City of El Paso – City Plan Commission Staff Report

Case No:	PZRZ13-00023
Application Type:	Rezoning
CPC Hearing Date:	October 17, 2013
Staff Planner:	Arturo Rubio, 915-541-4633, *rubioax@elpasotexas.gov*
Location:	North of Transmountain Road and East of Desert Boulevard
Legal Description:	Parcel 1: Portion of Clara A. Mundy Survey 248, City of El Paso, El Paso County, Texas, Parcel 2: Clara A. Mundy Survey 248, City of El Paso, El Paso County, Texas, Parcel 3: Clara A. Mundy Survey 250, City of El Paso, El Paso County, Texas, Parcel 4: Laura E. Mundy Survey 232, City of El Paso, El Paso County, Texas, Parcel 5: Laura E. Mundy Survey 235, City of El Paso, El Paso County, Texas, Parcel 6: Tract 3, Nellie D. Mundy, Survey 245, Abstract 10038, Parcel 7: Portion of Tract 3, Nellie D. Mundy, Survey 245, Abstract 10038, City of El Paso, El Paso County, Texas, Parcel 8: Section 10, Block 82, Township 1, Texas and Pacific Survey , City of El Paso, El Paso County, Texas, Parcel 9: Section 10, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas, Parcel 10: Clara A. Mundy Survey 249, City of El Paso, El Paso County, Texas, Parcel 11: Clara A. Mundy Survey 249, City of El Paso, El Paso County, Texas, Parcel 12: Portion of Section 9, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas, Parcel 13: Section 5, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas, Parcel 14: Section 5, Block 82, Township 1, Texas and Pacific Survey, City of El Paso, El Paso County, Texas
Acreage:	4,669 acres (approx.)
Rep District:	1
Zoning:	Parcel 1: M-1/sc (Manufacturing/special contract) Parcel 2: P-MD (Planned Mountain Development) Parcel 3-6: R-3 (Planned Residential) Parcel 7: R-5/sp (Residential/special permit) Parcel 8: R-3 (Residential) Parcel 9: R-5/sp (Residential/sp) Parcel 10: P-MD (Planned Mountain Development) Parcel 11-13: R-3 (Residential) Parcel 14: Planned Mountain Development
Existing Use:	Vacant
Request:	Parcel 1-14: From M-1/sc (Manufacturing/special contract), P-MD (Planned Mountain Development), R-3 (Planned Residential), and R-5/sp (Residential/special permit), to URD (Urban Reserve District)
Proposed Use:	To preserve and protect natural features of the mountain, hillside, arroyo, and desert flatland areas within the city, to promote conservation and restoration of these areas within and adjacent to urban and suburban development whether upon application of a private owner or for public land.
Property Owner:	City of El Paso
Representative:	EPWU/PSB/City of El Paso

SURROUNDING ZONING AND LAND USE

North: ETJ
South: SCZ (Smart Code Zone)/Vacant/R-3A (Residential)/Vacant/C-4/c (Commercial/condition)/A-O/ (Apartment Office)/Vacant/C-4 (Commercial)/Vacant
East: P-MD (Planned Mountain Development) Vacant
West: ETJ

Plan for El Paso Designation: O-5 Remote, O-2 Natural (Northwest Planning Area)
Nearest Park: Franklin Mountain State Park (Directly adjacent to subject property)
Nearest School: Deanna Davenport Elementary School (Directly adjacent to subject property)

NEIGHBORHOOD ASSOCIATIONS

Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association
Coronado 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 September 23, 2013. The Planning Division has not received any phone calls or letters in support or opposition of the rezoning request.

Case History

On December 2012, the Open Space Advisory Board voted unanimously to recommend that City Council initiate a rezoning for land managed by the EPWU/PSB located in the Northwest Planning Area to URD (Urban Reserve District). The recommendation was made in an effort to encourage the implementation of the City's Comprehensive Plan, "Plan El Paso" and the Future Land Use Map contained within Plan El Paso.

On January 29, 2013, the City Council voted unanimously to direct staff to follow the OSAB's recommendation to rezone the subject property described above to URD (Urban Reserve District) as the most compatible zone for the area. The regulations of this district are designed to protect ecologically sensitive lands and to prohibit those activities that would adversely affect the environmental characteristics of the district. This district is also intended to preserve land that, if disturbed, may be susceptible to flooding and soil erosion due to steep slopes and runoff. Property located within this district shall remain undeveloped, except as allowed and in accordance with the approved detailed site plan and any approved special permit.

On March 13, 2013 the El Paso Water Utilities Public Service Board considered a request for rezoning the subject property by the Open Space Advisory Board and recommended approval of the rezoning of the property from R-3, PMD and M-1 Districts to Urban Reserve District (URD) provided that the costs associated with the rezoning of the property are assumed by the City of El Paso and that the President/CEO forward the recommendation to the El Paso City Council.

