

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

DEPARTMENT: Planning and Inspection Department, Planning Division

AGENDA DATE: Introduction – August 20, 2019

PUBLIC HEARING DATE: September 17, 2019

CONTACT PERSON NAME AND PHONE NUMBER:

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

Andrew Salloum, (915) 212-1603, salloumam@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 Lot 1-4, Ranchland Commercial District Unit No. 2, 7750 Gateway Boulevard East, City of El Paso, El Paso County, Texas from C-1 (Commercial) to C-3 (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: 7750 Gateway Boulevard. Property Owner: Snap Properties LP. PZRZ19-00015 (District 7)

BACKGROUND / DISCUSSION:

On July 25, 2019, The CPC reviewed and recommended approval of the subject property request.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this rezoning application.

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:

Philip F. Etiwe, Director
Planning and Inspection Department

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 1-4, RANGLAND COMMERCIAL DISTRICT UNIT NO. 2, 7750 GATEWAY BOULEVARD EAST, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-1 (COMMERCIAL) TO C-3 (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, the zoning of Lots 1-4, Ranchland Commercial District Unit No. 2, 7750 Gateway Boulevard East, located in the City of El Paso, El Paso County, Texas, be changed from **C-1 (Commercial)** to **C-3 (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 _____, 2019.


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

ORDINANCE NO. _____
19-1007-2482 | 913773
7750 Gateway Blvd. East (Fox Auto Group)
RTA

PZRZ19-00015

MEMORANDUM

DATE: August 13, 2019

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

FROM: Andrew Salloum, Senior Planner

SUBJECT: PZRZ19-00015

The City Plan Commission (CPC), on July 25, 2019, voted 6-0 to recommend approval of the request to rezone the property from C-1 (Commercial) to C-3 (Commercial) in order to allow for expansion of automobile services (sales, service, storage and rental).

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the rezoning protect the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division did not receive any communication in support or opposition to the rezoning request.

Property Owner: Snap Properties LP
Representative: Steve Fox and Paige Fox

Attachments:
Staff report

7750 Gateway Boulevard East

City Plan Commission — July 25, 2019

REZONING



CASE NUMBER: PZRZ19-00015
CASE MANAGER: Andrew Salloum, 915-212-1603, salloumam@elpasotexas.gov
PROPERTY OWNER: Snap Properties LP
REPRESENTATIVE: Steve Fox and Paige Fox
LOCATION: 7750 Gateway Boulevard East (District 7)
PROPERTY AREA: 1.31 acres
REQUEST: Rezone from C-1 (Commercial) to C-3 (Commercial)
RELATED APPLICATIONS: N/A
PUBLIC INPUT: None

SUMMARY OF REQUEST: The applicant is proposing to rezone the property from C-1 (Commercial) to C-3 (Commercial) in order to allow for expansion of automobile services (sales, service, storage and rental).

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee recommends **APPROVAL** of the rezoning request. The proposed district is consistent with other surrounding commercial districts in the immediate area, and meets the established character of its surrounding neighborhood. Furthermore, the proposed development meets the intent of the G-4, Suburban use designation of *Plan El Paso* in the Mission Valley planning area.

