



City of El Paso – City Plan Commission Staff Report

Case No: PZCR15-00003
Application Type: Zoning Condition Release
CPC Hearing Date: July 9, 2015
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: North of Country Club Road and East of Upper Valley Road
Legal Description: Being a Replat of All of Lots 1-5, Block 3, and All of Lots 1-17, Block 5, and All of Bir Court, and a portion of Duckett Road, and all of the PSB right-of-way, River Run Subdivision Unit Two, City of El Paso, El Paso County, Texas

Acreage: 9.36 acres
Rep District: 1
Zoning: R-2/spc (Residential/special protective conditions)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Conditions: Ordinance No. 9332, dated March 29, 1988 (Attachment 4)
Request: To release Condition No. 7 by Ordinance No. 9332
Proposed Use: Single-family dwellings

Property Owner: Welch and Associates, Inc.
Representative: SLI Engineering, Inc.

SURROUNDING ZONING AND LAND USE

North: R-2A/c (Residential/condition) / Single-family dwellings
South: R-2/spc (Residential/special protective conditions) / Single-family dwellings
East: R-2/spc (Residential/special protective conditions) / Single-family dwellings
West: R-2/spc (Residential/special protective conditions) / Single-family dwellings

PLAN EL PASO DESIGNATION: G-4, Suburban (Walkable) (Northwest Planning Area) (Northwest Upper Valley Plan)

NEAREST PARK: Valley Creek Park (2,851 feet)
NEAREST SCHOOL: Lincoln Middle (11,610 feet)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association
Coronado Neighborhood Association
Upper Valley Neighborhood Association
Save the Valley

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 14, 2015. The Planning Division received 3 emails opposition to the condition release request, (see Attachment 5) and one phone call in opposition citing the request is not in line with the existing homes in the area. The item was re-notified on June 25, 2015 due to an error on the ordinance referenced.

CASE HISTORY

On March 29, 1988, City Council approved the rezoning request for the subject property from R-3 (Residential) to R-2/spc (Residential/special protective condition) and imposed Condition No. 7 by Ordinance No. 9332 (see Attachment 4) as follows:

7. *L-Shaped Parcel, more particularly described as all of Lot 1, Block 1, and Lot 1, Block 2, River Run Unit One Subdivision, and all of Tracts 7A, 15A and 16, Block 7, Upper Valley Surveys, shall be changed from R-3 (Residential) to R-2 (Residential).
As a special protective condition which will minimize any potential adverse impact, and to ensure the appropriateness of this land use, all lots must be developed to a minimum lot size of 13,500 square feet.*

APPLICATION DESCRIPTION

The applicant is requesting to release Condition No. 7 imposed on the property by Ordinance No. 9332, dated March 29, 1988, (see Attachment 4) which requires lot size to be a minimum of 13,500 square feet in size. Given the size of the property, the existing condition currently limits the number of residential lots to 22 with a minimum lot size of 13,500 square feet in size. The condition release request that has been submitted by the applicant proposes the same number of lots as currently permitted today (22). However, due to site constraints, a total of 8 of those lots proposed are under the existing 13,500 minimum square feet in size set by the condition. The proposed development does not show an increase in overall density. The development proposes single-family dwelling lots ranging from 12,600 square feet to 17,861 square feet in size. The subject property is located within the Northwest Upper Valley Plan which calls for 2.5 units per acre of which the applicant complies. The minimum required lot size R-2 (Residential) zone district is 10,000 square feet per the El Paso City Code.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the condition release request, as the conditions are either current code requirements or no longer necessary and the development meets the 2.5 units per acre in the Northwest Upper Valley Plan.

Plan El Paso- Future Land Use Map Designation

All applications for a condition release review shall demonstrate compliance with the following criteria:

G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the R-2 (Residential) district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

COMMENTS:

Planning Division - Transportation

No objections to the conditions release.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Planning and Inspections Department – Building and Development Permitting

BP & I has reviewed and no objections to proposed conditions release.

Planning and Inspections Department - Land Development

No objections.

Fire Department

Recommended approval.

Police Department

Have no concerns or issues with this site or application to report.

Sun Metro

Sun Metro does not oppose this request. Rt. 16 provides services along Upper Valley Rd. A bus stop is approximately ½ mile west of subject site. Irrigation canal only has one nearby bridge by which patrons can access public transit on Upper Valley Rd.

