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

DEPARTMENT: **Planning, Research & Development**

AGENDA DATE: **Introduction: September 20, 2005**
Public Hearing: October 11, 2005

CONTACT PERSON/PHONE: **Christina Valles, 541-4930**

DISTRICT(S) AFFECTED: **4**

SUBJECT:

An Ordinance changing the zoning of a portion of Section 22, Block 81, Township 1, Texas and Pacific Railroad Co. Surveys, El Paso, El Paso County, Texas from R-3A/sc (Residential/special contract) to C-3/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 10700 block of US Highway 54. Applicant: Camino Real Investments. ZON05-00074 (District 4)

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

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

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

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER:_____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 22, BLOCK 81, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD CO. SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-3A/SC (RESIDENTIAL/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, upon full review of the record, to include citizen input and recommending body reports, as well as pursuant to a general knowledge of the area in question, City Council has reasonably determined that the proposed change in zoning will not be a detriment to or incompatible with adjacent land uses or adverse to the public welfare, and should be approved as provided for herein.

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

That the zoning of *a portion of Section 22, Block 81, Township 1, Texas and Pacific Railroad Co. Surveys, El Paso, El Paso County, Texas*, as more particularly described by the meets and bounds in the attached Exhibit "A", be changed from R-3A/sc (Residential/special contract) to C-3/sc (Commercial/special contract), 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 _____, 2005.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

(Signatures continue on following page)

DOC NO. 16300/PLANNING/13/ZON05-00074/MWAT

APPROVED AS TO FORM:

Matt Watson
Assistant City Attorney
Doc No. 16300

APPROVED AS TO CONTENT:

Christina Valles, Planner II
Planning, Research & Development
Department

APPROVED AS TO CONTENT:

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development
Department

DOC NO. 16300/PLANNING/13/ZON05-00074/MWAT

ORDINANCE NO._____ **Zoning Case No: ZON05-00074**

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR

CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT

September 13, 2005

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

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00074

The City Plan Commission (CPC), on August 25, 2005, voted **7-0** to recommend **APPROVAL** of this rezoning request, concurring with Staff's recommendation.

The CPC found that this rezoning request 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 request is in the best interest, health, safety and welfare of the public in general.

There was **one letter of OPPOSITION** to this application.

Attachment: Location Map, letter.

STAFF REPORT

Rezoning Case:	ZON05-00074
Property Owner(s):	Camino Real Investments I, Ltd.
Applicant(s):	Camino Real Investments I, Ltd.
Representative(s):	Conde, Inc.
Legal Description:	A portion of Section 22, Block 81, Township 1, Texas and Pacific Railroad Co. Surveys
Location:	Patriot Freeway/Martin Luther King
Representative District:	# 4
Area:	0.9563 Acres
Present Zoning:	R-3A/sc (Residential/special contract)
Present Use:	Vacant
Proposed Zoning:	C-3/sc (Commercial/special contract)
Proposed Use:	Commercial
Recognized Neighborhood Associations Contacted:	Native American Coalition of Texas, Northeast Civic Association; Northeast Healty Communities

Surrounding Land Uses:

North -	R-3A/sc (Residential/special contract) / Single-family residential
South -	C-3/sc (Commercial/special contract) / Vacant
East -	C-3/sc (Commercial/special contract) / Vacant
West-	R-3 (Residential) / Vacant

Year 2025 Designation:	Mixed-use (Northeast Planning Area)

CITY PLAN COMMISSION HEARING, AUGUST 25, 2005, 1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL

ITEM # 7

Zoning Case: ZON05-00074

General Information:

The applicant is requesting a rezoning from R-3A/sc (Residential/special contract) to C-3/sc (Commercial/special contract) in order to permit commercial. The property is 0.9563 acres in size and is currently vacant. The subject property is part of a larger parcel of land that was previously rezoned to C-3/sc (Commercial/special contract).

Information to the Commission:

The Planning Department has received **ONE LETTER** of **OPPOSITION** to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from R-3A/sc (Residential/special contract) to C-3/sc (Commercial/special contract).

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 Northeast Planning Area designates this property for Mixed-use land uses.
>
> **C-3 (Commercial) zoning** permits a commercial and **is compatible** with adjacent development.

The Commission must determine the following:

A. Will the C-3 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?

B. Will commercial be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:

Zoning: Insufficient data to comment.
Landscaping: Landscape required under the ordinance 20.65. Project does not demonstrate code compliance as presented.

Engineering Department, Development Division Notes:

No comments.

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed zoning change.

Fire Department Notes:

No objections.