PZRZ19-00015

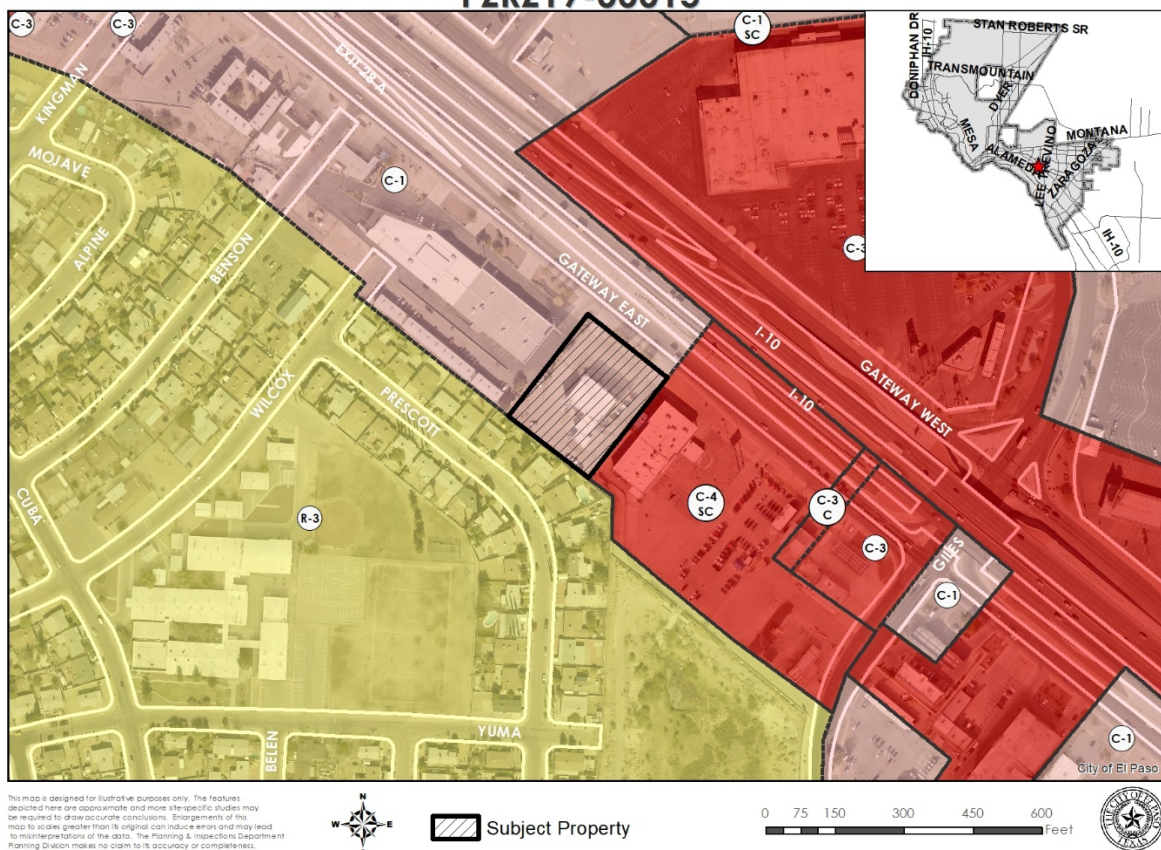


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from C-1 (Commercial) to C-3 (Commercial) to allow for expansion of automobile services (sales, service, storage and rental). The conceptual site plan shows automobile sale inventory display and a proposed car wash and detail building. The automobile sale use is not permitted in the C-1 district. This subject property will place under one zoning district and allow for the automobile (sales, service, storage and rental) use on the entire parcel. Rezoning is needed for an expansion of the existing automobile dealership onto the eastern portion of the subject property. Access to the subject property is provided from Gateway Boulevard East.

PREVIOUS CASE HISTORY: The Development Coordinating Committee recommended **APPROVAL** of the rezoning request on July 2, 2019.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the commercial developments in close proximity and meets the established character of its surrounding neighborhood. Further, the proposed the development meets the intent of G-4 Suburban (Walkable) use designation of Plan El Paso, the City's Comprehensive Plan.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY	
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-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.</p>	Yes, it is compatible with Future Land Use designation.
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-3(Commercial) District: The purpose of this district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.</p>	Yes, the proposed development is a permitted use in the C-3 (Commercial) district. The proposed development is within proximity of other commercial lots.
<p>Preferred Development Locations: Is the property in a "Compact Urban" area?</p>	Yes, the proposed development meets the intent of G-4, Suburban (Walkable), use designation of <i>Plan El Paso</i> , the City's Comprehensive Plan.
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</p>	N/A

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY	
that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development is not anticipated to pose any adverse effects on the community. It has the potential to maximize the use of an undeveloped lot.
Natural Environment: Anticipated effects on the natural environment.	Subject property does not involve greenfield/environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	Stable. There have not been any rezoning requests in the vicinity of the subject property.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed development is within an older, stable area of the city which complies with the G-4, Suburban (Walkable) future land use designation. This subject property will place under one zoning district and allow for the automobile (sales, service, storage and rental) use on the entire parcel.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is proposed from Gateway Boulevard East which is classified as a major highway. It is adequate to serve the proposed development.

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

PUBLIC COMMENT: The proposed development lies within the Mission Valley Civic Association. Public notices were sent to property owners within 300 feet on July 12, 2019. The Planning Division has not received any communication in support or opposition to the rezoning request

RELATED APPLICATIONS: Not applicable.

