

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

DEPARTMENT: Planning & Inspections, Planning Division

AGENDA DATE: November 10, 2020

PUBLIC HEARING DATE: December 1, 2020

CONTACT PERSON NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Andrew Salloum, (915) 212-1603

DISTRICT(S) AFFECTED: 8

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 the following parcels: Parcel 1: a portion of F. Neve Survey No. 8, 4625 Delta Drive, City of El Paso, El Paso County, Texas, from R-5/sp (Residential/special permit) to C-3/sp/c (Commercial/special permit/conditions); and, Parcel 2: a portion of F. Neve Survey No. 8, 4625 Delta Drive, City of El Paso, El Paso County, Texas, from R-5/sp (Residential/special permit) to A-O/sp/c (Apartment/Office/special permit/conditions); and imposing conditions. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. **THIS IS AN APPEAL AND A 211 CASE.**

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: 4625 Delta Drive
Applicant: The Upright Group LLC PZRZ20-00013

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone Parcel 1 (see below map) from R-5/sp (Residential/special permit) to C-3/sp (Commercial/special permit) in order to allow for a professional office and small contractor's yard. The applicant is requesting to rezone Parcel 2 (see below map) from R-5/sp (Residential/special permit) to A-O/sp (Apartment/Office/special permit) in order to allow for apartments. City Plan Commission recommended 5-2 to deny the proposed rezoning on October 1, 2020. As of October 20, 2020, staff has received two petitions with 38 signatures, 5 letters opposition to the request. Staff also received 2 letters in support of the request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:


Philip F. Etiwe – Planning and Inspections Director

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING PARCELS: PARCEL 1: A PORTION OF F. NEVE SURVEY NO. 8, 4625 DELTA DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-5/SP (RESIDENTIAL/SPECIAL PERMIT) TO C-3/SP/C(COMMERCIAL/SPECIAL PERMIT/CONDITIONS; AND, PARCEL 2: A PORTION OF F. NEVE SURVEY NO. 8, 4625 DELTA DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-5/SP (RESIDENTIAL/SPECIAL PERMIT) TO A-O/SP/C (APARTMENT/OFFICE/SPECIAL PERMIT/CONDITIONS, AND IMPOSING CONDITIONS. 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 *Parcel 1*: a portion of F. Neve Survey No. 8, 4625 Delta Drive, 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; *and, Parcel 2*: a portion of F. Neve Survey No. 8, 4625 Delta Drive, 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 as listed for **PARCEL 1: FROM R-5/sp (Residential/special permit) TO C-3/sp/c (Commercial/special permit/conditions); AND, PARCEL 2: FROM R-5/sp (Residential/special permit) TO A-O/sp/c (Apartment/Office/special permit/conditions)**, as defined in Section 20.06.020, and that the zoning map, attached as **Exhibit “B”** of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. *“That a ten foot (10’) landscaped buffer with high-profile native or naturalized trees of at least two-inch (2”) caliper and ten feet (10’) in height shall be placed at fifteen feet (15’) on center along the property lines adjacent to residential or apartment zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.”*
2. *“That access to the subject property shall be limited to Delta Drive.”*

ORDINANCE NO. _____

20-1007-2654 | 1032912
4625 Delta Drive
RTA

PZRZ20-00013

3. *"That a ten foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen feet (15') on center along the property line abutting Barney Street."*
4. *"That a six foot (6') high combination masonry/wrought iron wall shall be installed along the property line abutting Barney Street."*
5. *"That there be a fifty foot (50') minimum setback from the eastern property line for any buildings in the A-O (Apartment/Office) portion of the subject property."*
6. *"That a Detailed Site Development Plan be reviewed and approved as per the El Paso City Code prior to issuance of building permits."*

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 _____, 2020.

THE CITY OF EL PASO

Dee Margo, Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Russell T. Abeln
Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe for
Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibit's on the following pages)

EXHIBIT "A"

DORADO ENGINEERING GROUP

2717 E. YANDELL STREET EL PASO, TEXAS 79903 (915) 562-0002 FAX (915) 562-7743

4625 Delta Drive

Parcel 1 (Commercial C-1)

Metes and Bounds description of a parcel of land being a portion of F. Neve Survey No.8, City of El Paso, County of El Paso, Texas and being more particularly described as follows:

Commencing at a chisel "V" on concrete at the intersection of the Easterly Right-of-Way line of Francis Drive and the Southerly Right-of-Way line of Barney Drive said "V" lying on the Northeast corner of Lot 1, Block 3, Pasadena Subdivision Unit Three said "V" bears South $04^{\circ}54'55''$ East a distance of three hundred two and fifty hundredths (302.50) feet to an existing city monument at the centerline intersection of Francis Street and Manto Sagrado Street; Thence South $83^{\circ}30'00''$ West along the Southerly Right-of-Way line of Barney Drive a distance of four hundred thirty eight and seventy eight hundredths (438.78) feet to a corner on the Southerly Right-of-Way line of Barney Drive said corner being the Point of Beginning for this description.

Thence South $06^{\circ}34'16''$ East along an Easterly line of the parcel being described a distance of forty six and sixty four hundredths (46.64) feet for a corner;

Thence North $90^{\circ}00'00''$ East along a Northerly line of the parcel being described a distance of one hundred thirty one and ninety six hundredths (131.96) feet for a corner;

Thence South $00^{\circ}00'00''$ East along an Easterly line of the parcel being described a distance of two hundred eighteen and thirty hundredths (218.30) feet for a corner on the Northerly Right-of-Way line of Delta Drive;

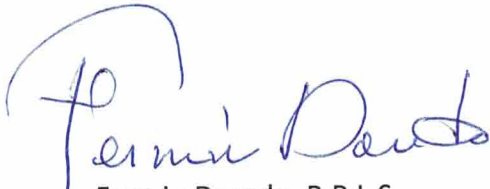
Thence along an arc of a curve to the right, said arc being the Northerly Right-of-Way line of Delta Drive, a distance of one hundred ninety nine and sixty two hundredths (199.62) feet said curve having a central angle of $08^{\circ}12'44''$, a radius of one thousand three hundred ninety two and seventy hundredths (1392.70) feet a chord bearing of $63^{\circ}08'45''$ West with a chord distance of one hundred ninety nine and forty five hundredths (199.45) feet for a point;

Thence North 59°02'00" West along the Northerly Right-of-Way line of Delta Drive a distance of two hundred fifty eight and forty hundredths (258.40) feet for a corner;

Thence North 00°00'00" East along the Westerly line of the parcel being described a distance of eleven and seventy one hundredths (11.71) feet for a corner on the Southerly Right-of-Way line of Barney Drive;

Thence North 83°30'00" East along the Southerly Right-of-Way line of Barney Drive a distance of two hundred sixty three and ninety hundredths (263.90) feet to the Northwesterly corner of the parcel being described, said corner being the Point of Beginning for this description.

Said parcel of land contains 53,337.00 square feet or 1.224 acres of land more or less


Fermin Dorado, R.P.L.S.



April 27, 2020

DORADO ENGINEERING GROUP

2717 E. YANDELL STREET EL PASO, TEXAS 79903 (915) 562-0002 FAX (915) 562-7743

4625 Delta Drive

Parcel 2 (Apartment/Office - A/O)

Metes and Bounds description of a parcel of land being a portion of F. Neve Survey No.8, City of El Paso, County of El Paso, Texas and being more particularly described as follows:

Commencing at a chisel "V" on concrete at the intersection of the Easterly Right-of-Way line of Francis Drive and the Southerly Right-of-Way line of Barney Drive said "V" lying on the Northeast corner of Lot 1, Block 3, Pasadena Subdivision Unit Three said "V" bears South $04^{\circ}54'55''$ East a distance of three hundred two and fifty hundredths (302.50) feet to an existing city monument at the centerline intersection of Francis Street and Manto Sagrado Street; Thence South $83^{\circ}30'00''$ West along the Southerly Right-of-Way line of Barney Drive a distance of two hundred eighteen and eighty seven hundredths (218.87) feet to the common Northerly corner of Lot 1, Block 3, Pasadena Subdivision Unit Three and F. Neve Survey No.8 said corner being the Point of Beginning for this description.

Thence South $00^{\circ}00'00''$ East along the common line of Pasadena Subdivision Unit Three and F. Neve Survey No. 8 a distance of three hundred twenty and sixty three hundredths (320.63) feet to the Southeasterly corner of the parcel being described said corner lying on the Northerly Right-of-Way line of Delta Drive;

Thence along an arc of a curve to right, said arc being the Northerly Right-of-Way line of Delta Drive, a distance of eighty six and ninety six hundredths (86.96) feet said corner having a radius of one thousand three hundred ninety two and seventy hundredths (1392.70) feet a central angle of $03^{\circ}34'39''$ a chord bearing of North $69^{\circ}02'27''$ West and a chord distance of eighty six and ninety five hundredths (86.95) feet to the Southwesterly corner of the parcel being described;

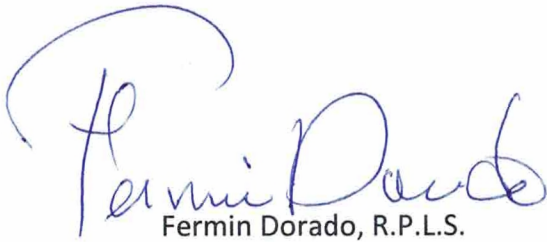
Thence leaving the Northerly Right-of-Way line of Delta Drive North $00^{\circ}00'00''$ East along the Westerly line of the parcel being described a distance of two hundred eighteen and thirty hundredths (218.30) feet for a corner;

Thence North 90°00'00" West along the Southerly line of the parcel being described a distance of one hundred thirty one and ninety six hundredths (131.96) feet for a corner;

Thence North 06°34'16" West along the Westerly line of the parcel being described a distance of forty six and sixty four hundredths (46.64) feet for a corner lying on the Southerly Right-of-Way line of Barney Drive;

Thence North 83°30'00" East along the Southerly Right-of-Way line of Barney Drive a distance of two hundred nineteen and ninety one hundredths (219.91) feet to the Northeasterly corner of the parcel being described, said corner being the Point of Beginning for this description.

Said parcel of land contains 31,747.00 square feet or 0.729 acres of land more or less


Fermin Dorado, R.P.L.S.



April 27, 2020

EXHIBIT "B"



LOCATION MAP
SC: 1" = 600'



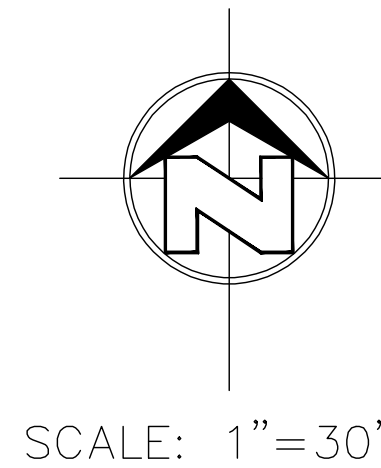
SIDE ELEVATION



FRONT ELEVATION

NOTE:

That a ten feet (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen feet (15') on center along the property lines adjacent to residential or apartment zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.



SCALE: 1" = 30'

LINE	LENGTH	BEARING
L1	11.71	N 00°00'00" E

CURVE	DELTA	CHD BEARING	TANGENT	RADIUS	ARC LENGTH	CHD LENGTH
C1	11°47'23"	S 64°56'05" E	143.80	1392.70	286.58	286.07

PARKING REQUIREMENTS

TOTAL GROSS AREA	10,490.00 SF
TOTAL GROSS AREA BLDG 1	7,876.00 SF
MINIMUM PARKING REQUIRED (CONTRACTOR EQUIP. STORAGE)	1/480 = 17
TOTAL GROSS AREA BLDG 2	2,630.00 SF
MINIMUM PARKING REQUIRED (OFFICE/PROFESSIONAL)	1/576 = 5
TOTAL PARKING REQUIRED	22
TOTAL PARKING PROPOSED	22
HANDICAPPED PARKING REQUIRED	1/25 = 1
TOTAL HANDICAPPED PARKING PROPOSED	1
BICYCLE SPACE REQUIRED	3
BICYCLE SPACE PROVIDED	3

LANDSCAPE CALCULATIONS

REQUIRED	PROVIDED
TOTAL AREA - 53,318.00 SQ. FT. BUILDING AREA - 10,506.00 SQ. FT. 53,318.00 - 10,506.00 = 42,812.00 SQ. FT. 42,812.00 SQ. FT. X 15% = 6,422.00 SQ. FT. LANDSCAPE REQUIRED 6,422 / 1,000.00 = 6.422 (7.0 UNITS)	6.422 UNITS 6 - TREES (1 PER UNIT) 263 - 5 GALLON SHRUBS (45 PER UNIT)
FRONTAGE LANDSCAPE BUFFER TREES: 10' MIN BUFFER AND (1) TREE PER 30 LF OF FRONTAGE DELTA DRIVE : 459.00 / 30 = 16 TREES	16 BUFFER TREES 16 STREET TREES
PARKING LOT TREES: (1) TREE PER 10 SPACES 22 / 10 = 2.2 TREES	2 TREES