El Paso Water Utilities

No comments received.

El Paso Water Utilities - Stormwater Division

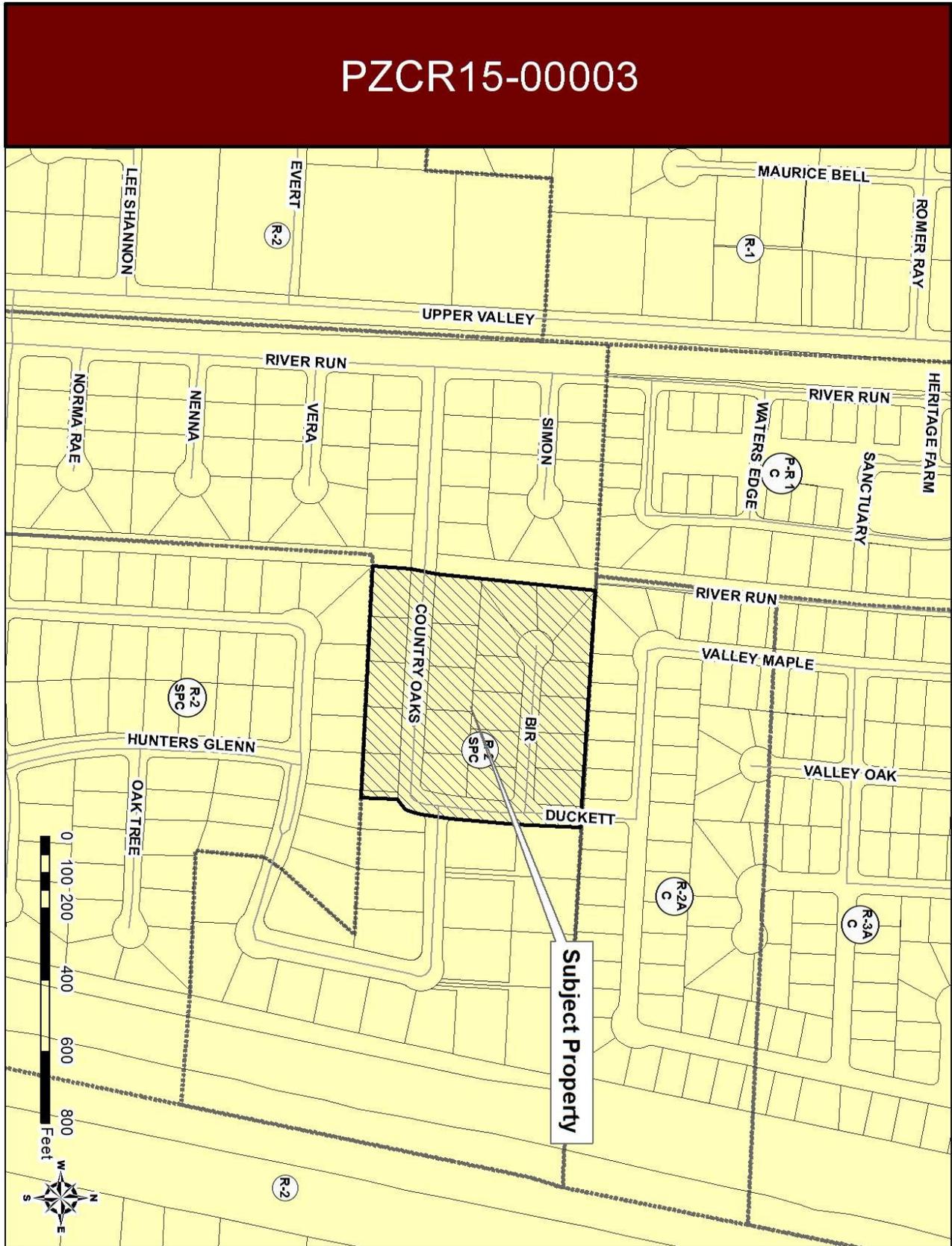
No comments received.

