

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: December 11, 2007
Public Hearing: January 2, 2008

CONTACT PERSON/PHONE: Esther Guerrero, 541-4720

DISTRICT(S) AFFECTED: 5

SUBJECT:

An ordinance changing the zoning of the following real property described as:
Parcel 1: A Portion of Tract 1A, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County Texas, be changed from R-5 (Residential) to S-D (Special Development); Parcel 2: A Portion of Tract 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County Texas, be changed from A-2 (Apartment) to C-1 (Commercial); and Parcel 3: A Portion of Tracts 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County Texas, be changed from R-5 (Residential) to A-2 (Apartment). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Tierra Flores Drive, Edgemere Boulevard and Jason Crandall Drive. Applicant: Camino Real Properties I, LTD, ZON07-00112, (District 5)

BACKGROUND / DISCUSSION:

See attached report .

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS:

PARCEL 1: A PORTION OF TRACT 1A, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY TEXAS, BE CHANGED FROM R-5 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT);

PARCEL 2: A PORTION OF TRACT 1A AND 12D, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY TEXAS, BE CHANGED FROM A-2 (APARTMENT) TO C-1 (COMMERCIAL); AND

PARCEL 3: A PORTION OF TRACTS 1A AND 12D, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY TEXAS, BE CHANGED FROM R-5 (RESIDENTIAL) TO A-2 (APARTMENT). 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:

That the zoning of the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

Parcel 1: *A portion of Tract 1A, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from R-5 (Residential) to S-D (Special Development);*

Parcel 2: *A portion of Tract 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "B", incorporated by reference, be changed from A-2 (Apartment) to C-1 (Commercial); and*

Parcel 3: *A portion of Tracts 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "C", incorporated by reference, be changed from R-5 (Residential) to A-2 (Apartment).*

PASSED AND APPROVED this _____ day of _____, 2007.

CITY CLERK DEPT.
07 NOV 30 PM 2:21

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

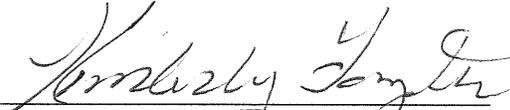
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



Kimberly Forsyth, Senior Planner
Development Services Department

CITY CLERK DEPT.
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Being a portion of Tract 1A, Section 34, Block 79,
Township 2, Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
Prepared for: Southwest Land Development Services Inc.
July 24, 2007
(Parcel 1 R-5 To S-D)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 1A, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing For Reference at an existing city monument at the centerline intersection of Rich Beem Boulevard and Tierra Flores Drive; Thence along the centerline of Tierra Flores Dr. North 69°07'05" East a distance of 651.52 feet to a point on the easterly line of Tierra Del Este Unit Twenty Eight; Thence along said line North 02°52'55" West a distance of 40.00 feet to a point on the northerly right of way line of Tierra Flores Drive for THE "TRUE POINT OF BEGINNING"

Thence along the easterly line of Tierra Del Este Unit Twenty Eight, North 00°33'31" West a distance of 89.58 feet to a point;

Thence leaving said line North 89°52'40" East a distance of 289.40 feet to a point;

Thence 196.84 feet along the arc of a curve tot the left which has a radius of 1040.00 feet a central angle of 10°50'39" a chord which bears South 74°32'25" West a distance of 196.54 feet to a point;

Thence South 69°07'05" West a distance of 106.06 feet to the "TRUE POINT OF BEGINNING" and containing 0.261 Acres of land more or less.

NOTE: Not a ground survey, bearings based on centerline of Rich Beem Blvd as referenced on map of Tierra Del Este Unit Twenty Eight recorded in volume 79, page 55, Plat records of El Paso County, Texas

5
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R R
Ron R. Conde
R.P.L.S. No. 5152
Job# 707-24 R.C.



Being a portion of Tracts 1A and 12D, Section 34, Block 79,
Township 2, Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
Prepared for: Southwest Land Development Services Inc.
July 24, 2007
(Parcel 2 A-2 To C-1)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tracts 1A and 12D, Section 34, Block 79,
Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County,
Texas and being more particularly described by metes and bounds as follows:

Commencing For Reference at an existing city monument at the centerline
intersection of Edgemere Boulevard and Tierra Berlin Drive; Thence North 10°12'54"
West a distance of 55.00 feet to a point on the northerly right of way line of Edgemere
Blvd. for THE "TRUE POINT OF BEGINNING"

Thence leaving said right of way line North 10°12'54" West a distance of 223.71 feet
to a point of curve;