CITY PLAN COMMISSION OPTIONS:

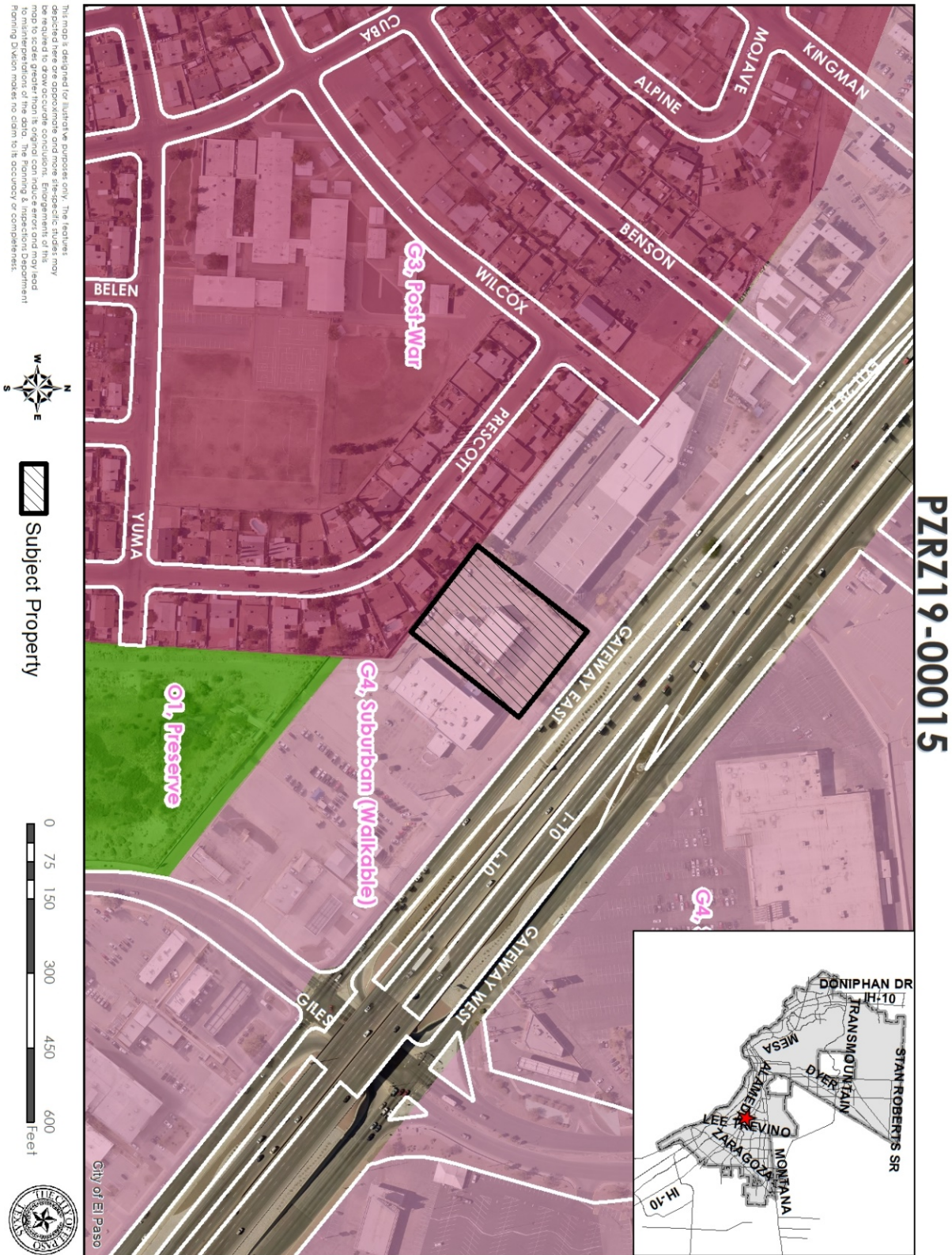
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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. Conceptual Plan

ATTACHMENT 1



ATTACHMENT 2

Planning & Inspections Department

No objections.

Fire

No objections.

Sun Metro

No objections.

Land Development

1. Proposed retaining walls should not rely on abutting property owner's regular rockwalls as shown on rockwall detail of sheet C2.00. Verify design if rockwall footing is deep enough for surcharge loading.
2. The code encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

*The comments will be addressed at time of the permitting stage.

BPI Review

No objections.

Police Department

No objections.

TxDOT

No objections. Provided the letter that no new driveway was proposed for this request. An existing driveway will be removed.

Environmental Services Department

No comments received.

El Paso Water

We have reviewed the Rezoning case described above and provide the following comments:

Within the subject Property there is an existing sanitary sewer main located within a PSB Easement. No trees are allowed within the PSB Easement.

This main is further described in the sanitary sewer portion of these comments.