Attachments

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan
4. Ordinance No. 9332, dated March 29, 1988
5. Emails in opposition

ATTACHMENT 1: ZONING MAP

PZCR15-00003

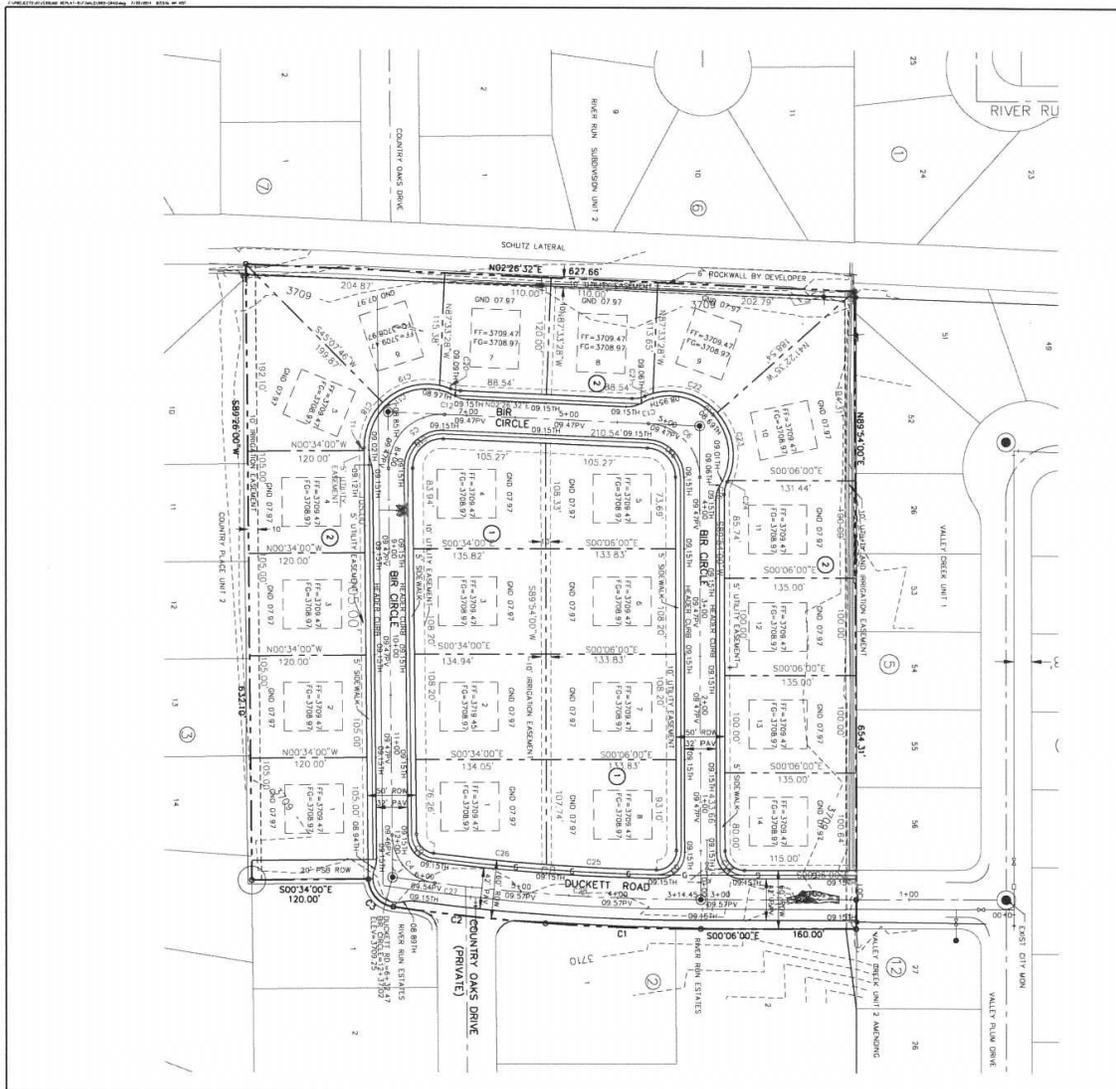


ATTACHMENT 2: AERIAL MAP

PZCR15-00003



ATTACHMENT 3: CONCEPTUAL SITE PLAN



GENERAL NOTES

- TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE STATE OF TEXAS, THIS SUBDIVISION IS BEING REPLATED AS SHOWN ON THIS INSTRUMENT IN ACCORDANCE WITH THE SUBDIVISION ACT, CHAPTER 206, TITLE 56, GOVERNMENT CODE, TEXAS.
- THIS SUBDIVISION IS WITHIN THE EL PASO INDEPENDENT SCHOOL DISTRICT.

