

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

AGENDA DATE: October 10, 2023,
PUBLIC HEARING DATE: November 7, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Nataly Nevarez, (915) 212-1644

DISTRICT(S) AFFECTED: District 8

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance changing the zoning of Lots 23, 24, 25, 26, and the East 17 feet of Lot 27, Block 43, Supplemental Map #1 of East El Paso Addition, 3410, 3412, and 3418 Gateway East Boulevard, City of El Paso, El Paso County, Texas from A-3 (Apartment) 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: 3410, 3412, and 3418 Gateway East Boulevard
Applicant: Alex Shaheen, PZRZ23-00015

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from A-3 (Apartment) to C-3 (Commercial) to allow for a proposed shopping center. City Plan Commission recommended 6-0 to approve the proposed rezoning on June 29, 2023. As of September 26, 2023, the Planning Division has not received any communication in support or opposition to the rezoning request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 23, 24, 25, 26, AND THE EAST 17 FEET OF LOT 27, BLOCK 43, SUPPLEMENTAL MAP #1 OF EAST EL PASO ADDITION, 3410, 3412, AND 3418 GATEWAY EAST BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-3 (APARTMENT) 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, that the zoning of Lots 23, 24, 25, 26, and the East 17 feet of Lot 27, Block 43, Supplemental Map #1 of East El Paso Addition, 3410, 3412, and 3418 Gateway East Boulevard, located in the City of El Paso, El Paso County, Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **A-3 (Apartment)** 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 _____, 2023.

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Russell Abeln

Russell T. Abeln
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibit "A" on the following page)

EXHIBIT "A"

Lots 23, 24, 25, 26 and the East 17 feet of Lot 27, Block 43,
Supplemental Map #1 of East El Paso Addition,
City of El Paso, El Paso County, Texas
November 04, 2022

METES AND BOUNDS DESCRIPTION
3410-3412-3418 Gateway Boulevard East
Exhibit "A"

FIELD NOTE DESCRIPTION of Lots 23, 24, 25, 26 and the East 17 feet of Lot 27, Block 43, Supplemental Map #1 of East El Paso Addition, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a set nail at the common boundary corner of Lots 22 and 23, same being the southerly right-of-way line of Gateway Boulevard East and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said southerly right-of-way line of Gateway Boulevard East and along the common boundary line of Lots 22 and 23, South 00°00'00" East, a distance of 140.00 feet to a point for corner at the northerly right-of-way line of a 20' Alley;

THENCE, leaving said common boundary line of Lots 22 and 23 and along the northerly right-of-way line of the 20' Alley, North 90°00'00" West, a distance of 117.00 feet to a set iron rod for corner;

THENCE, leaving said northerly right-of-way line of the 20' Alley, North 00°00'00" East, a distance of 140.00 feet to a set chiseled "V" for corner at the southerly right-of-way line of Gateway Boulevard East;

THENCE, along the southerly right-of-way line of Gateway Boulevard East, North 90°00'00" East, a distance of 117.00 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 16,380.00 square feet or 0.3760 acres of land more or less.

Carlos M. Jimenez
R.P.L.S. # 3950

CAD Consulting Co.
1790 Lee Trevino Drive. Suite 309
El Paso, Texas 79936
(915) 633-6422