On July 17, 2013, the Open Space Advisory Board voted unanimously to recommend approval of the rezoning of the subject property managed by the EPWU/PSB to UR-D (Urban Reserve District) to further support the implementation of the City's Comprehensive Plan, "Plan El Paso" and the Future Land Use Map contained within Plan El Paso.

APPLICATION DESCRIPTION

This is a City initiated request to rezone the subject property from M-1/sc (Light Manufacturing/special contract), P-MD (Planned Mountain Development), R-5/sp (Residential/special permit) and R-3

(Residential) to URD (Urban Reserve District). The total land area to be rezoned is approximately 4,669 acres. Urban Reserve District means an area that has development value with open space opportunities. The land may not be available for development either due to a lack of necessary infrastructure to support development or because the land is owned by the city. Land may be zoned URD as a means of preserving the land for sustainable, transit served, form based code development and redevelopment when such land becomes necessary to serve growth in the region. Portions of URD zoned land may have intrinsic value as open space and may contain such features as scenic corridors, view sheds, arroyos, steep slopes, or protected habitat that should remain in its natural state once development occurs. Access is proposed from Westway.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from M-1/sc (Light Manufacturing/special contract), P-MD (Planned Mountain Development), R-5/sp (Residential/special permit) and R-3 (Residential) to URD (Urban Reserve Development). The recommendation is based on the compatibility with the surrounding properties and Plan El Paso.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

O-5 Remote: Remote land in the desert and mountains. Except where vested rights are in place, City regulations and policy decisions should not encourage urban development during this planning period, which extends until 2030. It is not known at this time whether O-5 land will be needed for development further in the future.

O-2 Natural: Foothills, bosques, wetlands, critical arroyos, and other natural features owned by private or public entities but currently without protected status. Examples include the Castner Range and private tracts in and around the Franklin Mountains and Hueco Tanks State Parks. City regulations and policy decisions should help keep these lands in their natural state for drainage, natural habitat, and scenic protection. Public acquisition should be considered especially when key drainage features can be protected.

The purpose of the URD (Urban Reserve District) D is to preserve and protect natural features of the mountain, hillside, arroyo, and desert flatland areas within the city and to promote conservation and restoration of these areas within and adjacent to urban and suburban development whether upon application of a private owner or for public land.

COMMENTS:

Planning Division –Transportation

No objections

City Development Department – Plan Review

No objections

City Development Department - Land Development

No objections

Fire Department

No objections

Sun Metro

No objection

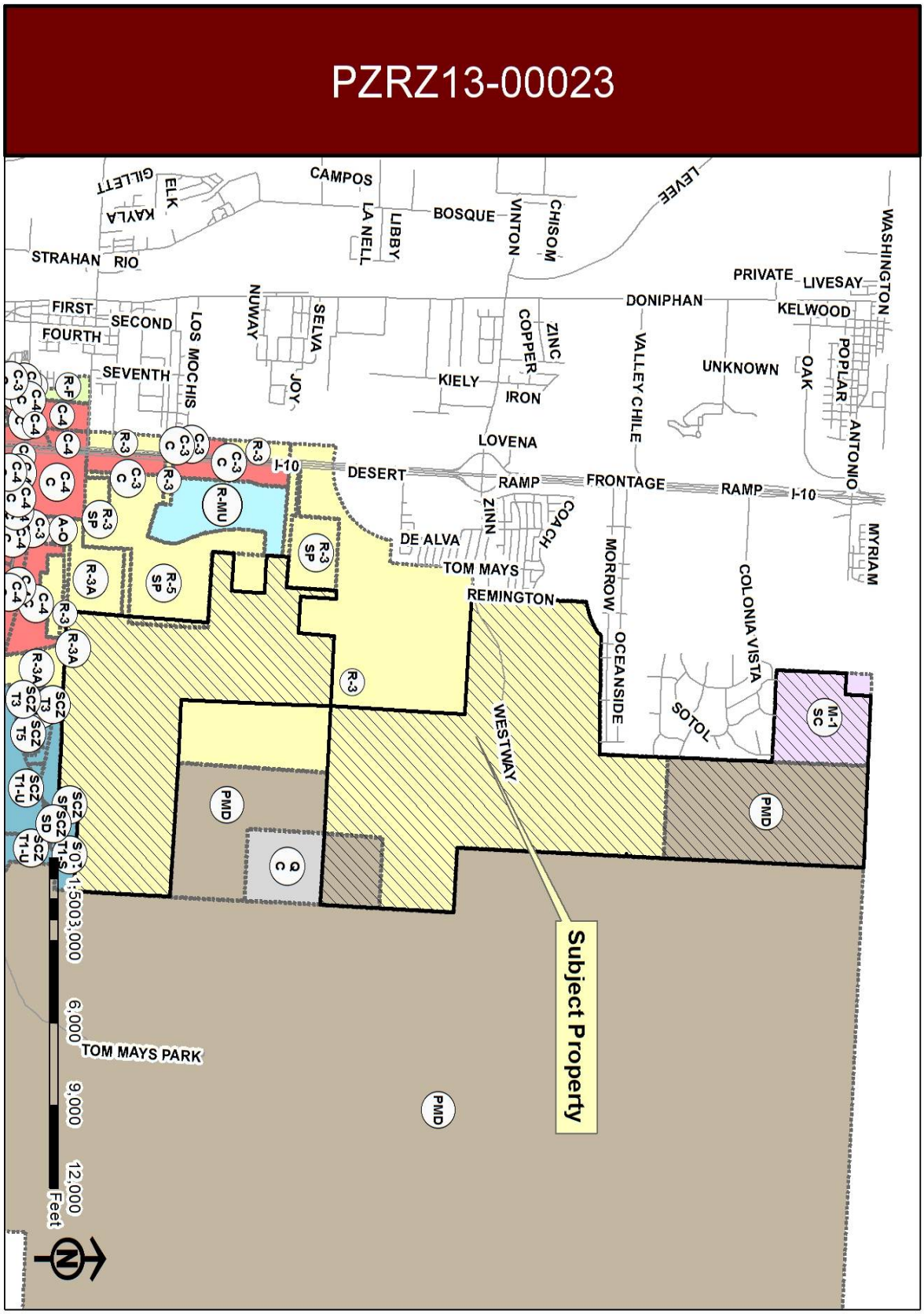
El Paso Water Utilities (EPWU)
No objections