FLOOD ZONE

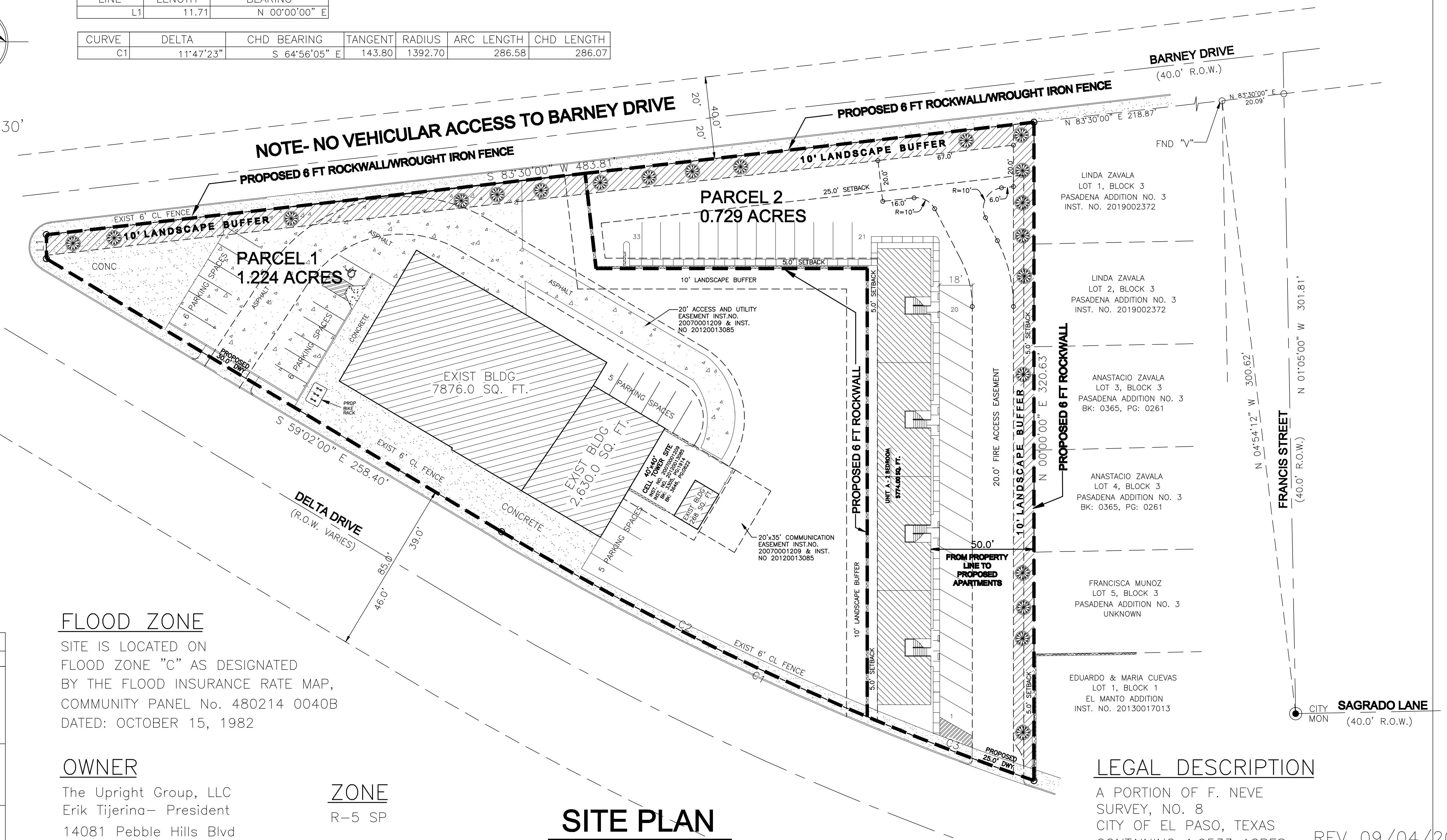
SITE IS LOCATED ON FLOOD ZONE "C" AS DESIGNATED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL No. 480214 0040B DATED: OCTOBER 15, 1982

OWNER

The Upright Group, LLC
Erik Tijerina- President
14081 Pebble Hills Blvd
EL PASO TEXAS 79938

ZONE
R-5 SP

SITE PLAN



LEGAL DESCRIPTION

A PORTION OF F. NEVE SURVEY, NO. 8
CITY OF EL PASO, TEXAS
CONTAINING 1.9533 ACRES

REV 09/04/20
04/06/2020

DATE	BY	REVISIONS

DORADO
ENGINEERING, INC.
ENGINEERS SURVEYORS PLANNERS
2717 E YANDELL EL PASO, TEXAS 79903 (915)562-0002

PROJECT NAME
4625 DELTA DRIVE
PROPOSED BUSINESS PARK

SHEET TITLE
SITE PLAN
SHEET
1 OF 2

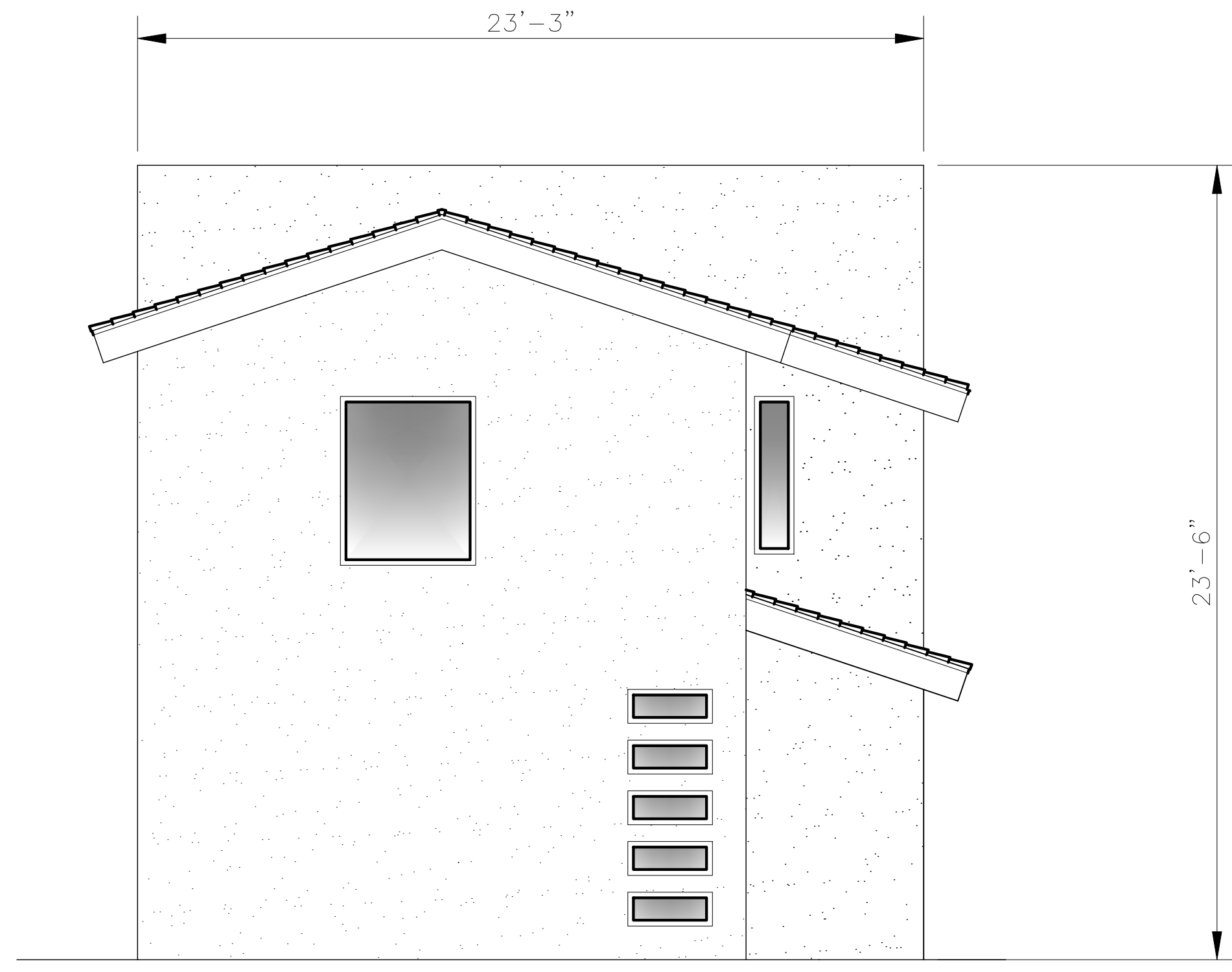
ENGINEERS SEAL
DORADO ENGINEERING, INC.
TEXAS REGISTERED
ENGINEERING FIRM
F-884

SCALE: 1" = 30'
REFERENCES: -- BENCHMARKS
S:\Drawings\4625 DELTA-BOYS CLUB\IMP_S\Y.DWG

DATA	
UNIT A - 2 BEDROOM	
16 UNIT - 722.00 S.F./UNIT	11,552.00 S.F.
TOTAL LIVING AREA:	11,552.00 S.F.
TOTAL BUILDING AREA	11,552.00 S.F. = 45.47%
TOTAL LAND AREA	31,755.24 S.F.

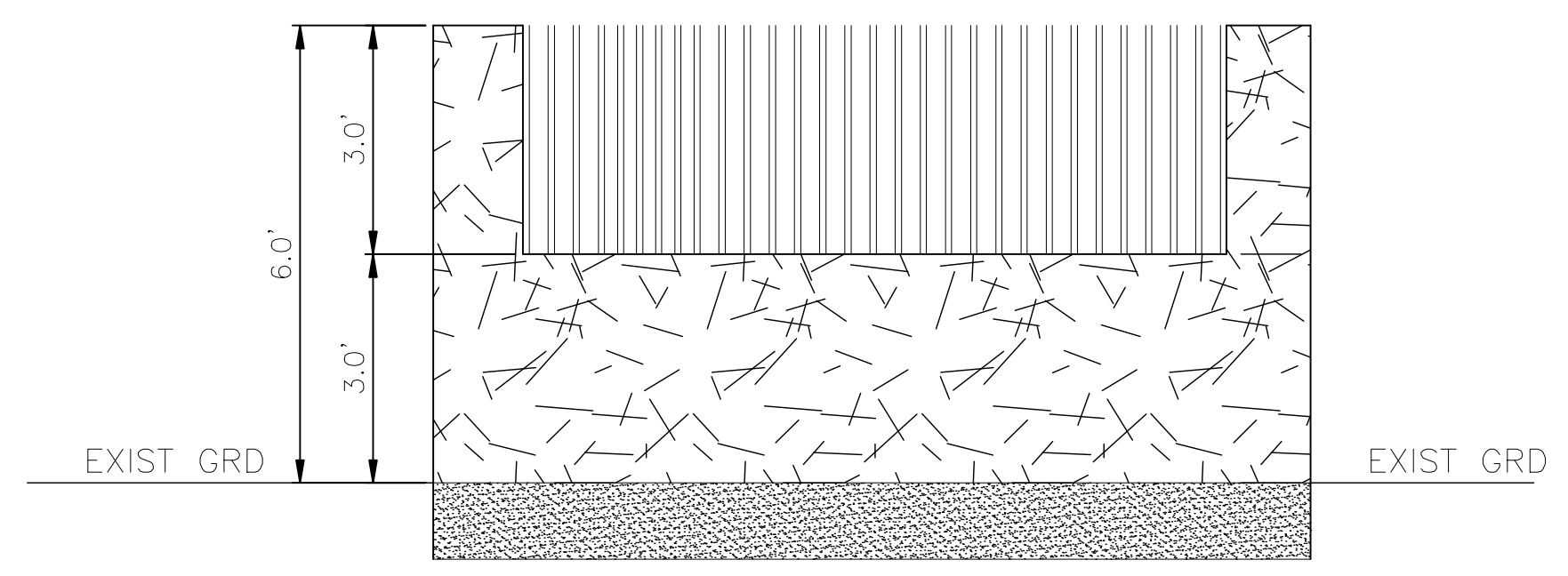
PARKING DATA			
TYPE	AMOUNT	REQUIRED	PROPOSED
2 BEDROOM	16	2 / UNIT	33
TOTAL REQUIRED			32
TOTAL SHOWN			33
HANDICAPPED PARKING REQUIRED		1/25	2
BICYCLE SPACE REQUIRED		3	3

LANDSCAPE CALCULATIONS	
REQUIRED	PROVIDED
TOTAL AREA - 31,756.00 SQ. FT.	3.0 UNITS
BUILDING AREA - 11,552.00 SQ. FT.	3 - TREES (1 PER UNIT)
31,756 - 11,552.00 = 20,204.00 SQ. FT.	135 - 5 GALLON SHRUBS (45 PER UNIT)
20,204.00 SQ. FT. X 15% = 3,031.00 SQ. FT. LANDSCAPE REQUIRED	
3,031.00 / 1,000.00 = 3.03 (4.0 UNITS)	
FRONTAGE LANDSCAPE BUFFER TREES: 10' MIN BUFFER AND (1) TREE PER 30 LF OF FRONTAGE	3 BUFFER TREES
DELTA DRIVE : 87.00 / 30 = 3 TREES	3 STREET TREES
PARKING LOT TREES: (1) TREE PER 10 SPACES	
40 / 10 = 4 TREES	4 TREES