El Paso Water Utilities Notes:

No comments.

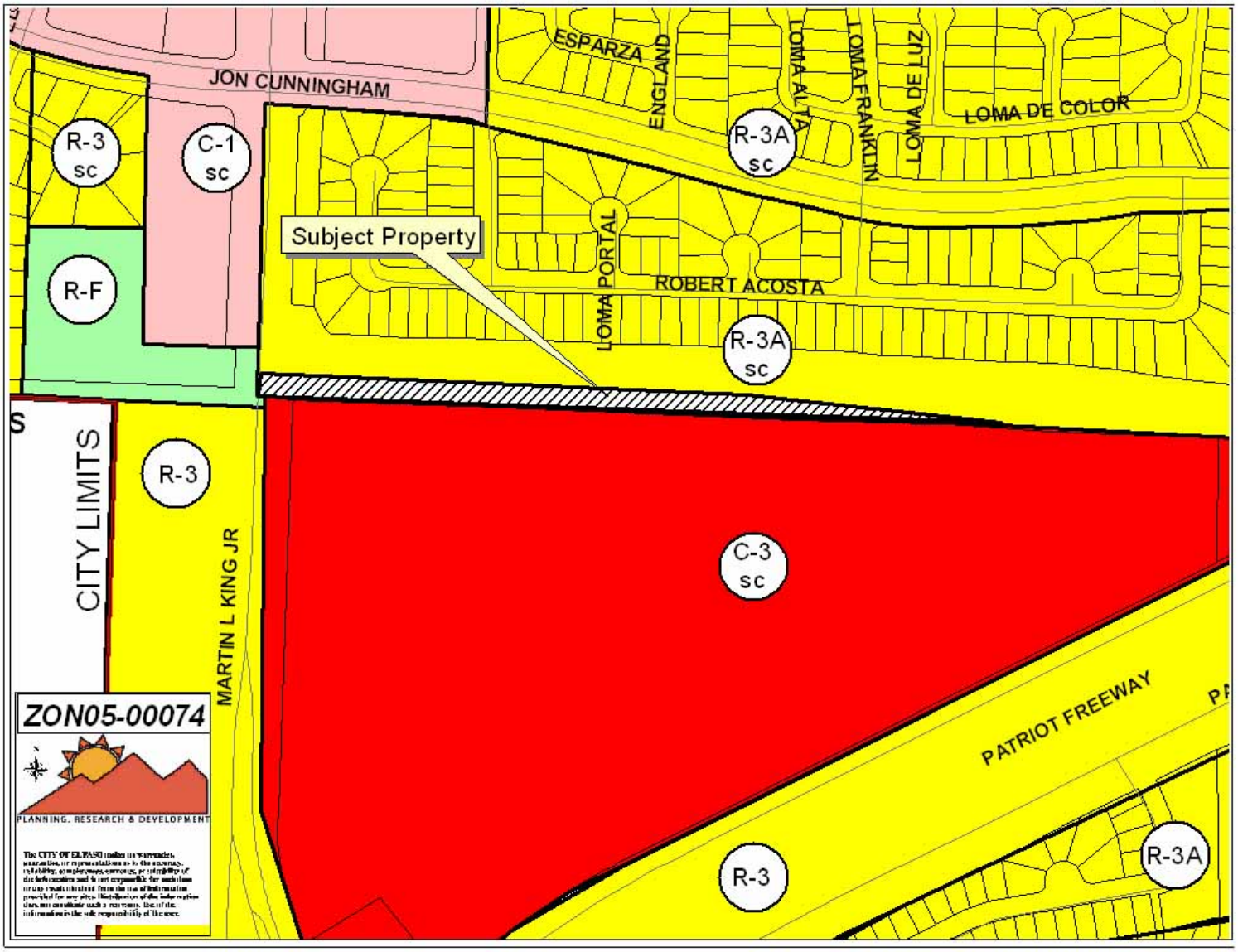
Planning, Research & Development Department Notes:

Recommend approval of this request for rezoning.