Water

Along Gateway Boulevard East fronting the subject Property there is an existing thirty (30) inch diameter water transmission main. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations.

Along Gateway Boulevard East fronting the subject Property there is an existing twelve (12) inch diameter water main. This main is available for service.

Previous water pressure readings conducted on fire hydrant number 3227 located along Gateway Boulevard East approximately 600 feet east of Benson Street have yielded a static pressure of 105 pounds per square inch (psi), residual pressure of 95 psi, discharge of 1,244 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

Within the subject Property there is an existing sanitary sewer main located within an easement. This main is aligned parallel and immediately north of the southern boundary line of the subject Property. This main is situated inside a 15-foot wide PSB Easement. No trees are allowed within the PSB Easement. Minimal landscaping is allowed within the PSB Easement. EPWater requires a copy of the proposed landscaping plans. EPWater-PSB requires a complete set of improvement plans, and grading plans for review and approval prior to any work pertaining to the portion of the Property where the existing sanitary sewer easement is located. This is required in order to ascertain that the proposed improvements, including landscaping plans and/or grading will not adversely affect the described existing sanitary sewer main.

General

As per EPWater Records, the water service fronting Lots 1 through 4, Ranchland Commercial District Unit No. 2 is a one and one-half (1 - 1/2) inch diameter water service. As per EPWater Records, this service is identified as 7738 Gateway Boulevard East.

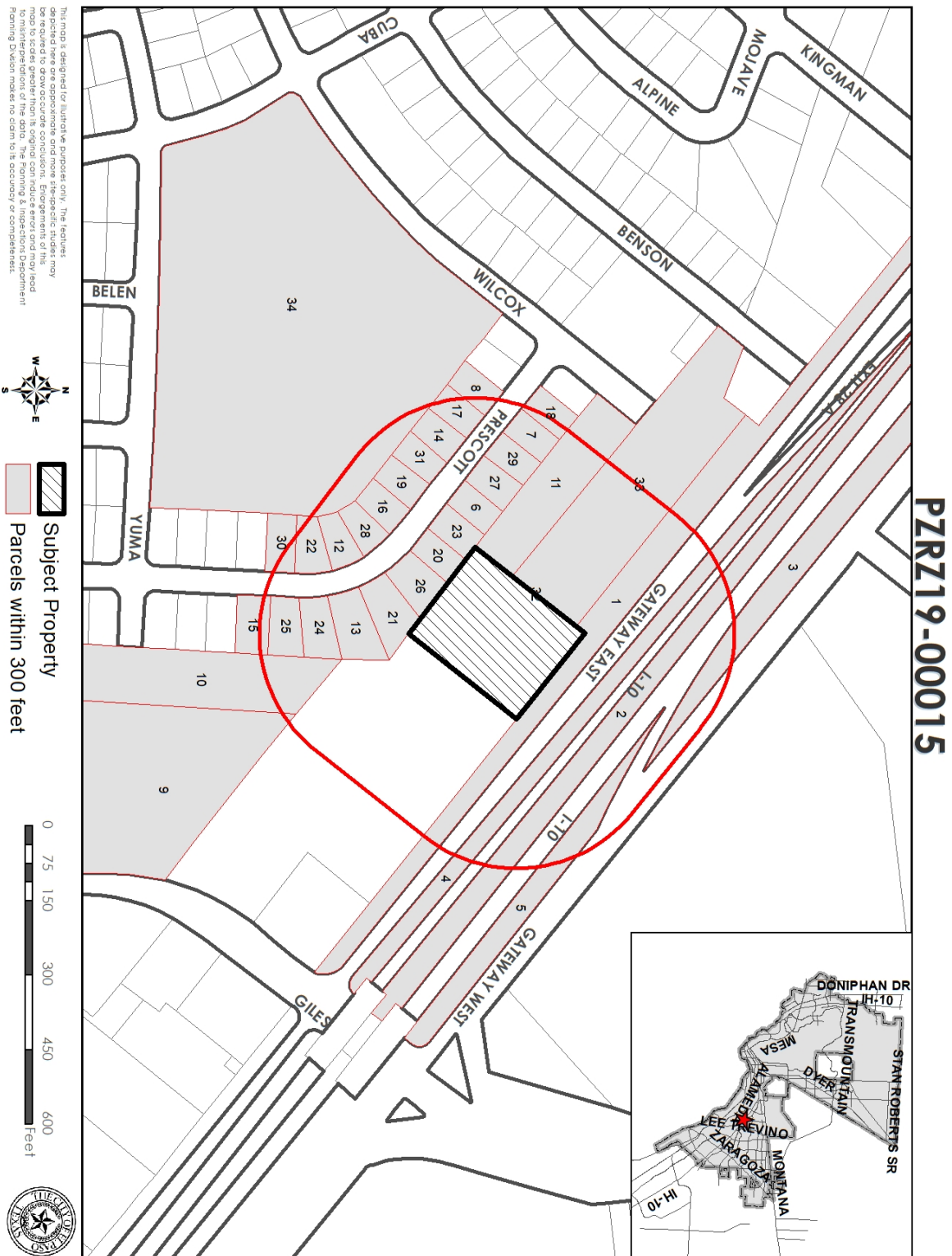
Gateway Boulevard East is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Gateway Boulevard East right-of-way requires written permission from TxDOT.