CITY PLAN COMMISSION OPTIONS
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

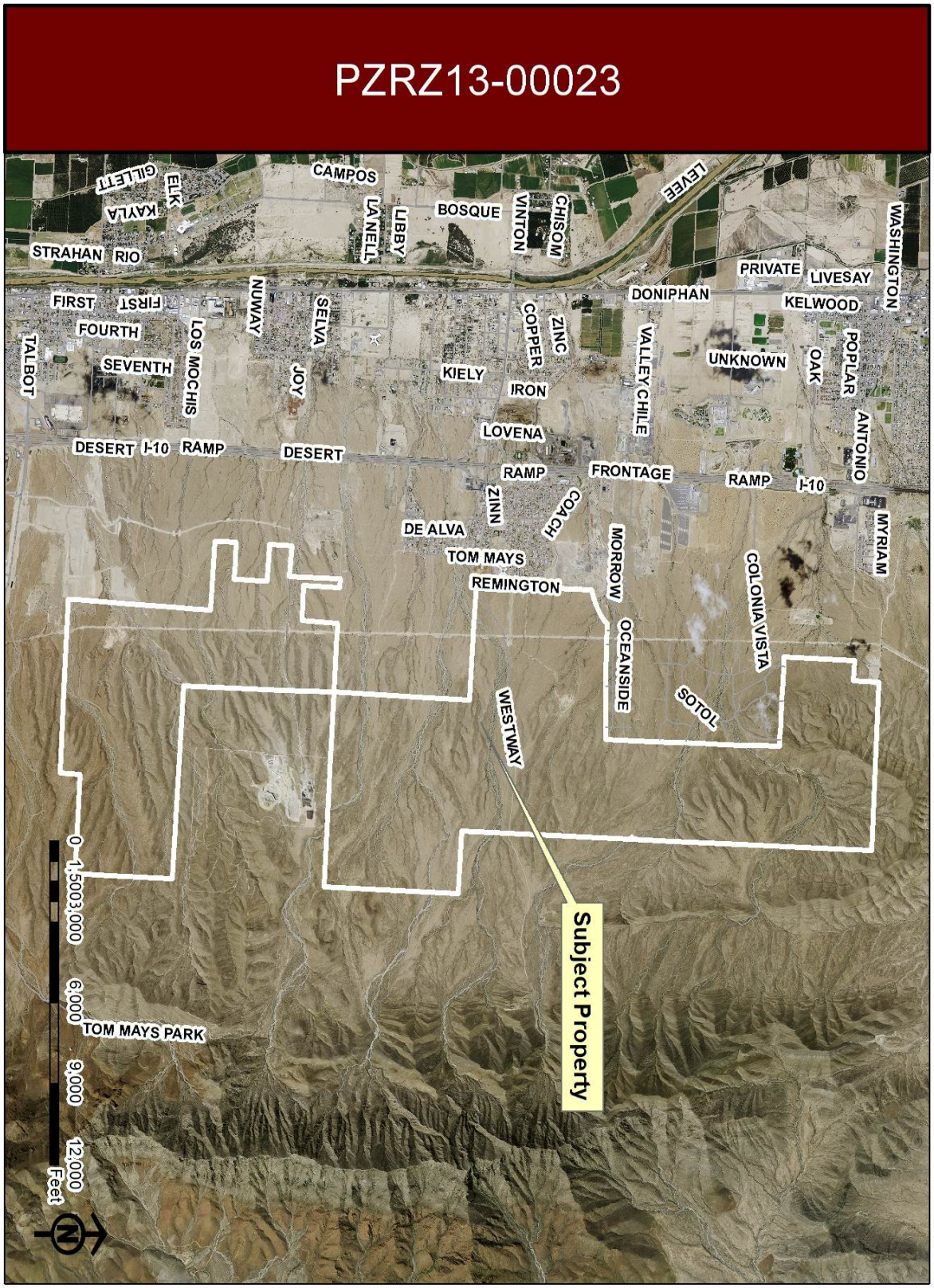
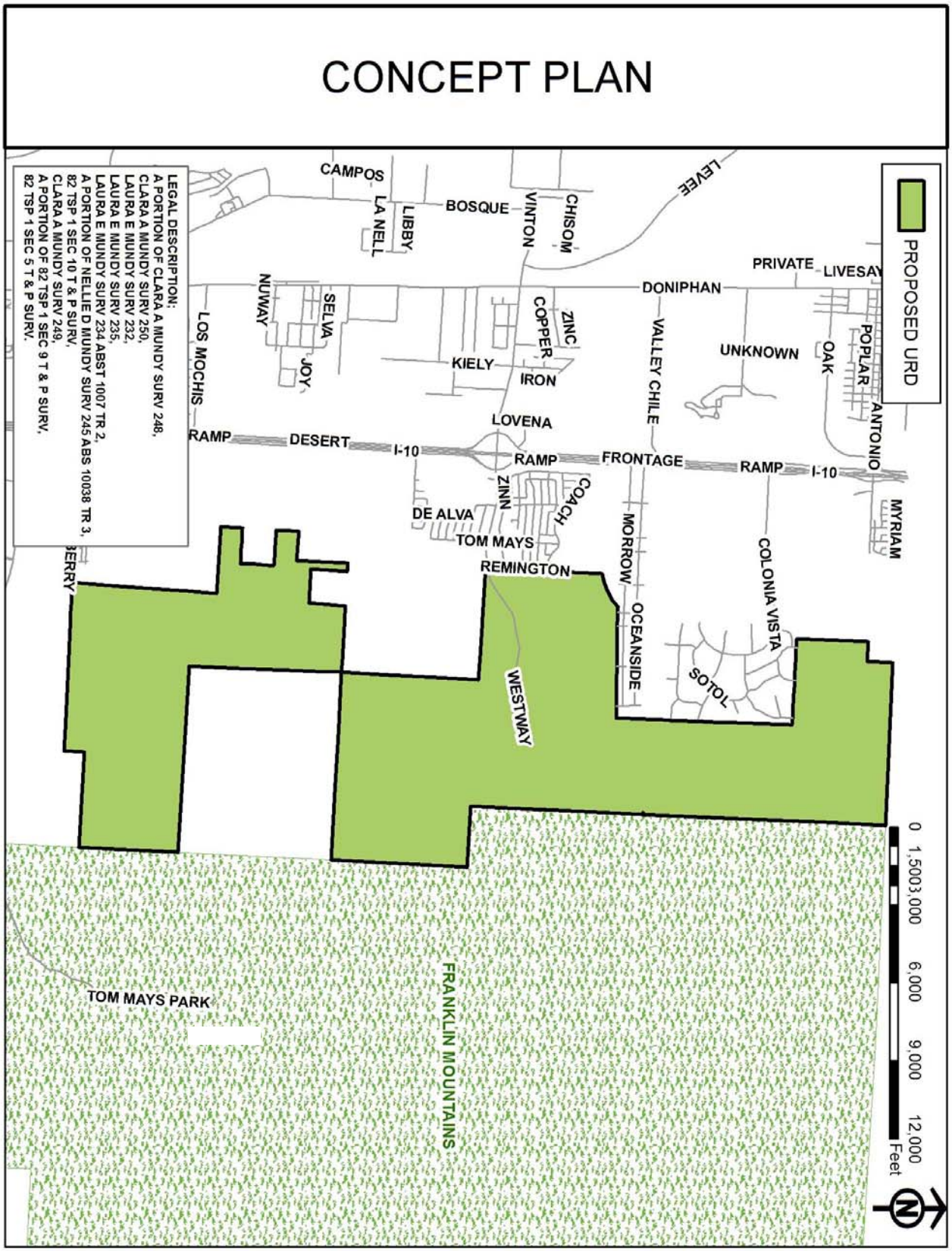
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into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

Attachments:
Attachment 1: Zoning Map
Attachment 2: Aerial Map
Attachment 3: Conceptual Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: CONCEPTUAL PLAN