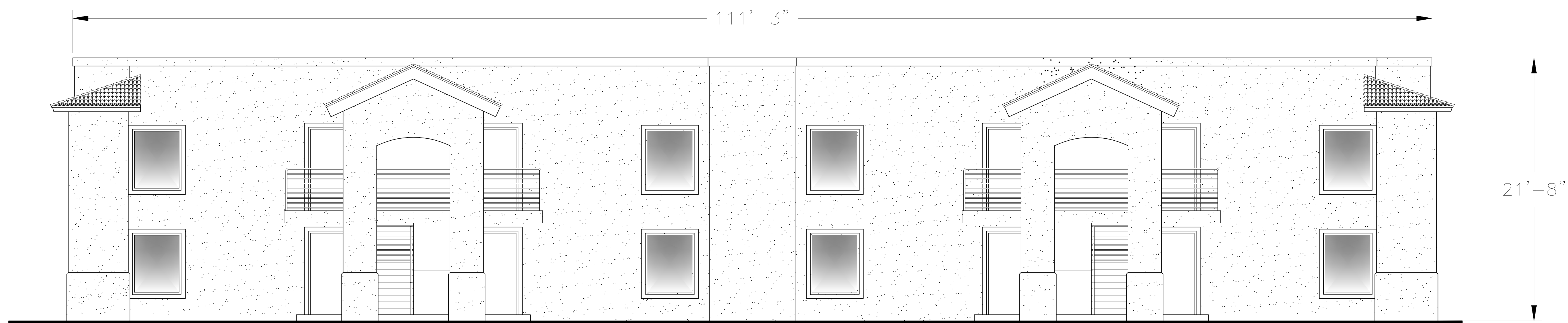


EXTERIOR ELEVATION PLAN TWO BEDROOM SIDE ELEVATION

SCALE: 1/4"=1'-0"



PROPOSED ROCKWALL/WROUGHT IRON FENCE BARNEY DRIVE



EXTERIOR ELEVATION PLAN TWO BED ROOM APARTMENTS

SCALE: 1/4"=1'-0"

S:\Drawings\4625 DELTA-BOYS CLUB\IMP_S\Y.DWG	
ENGINEERS SEAL	SCALE:
DORADO ENGINEERING, INC.	REFERENCES - - BENCHMARKS
TEXAS REGISTERED ENGINEERING FIRM	DATE
ENGINEERS SURVEYORS PLANNERS	REVISIONS
2717 E YANDELL EL PASO, TEXAS 79903 (915)562-0002	BY
	DATE
	CHKD. BY
	APPD. BY
	DATE
	DESIGN BY
	DRAWN BY
	DATE
	CHKD. BY
	APPD. BY
	DATE

DORADO ENGINEERING, INC.
 ENGINEERS SURVEYORS PLANNERS
 2717 E YANDELL EL PASO, TEXAS 79903 (915)562-0002

PROJECT NAME
 4625 DELTA DRIVE
 PROPOSED BUSINESS PARK

SHEET TITLE
 SITE PLAN
 SHEET
 2 OF 2

04/06/2020
 04/06/2020

APPEAL TO THE CITY COUNCIL

DATE: 10-13-2020

**HONORABLE MAYOR AND CITY COUNCIL
CITY OF EL PASO, TEXAS**

DEAR MAYOR AND COUNCIL:

After a public hearing held on OCTOBER 01, 2020, the

CITY PLAN COMMISSION denied my request for

TO REZONE THE PROPERTY LOCATED AT 4625 DELTA DRIVE (FORMERLY BOYS AND GIRLS CLUB)

FROM R-5 TO C-3 AND A-1

legally described as:

PORTION OF F. NEVE SURVEY NO. 8, CITY OF EL PASO

I hereby request the City Council to review the decision of the _____

CITY PLAN COMMISSION AND CONSIDER MY REQUEST

SET OUT ABOVE. I AM ATTACHING A LETTER SETTING FORTH MY

REASONS FOR BELIEVING THEIR DECISION TO BE IN ERROR.

ERIK TIJERINA - THE UPRIGHT GROUP LLC

APPLICANT

14081 Pebble Hills Blvd, El Paso TX 79938

ADDRESS

(915) 307-5546

TELEPHONE NUMBER

Two (2) copies filed in City Clerk's Office on: _____

DORADO ENGINEERING GROUP

2717 E. YANDELL STREET EL PASO, TEXAS 79903 (915) 562-0002 FAX (915) 562-7743

October 13, 2020

Honorable Mayor Dee Margo
City Council - City of El Paso

RE: Appeal Denial Recommendation from CPC on application to Rezone Property at 4625 Delta Drive (formly Boys & Girls Club) – Case No. PZRZ-20-00013

This is to formally appeal the City Plan Commission (CPC) decision on October 01, 2020. The Upright Group LLC was denied their request to change the zoning of a property located at 4625 Delta Drive (formly known as Boys & Girls Club) from R-5 / SP (Residential Special Permit) to C-3 /SP (Commercial Special Permit) and A-O/SP (Apartment/Office/Special Permit). The proposed use of Parcel 1 is for professional office space and small contractor's yard and Parcel 2 is for apartments.

It is our belief that the CPC erred in acknowledging that the existing buildings and lot area has been vacant for the past three years and has become a gathering site for vagrants and trash.

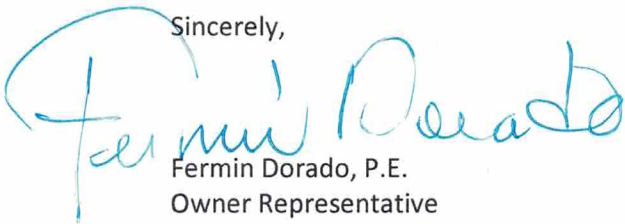
The CPC failed to consider and evaluate the following items;

- I. Our request for the change of zoning meets the criteria "Plan El Paso," the City adopted comprehensive plan.
- II. The City of El Paso Planning Department staff recommended approval of our request for a change of zoning.
- III. Commercial and manufacturing zoning already exists in the area across from the proposed site with no negative impact in the neighborhood.
- IV. Changing the zoning is the only permissible way to improve the site and making it suitable for development. The change of zoning is necessary because of the existence of the 50 feet telecommunication antenna at the center of the property that requires a 100 feet buffer zone between the antenna and any residential use which makes this site undevelopable for residential.

- V. The owner of the property , The Upright Group, plan to improve the site with minimal impact on the area residents such as all ingress and egress to the property will be through Delta Drive which is classified as a minor artery. Buffer all adjacent neighborhoods with a ten feet landscape buffer area that compromises of trees and shrubs.

We respectfully request that the Mayor and City Council review our request and will agree with us and City of El Paso planning department Staff that the proposed development will be a positive impact to the area and approve our zoning request. We look forward to the opportunity to discuss any of our points to changing the zoning at 4625 Delta Drive.

Sincerely,

A handwritten signature in blue ink that reads "Fermin Dorado". The signature is written in a cursive style with a large, looping initial "F".

Fermin Dorado, P.E.
Owner Representative

PZRZ20-00013



as of 8/27/2020

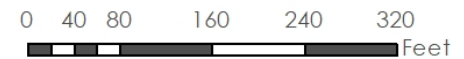
This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



9.03 TOTAL ACRES



OPPOSED
2.94 ACRES
32.6%



4625 Delta Drive

City Plan Commission — October 1, 2020 **(REVISED)**

CASE NUMBER:	PZRZ20-00013
CASE MANAGER:	Andrew Salloum, 915-212-1603, salloumam@elpasotexas.gov
PROPERTY OWNER:	The Upright Group LLC
REPRESENTATIVE:	Dorado Engineering
LOCATION:	4625 Delta Drive (District 8)
PROPERTY AREA:	1.95 acres
REQUEST:	Parcel 1: Rezone from R-5/sp (Residential/special permit) to C-3/sp (Commercial/special permit); Parcel 2: Rezone from R-5/sp (Residential/special permit) to A-O/sp (Apartment/Office/special permit)
RELATED APPLICATIONS:	None
PUBLIC INPUT:	Two signed petitions with 38 signatures in opposition and 5 letters in opposition. Two letters in support.

SUMMARY OF REQUEST: The applicant is requesting to rezone Parcel 1 (see below map) from R-5/sp (Residential/special permit) to C-3/sp (Commercial/special permit) in order to allow for a professional office and small contractor's yard. The applicant is requesting to rezone Parcel 2 (see below map) from R-5/sp (Residential/special permit) to A-O/sp (Apartment/Office/special permit) in order to allow for apartments.

SUMMARY OF STAFF RECOMMENDATION: The staff recommends **APPROVAL** of the rezoning request with the following conditions:

1. "That a ten foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen feet (15') on center along the property lines adjacent to residential or apartment zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy."
2. "That access to the subject property shall be limited to Delta Drive."
3. "That a ten foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen feet (15') on center along the property line abutting Barney Street."
4. "That a six foot (6') high combination masonry/wrought iron wall shall be installed along the property line abutting Barney Street."
5. "That there be a fifty foot (50') minimum setback from the eastern property line for any buildings in the A-O (Apartment/Office) portion of the subject property."
6. "That a Detailed Site Development Plan be reviewed and approved as per the El Paso City Code prior to issuance of building permits."

This recommendation is based on the compatibility of the proposed zoning district with the surrounding light manufacturing, apartment, and residential districts in the immediate area. It is also based on the consistency of the request with Plan El Paso, the City's adopted Comprehensive Plan.



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone Parcel 1 from R-5/sp (Residential/special permit) to C-3/sp (Commercial/Special Permit) in order to allow for a professional office and a small contractor’s yard, and to rezone Parcel 2 from R-5/sp (Residential/special permit) to A-O/sp (Apartment/Office/special permit) in order to allow for apartments. There is an existing vacant building on the subject property. The detailed site development plan shows the existing 10,506 sq. ft. building on Parcel 1 will be converted to a professional office and small contractor’s yard. The site plan shows a proposed twenty (20) unit apartment complex on Parcel 2. Access to the subject property is provided from Delta Drive. There is an existing Personal Wireless Service Facility (PWSF) on the property that will remain.

PREVIOUS CASE HISTORY: On August 6, 2020, the rezoning case was heard by City Plan Commission (CPC). Four residents attended the virtual hearing and expressed their opposition to the proposed rezoning request. The CPC deleted the item to allow the applicant to meet with the neighborhood and address their concerns. The applicant met with the neighborhood and City staff on August 19, 2020. Eleven neighbors were in attendance and were able to share their concerns with the property owner and City staff.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed districts are consistent with the surrounding light manufacturing, apartment, and residential districts in the immediate area, and meet the established character of the neighborhood surrounding the subject property. Furthermore, the proposed development meets the intent of the G-2, Traditional Neighborhood (Walkable) use designation of Plan El Paso in the Central planning area.

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: G-2 Traditional Neighborhood (Walkable) 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 developments meet the intent of the G-2 Traditional Neighborhood (Walkable) Future Land Use designation of <i>Plan El Paso</i>. The proposed development is adjacent to apartment and residential lots; therefore, has the potential to repurpose the lot for commercial and apartment uses and employment to that has been vacant since 2008.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site: C-3 (Commercial) District: The purpose of the 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. A-O (Apartment/Office): The purpose of these districts is to promote and preserve residential development within the city associated with a</p>	<p>Yes, the proposed professional office, small contractor yard, and apartment complex are consistent with apartment and manufacturing uses in the neighborhood. Apartment and light manufacturing uses are common and welcomed in this sector. The surrounding properties are zoned R-5 (Residential), A-2 (Apartment), and M-1 (Light Manufacturing). The surrounding area uses vary from single-family dwellings, apartment, church, large contractor’s yard, and the treatment plant.</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.	
Preferred Development Locations: 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.	The lot is a corner between Delta Drive and Barney Street, located along a minor arterial and local street respectively.
THE PROPOSED ZONING DISTRICT’S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
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.	N/A. The proposed development is not within any historic districts or study area plan boundaries.
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. The proposed development will match development immediately surrounding the subject property.
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.	The area is stable and the proposed development is compatible with the existing apartment and light manufacturing zoning and uses of the surrounding properties.
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. The established neighborhood is comprised of single-family, apartment, and treatment plant uses. There have been no recent rezoning requests for this area.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property borders Delta Drive and Barney Street, which are designated a minor arterial and local street respectively. Access is proposed from Delta Drive. It is adequate to serve the proposed development.

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

PUBLIC COMMENT: The subject property lies within the boundaries of the El Paso Central Business Association and Sunrise Civic Group, both of which were notified prior to submittal of the Rezoning Application. Public notices were mailed to property owners within 300 feet on September 18, 2020. As of September 30, 2020, the Planning Division received two petitions with 38 signatures and 5 letters in opposition to the rezoning request. The Planning Division also received two letters in support of the request. The submitted signed petition in opposition results in a 211 case, which will require the affirmative vote of at least three-fourths of all members of City Council to approve the rezoning.

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. Departments Comments
3. Neighborhood Notification Boundary Map
4. Petition with 14 signatures in opposition
5. Five letters in opposition
6. Petition with 24 signatures in opposition
7. Two letters in support
8. Detailed Site Plan
9. Special Permit SP-97-24

ATTACHMENT 1



PZR220-00013

ATTACHMENT 2

Planning & Inspections Department

1. Planning Division recommends approval of the rezoning request with the following conditions:
2. "That a ten foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen feet (15') on center along the property lines adjacent to residential or apartment zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy."
3. "That access to the subject property shall be limited to Delta Drive."
4. "That a ten foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen feet (15') on center along the property line abutting Barney Street."
5. "That a six foot (6') high combination masonry/wrought iron wall shall be installed along the property line abutting Barney Street."
6. "That there be a fifty foot (50') minimum setback from the eastern property line for any buildings in the A-O (Apartment/Office) portion of the subject property."
7. "That a Detailed Site Development Plan be reviewed and approved as per the El Paso City Code prior to issuance of building permits."