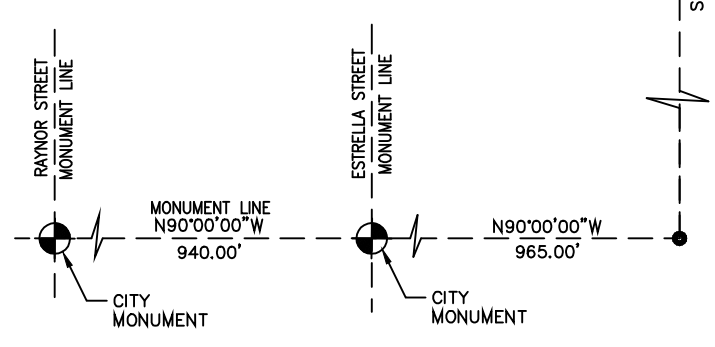
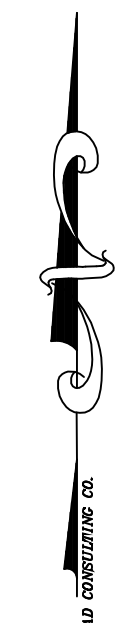
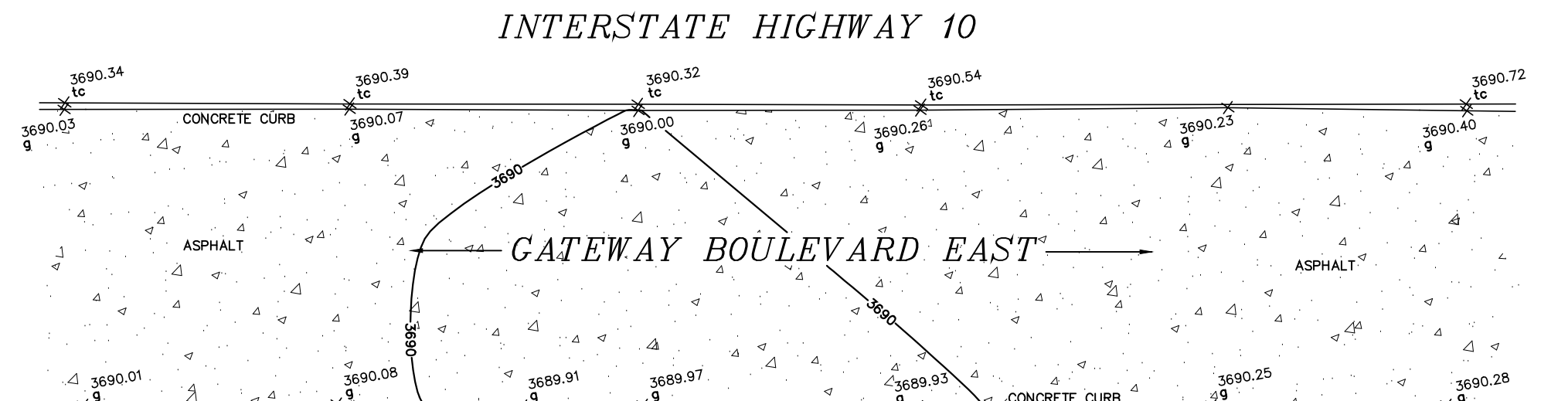
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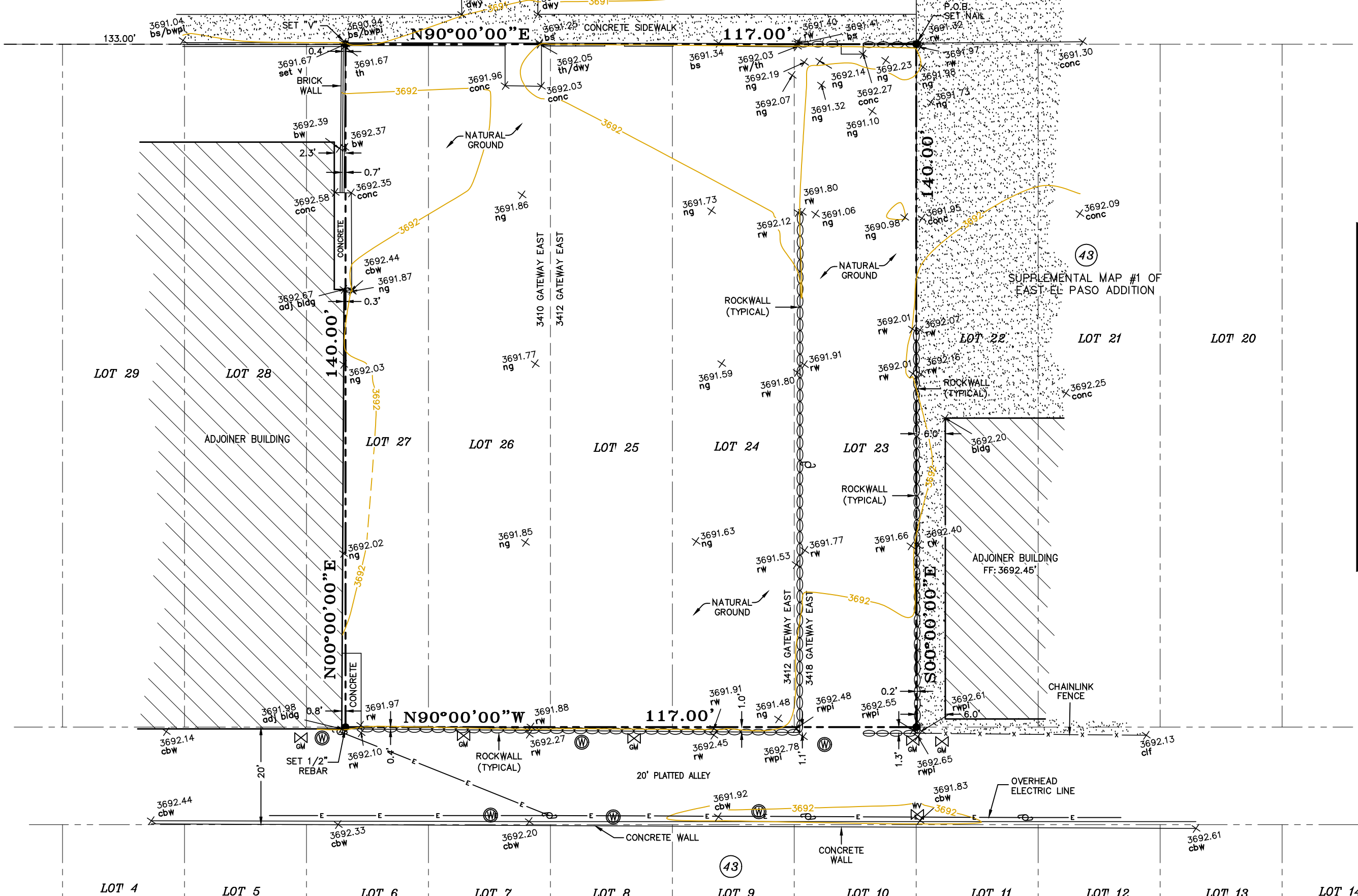
EXHIBIT "A"

