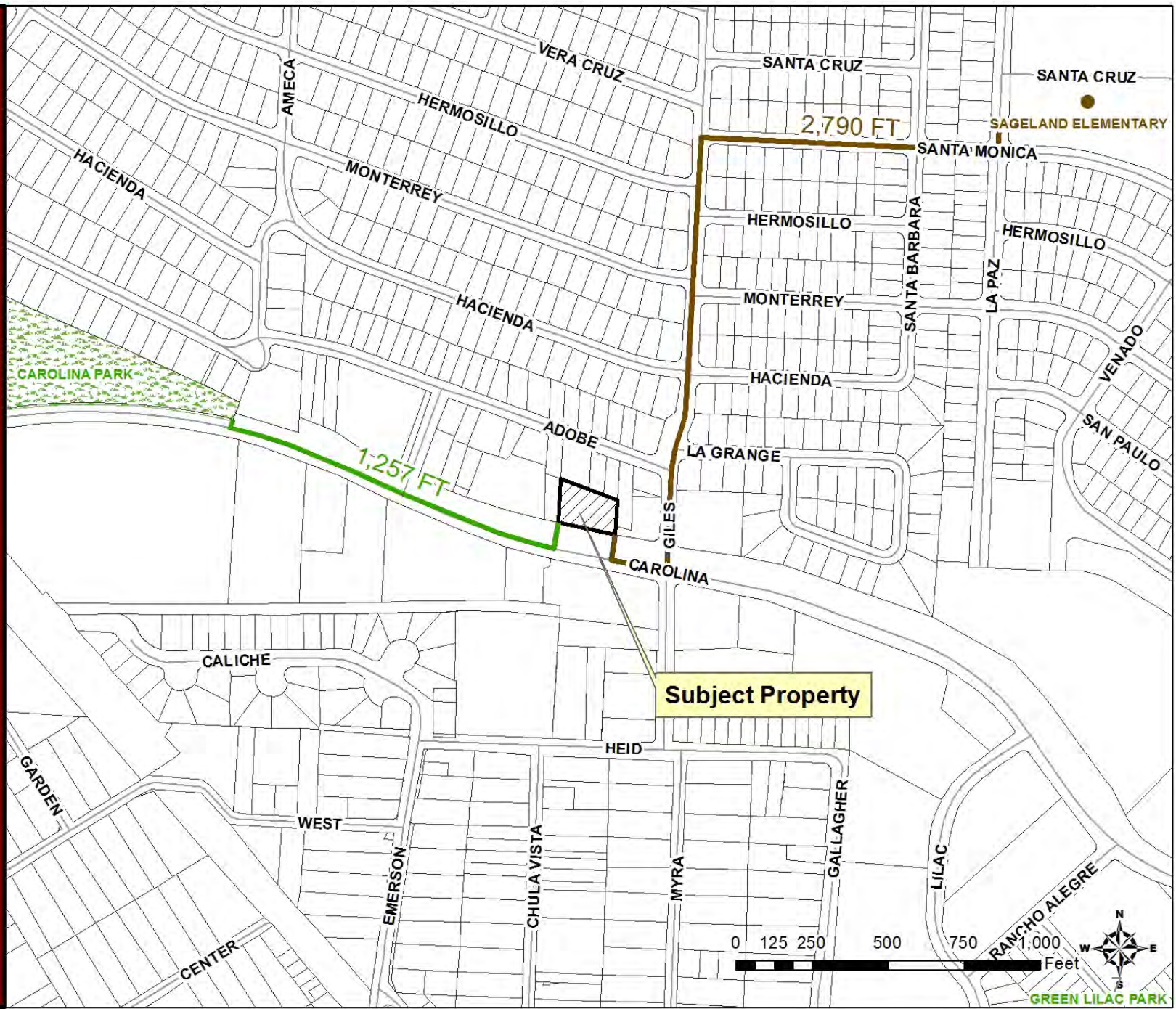
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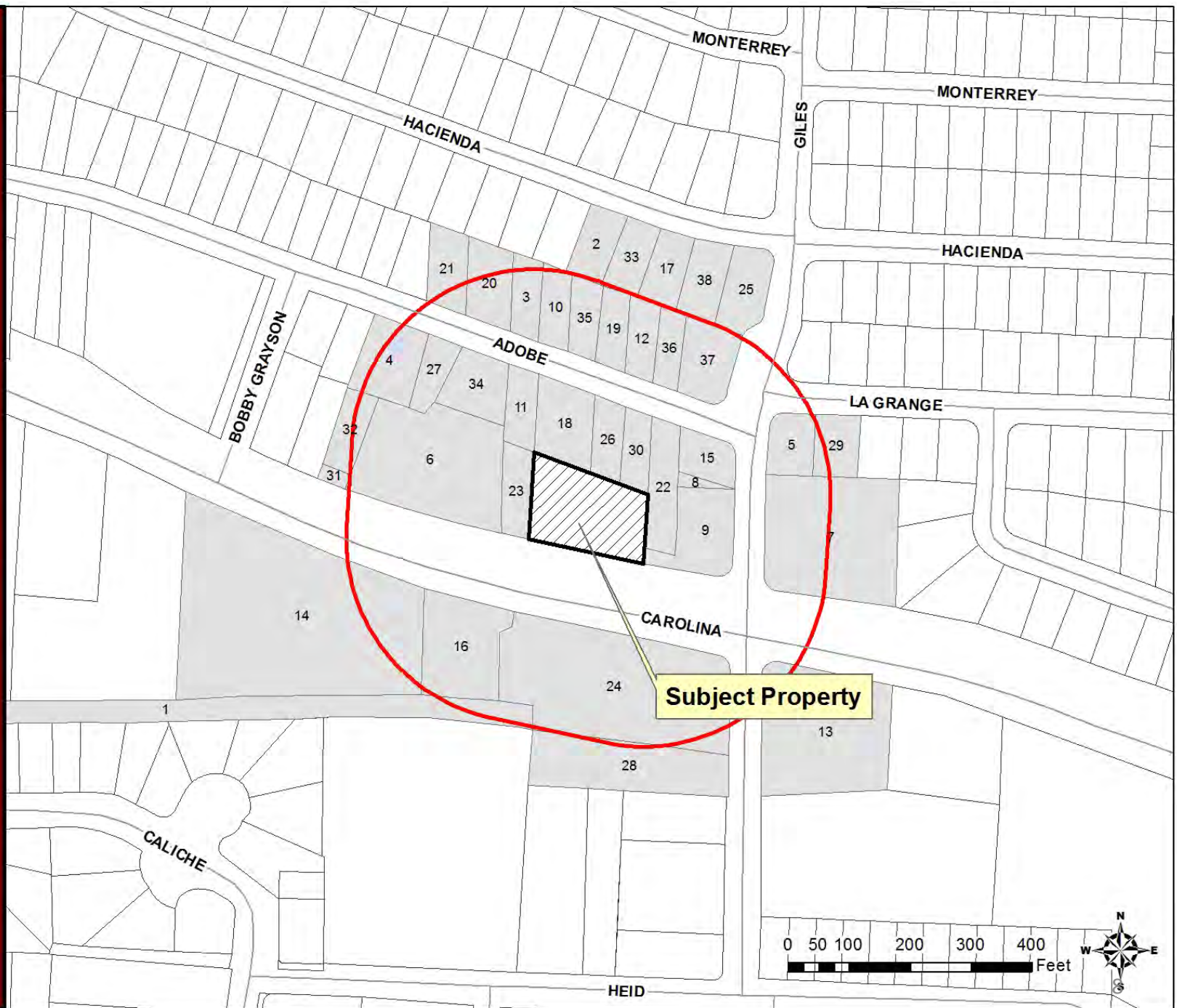