Thence 38.85 feet along the arc of a curve to the right which has a radius of 2000.00
feet a central angle of 01°06'47" and a chord which bears North 09°39'31" West a
distance of 38.85 feet to a point;

Thence North 80°53'53" East a distance of 140.00 feet to a point;

Thence South 09°06'07" East a distance of 18.00 feet to a point;

Thence South 52°52'02" East a distance of 192.73 feet to a point;

Thence North 84°21'29" East a distance of 22.00 feet to a point;

Thence South 05°38'31" East a distance of 110.00 feet to a point on the northerly
right of way line of Edgemere Blvd.;

Thence along said right of way line 284.05 feet along the arc of a curve to the left which has a
radius of 3555.00 feet a central angle of 04°34'41" a chord which bears South 82°04'09"
West a distance of 283.97 feet to the "TRUE POINT OF BEGINNING" and containing 1.418
Acres of land more or less.

NOTE: Not a ground survey, bearings based on centerline of Edgemere Blvd as referenced on
map of Tierra Del Este Unit Twenty Nine recorded in volume 79, page 104, Plat records of El
Paso County, Texas


Ron R. Conde
R.P.L.S. No. 5152
Job# 707-24 R.C.



Being a portion of Tracts 1A and 12D, Section 34, Block 79,
Township 2, Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
Prepared for: Southwest Land Development Services Inc.
July 24, 2007
(Parcel 3 R-5 To A-2)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tracts 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing For Reference at an existing city monument at the centerline intersection of Edgemere Boulevard and Tierra Lisboa Drive; Thence along the centerline of Edgemere Blvd. South 89°57'48" West a distance of 893.27 feet to a point; Thence leaving said centerline North 00°00'31" West a distance of 55.00 feet to a point on the northerly right of way line of Edgemere Blvd. for THE "TRUE POINT OF BEGINNING"

Thence along said right of way line South 89°57'48" West a distance of 9.99 feet to a point of curve;

Thence along said right of way line 23.14 feet along the arc of a curve to the left which has a radius of 3555.00 feet a central angle of 00°22'23" and a chord which bears South 89°46'36" West a distance of 23.14 feet to a point;

Thence leaving said right of way line North 00°00'39" West a distance of 1224.86 feet to a point;

Thence North 89°59'21" East a distance of 332.76 feet to a point on the westerly line of Tierra Del Este Unit Forty Seven;

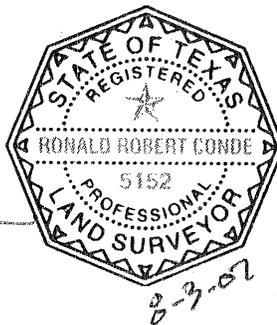
Thence along said line South 00°02'12" East a distance of 874.79 feet to a point on the northerly line of a ponding area being lot 64, Block 162, Tierra Del Este Unit Forty Seven;

Thence along said line South 89°59'29" West a distance of 300.00 feet to a point on the westerly line of said ponding area;

Thence along said line South 00°00'31" East a distance of 350.00 feet to the "TRUE POINT OF BEGINNING" and containing 6.953 Acres of land more or less.

NOTE: Not a ground survey, bearings based on centerline of Edgemere Blvd as referenced on map of Tierra Del Este Unit Twenty Nine recorded in volume 79, page 104, Plat records of El Paso County, Texas

R R
Ron R. Conde
R.P.L.S. No. 5152
Job# 707-24 R.C.





CITY COUNCIL

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

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

**DEVELOPMENT SERVICES
PLANNING DIVISION
MEMORANDUM**

DATE: November 30, 2007
TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager
FROM: Esther Guerrero, Planner
SUBJECT: ZON07-00112

The City Plan Commission (CPC), on October 18, 2007, voted 7-0 to recommend APPROVAL of rezoning the subject properties from R-5 (Residential) to S-D (Special Development) on Parcel 1, from A-2 (Apartment) to C-1 (Commercial) on Parcel 2, and from R-5 (Residential) to A-2 (Apartment) on Parcel 3, concurring with staff recommendation.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the effects of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Attachment: Staff Report

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ZON07-00112

Application Type: Rezoning

Property Owner(s): Camino Real Properties I, LTD

Representative(s): Conde, Inc.

