

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

**DEPARTMENT:**     **Development Services Department**

**AGENDA DATE:**   **Introduction: December 16, 2008**  
                      **Public Hearing: January 6, 2009**

**CONTACT PERSON/PHONE:** Mirian Spencer, (915) 541-4192,  
spencermd2@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance changing the zoning of Lots 52 through 56, Block B, Bassett Addition, City of El Paso, El Paso County, Texas from A-3 (Apartment) to S-D (Special Development). The penalty is as provided in Chapter 20.24 of the El Paso City Code. Applicants: Alfredo and Veronica Gutierrez. ZON08-00071 (District 8)

**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 (5-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Victor Q. Torres \_\_\_\_\_

\*\*\*\*\*

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF LOTS 52 THROUGH 56, BLOCK B, BASSETT ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) TO S-D (SPECIAL DEVELOPMENT). 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 *Lots 52 through 56, Block B, Bassett Addition, City of El Paso, El Paso County, Texas*, be changed from **A-3 (Apartment)** to **S-D (Special Development)**, 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 \_\_\_\_\_, 2009.**

**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Mathew S. McElroy  
Deputy Director – Planning  
Development Services Department

CITY CLERK DEPT.  
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**DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** December 4, 2008

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

**FROM:** Mirian Spencer, Planner

**SUBJECT:** ZON08-00071

The City Plan Commission (CPC), on October 9, 2008 voted (5 to 0) to recommend **APPROVAL** of rezoning the subject property from A-3 (Apartment) to S-D (Special Development), concurring with the recommendation from staff.

The applicant is requesting to change the zoning of the property from A-3 (Apartment) to S-D (Special Development) in order to permit a commercial shopping center. The property is 0.3157 acres in size and is vacant. Access is proposed via **Central Avenue** and the adjacent **alley**. There are no conditions imposed on the property. The applicants will be required to submit for detailed site development plan review in order to construct a commercial shopping center in an S-D (Special Development) zoning district. The property is located within the Chamizal Neighborhood Revitalization area.

The application is in compliance with the Plan for El Paso – City-wide Land Use Goals. The proposed S-D (Special Development) zoning district allows for both residential and commercial uses. The zoning district will also comply with the 2025 projected general land use for the **Central** planning area which designates the property for commercial uses. The property is located within the Chamizal Neighborhood Revitalization area, which encourages development of vacant sites. The proposed commercial shopping center will serve the needs of the Chamizal Neighborhood residents.

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.

Three people attended the City Plan Commission meeting in support of the rezoning request.

**Attachment:** Staff Report, Aerial Map, Conceptual Site Plan



## City of El Paso – City Plan Commission Staff Report

**Case No:** ZON08-00071  
**Application Type** Rezoning  
**CPC Hearing Date** October 9, 2008  
**Staff Planner** Mirian Spencer, 915-541-4192, [spencermd2@elpasotexas.gov](mailto:spencermd2@elpasotexas.gov)

**Location** 2101 Central Avenue  
**Legal Description** Lots 52 through 56, Block B, Bassett Addition, City of El Paso, El Paso County, Texas  
**Acreage** 0.3157 acres  
**Rep District** 8  
**Existing Use** Vacant  
**Existing Zoning** A-3 (Apartment)  
**Request** From A-3 (Apartment) to S-D (Special Development)  
**Property Owners** Martin Beltran  
**Applicant** Martin Beltran  
**Representative** Plaza Engineering

### **SURROUNDING ZONING AND LAND USE**

**North:** A-3 (Apartment); Single-family residential  
**South:** C-4 (Commercial); Restaurant; Automotive Repair  
**East:** A-3/sp (Apartment/special permit) Multi-family residential  
**West:** A-3 (Apartment); Single-family residential

**THE PLAN FOR EL PASO DESIGNATION:** Commercial

**NEAREST PARK:** El Barrio Park (1,301 Feet)

**NEAREST SCHOOL:** Douglass Elementary (784 Feet)

### **APPLICATION DESCRIPTION**

The applicant is requesting to change the zoning of the property from A-3 (Apartment) to S-D (Special Development) in order to permit a commercial shopping center. The property is 0.3157 acres in size and is vacant. Access is proposed via **Central Avenue** and the adjacent **alley**. There are no conditions imposed on the property. The applicants will be required to submit for detailed site development plan review in order to construct a commercial shopping center in an S-D (Special Development) zoning district. The property is located within the Chamizal Neighborhood Revitalization area.

### **DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

The Development Coordinating Committee provides the following comments:

DCC recommends **APPROVAL** of the rezoning request from A-3 (Apartment) to S-D (Special Development).