TOPOGRAPHIC AND IMPROVEMENT SURVEY

3410-3412-3418 GATEWAY BOULEVARD EAST
 LOTS 23, 24, 25, 26 AND THE
 EAST 17 FEET OF LOT 27, BLOCK 43,
 SUPPLEMENTAL MAP #1 OF EAST EL PASO ADDITION,
 CITY OF EL PASO, EL PASO COUNTY, TEXAS.
 CONTAINING: 16,380.00 SQ. FT. OR 0.3760 ACRES ±
 SEE EXHIBIT "A"



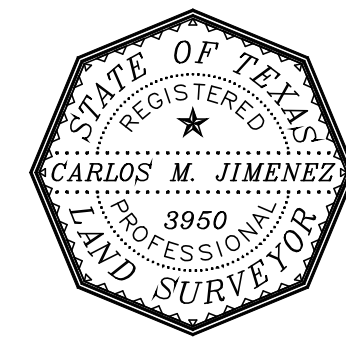
- NOTE(S):
1. ACCORDING TO THE FLOOD INSURANCE RATE MAP HEREON DESCRIBED TRACT LIES IN ZONE "X", COMMUNITY PANEL NO. 480214-0040 B, DATED 10/15/1982.
 2. SUPPLEMENTAL MAP #1 OF EAST EL PASO ADDITION, FILED ON VOLUME 1, PAGE 51, PLAT RECORDS EL PASO COUNTY, TEXAS.
 3. THE LOCATION OF EXISTING UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH SURFACE GROUND MARKINGS, EXCAVATIONS OR UTILITY COMPANY PLANS TO DETERMINE THE EXACT LOCATION OF ANY SUBTERRANEAN USES.
 4. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.