LEGEND

- ① = BLOCK NUMBER
- ② = LOT NUMBER
- ③ = PROPOSED CITY MONUMENT
- ④ = EXISTING CITY MONUMENT

LOT	AREA (SQ. FT.)	AREA (SQ. METERS)
1	11,884.86	1,097.82
2	11,884.86	1,097.82
3	11,884.86	1,097.82
4	11,884.86	1,097.82
5	11,884.86	1,097.82
6	11,884.86	1,097.82
7	11,884.86	1,097.82
8	11,884.86	1,097.82
9	11,884.86	1,097.82
10	11,884.86	1,097.82
11	11,884.86	1,097.82
12	11,884.86	1,097.82
13	11,884.86	1,097.82
14	11,884.86	1,097.82
TOTAL	167,188.08	15,371.08

PROJECT NAME
RIVER RUN UNIT TWO REPLAT "A"

SCALE
AS INDICATED

BENCHMARK
11

NO.
1

DATE
MARCH 2015

REVISION DESCRIPTION

NO.	DATE	REVISION DESCRIPTION
1		

SLI ENGINEERING, INC.
CIVIL ENGINEERS
LAND SURVEYORS
PLANNERS
ARCHITECTS

CONTRACT INFORMATION

OWNER: RIVER RUN SUBDIVISION UNIT TWO
PROJECT: RIVER RUN UNIT TWO REPLAT "A"
DATE: MARCH 2015
LOCATION: EL PASO COUNTY, TEXAS
CONTAINING 0.36 ACRES

ATTACHMENT 4: ORDINANCE NO. 9332, DATED MARCH 29, 1988

009332

AN ORDINANCE CHANGING THE ZONING OF TRACTS 41C, 41C1, 42C, 42C1 AND 42C2, NELLIE D. MUNDY SURVEY NO. 241; TRACT 59A, NELLIE D. MUNDY SURVEY NO. 241; TRACT 1B, MANUEL GONZALEZ SURVEY NO. 186; TRACTS 1C AND 1D, BLOCK 10, UPPER VALLEY SURVEYS; TRACT 7B13, BLOCK 9, UPPER VALLEY SURVEYS; TRACTS 6D AND 6F, BLOCK 9, UPPER VALLEY SURVEYS; ALL OF LOT 1, BLOCK 1, AND LOT 1, BLOCK 2, RIVER RUN UNIT ONE; AND ALL OF TRACTS 7A, 15A AND 16, BLOCK 7, UPPER VALLEY SURVEYS.
THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of the following parcels be changed within the meaning of the Zoning Ordinance of the City of El Paso and that the Zoning Map of the City of El Paso be revised accordingly:

1. Parcel No. 1, more particularly described as all of Tracts 41C, 41C1, 42C, 42C1, and 42C2, Nellie D. Mundy Survey No. 241, shall be changed from R-3 (Residential) to C-4 (Commercial).
2. Parcel No. 2, more particularly described as all of Tract 59A, Nellie D. Mundy Survey No. 241, shall be changed from R-3 (Residential) to C-4 (Commercial).

As a special protective condition which will minimize any potential adverse impact, and to ensure the appropriateness of this land use, the property owners shall be required to dedicate ten feet (10') of additional right-of-way for the widening of Artcraft Road.

3. Parcel No. 3, more particularly described as all of Tract 1B, Manuel Gonzalez Survey No. 186, shall be changed from R-3 (Residential) to C-4 (Commercial).

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As a special protective condition which will minimize any potential adverse impact, and to ensure the appropriateness of this land use, the property owners shall be required to dedicate ten feet (10') of additional right-of-way for the widening of Artcraft Road.

4. Parcel No. 6, more particularly described as all of Tracts 1C and 1D, Block 10, Upper Valley Surveys, shall be changed from R-3 (Residential) to R-F (Ranch/Farm).
5. Parcel No. 7, more particularly described as all of Tract 7B13, Block 9, Upper Valley Surveys, shall be changed from R-3 (Residential) to R-2 (Residential).
6. Parcel No. 8, more particularly described as all of Tracts 6D and 6F, Block 9, Upper Valley Surveys, shall be changed from R-3 (Residential) to R-2 (Residential).
7. L-Shaped Parcel, more particularly described as all of Lot 1, Block 1, and Lot 1, Block 2, River Run Unit One Subdivision, and all of Tracts 7A, 15A and 16, Block 7, Upper Valley Surveys, shall be changed from R-3 (Residential) to R-2 (Residential).