Building Permitting and Inspection – Plan Review

Recommend approval.

At the time of submittal for building permits, the project will need to comply with all applicable provisions of the IBC, Municipal Code, and TAS.

Land Development

1. Six foot rock-walls inside property are required from high side along property boundary line abutting residential zone lots.
2. Show proposed drainage flow patterns on the preliminary plat and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision limits.
3. As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also 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.
4. Verify proposed driveway apron radius from Delta Drive does not encroach onto the abutting property line.

*The comments will be addressed at the building permitting stage.

Fire

No adverse comments.

Sun Metro

No objections.

Street and Maintenance

No objections.

A Traffic Impact Analysis is not required.

TxDOT

Proposed development is not abutting TxDOT right of way. Therefore, TxDOT has no comment.

Environmental Services Department

No objections.

El Paso County Water Improvement District

The attached item is not within the boundaries of EPCWID.

El Paso Water

El Paso Water (EPWU) does not object to this request.

Water:

There is an existing 4-inch diameter water main that extends along Barney Avenue., fronting the subject property. This main is located along the centerline of the right-of-way. This water main dead ends approximately 143-feet west of Kyle Street This water main is available for service.

There is an existing 12-inch diameter water main that extends along Delta Drive located approximately 13.5-feet south of the property. This water main is available for service.

Previous water pressure from fire hydrant #1028 located at the northeast corner of the intersection of French Place and Delta Drive., has yielded a static pressure of 100 psi, a residual pressure of 92 psi, and a discharge of 1,342 gallons per minute. 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 Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

EPWU records indicate one (1) 1-1/2-inch active water service serving the subject property. The address of this service is 4625 Delta Drive.

Sanitary Sewer:

There is an existing 15-inch diameter sanitary sewer main that extends along Barney Street fronting the subject property. This main is located north of the right-of-way centerline. This sanitary sewer main is available for service.

There is an existing 8-inch diameter sanitary sewer main that extends along Delta Drive. This main is located approximately 73-feet south of the property. This main is available for service.

There is an existing 12-inch diameter force main that extends along Delta Drive located approximately 15-feet south of the property. No direct service connections are allowed to this main.

General:

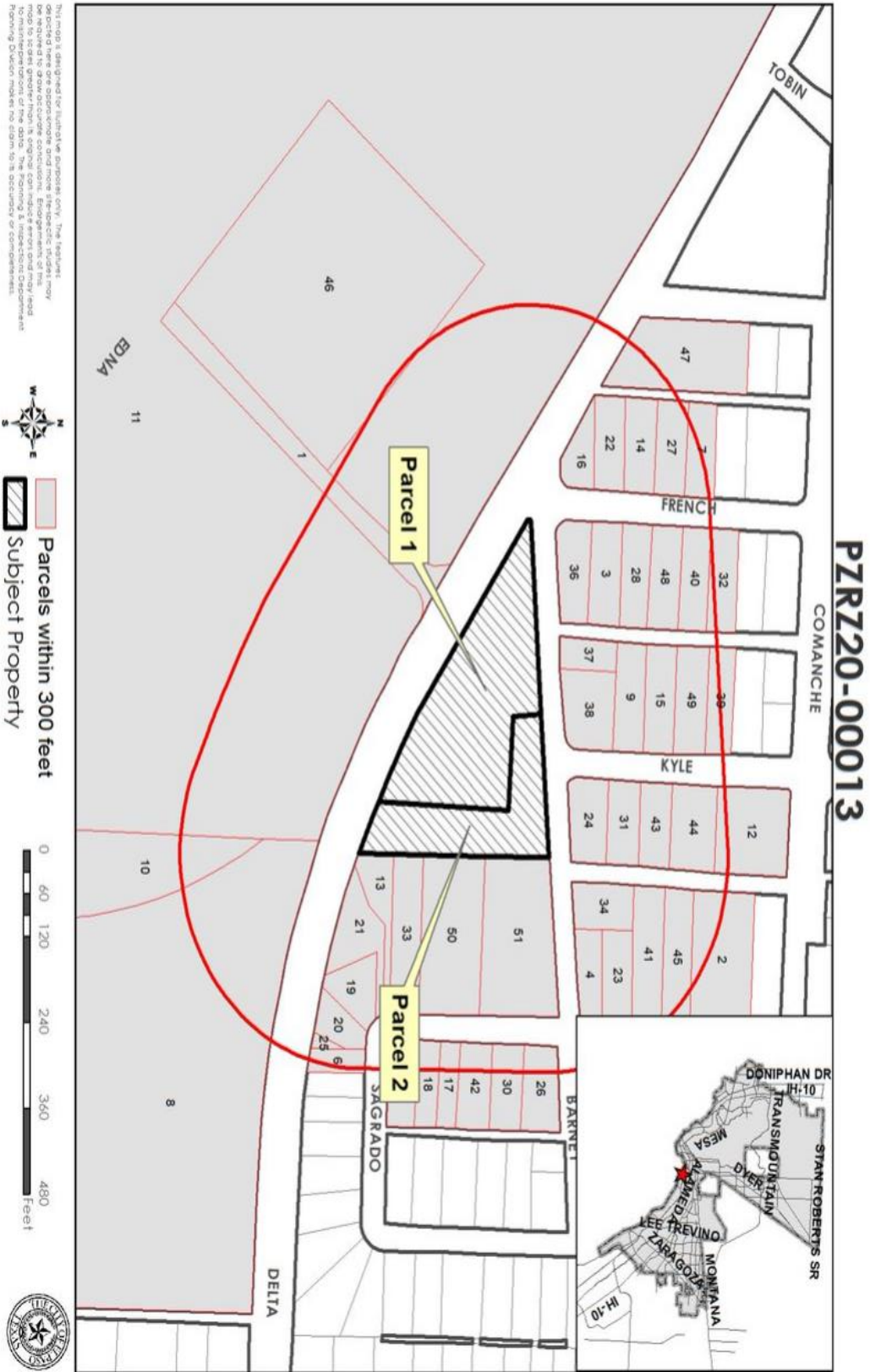
Depending on water demand and fire protection requirements, water service to parcel 2 (apartments) could only be provided from the main along Delta.

An 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 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

As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding and encourage the use of nonstructural storm water management such as the preservation of greenspace and other conservation areas, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, Subparagraph A-2 & A-5.

ATTACHMENT 3



This map is designed for illustrative purposes only. The features shown on this map are not intended to be used for any other purpose. The City of Mesa is not responsible for any errors or omissions on this map. The City of Mesa is not responsible for any damages or liabilities resulting from the use of this map. The City of Mesa is not responsible for any claims or damages resulting from the use of this map. The City of Mesa is not responsible for any claims or damages resulting from the use of this map.

ATTACHMENT 4

Area

Val Verde Residents Against Rezoning of 4625 Delta Drive
(Former location of Boys & Girls Club)

We the residents and property owners of the Val Verde Neighborhood oppose the proposed rezoning and subdivision of 4625 Delta Drive, from an R-5 (residential) to a C-3 (commercial) and to a A-O (Apartment/Office/Special Permit). The Val Verde Neighborhood consists of mostly single-family housing. The proposed project by the owner, Mr. Erik Tijerina, does not meet the character of the surrounding neighborhood. Changing the zoning makes our neighborhood vulnerable to future incompatible uses. As a resident of this area I oppose the proposed changes to 4625 Delta Drive, and support keeping the R-5 (residential) zoning.

Nosotros, los residentes y propietarios del vecindario de Val Verde, nos oponemos a la propuesta de rezonificación y subdivisión de 4625 Delta Drive, de un R-5 (residencial) a un C-3 (comercial) y a un A-O (Apartamento / Oficina / Permiso Especial). El Barrio de Val Verde se compone principalmente de viviendas unifamiliares. El proyecto propuesto por el propietario, el Sr. Erik Tijerina, no cumple con el carácter del vecindario. Cambiar la zonificación hace que nuestro vecindario sea vulnerable a futuros usos incompatibles. Como residente de esta área, me opongo a los cambios propuestos de 4625 Delta Drive y apoyo el mantenimiento de la zonificación R-5 (residencial).

Date	Full Name	Full Address	Zip Code	Signature
8-22-20	Brenda Mata	420 French Pl #1000	79905	<i>Brenda Mata</i>
8-22-20	Wendy Beltran	424 French	79905	
8-22-20	<i>Wendy Beltran</i>	4627 PARKWAY	79905	<i>Wendy Beltran</i>

Trick

Val Verde Residents Against Rezoning of 4625 Delta Drive
(Former location of Boys & Girls Club)

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Nosotros, los residentes y propietarios del vecindario de Val Verde, nos oponemos a la propuesta de rezonificación y subdivisión de 4625 Delta Drive, de un R-5 (residencial) a un C-3 (comercial) y a un A-O (Apartamento / Oficina / Permiso Especial). El Barrio de Val Verde se compone principalmente de viviendas unifamiliares. El proyecto propuesto por el propietario, el Sr. Erik Tijerina, no cumple con el carácter del vecindario. Cambiar la zonificación hace que nuestro vecindario sea vulnerable a futuros usos incompatibles. Como residente de esta área, me opongo a los cambios propuestos de 4625 Delta Drive y apoyo el mantenimiento de la zonificación R-5 (residencial).

Date	Full Name	Full Address	Zip Code	Signature
8/22/20	Peter Riesen	407 FRANCIS	79905	<i>Peter Riesen</i>
8/22/20	Sumany Riesen	407 FRANCIS	79905	<i>Sumany Riesen</i>
8/23/20	ANASTASIA ZAVALA	423 FRANCIS	79905	<i>Anastasia Zavala</i>
8-23-20	Hector Munoz	417 Francis	79905	<i>Hector Munoz</i>
8-24-20	LINDA ZAVALA	401 Francis St.	79905-4444	<i>Linda Zavala</i>
8/24/20	Janae Nuñez	4631 Barney	79905	<i>Janae Nuñez</i>
8/24/20	Jose E. Avila	415 FRANCIS ST.	79905	<i>Jose E. Avila</i>
8/24/20	Yulia Onate	412 N. John	79905	<i>Yulia Onate</i>
8/24/20	Yulia Onate	428 Franklin	79905	<i>Yulia Onate</i>

Val Verde Residents Against Rezoning of 4625 Delta Drive
 (Former location of Boys & Girls Club)

We the residents and property owners of the Val Verde Neighborhood oppose the proposed rezoning and subdivision of 4625 Delta Drive, from an R-5 (residential) to a C-3 (commercial) and to a A-O (Apartment/Office/Special Permit). The Val Verde Neighborhood consists of mostly single-family housing. The proposed project by the owner, Mr. Erik Tijerina, does not meet the character of the surrounding neighborhood. Changing the zoning makes our neighborhood vulnerable to future incompatible uses. As a resident of this area I oppose the proposed changes to 4625 Delta Drive, and support keeping the R-5 (residential) zoning.

Nosotros, los residentes y propietarios del vecindario de Val Verde, nos oponemos a la propuesta de rezonificación y subdivisión de 4625 Delta Drive, de un R-5 (residencial) a un C-3 (comercial) y a un A-O (Apartamento / Oficina / Permiso Especial). El Barrio de Val Verde se compone principalmente de viviendas unifamiliares. El proyecto propuesto por el propietario, el Sr. Erik Tijerina, no cumple con el carácter del vecindario. Cambiar la zonificación hace que nuestro vecindario sea vulnerable a futuros usos incompatibles. Como residente de esta área, me opongo a los cambios propuestos de 4625 Delta Drive y apoyo el mantenimiento de la zonificación R-5 (residencial).

Date	Full Name	Full Address	Zip Code	Signature
8/26/2020	ELVIA GONZALEZ	417 Kyle	79905	Elvia Gonzales
8/26/2020	MARIA V. RODRIGUEZ	416 Kyle	79905	MARIA RODRIGUEZ

ATTACHMENT 5

September 20, 2020

Dear Mr. Salloum,

My name is Cynthia Renteria, I own property on Francis Street a couple blocks away from the property located at 4625 Delta Drive, which the City Plan Commission (CPC) will consider for rezoning. I am writing to express my opposition to the proposed rezoning that will change the current R-5 (Residential) zoning to C-3 (Commercial) and A-O (Apartments/Office) zoning. I am also writing in support of the property owners within the 200 ft that submitted the legal protest, also in opposition of the rezoning.

This proposed change is out place with the established character of the neighborhood, which is predominantly single-family homes. There are no other private business of the type Mr. Tijerina proposes on the north side of Delta Drive. Furthermore, changing the zoning to C-3 and A-O will allow for future uses that may be more intensive and incompatible with the neighborhood.