### **PLANNING DIVISION RECOMMENDATION**

Planning recommends **APPROVAL** of the rezoning request from A-3 (Apartment) to S-D (Special Development).

### **The Plan for El Paso –City-wide Land Use Goals:**

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

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.

- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- d. Goal: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- e. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character

The application is in compliance with the Plan for El Paso – City-wide Land Use Goals. The proposed S-D (Special Development) zoning district allows for both residential and commercial uses. The zoning district will also comply with the 2025 projected general land use for the area which designates the property for commercial uses. The property is located within the Chamizal Neighborhood Revitalization area, which encourages development of vacant sites. The proposed commercial shopping center will serve the needs of the Chamizal Neighborhood residents.

**Development Services Department - Building Permits and Inspections Division:**

Retail establishment permitted on proposed S-D (Special Development) District. Meets minimum off-street parking and loading standards. Shall need to provide minimum of three bicycle parking spaces. Requires ten foot side setback and shall need to provide a six foot high masonry screening wall along the property line abutting the Apartment district.

**Development Services Department - Planning Division:**

Current Planning: Recommends **APPROVAL** of the request from A-3 (Apartment) to S-D (Special Development).

1. The Year 2025 Projected General Land Use Map for the **Central Planning Area** designates this property for **Commercial** land uses.
2. S-D (Special Development) zoning permits commercial shopping center development and is compatible with adjacent development.

Subdivision Review: No comments received

**Engineering Department - Traffic Division:**

No objections to proposed rezoning request

**Fire Department:**

No comment received.

**El Paso Water Utilities:**

EPWU does not object to this request.

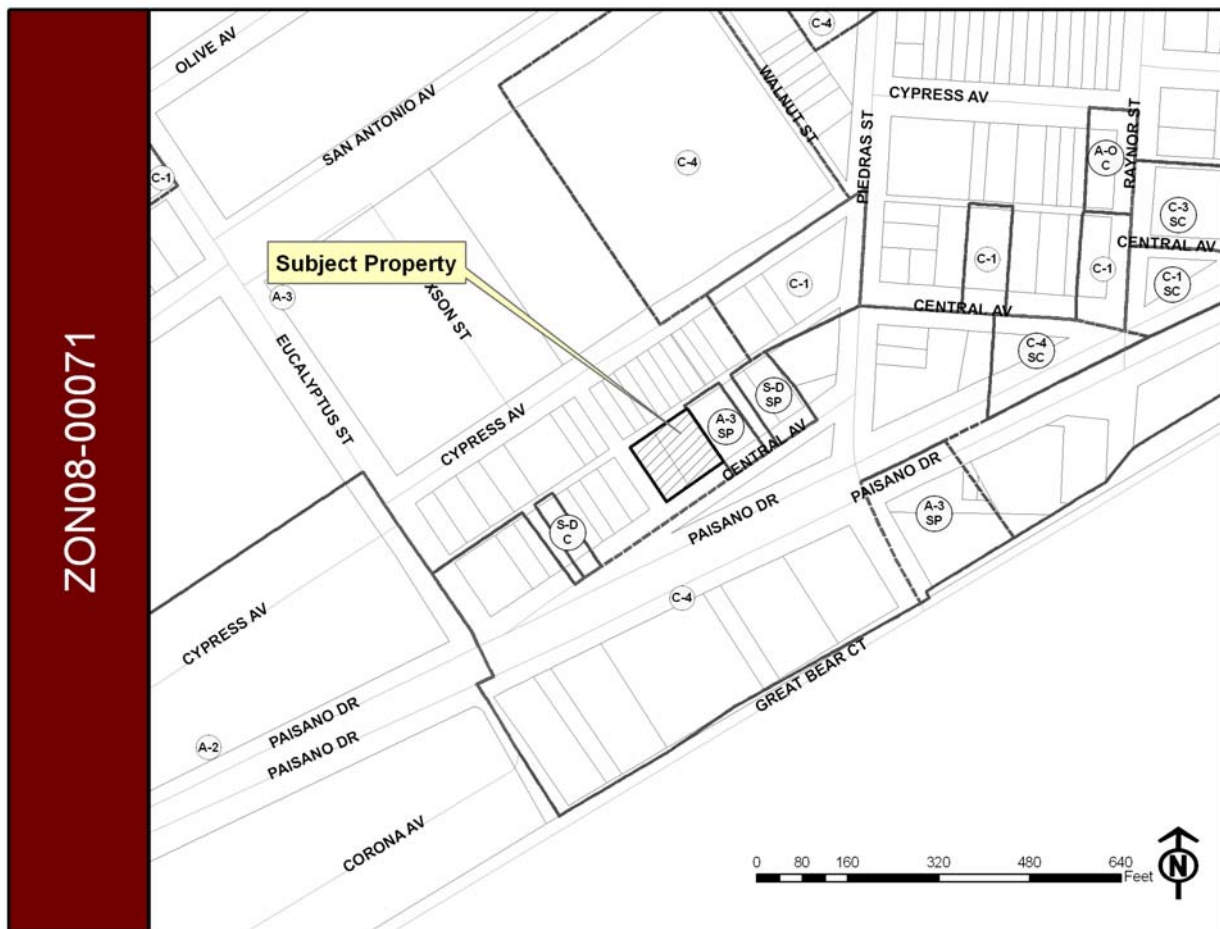
**CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the detailed site development plan review application:

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

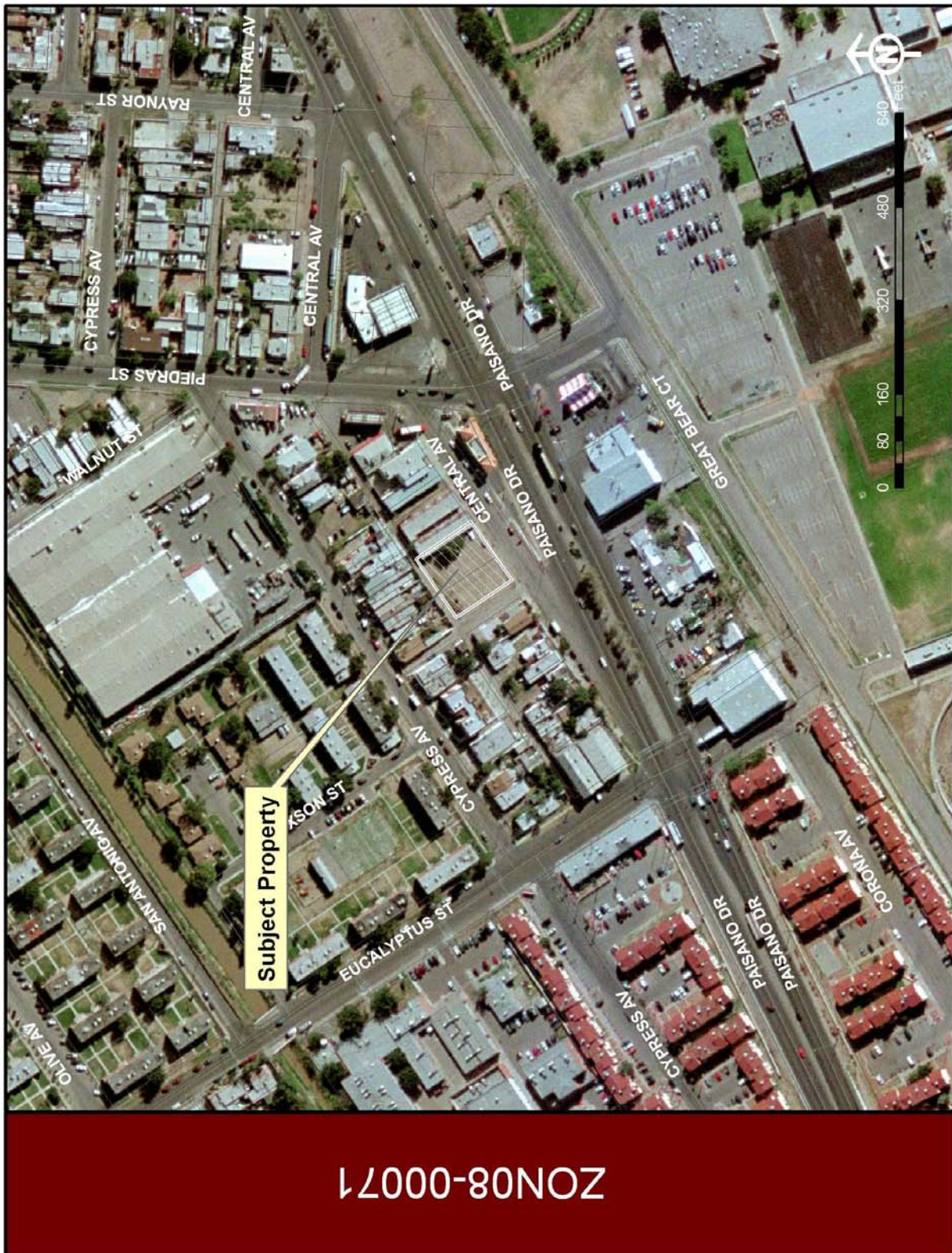
#### Attachments

1. Aerial Map
2. Conceptual Site Plan





ATTACHMENT 1: AERIAL MAP





## ATTACHMENT 2: CONCEPTUAL SITE PLAN