Application for additional 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 EPWater – 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.

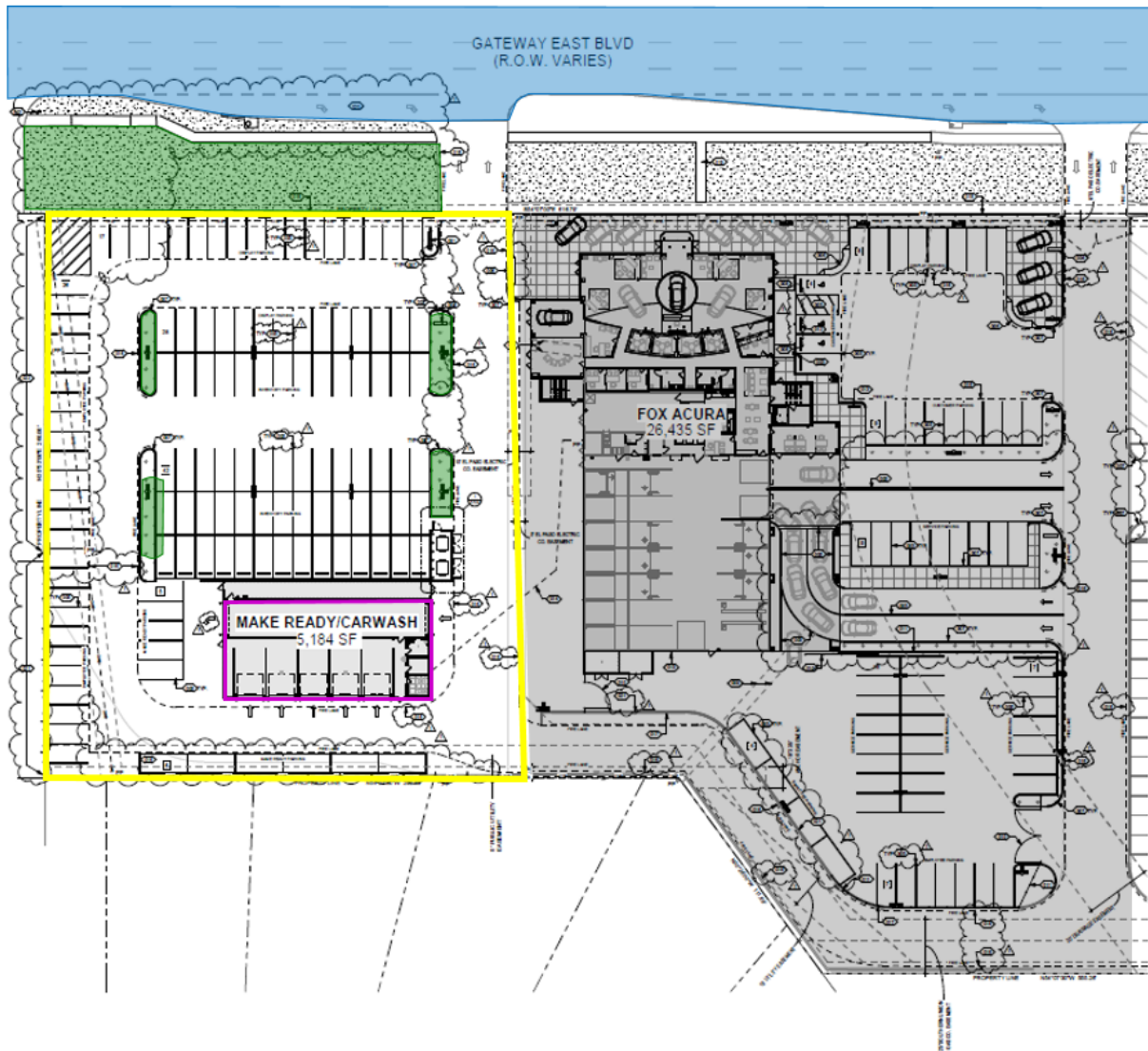
Stormwater Engineering

EP Water – Stormwater has no objections to the proposal as long as there is no encroachment into our drainage easement.