LEGEND	
TH	= TOP OF HEADER
NG	= NATURAL GROUND
BS	= BACK OF SIDEWALK
G	= GUTTER
TC	= TOP OF CURB
RW	= ROCKWALL
CONC	= CONCRETE
BW	= BRICK WALL
⊙	= WATER METER
⊕	= POWER POLE
⊙	= SIGN
⊕	= GAS METER
⊕	= WATER VALVE
⊕	= OVERHEAD ELECTRIC
⊕	= ROCKWALL
⊕	= CHAINLINK FENCE

BENCH MARK:
 FOUND CITY MONUMENT AT 10' OFFSET AT NORTHEAST
 FROM THE INTERSECTION OF ESTRELLA AND DURAZNO.
 BENCH MARK ELEV. = 3688.95' CITY DATUM
 CONTOUR INTERVAL 1 FOOT
 CONTOUR LABEL 5 FEET

CONSULTING COMPANY
 1790 N. LEE TREVINO DR. SUITE 309
 EL PASO, TEXAS 79936
 TEL (915) 633-6422



CERTIFICATION
 I HEREBY CERTIFY THAT THE FOREGOING BOUNDARY AND TOPOGRAPHIC SURVEY WAS MADE ON THE GROUND BY ME OR UNDER MY SUPERVISION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

CARLOS M. JIMENEZ R.P.L.S. No. 3950
 FIRM# 10099300

3410, 3412, & 3418 Gateway Boulevard East

City Plan Commission — June 29, 2023

REZONING



CASE NUMBER:	PZRZ23-00015
CASE MANAGER:	Nataly Nevarez, (915) 212-1644, NevarezKN@elpasotexas.gov
PROPERTY OWNER:	Alex Shaheen
REPRESENTATIVE:	Javier Carrera
LOCATION:	3410, 3412, and 3418 Gateway Boulevard East (District 8)
PROPERTY AREA:	0.379 acres
REQUEST:	Rezone from A-3 (Apartment) to C-3 (Commercial)
RELATED APPLICATIONS:	None
PUBLIC INPUT:	None received as of June 22, 2023

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from A-3 (Apartment) to C-3 (Commercial) to allow for a shopping center.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the rezoning request. The proposed zoning district is compatible with light manufacturing, apartment, and commercial uses in the surrounding area and is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan, and the G-2, Traditional Neighborhood (Walkable) for the future land use designation.