This neighborhood is walking friendly the senior center, recreation center, public swimming pool, and park are all nearby. Changing the zoning will bring more traffic, noise, and disturbances to a residential area. When this proposal went before the CPC the first time and in previous conversations Mr. Tijerina, he has clearly stated a "small contractors yard," now he is stating "contractor equipment storage." This is misleading as there are already several construction materials sitting out on the property (See attachment on page 2). Regardless of what it is labeled this type of construction equipment and material will be a nuisance to the neighborhood, especially the people living directly across the street. In addition, the cell phone tower is an eyesore in the neighborhood and the contract should not be renewed.

I ask the CPC and City Council to oppose the rezoning of 4625 Delta Drive. This change will negatively impact the neighborhood for generations to come. I ask for the CPC and City Council to support the residents of this neighborhood, who are very concerned about the impact this will have on our quality of life.

Sincerely,



Cynthia Renteria

Construction Material outside of 4625 Delta Drive



September 23, 2020

Dear Mr. Salloum,

My name is Quirino Villa, I am a property owner and I live on Kyle Street. I live a couple of houses from the property located at 4625 Delta Dr., the property which the City Plan Commission will consider for rezoning. I would like to communicate to the City Plan Commission as to you Mr. Salloum that I am against the change to the present zoning. I am against the proposed rezoning that will change the current Residential R-5 zoning to Commercial C-3 and A-O Apartment/Office zoning. The reason for my opposition. The proposed change will alter the established character of the neighborhood which is predominantly Residential single-family homes. As of now there are no private business similar to what they want to establish at 4625 Delta.

I urge and I plea that the City Plan Commission and City Council oppose the rezoning of our Neighborhood, Residential R-5 to Commercial C-3 and A-O Apartment/ Office zoning. Our neighborhood is predominantly Residential and we the residence want to keep it Residential and not change it to Commercial.

Thank you

Quirino Villa



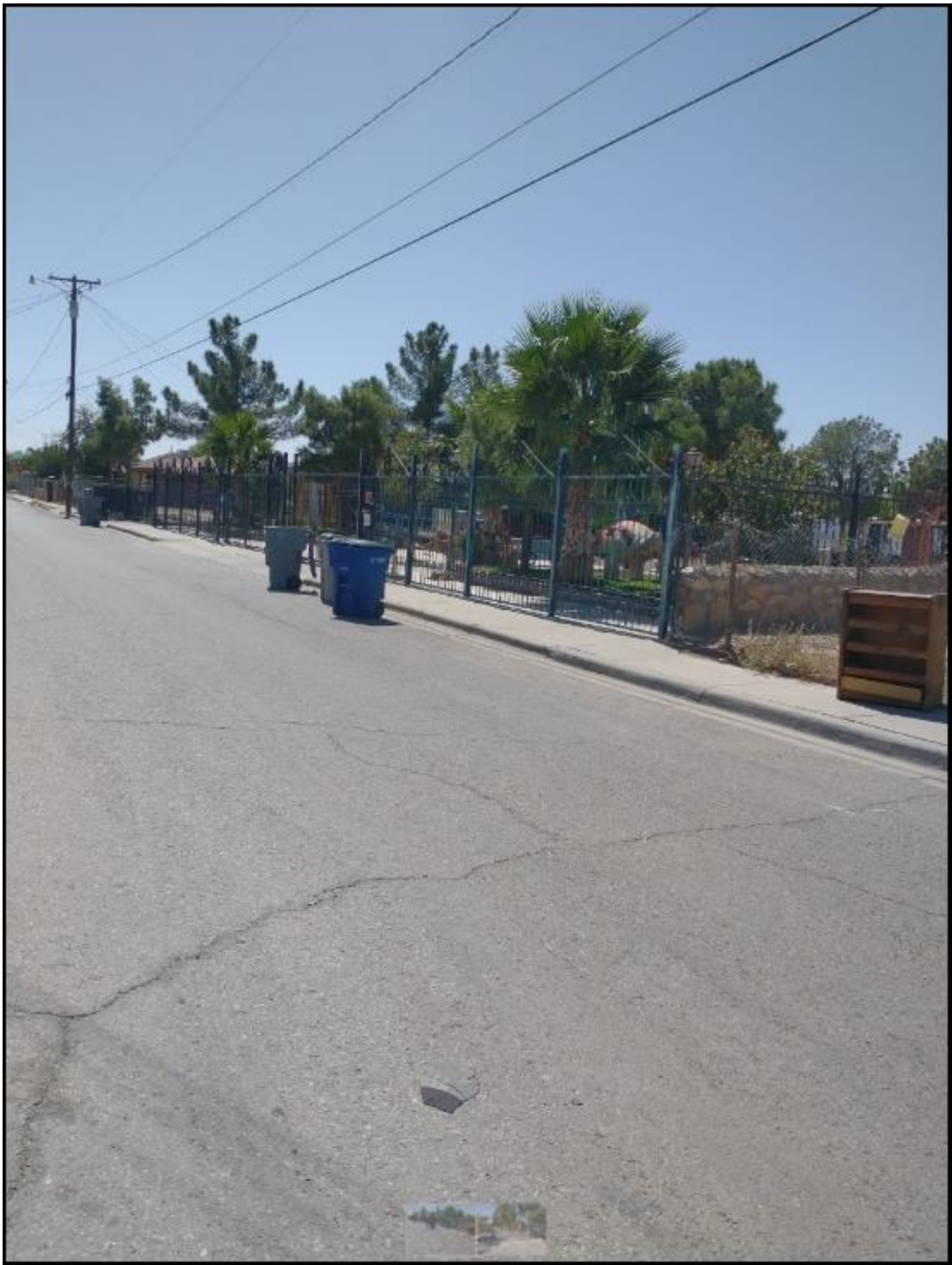


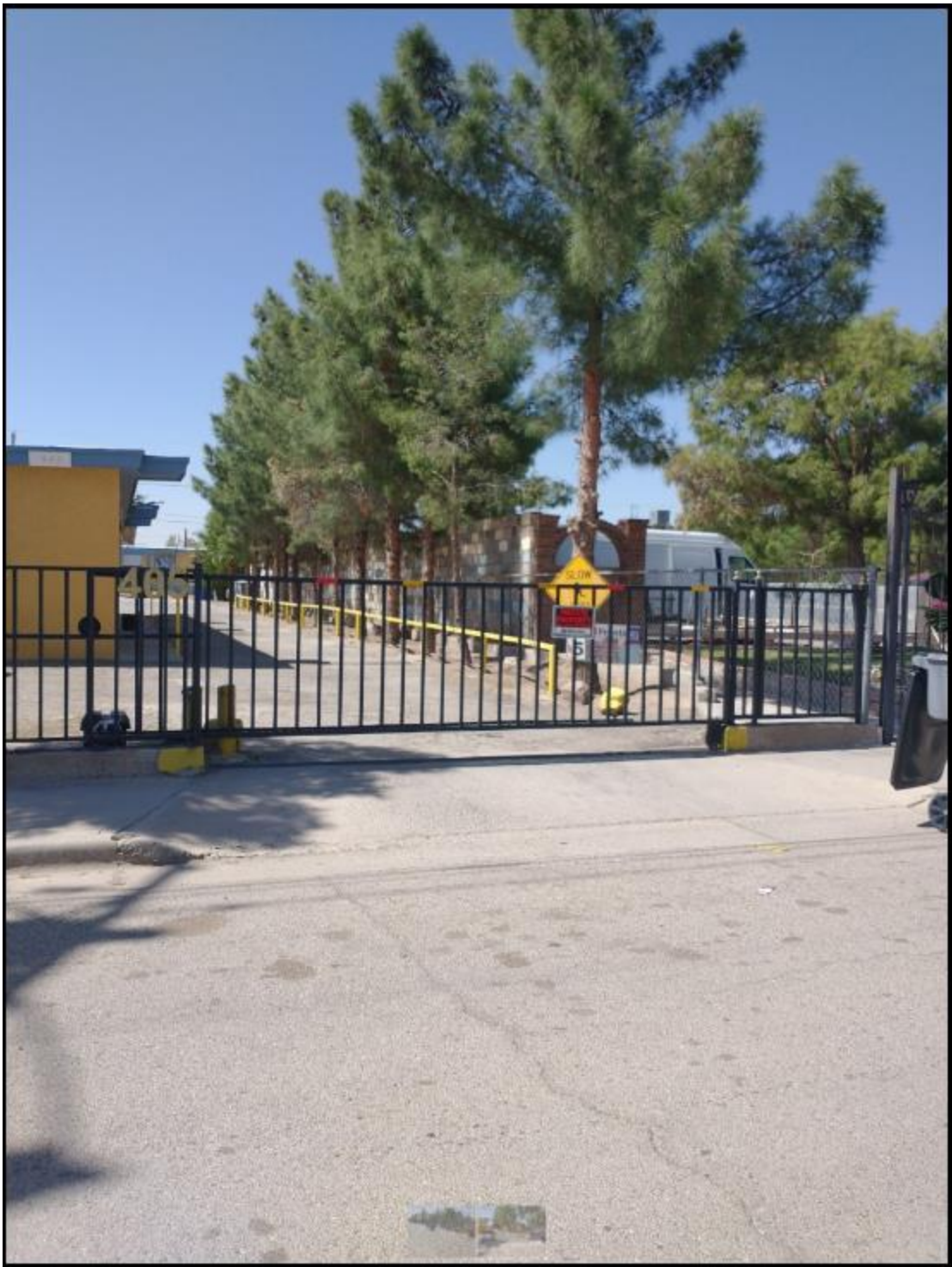


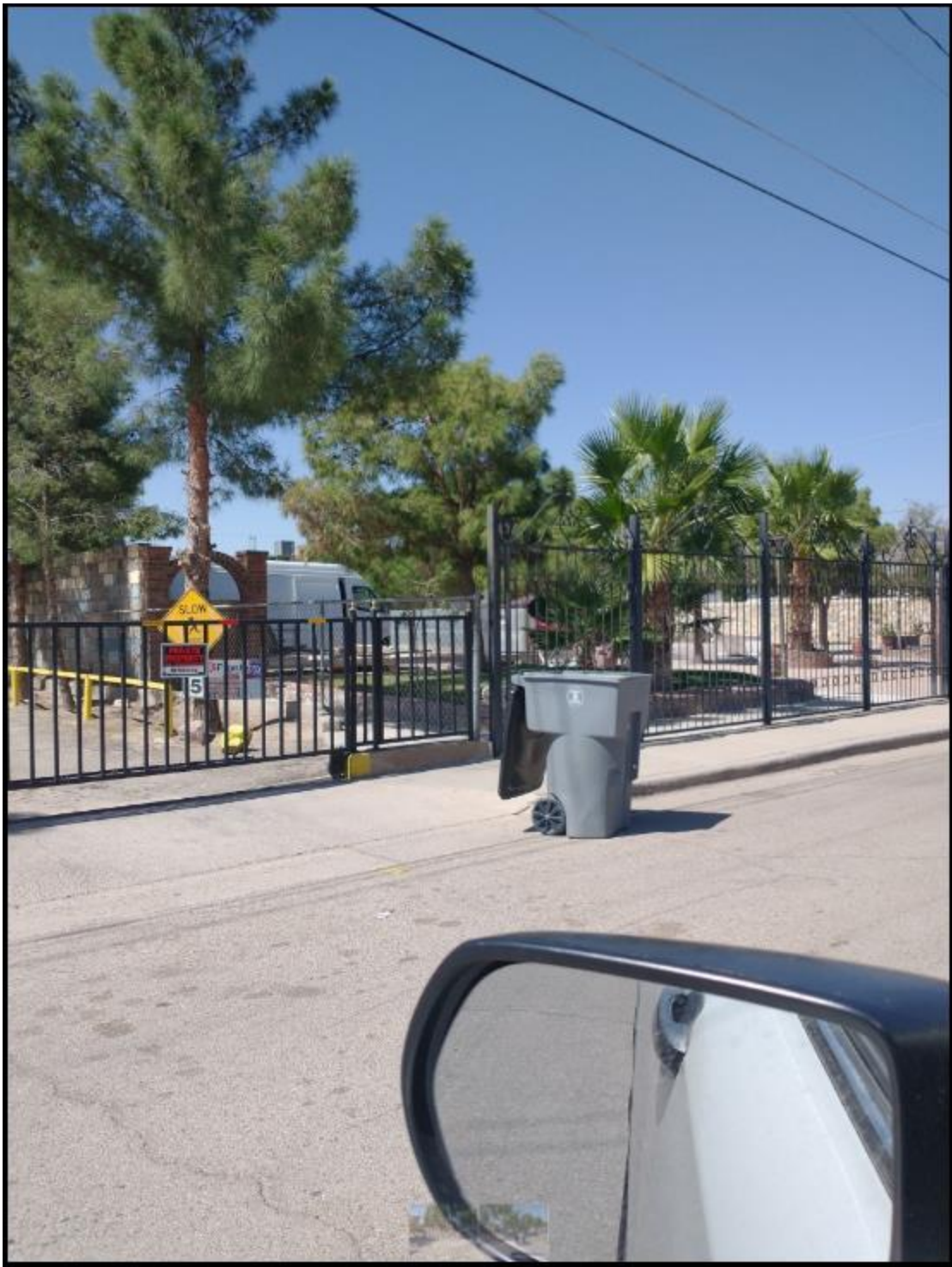












Salloum, Andrew M.

From: villadora72 <villadora72@gmail.com>
Sent: Thursday, September 24, 2020 8:49 AM
To: Salloum, Andrew M.
Cc: Linda Zavala; Miguel Juarez; villadora72@gmail.com

I Dora Villanueva am in opposition to rezoning 4625 Delta Drive. The Boys Club. I live AT 4707 Comanche.