ATTACHMENT 3



ATTACHMENT 4



I T E M

Rezoning

7750 Gateway Boulevard East





Recommendation | Public Input

2

Planning Division and DCC recommendation:

Approval

CPC Vote:

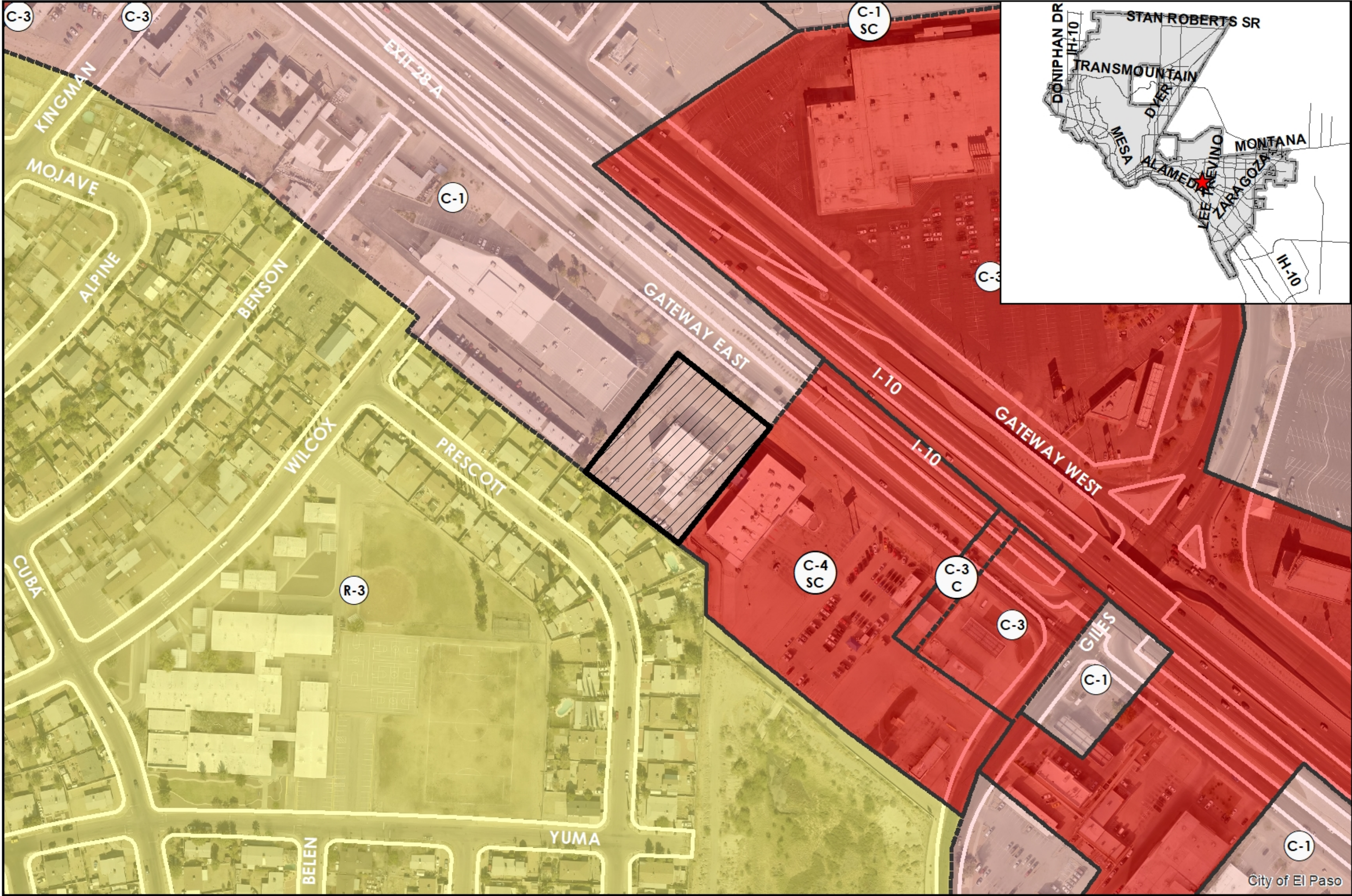
Recommended Approval (6-0)

Public Input:

- The Planning Division has not received communication support or opposition to the rezoning request.