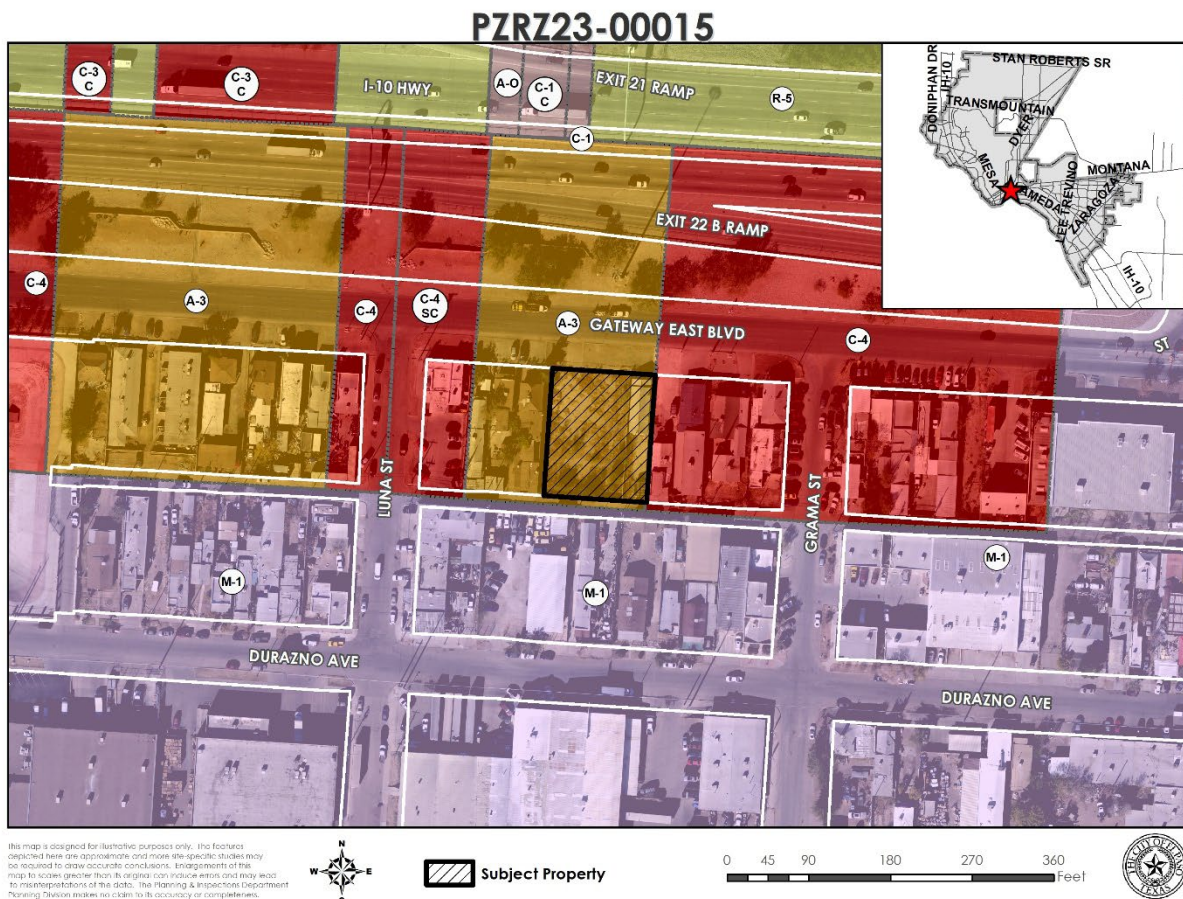


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting is to rezone three (3) properties from A-3 (Apartment) to C-3 (Commercial) to allow for a proposed shopping center. The size of the property is 0.379 acres and is currently vacant. The conceptual site plan shows one (1) proposed 4,896 square foot building with main access to the property provided from Gateway Boulevard East.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed shopping center and the C-3 (Commercial) district are compatible with the adjacent A-3 (Apartment) zoning district consisting of businesses to the west, Interstate 10 to the north, a C-4 (Commercial) zoning district consisting of household goods repair to the east, and the M-1 (Light Manufacturing) zoning district consisting of a recycling facility to the south. The proposed shopping and center and C-3 (Commercial) zoning district is compatible with the established character of area surrounding the subject property. The nearest school is Zavala Elementary, which is located 0.65 miles away, and the nearest park is Perla Luna City Park, which is (0.35 miles) from the subject property.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:	
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-2, Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets; schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.</p>	<p>Yes. The subject property and the proposed development meet the intent of the G-2, Traditional Neighborhood (Walkable) Future Land Use designation of Plan El Paso. The proposed contributes to the intent of the G-2 designation as it integrates commercial uses into residential areas. The proposed zoning is compatible with the future land use designation.</p>
<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>	<p>Yes. The proposed shopping center is consistent with commercial and manufacturing uses in the neighborhood. The surrounding properties are zoned A-3 (Apartment), M-1 (Light Manufacturing), and C-4 (Commercial). The existing uses of the surrounding area range from single-family dwellings, household goods repair, and a recycling facility.</p>
<p>Preferred Development Locations:</p> <p>Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p>Yes. The subject property has access to Gateway Boulevard East, which is designated as a major arterial in the City's Thoroughfare Plan. The classification of this road is appropriate for the proposed development.</p>
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 that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	<p>None. The subject property is not located within any historic districts nor any other special designation areas.</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None. There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	None. The proposed rezoning does not involve green field or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	None. There has been little transition within the last 10 years in the nearby area. Southwest of the subject property, there is a property that was rezoned in 2022 from M-1 (Light Manufacturing) to GMU (General Mixed Use). This area supports commercial developments
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property borders Gateway Boulevard East, which is designated as a major arterial under the City Major Thoroughfare Plan (MTP). Access is proposed from Gateway Boulevard East. The classification of this road is appropriate for the proposed development. Existing infrastructure and services are adequate to serve the proposed redevelopment. Sidewalks are consistently present around the subject property. The closest bus stop is along Alameda Avenue, which is located 0.33 miles from the subject property.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments were received from reviewing departments.