Legal Description: Parcel 1: A portion of Tract 1A, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
Parcel 2: A portion of Tract 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
Parcel 3: A portion of Tracts 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas

Location: Parcel 1: North of Tierra Flores Drive, East of Rich Beem Boulevard
Parcel 2: North of Edgemere Boulevard, East of Rich Beem Boulevard
Parcel 3: South of Jason Crandall Drive, East of Rich Beem Boulevard

Representative District: 5

Area: Parcel 1: 0.261 acres; Parcel 2: 1.418 acres; Parcel 3: 6.953 acres

Present Zoning: Parcel 1: R-5 (Residential) Parcel 2: A-2 (Apartment)
Parcel 3: R-5 (Residential)

Present Use: Parcels 1, 2 & 3: Vacant

Proposed Zoning: Parcel 1: S-D (Special Development); Parcel 2: C-1 (Commercial)
Parcel 3: A-2 (Apartment)

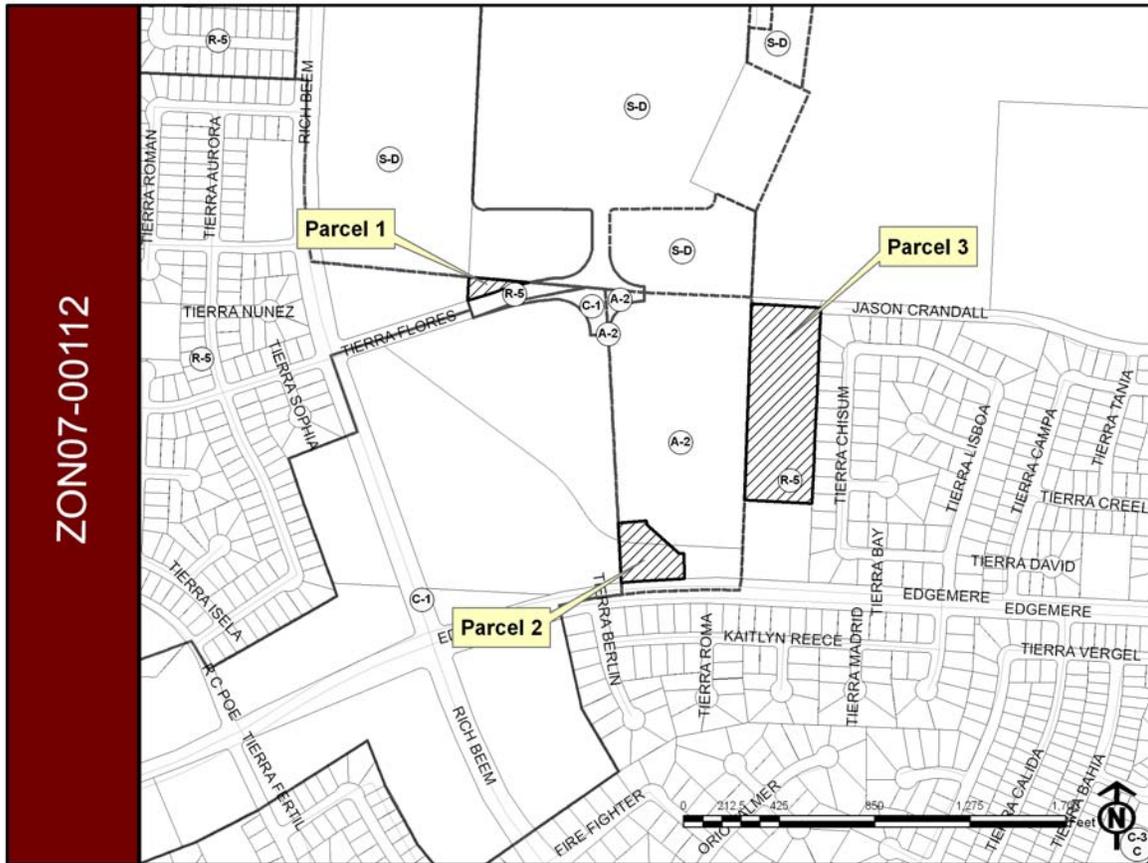
Recognized Neighborhood

Associations Contacted: Las Tierras Neighborhood Association, East Side Civic Association

Public Response: None

Surrounding Land Uses: **North:** S-D, A-2, R-5; **South:** C-1, R-5, R-5; **East:** S-D, A-2, R-5; **West:** R-5, C-1, A-2

Year 2025 Designation: Residential, Open Space (East Planning Area)



General Information:

The applicant is requesting rezoning on three parcels of land. The conceptual site plan shows parking on Parcel 1, a retail building on Parcel 2 and apartments on Parcel 3. Access is proposed via Edgemere Blvd. and Tierra Flores. There are no zoning conditions on this property.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **Approval** of this request for rezoning.