Sent from my Metro By T-Mobile 4G LTE Android Device

Dated: September 25, 2020.

LINDA ZAVALA
401 FRANCIS ST.
EL PASO TEXAS 79905

CPC c/o PLANNING DIVISION
P.O. BOX 1890
EL PASO, TX 79950-1890
Email: salloumam@elpasotexas.gov
(915) 212-1603

PHILIP F. ETIWE, DIRECTOR
PLANNING INSPECTIONS DEPARTMENT
801 TEXAS AVE.
EL PASO, TX 79901
OFFICE: (915)212-0104



RE: CASE: PZRZ20-00013 – REZONING
LEGAL PROTEST TO REZONING

To whom it may concern:

We the undersigned by copy of this letter file this legal protest to the rezoning requested by The Upright Group LLC reference property legally described as: A PORTION OF F. NEVE SURVEY 8, CITY OF EL PASO, EL PASO COUNTY, TEXAS, "4625 DELTA", as set forth in the September 18, 2020 *City Plan Commission Public Notice "Public Notice"*.

We the undersigned are property owners, "Owners", of the area of the lots or land immediately adjoining area covered by the proposed re-plat and extending 200 feet from that area, but within the original subdivision.

We the affected Owners object to this proposed rezoning, as the proposal is an improper fit for this residential neighborhood. This neighborhood is a residential area with small 2-way lane streets.

The Owners object to the increased traffic, noise, pollution, and congestion which will result from this proposed rezoning. Information provided by Mr. Salloum represents that the existing boys club building on Parcel 1 will be converted to a professional office and a small contractor's yard storage facility. We object to a small contractor's yard storage facility which is sure to bring noise from use of equipment at all hours of the day and night, plus turning the area into what can only be described as a "junk yard." The use of the "office" can be repurposed and has been rumored to be converted to a mental institution/drug rehabilitation center, which is sure to increase the crime in our residential neighborhood.

The Owners object to the proposed 2 story 20-unit apartment complex on Parcel 2. The Owners object to the lack of transparency and the lack of information provided to the residents. We strenuously object to the 2 story 20 - unit apartment complex on Parcel 2. The 2 story 20-unit apartment complex on Parcel 2 will face the neighborhoods. This is a breach of privacy. If built, the apartment unit, will result in a light nuisance which will keep the residents from enjoying the dark skies and the sunsets. The proposed 2 story 20-unit apartment complex will also increase the amount of traffic, noise, congestion in the neighborhood not suited to handle such increase.

The overall proposal, threatens to bring in approximately 200-1000 persons into a small corner of this residential neighborhood. Structures such as the ones proposed are heretofore unseen in this small, cozy neighborhood.

There is the further threat of increased property taxes, due to the increased value of Parcel 1 and Parcel 2. Many of the residents are on fixed incomes and cannot handle a large increase in property taxes. Thus resulting in possible foreclosure of said properties.

There is the further threat to the owners of imminent domain, as the greater plan remains unknown to the Owners, and the neighborhood. It is rumored this area will be transformed into the Medical Center of the Americas.

The City planning division is surely aware of the recent placement of a large homeless population at the 2 Delta Centers which has rapidly resulted in an uptick in a crime in the area.

The Owners submit to the Planning Division, that this is the beginning of a systemic re-gentrification of this neighborhood, and such actions are considered racist and anti-Hispanic against the economically challenged residents of this community.

The undersigned protests this change to the neighborhood, and contest the recommendation of Staff to green light this project while the Owners remain uninformed, and possibly displaced from their residences. The Owners are 2nd generation Americans and residents of this neighborhood and deserve better.

The Owners object to the rezoning as reducing the quality of life of the residents, and such action will bring a nuisance to the residential neighborhood, and disrupt the right of the Owners to their peaceful enjoyment of their premises.

We assert that the proposal fails to conform with the Texas Local Government Code Section 212.015(c) and City of El Paso Municipal Code Section 19.07.030 (special plat requirements).

Respectfully submitted,

Linda Zavala: 

Dated: September 25, 2020.

ANASTACIO ZAVALA
423 FRANCIS ST.
EL PASO TEXAS 79905

CPC c/o PLANNING DIVISION
P.O. BOX 1890
EL PASO, TX 79950-1890
Email: salloumam@elpasotexas.gov
(915) 212-1603

PHILIP F. ETIWE, DIRECTOR
PLANNING INSPECTIONS DEPARTMENT
801 TEXAS AVE.
EL PASO, TX 79901
OFFICE: (915)212-0104



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The Owners submit to the Planning Division, that this is the beginning of a systemic re-gentrification of this neighborhood, and such actions are considered racist and anti-Hispanic against the economically challenged residents of this community.

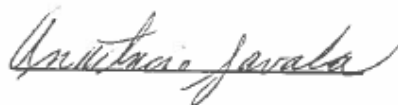
The undersigned protests this change to the neighborhood, and contest the recommendation of Staff to green light this project while the Owners remain uninformed, and possibly displaced from their residences. The Owners are 2nd generation Americans and residents of this neighborhood and deserve better.

The Owners object to the rezoning as reducing the quality of life of the residents, and such action will bring a nuisance to the residential neighborhood, and disrupt the right of the Owners to their peaceful enjoyment of their premises.

We assert that the proposal fails to conform with the Texas Local Government Code Section 212.015(c) and City of El Paso Municipal Code Section 19.07.030 (special plat requirements).

Respectfully submitted,

Anastacio Zavala:



ATTACHMENT 6

September 30, 2020

Andrew Salloum, Senior Planner
El Paso Planning Department
801 Texas Ave.
El Paso, TX 79901

SalloumAM@elpasotexas.gov

Case #: SUSU20-00041, Rezoning Application #: PZRZ20-00013

Dear Mr. Salloum,

We, the undersigned residents of the Val Verde Neighborhood do not approve the rezoning of the El Paso Boys Club property on Delta Street from an R5 (Residential) to an A/O (Apartments and Office designation). The property is bordered by Barney, French and Delta Streets. The Planning Department Case # is: SUSU20-00041 and the Rezoning Application # is: PZRZ20-00013.

We believe that the proposed zoning will change the character of our neighborhood, as well as create more traffic congestion. Please confirm that you received this letter.

Print Name Signature
Resident Name: José E. Avila [Signature]
Address: 415 Francis St.

Resident Name: Jolka Onate
Address: 420 French

Resident Name: Jolka Onate
Address: 401 1/2 4th Dolan

Resident Name: ENRIQUE J. SANCHEZ
Enrique J. Sanchez
Address: 5015 COMANCHE AVE

September 30, 2020

Andrew Salloum, Senior Planner
El Paso Planning Department
801 Texas Ave.
El Paso, TX 79901

SalloumAM@elpasotexas.gov

Case #: SUSU20-00041, Rezoning Application #: PZRZ20-00013

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We believe that the proposed zoning will change the character of our neighborhood, as well as create more traffic congestion. Please confirm that you received this letter.

Print Name	Signature
Resident Name: <u>Manuel Esparza</u>	<u>Manuel Esparza</u>
Address: <u>4716 Sagrado Ln B.</u>	
Resident Name: <u>Hector Munoz</u>	<u>Hector Munoz</u>
Address: <u>417 Francis St</u>	
Resident Name: <u>Ernesto Munoz</u>	<u>Ernesto Munoz</u>
Address: <u>417 FRANCIS ST.</u>	
Resident Name: <u>Maria Muñoz</u>	
Address: <u>411 Francis St. El Paso, Texas 79905</u>	

September 30, 2020

Andrew Salloum, Senior Planner
El Paso Planning Department
801 Texas Ave.
El Paso, TX 79901

SalloumAM@elpasotexas.gov

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We believe that the proposed zoning will change the character of our neighborhood, as well as create more traffic congestion. Please confirm that you received this letter.

Print Name

Signature

Resident Name: Madel Rosario Gomez MacLaren Mejia
Address: 4700 Comanche St B.

Resident Name: Annette Baeza Annette Baeza
Address: 416 Francis Street

Resident Name: Jonas Nunez
Address: 4631 Barney st. El Paso tx.

Resident Name: Rosawendy nunez
Address: 4631 Barney st. El paso tx

September 30, 2020

Andrew Salloum, Senior Planner
El Paso Planning Department
801 Texas Ave.
El Paso, TX 79901

SalloumAM@elpasotexas.gov

Case #: SUSU20-00041, Rezoning Application #: PZRZ20-00013

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We believe that the proposed zoning will change the character of our neighborhood, as well as create more traffic congestion. Please confirm that you received this letter.

	Print Name	Signature
Resident Name:	<u>4631 Barney St 79908</u>	<u>Kelka D. WUVEZ</u>
Address:	<u>4631 Barney St 79908</u>	<u>Jones WUVEZ</u>

September 30, 2020

Andrew Salloum, Senior Planner
El Paso Planning Department
801 Texas Ave.
El Paso, TX 79901

SalloumAM@elpasotexas.gov

Case #: SUSU20-00041, Rezoning Application #: PZRZ20-00013

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We believe that the proposed zoning will change the character of our neighborhood, as well as create more traffic congestion. Please confirm that you received this letter.

	Print Name	Signature
Resident Name:	<u>ANASTACIO ZAVALA</u>	<u>Anastacio Zavala</u>
Address:	<u>473 Francis St 79905</u>	

September 30, 2020

Andrew Salloum, Senior Planner
El Paso Planning Department
801 Texas Ave.
El Paso, TX 79901


SalloumAM@elpasotexas.gov


Case #: SUSU20-00041, Rezoning Application #: PZRZ20-00013

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We believe that the proposed zoning will change the character of our neighborhood, as well as create more traffic congestion. Please confirm that you received this letter.

	Print Name	Signature
Resident Name:	<u>Ma Olivia D. de Guadian</u>	
Address:	<u>428 Francis St. 79905</u>	

Resident Name:	<u>Rochello Morales</u> 	
Address:	<u>426 Kyle</u>	

Resident Name:	<u>OSVALDO RODRIGUEZ</u>	
Address:	<u>416 Kyle (79905)</u>	

Resident Name:	<u>Maria Rodriguez Maria U Rodriguez</u>	
Address:	<u>416 Kyle (79905)</u>	

Yolanda Perez Francisco Reyes
420 Kyle st 79905

September 30, 2020

Andrew Salloum, Senior Planner
El Paso Planning Department
801 Texas Ave.
El Paso, TX 79901

SalloumAM@elpasotexas.gov

Case #: SUSU20-00041, Rezoning Application #: PZRZ20-00013

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We believe that the proposed zoning will change the character of our neighborhood, as well as create more traffic congestion. Please confirm that you received this letter.

Print Name

Signature

Resident Name: M. Ke. Dominguez Mike Dominguez
Address: 357 Val Verde

Resident Name: Jose L. M. Gonzalez
Address: 411 De La N

Resident Name: Jose L. M. Gonzalez
Address: 411 Dolan

Resident Name: Diana E. Cuevas
Address: 1700 Sagrado Ln El Paso TX 79905

ATTACHMENT 7

Advocating for Your Business Success.



September 29, 2020

Mr. Andrew Salloum
Senior Planner, City of El Paso
801 Texas Ave. El Paso, TX 79901

Dear Mr. Salloum,

The El Paso Hispanic Chamber of Commerce is reaching out to you on behalf of our member Mr. Erik Tijerina, owner of Volter Electric. Volter Electric is a reliable, professional electrical service provider that specializes in effective service solutions for industrial, commercial, institutional and medical facilities. Moreover, it is a small, minority-owned, and SBA 8a Certified company that employs many El Pasoans.

Almost one year ago, Mr. Tijerina decided to relocate his business from 14081 Pebble Hills Blvd. to 4625 Delta Dr. The city permitted the purchase and conversion of this building—formerly the Boys & Girls Club—into an office space.

Unfortunately, Mr. Tijerina has received a tremendous amount of backlash from residents in the area and the neighborhood association. These protesters oppose Volter Electric's relocation on the following grounds:

- They state that a large antenna on the property could give them cancer—this antenna has been there for years; it is not Mr. Tijerina's.
- They claim that the roads to the building are too narrow for commercial vehicles. In response, Mr. Tijerina will be closing that street entrance, and pushing all traffic to the Delta Street entrance.
- The neighbors fear too much noise and debris from the yard or the vehicles. In response, Volter Electric operates from 8 a.m. to 5 p.m. There is no additional noise or debris, as these are electrical contractors, that work out in the field, they are not doing any construction at their business location.

These objections have ultimately stalled Mr. Tijerina's relocation process and business operations.

The El Paso Hispanic Chamber of Commerce unequivocally supports the relocation of Volter Electric to 4625 Delta Dr., based on its merits and benefits to the El Paso community:

- The building is located in a federal HUBZone. The HUBZone program fuels small business growth in historically underutilized business zones with a goal of awarding at least three percent of federal contract dollars to HUBZone-certified companies each year; a business located in a HUBZone must have at least thirty-five percent of their employees live in the HUBZone.