PUBLIC COMMENT: The subject property is located within the boundaries of the El Paso Central Business Association and the Sunrise Civic Association, which were notified of the rezoning request by the applicant. Public notices were mailed to property owners within 300 feet on June 15, 2023. As of June 22, 2023, the Planning Division has not received any communication in support or opposition to the request from the public.

RELATED APPLICATIONS: Provide a summary of any related applications that are currently in process here.

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:

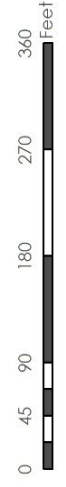
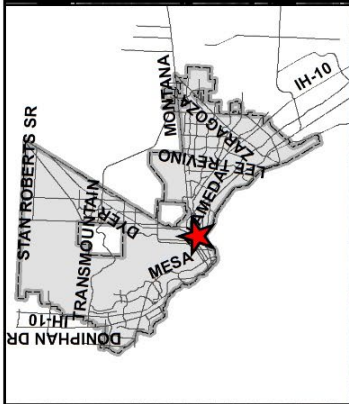
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
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. Conceptual Site Plan
3. Department Comments
4. Neighborhood Notification Boundary Map

ATTACHMENT 1

PZR23-00015



 Subject Property



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to confirm the accuracy of the information. The Planning & Inspections Department makes no claim to its accuracy or completeness.

ATTACHMENT 2

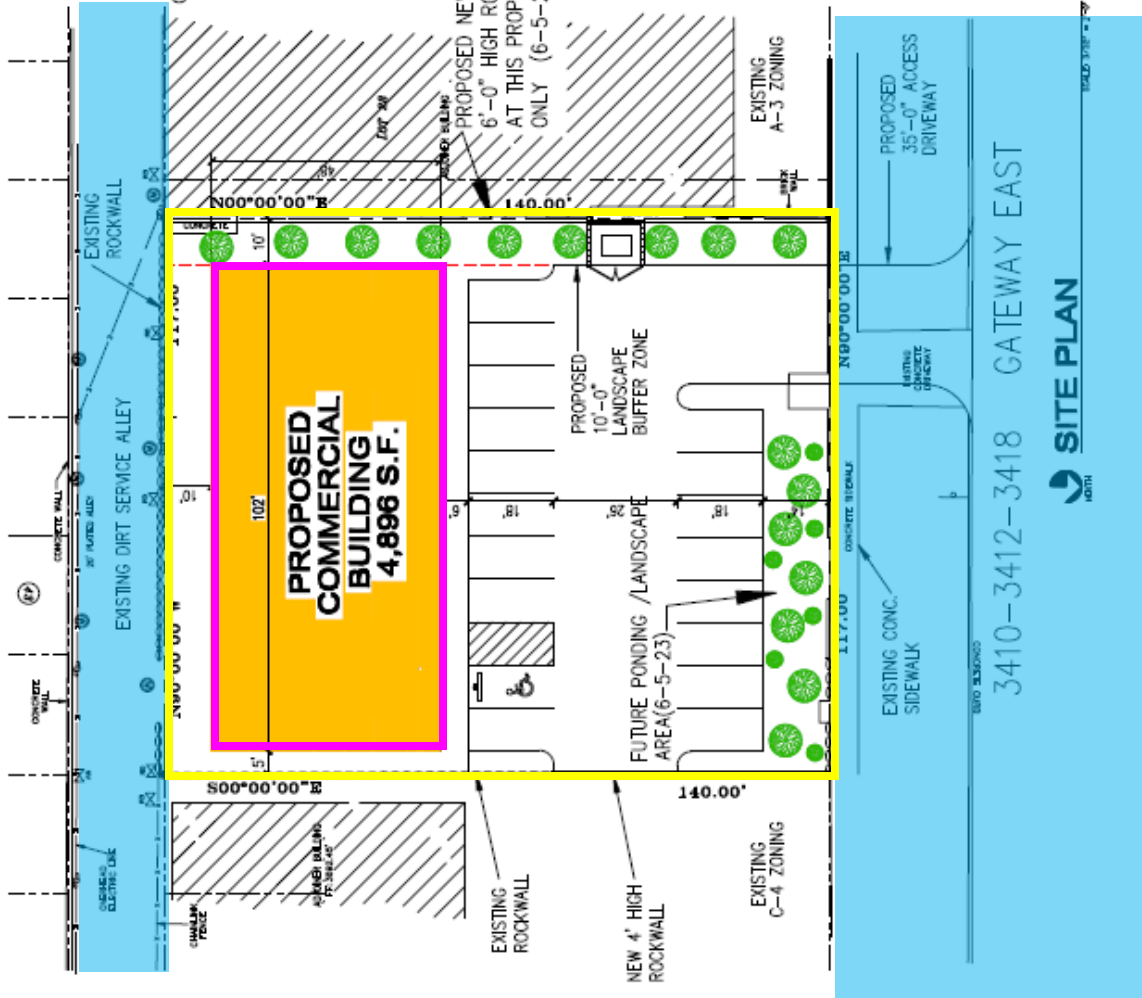
	PROJECT NAME: SHOPPING CENTER <small>3410-3412-3418 GATEWAY EAST</small>	STEP A-1
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LEGAL DESCRIPTION
 3410-3412-3418 GATEWAY BOULEVARD EAST
 LOTS 23, 24, 25, 26 AND THE
 EAST 17 FEET OF LOT 27, BLOCK 43,
 SUPPLEMENTAL MAP #1 OF EAST EL PASO
 ADDITION,
 CITY OF EL PASO, EL PASO COUNTY, TEXAS.
 CONTAINING: 16,380.00 SQ. FT. OR 0.3760 ACRES ±