As a special protective condition which will minimize any potential adverse impact, and to ensure the appropriateness of this land use, all lots must be developed to a minimum lot size of 13,500 square feet.

PASSED AND APPROVED this 29th day of March,
1988.

[Signature]
Mayor

ATTEST:
[Signature]
City Clerk

SIGNATURES CONTINUED ON NEXT PAGE

009332

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APPROVED AS TO FORM:

C. Cotroneo
Assistant City Attorney

APPROVED AS TO CONTENT:

[Signature]
Department of Planning,
Research and Development

ZNG6:5356.88

009332

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ATTACHMENT 5: EMAILS IN OPPOSITION

Salloum, Andrew M.

From: Mario Castaneda <mario@castanedas.me>
Sent: Tuesday, May 19, 2015 10:01 PM
To: Rebecca Gomez
Cc: Salloum, Andrew M.; Michelle Perez; Luis F. Gomez; Angel and Carrie Reyes; Lawrence and Bonni Guerra; Robert and Cassie Blanco; Ruben and Marcela Rivera Mora; Arnold and Helen Chavarria; Allan and Blanca Longe; Demetrio and Leticia Jimenez
Subject: Re: Case No> PZCR15-00003

I second Rebecca Gomez' opinion and will engage all parties interested against the proposal.

I live at 438 Country Oaks and can be reached at 914.892.2852.

- Mario

On May 19, 2015, at 22:35, Rebecca Gomez <rxcallangomez@yahoo.com> wrote:

Hello Mr. Salloum,

I received your letter in the mail dated May 14, 2015 today as I have been out of town.

I am writing to call your attention to my objection to case number PZCR15-00003. By way of introduction, I am a home owner in the area where this proposed resubdivision is said to take place and strongly am opposed to it.

I am not completely certain of the exact conditions of the proposal but am certain that if it means making the lots smaller than they are currently I am against that. My family and I live in a gated area on Country Oaks that is adjacent to the lot that is in question and I feel that it will affect everyone in our neighborhood if this proposal is accepted. I would like to discuss this further with you if you wouldn't mind calling me at 915-238-1447.

I am certain without a doubt that my neighbors would feel the same as I do.

Sincerely,

Rebecca Gomez
427 Country Oaks Drive
El Paso, Texas 79932
915-238-1447

Salloum, Andrew M.

From: Rubio, Arturo
Sent: Thursday, June 04, 2015 8:09 AM
To: Salloum, Andrew M.
Subject: FW: Opposition to Conditional Release Case# PZCR15-00003

This is from the call I provided you.

Art Rubio, Lead Planner
Planning and Inspections | City of El Paso
801 Texas Avenue
El Paso, TX 79901
O: 915.212-1613



Click on the links for more information about City Development:



From: Frank Natividad [<mailto:fntvd@att.net>]
Sent: Wednesday, June 03, 2015 10:28 PM
To: Rubio, Arturo
Subject: Opposition to Conditional Release Case# PZCR15-00003

City Council Members

I live on Simon Court across from the proposed area of construction pending the conditional release requested in Case #PZCR15-0003.

The homes built on Simon Court abide by the special protective conditions imposed by Ordinance No. 9307 dated March 1, 1988.

I oppose the conditional release requested by Welch and Associates as they do not abide by the aforementioned ordinance. The proposed model by Welch and Associates will also include many multiple two story homes which also does not follow the current residential model of Simon Court. Welch and Associates are requesting to build more homes with less space which will cause our current property values to fall. Having more homes in these smaller lots will also cause more cramping and congestion. This will also disrupt the serene nature of the Upper Valley for those that already live there.

The families living on Simon Court will have to bear this burden while Welch and Associates will reap the rewards.

We moved to the Upper Valley to enjoy the serene nature. I can not be there as I am working out of town. I respectfully request that the city council members will protect the interest of the current families that are already there. I do not expect that the financial interests of Welch and Associates would outweigh the rights of the families that already live there.

Thank you for your time and consideration. May God bless you in your decision.

Respectfully,

Frank Natividad