2401 E. Missouri - El Paso, TX 79903 - P: 915-566-4066 - F: 915-566-9714
Member of USHCC, TAMACC, ACCE & NFIB

www.ephcc.org



- By hiring one-third of its employees from a designated Federal HUBZone, Volter Electric will stimulate and sustain economic growth in the community.
- Moreover, Volter Electric's relocation will generate property-tax revenue for the City of El Paso. The Boys & Girls Club was a not-for-profit organization and thus did not pay property taxes.

In the spirit of revitalizing our small business community, we hope that the City evaluates these facts thoroughly and allows Mr. Tijerina to complete his transition and resume his business. We appreciate your leadership and guidance to the El Paso community. If you have any questions please do not hesitate to contact our Advocacy Specialist, Daniel Barnes at 915.566.4066 or via e-mail at dbarnes@ephcc.org.

Sincerely,

EL PASO HISPANIC CHAMBER OF COMMERCE

A handwritten signature in black ink that reads 'Cindy Ramos-Davidson'.

Cindy Ramos-Davidson
Chief Executive Officer

2401 E. Missouri - El Paso, TX 79903 - P: 915-566-4066 - F: 915-566-9714
Member of USHCC, TAMACC, ACCE & NFIB

www.ephcc.org

September 30, 2020

To whom it may concern,

I am reaching out on behalf of Mr. Erik Tijerina, owner of Volter Electric Construction Corp. Mr. Tijerina has been a client of the El Paso Community College's Contract Opportunities Center (PTAC) since December 12, 2012. Volter Electrical Construction Corp is a reliable, General Contracting firm specializing in electrical contracting services for commercial, industrial and institutional facilities. Volter Electrical Construction Corp is a small, minority, SBA (8)a and Texas State HUB certified owned company.

Volter Electrical Construction Corp has been quite successful in acquiring contracts/awards with Federal Agencies and Prime Contractors.

Mr. Tijerina decided to relocate his business from 14081 Pebble Hills Blvd. to 4625 Delta Dr. The city permitted the purchase and conversion of this building—formerly the Boys & Girls Club—into an office space.

Mr. Tijerina has received a tremendous amount of backlash from residents in the area and the neighborhood association that oppose Volter Electrical Construction Corp's relocation.

The backlash from residents in the area and the neighborhood association have ultimately stalled Mr. Tijerina's relocation process and business operations.

I wholeheartedly support the relocation of Volter Electrical Construction Corp to 4625 Delta Dr.

I sincerely hope that the City evaluates this issue thoroughly and allows Mr. Tijerina to complete his transition and resume his business. We appreciate your leadership and guidance to the El Paso community. If you have any questions please don't hesitate to contact me.

Sincerely,

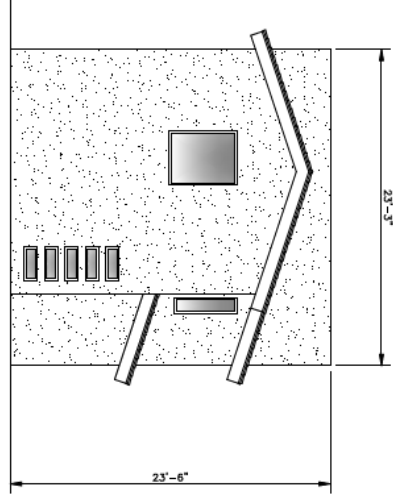


Pablo Armendariz
Director
Contract Opportunities Center (PTAC)
9050 Viscount Bldg. B, Room B545
El Paso, TX 79925
Tel: 915-831-7747
parmend1@epcc.edu

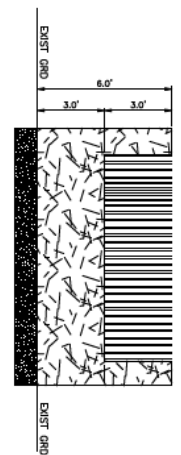
DATA	
UNIT A - 2 BEDROOM	11,500.00 SF
10 UNIT - 202.00 SF/UNIT	11,500.00 SF
TOTAL LIVING AREA	11,500.00 SF
TOTAL BUILDING AREA	11,502.00 SF = 48,47% 31,726.24 SF.
TOTAL LAND AREA	31,726.24 SF.

LANDSCAPE CALCULATIONS			
REQUIRED	PROVIDED	REQUIRED	PROVIDED
TOTAL AREA = 31,726.00 SQ. FT.	3.0 UNITS	TOTAL AREA = 31,726.00 SQ. FT.	3.0 UNITS
3.0 UNITS PER 10,575.33 SQ. FT.	3.0 UNITS (1 PER UNIT)	3.0 UNITS PER 10,575.33 SQ. FT.	3.0 UNITS (1 PER UNIT)
250.00 SQ. FT. X 128 = 32,000.00 SQ. FT. LANDSCAPE REQUIRED	32 STRIPS (48 PER UNIT)	250.00 SQ. FT. X 128 = 32,000.00 SQ. FT. LANDSCAPE REQUIRED	32 STRIPS (48 PER UNIT)
3,031.00 / 1,000.00 = 3.03 (4.0 UNITS)	3 STRIPS	3,031.00 / 1,000.00 = 3.03 (4.0 UNITS)	3 STRIPS
REMOVE LANDSCAPE STRIPS THREE (3) PER UNIT	3 STRIPS THREE	REMOVE LANDSCAPE STRIPS THREE (3) PER UNIT	3 STRIPS THREE
REMOVE AND (1) TREE PER 50 L ² OF PAVEMENT	3 STRIPS THREE	REMOVE AND (1) TREE PER 50 L ² OF PAVEMENT	3 STRIPS THREE
DELTA DRIVE (8,120' / 26' = 3 TREES	4 TREES	DELTA DRIVE (8,120' / 26' = 3 TREES	4 TREES
REMOVE LOT TREES (1) STRIP PER 10 STRIPS	4 TREES	REMOVE LOT TREES (1) STRIP PER 10 STRIPS	4 TREES
40' / 10 = 4 TREES		40' / 10 = 4 TREES	

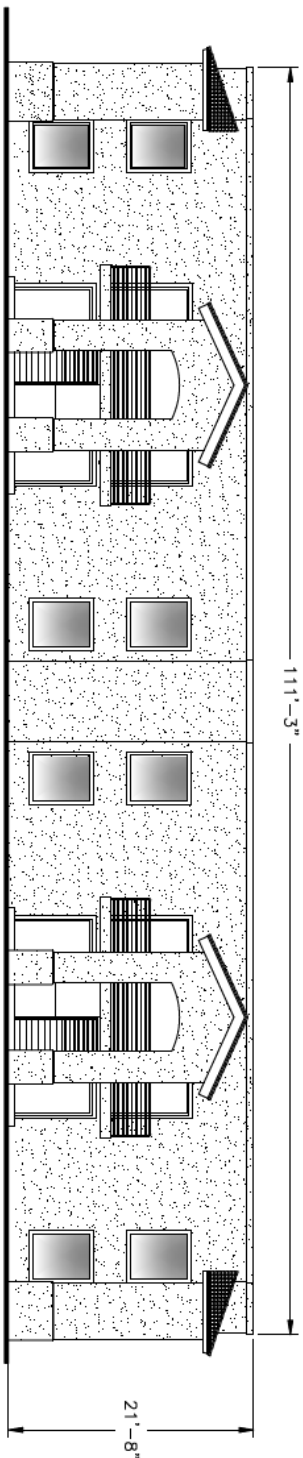
LANDSCAPE CALCULATIONS			
REQUIRED	PROVIDED	REQUIRED	PROVIDED
TOTAL AREA = 31,726.00 SQ. FT.	3.0 UNITS	TOTAL AREA = 31,726.00 SQ. FT.	3.0 UNITS
3.0 UNITS PER 10,575.33 SQ. FT.	3.0 UNITS (1 PER UNIT)	3.0 UNITS PER 10,575.33 SQ. FT.	3.0 UNITS (1 PER UNIT)
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REMOVE AND (1) TREE PER 50 L ² OF PAVEMENT	3 STRIPS THREE	REMOVE AND (1) TREE PER 50 L ² OF PAVEMENT	3 STRIPS THREE
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REMOVE LOT TREES (1) STRIP PER 10 STRIPS	4 TREES	REMOVE LOT TREES (1) STRIP PER 10 STRIPS	4 TREES
40' / 10 = 4 TREES		40' / 10 = 4 TREES	



EXTERIOR ELEVATION PLAN TWO BEDROOM
SIDE ELEVATION
SCALE 1/4"=1'-0"



PROPOSED ROCKWALL/IRON FENCE
BARNEY DRIVE



EXTERIOR ELEVATION PLAN TWO BED ROOM APARTMENTS
SCALE 1/4"=1'-0"

04/06/2020
04/06/2020

SHEET TITLE
SITE PLAN
SHEET
2 OF 2

PROJECT NAME
4625 DELTA DRIVE
PROPOSED BUSINESS PARK

DORADO
ENGINEERING, INC.
ENGINEERS SURVEYORS PLANNERS
2717 E VANGELI BL. P.O. BOX 79803 DALLAS, TEXAS 75268-0003

ENGINEERS SEAL	REFERENCES	SCALE:
DORADO ENGINEERING, INC.	- - BENCHMARKS	
TEXAS REGISTERED		
ENGINEERING FIRM	DATE	REVISIONS
F-464		

ATTACHMENT 9

ORDINANCE NO. 013504

ORDINANCE GRANTING SPECIAL PERMIT NO. SP 97-24, TO ALLOW FOR A CELLULAR TELECOMMUNICATIONS ANTENNA (65' MONOPOLE) ON A PORTION OF F. NEVE SURVEY #8 (4652 BARNEY STREET) PURSUANT TO SECTION 20.14.040.U (ZONING) OF THE EL PASO MUNICIPAL CODE.

WHEREAS, **Cellular One** has applied for a Special Permit under Section 20.14.040.U of the El Paso Municipal Code, to allow for a cellular telecommunications antenna (65' monopole), and;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

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

1. That the property described as follows is in an R-5 (Residential) District:

A portion of F. NEVE SURVEY #8, City and County of El Paso, Texas, as more particularly described in the attached and incorporated Exhibit "A", and municipally known and numbered as 4652 Barney Street; and

2. That a cellular telecommunications antenna (65' monopole) is authorized by Special Permit in R-5 (Residential) districts under Section 20.14.040.U of the El Paso Municipal Code; and

3. That the requirements for a cellular telecommunications antenna (65' monopole) under Section 20.14.040.U have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.14.040.U of the El Paso Municipal Code, to allow a cellular telecommunications antenna (65' monopole) on the above-described property; and

NANCE:pmc#52859ZON/PLA/Y7

1

11/14/97

ORDINANCE 013504

179

5. That this Special Permit is issued subject to the development standards in the R-5 (Residential) district regulations and subject to the approved Site Development Plan, signed by the Applicant, the Mayor and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and

6. That the Applicant shall sign an Agreement incorporating the requirements of this Ordinance. 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; and

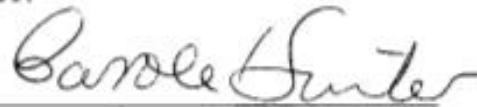
7. That if the Applicant fails to comply with any of the requirements of this Ordinance, **Special Permit No. SP 97-24** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this 24th day of February, 1998.

THE CITY OF EL PASO


Mayor


ATTEST:


City Clerk

APPROVED AS TO FORM:


John F. Nance
Assistant City Attorney

APPROVED AS TO CONTENT:


Scott Stanfield
Dept. of Planning, Research & Development

NANCE:pme/52859/ZON/PLA/Y7

ORDINANCE 013504

2

11/14/97

176

AGREEMENT

CELLULAR ONE, the Applicant referred to in the above Ordinance, hereby agrees to develop the above-described property in accordance with the approved Site Development Plan and in accordance with the standards identified in the R-5 (Residential) District regulations, and subject to all other requirements set forth in this Ordinance.

EXECUTED this 2nd day of December, 1997

CELLULAR ONE

By: [Signature]
Title: SITE ACQ MGR.

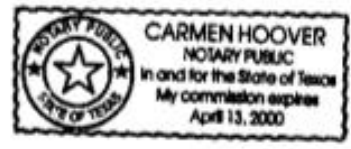
ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 2nd day of December, 1997 by Joe Villarreal as Site Acq Mgr on behalf of **CELLULAR ONE**, as Applicant.

My Commission Expires: [Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name: _____

Special Permit #SP 97-24



NANCE.pmc#452859/ZON/PLA/V 013504
ORDINANCE _____



ITEM

4625 Delta Drive Rezoning

PZRZ20-00013

Strategic Goal 3.