SUMMARY	
LOT AREA:	16,380 S.F. 0.376 AC.
PROPOSED SHOPPING CENTER BUILDING AREA:	4,896 S.F.
PARKING REQUIRED: SHOPPING CENTER 1 X 288 S.F.	4,896 / 288 = 17 REQ.
PARKING PROVIDED:	17
LANDSCAPE REQUIRED:	1,723 S.F.
LANDSCAPE PROVIDED:	2,364 S.F.

JUNE 12, 2023

PROPOSED
 REZONING
 FROM A-3
 TO C-3



3410-3412-3418 GATEWAY EAST
SITE PLAN

ATTACHMENT 3

Planning and Inspections Department - Planning Division

1. Note that 20.16.020 B. 4 of the El Paso City Code requires a six-foot high masonry wall shall be erected between all Apartment zone districts and C zone district by the owner of the C zone district property.

Planning and Inspections Department – Plan Review & Landscaping Division

No comments provided.

Planning and Inspections Department – Land Development

1. Property is in the flood zone area, provide elevation certificate at the time of grading permit.
2. Provide TxDOT approval at the time of grading permit. (Drainage on the lot, new driveway and concrete curb on the R.O.W.).
3. Consider: All storm water runoff discharge volumes including fill displacement shall be retained within this subdivision's limits in compliance with provision of (DSC PANEL 1-4C-J, 19.19.010A and DDM 11.1).
4. Provide a proposed drainage system on the area.

Comments will be addressed at permitting stage.

Fire Department

No adverse comments.

Police Department

No comments provided.

Environment Services

No comments provided.

Streets and Maintenance Department

Streets and Maintenance traffic engineering has no objections to rezoning.

Sun Metro

No comments provided.

El Paso Water

No comments provided.

EPWU-PSB Comments

No comments provided.

Sanitary Sewer

No comments provided.

General

No comments provided.

Stormwater:

EPWater-SW recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavement) to reduce the amount of developed stormwater runoff.

El Paso County 911 District

The 911 District has no comments/concerns regarding this zoning.

Texas Department of Transportation

Please ensure the curb cut that is currently open is closed.

Repair the sidewalk, ensure the grading is matched to existing sidewalk, and the sidewalk is ADA compliant

Ensure any runoff is retained

Please submit the complete set of plans which will include grading, drainage, cross sections and TCP.

Comments will be addressed at permitting stage.

El Paso County Water Improvement District

No comments provided.

Texas Gas Service

Texas Gas Service does not object.

ATTACHMENT 4

PZRZ23-00015



This map is designed for illustrative purposes only. The features depicted here are approximate and more detailed calculations may be required to draw accurate conclusions. Emissions of this map to scale greater than 1:1000 and the boundaries shown may lead to errors. The Planning Department makes no claim to its accuracy or completeness.