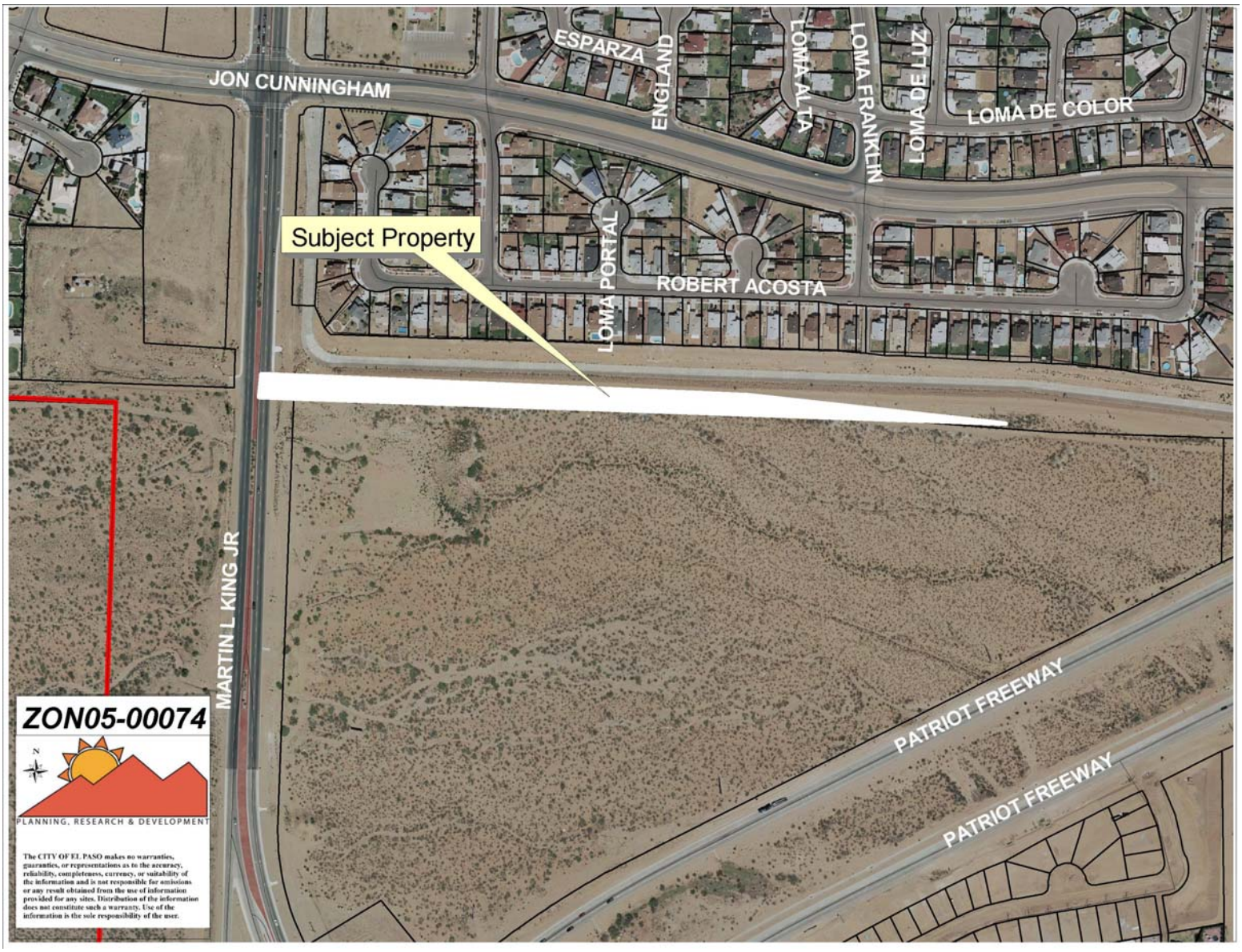
ATTACHMENT: Location map, letter.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP


JON CUNNINGHAM
ESPARZA
ENGLAND
LOMA ALTA
LOMA FRANKLIN
LOMA DE LUZ
LOMA DE COLOR
Subject Property
LOMA PORTAL
ROBERT ACOSTA
MARTIN L KING JR
PATRIOT FREEWAY
PATRIOT FREEWAY
ZON05-00074
PLANNING, RESEARCH & DEVELOPMENT
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PLANNING, RESEARCH &
Development department
CASE NO: ZON05-00074

Sergio Delgado
4652 Robert Acosta Dr.
El Paso, Texas 79934
Phone (915)821-6089

August 22, 2005

City Plan Commission
C/O Planning, Research and Development
2nd Floor, City Hall
2 Civic Center Plaza
El Paso, Texas 79901

Dear Friend,

In regards to the above mentioned case number, I am against the changing of the zoning on said property from residential to commercial.

With the future plans of a new apartment complex on this property, the changing of the zoning would allow the building of the apartment complex to be in too close proximity to our rear property line.
The changing of zoning on this property from residential to commercial may also cause a property devaluation to the affected homeowners due to the close proximity of commercial businesses, noise and crowding conditions.

Sincerely,