Promote the Visual Image of
El Paso



PZRZ20-00013



Aerial



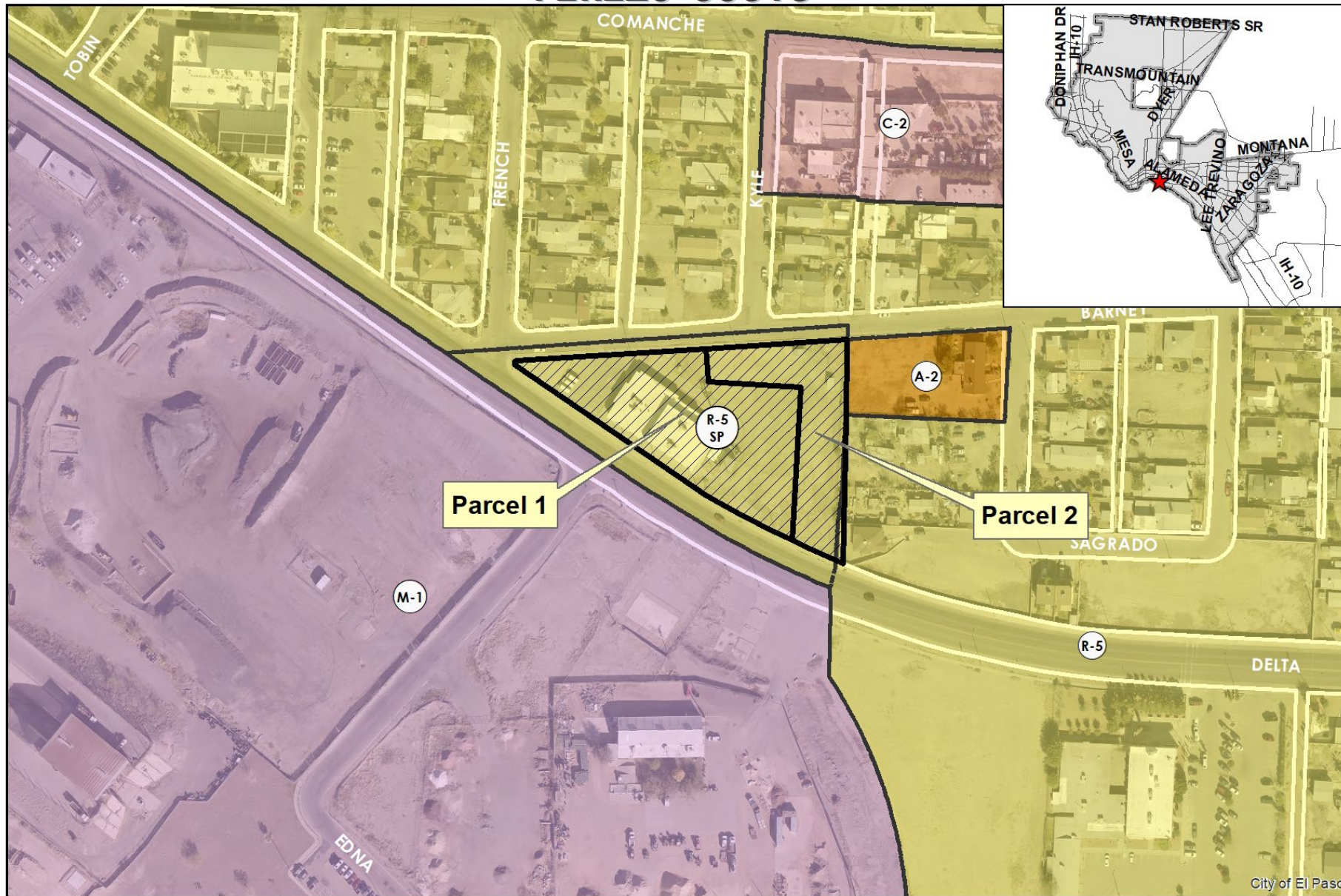
This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



PZRZ20-00013



Existing Zoning



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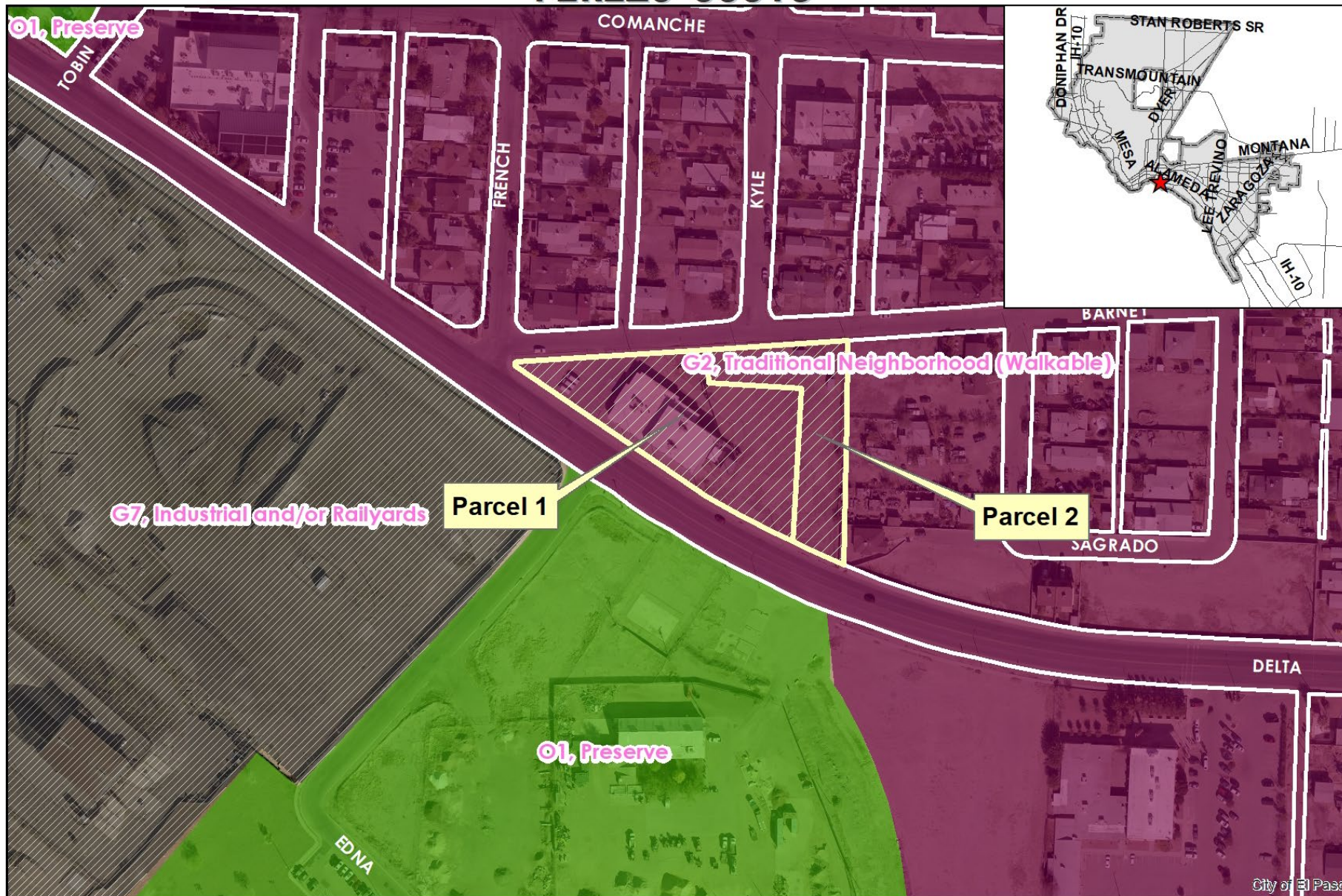
 Subject Property



PZRZ20-00013



Future Land Use



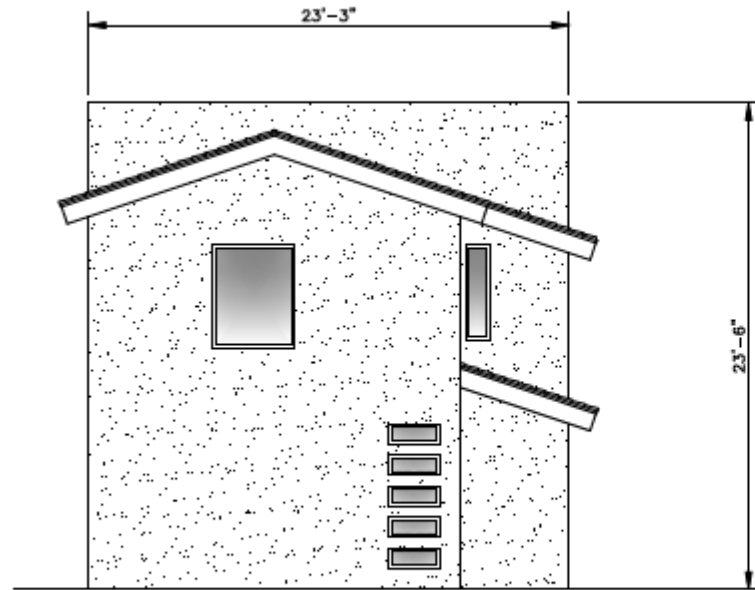
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 Subject Property

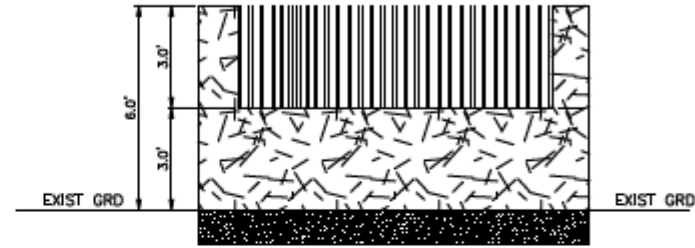


ELEVATIONS

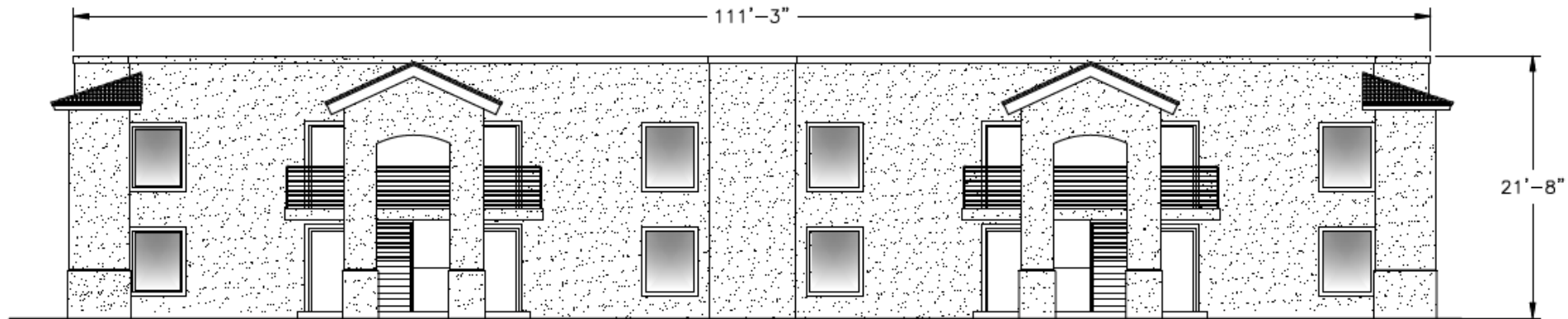


**EXTERIOR ELEVATION PLAN TWO BEDROOM
SIDE ELEVATION**

SCALE: 1/4"=1'-0"



**PROPOSED ROCKWALL/WROUGHT IRON FENCE
BARNEY DRIVE**



EXTERIOR ELEVATION PLAN TWO BED ROOM APARTMENTS

SCALE: 1/4"=1'-0"

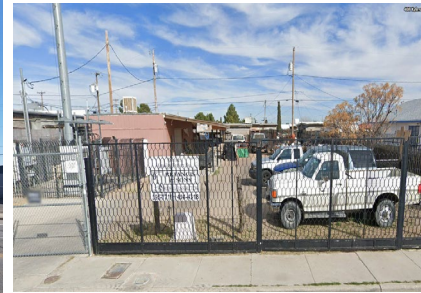
Subject Property Parcel 1



Subject Property Parcel 2



Surrounding Development



N



W



S

E



Public Input

- Notices were mailed to property owners within 300 feet on September 18, 2020.
- The Planning Division received two petitions with 38 signatures and 5 letters in opposition to the rezoning request.
- The Planning Division also received 2 letters in support of the rezoning request.



211 Map

PZRZ20-00013



as of 8/27/2020

This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



9.03 TOTAL ACRES

OPPOSED
2.94 ACRES
32.6%

0 40 80 160 240 320 Feet



Previous Case History

- On August 6, 2020, the rezoning case was heard by City Plan Commission (CPC). Four residents attended the virtual hearing and expressed their opposition to the proposed rezoning request. The CPC deleted the item to allow the applicant to meet with the neighborhood and address their concerns.
- On August 19, 2020, the applicant met with the neighborhood and City staff. Eleven neighbors were in attendance and were able to share their concerns with the property owner and City staff.



Recommendation

Staff recommend approval of the rezoning request with the following conditions:

1. *“That a ten foot (10’) landscaped buffer with high-profile native or naturalized trees of at least two-inch (2”) caliper and ten feet (10’) in height shall be placed at fifteen feet (15’) on center along the property lines adjacent to residential or apartment zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.”*
2. *“That access to the subject property shall be limited to Delta Drive.”*
3. *“That a ten foot (10’) landscaped buffer with high-profile native or naturalized trees of at least two-inch (2”) caliper and ten feet (10’) in height shall be placed at fifteen feet (15’) on center along the property line abutting Barney Street.”*
4. *“That a six foot (6’) high combination masonry/wrought iron wall shall be installed along the property line abutting Barney Street.”*
5. *“That there be a fifty foot (50’) minimum setback from the eastern property line for any buildings in the A-O (Apartment/Office) portion of the subject property.”*
6. *“That a Detailed Site Development Plan be reviewed and approved as per the El Paso City Code prior to issuance of building permits.”*



Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence, Accountability, People