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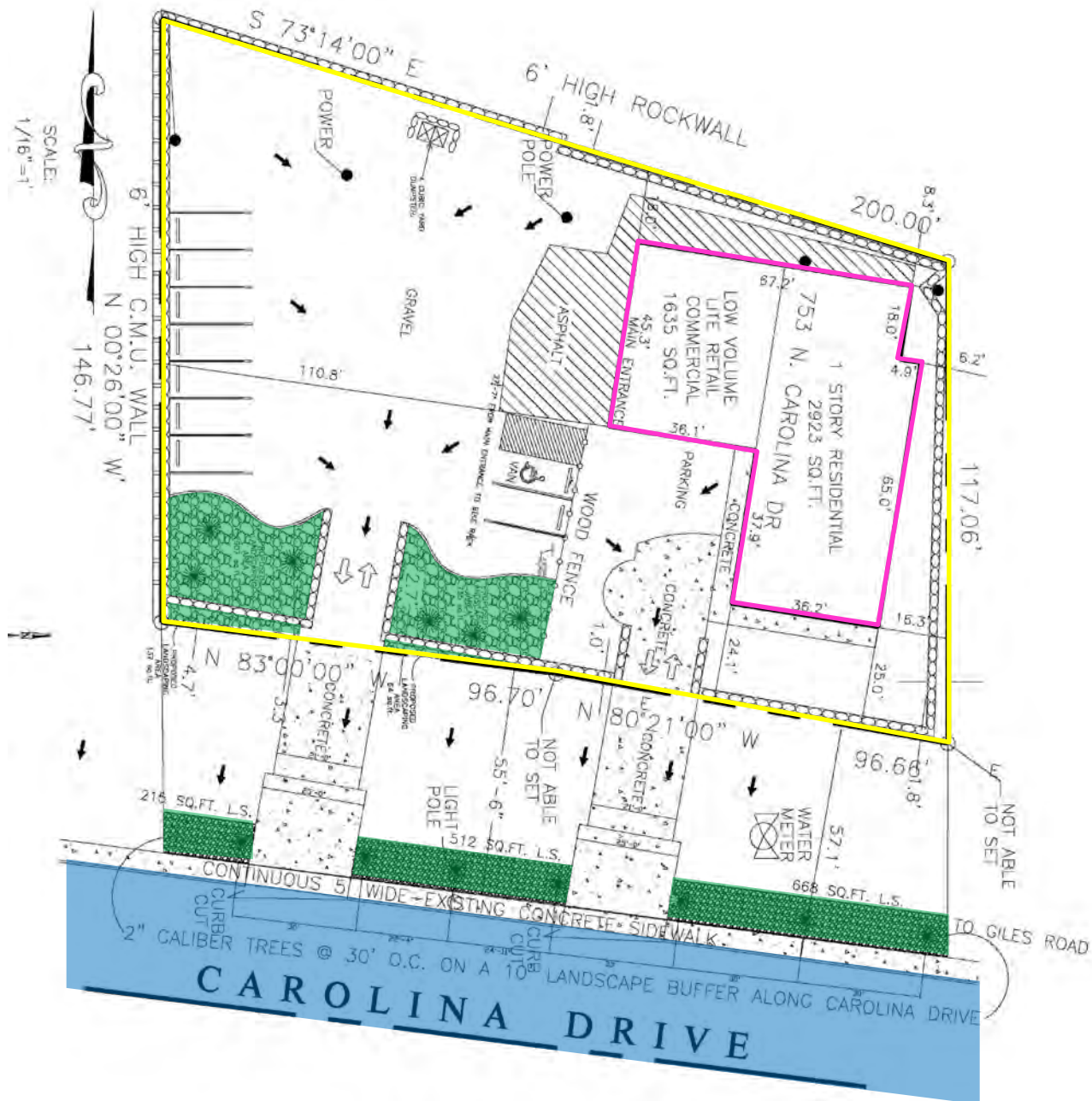
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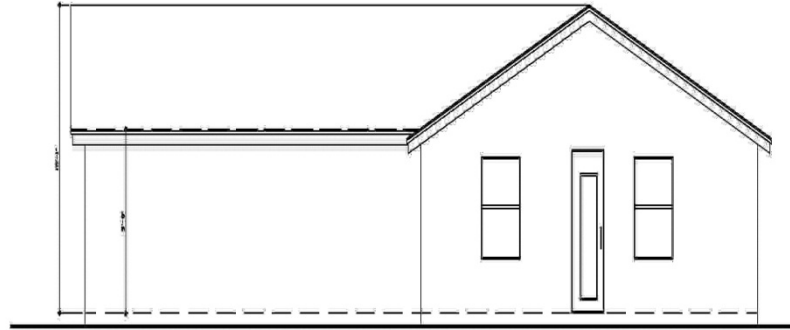
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Detailed Site Development Plan