Strategic Goal #3 Promote the Visual Image of El Paso

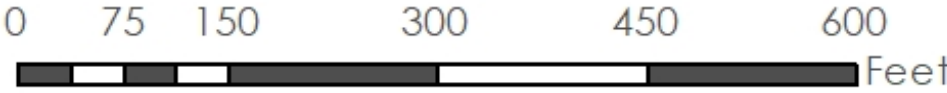
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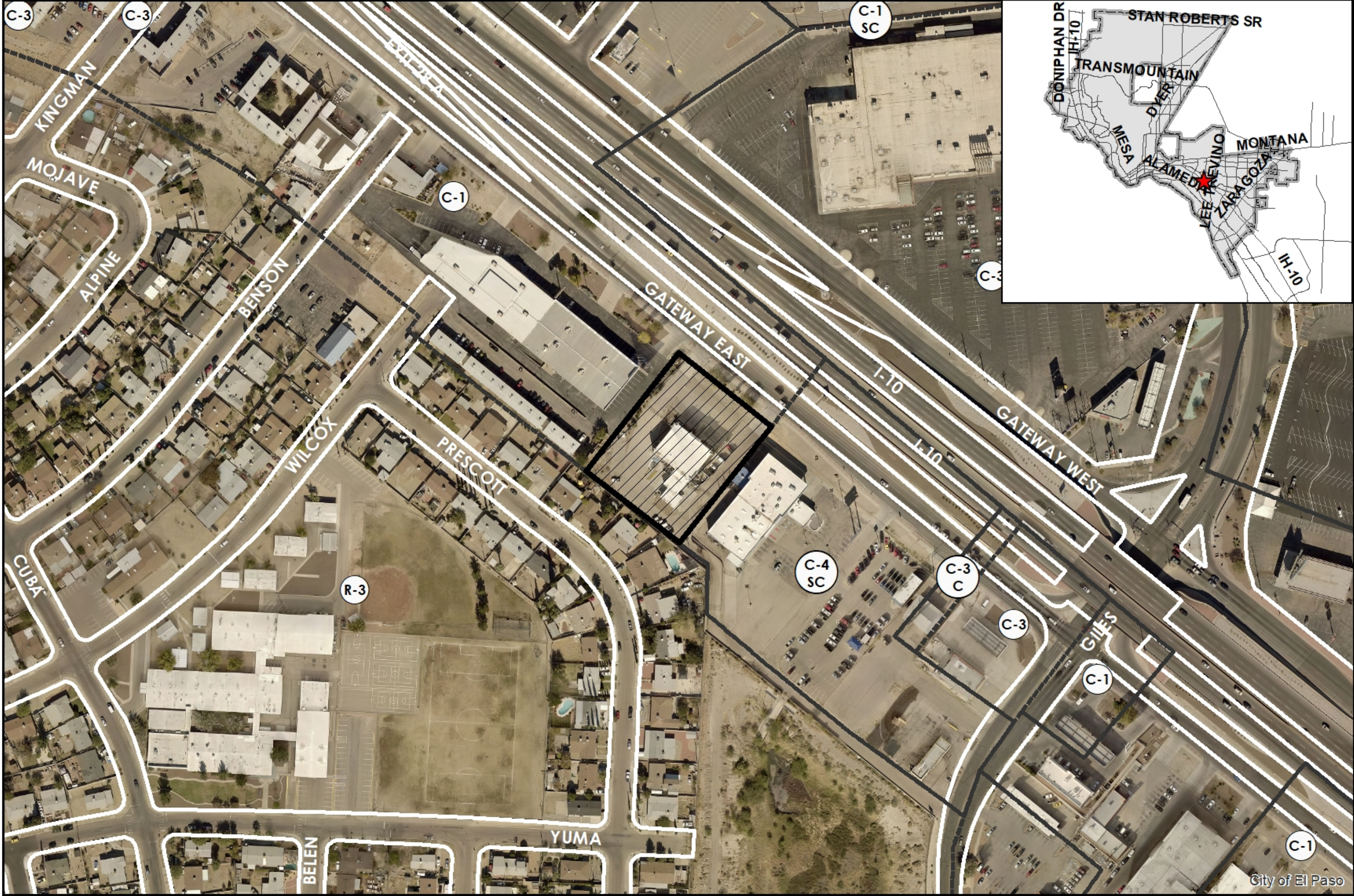


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 Subject Property

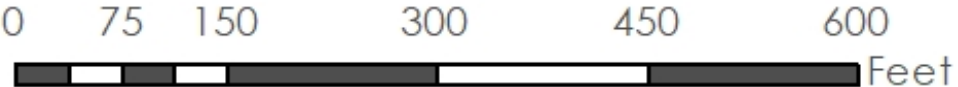


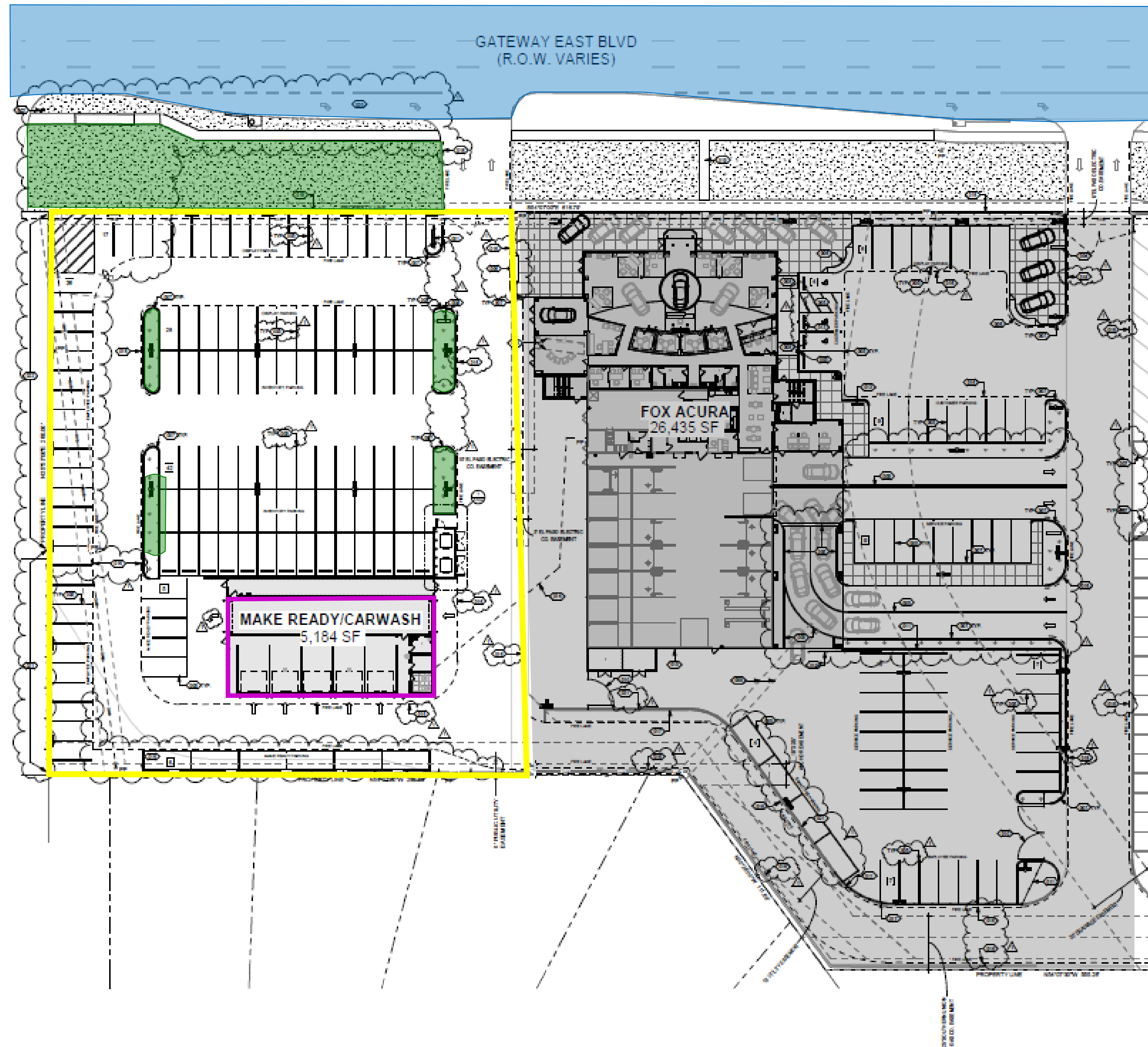


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 Subject Property









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THANK YOU