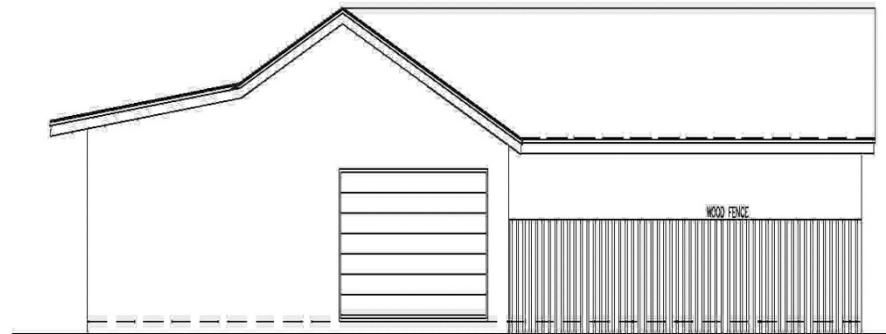
Elevations



FRONT ELEVATION

RESIDENTIAL SIDE

SCALE: 1/8"=1'-0"



SIDE ELEVATION

AUTOMOTIVE REPAIR SIDE

SCALE: 1/8"=1'-0"



Subject Property & North



Subject Property & North



Subject Property & North



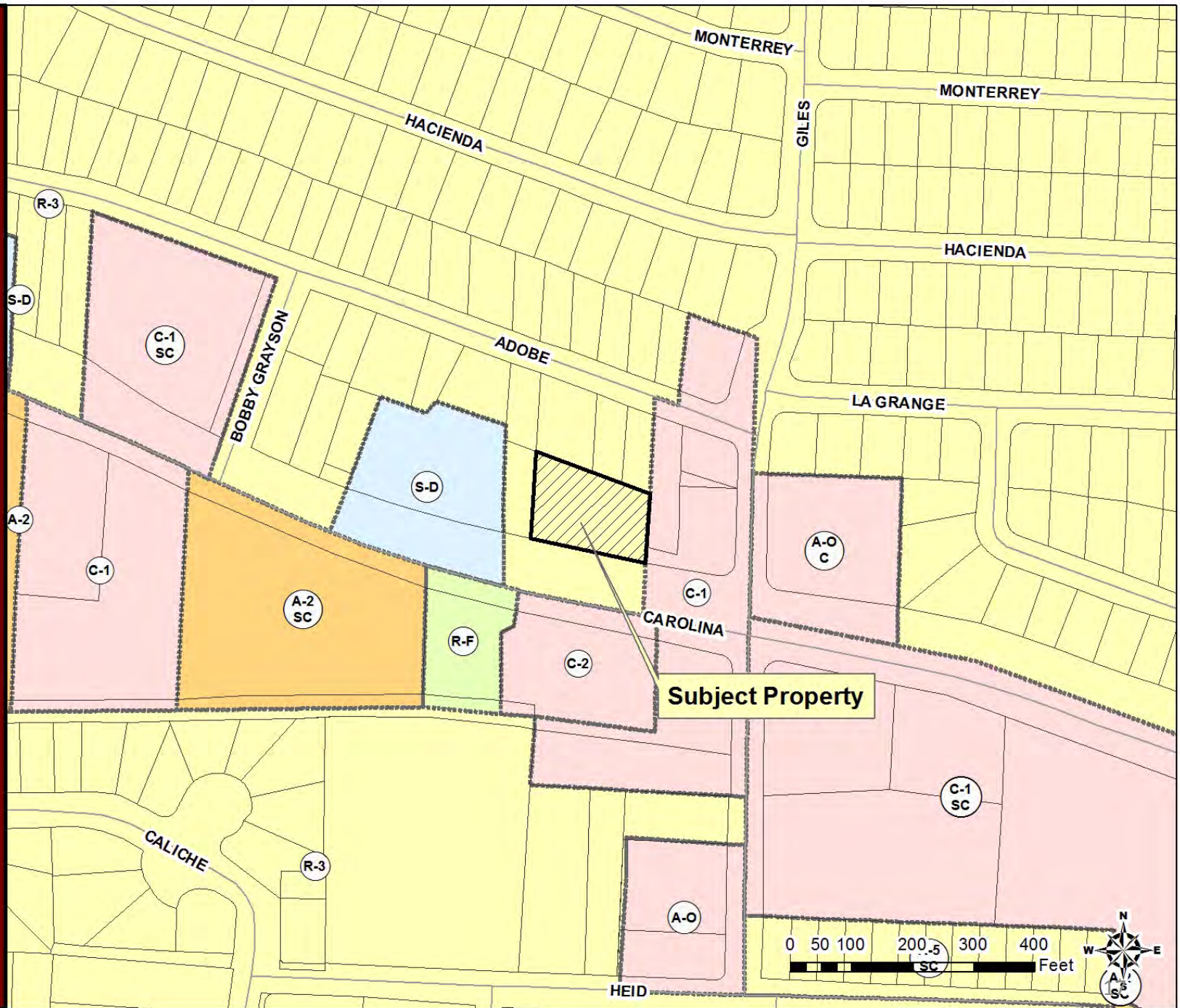


West

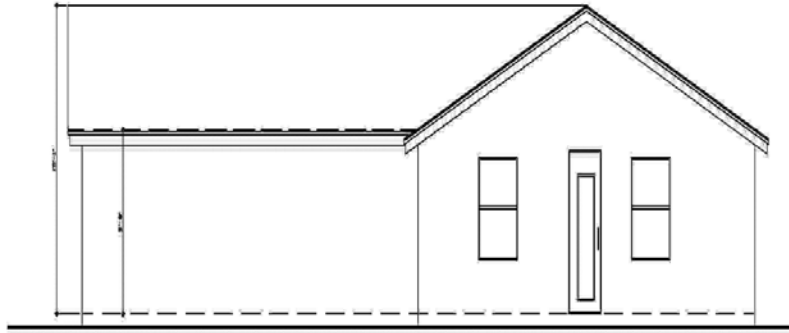


East

PZRZ15-00012



ATTACHMENT 4: ELEVATIONS



 **FRONT ELEVATION**
RESIDENTIAL SIDE SCALE: 1/8"=1'-0"



 **SIDE ELEVATION**
AUTOMOTIVE REPAIR SIDE SCALE: 1/8"=1'-0"