The recommendation is based on the following:

- **The Plan for El Paso City-Wide Land Use Goals** recommends that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development” and “provide a wide range of housing types that respond to the needs of all economic segments of the community.”
- **The Year 2025 Projected General Land Use Map** for the Mission Valley Planning Area designates this property for **Residential** land uses.
- **S-D, C-1 and A-2 zoning** allow for neighborhood commercial development and multi-family development and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

1. Will S-D (Special Development), C-1 (Commercial) and A-2 (Apartment) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will neighborhood commercial uses and multi-family development be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city's Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Development Services Department - Building Permits and Inspections Division:

Zoning Review: Insufficient data provided to determine compliance with development standards.

Landscape Review: No comments received.

Development Services Department - Planning Division:

Current Planning: Recommends approval. Proposed zoning is compatible with adjacent development.

Land Development: No comments received.

Engineering Department - Traffic Division:

No apparent traffic concerns.

Fire Department:

No comments received.

EI Paso Water Utilities:

EPWU does not object to this request.

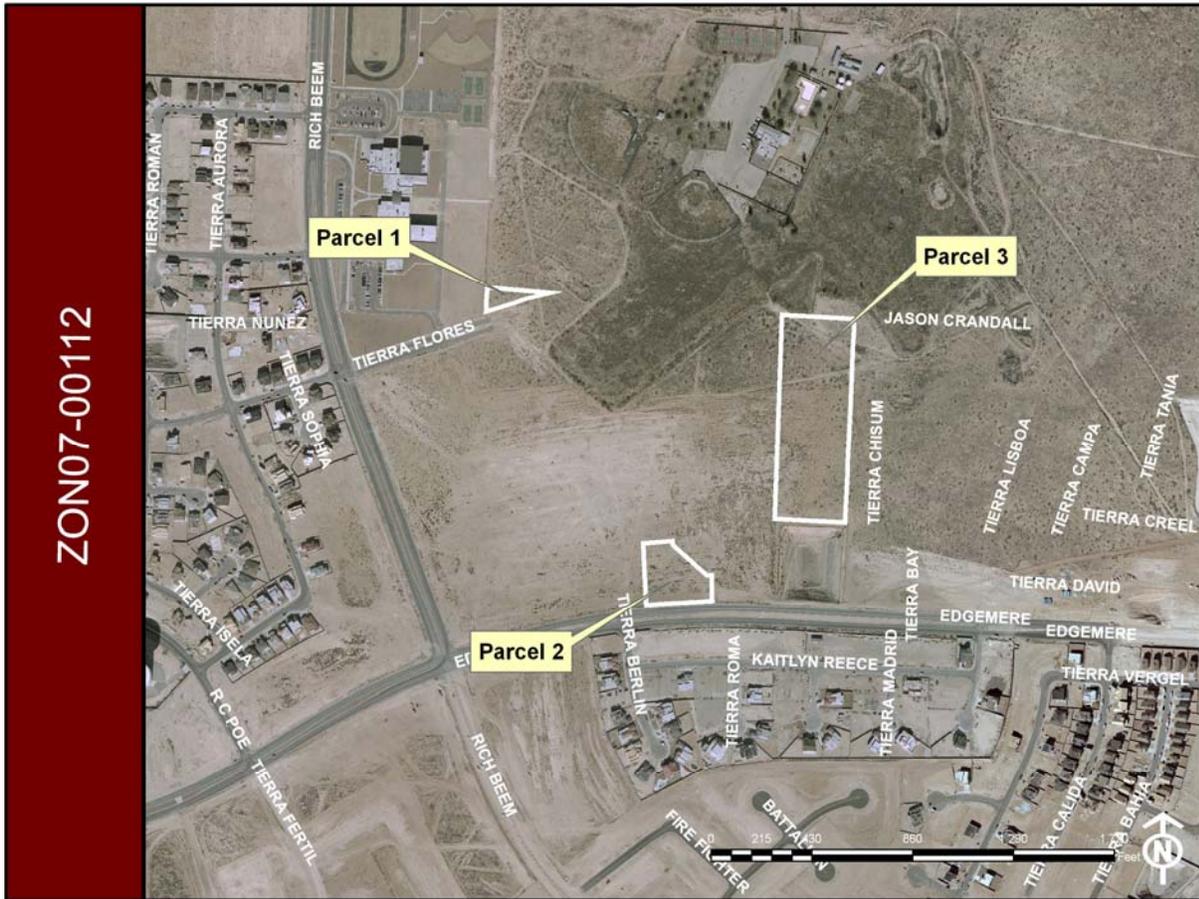
List of Attachments:

Attachment 1: Aerial

Attachment 2: Conceptual Site Plan

Attachment 3: Application

Attachment 1: Aerial



Attachment 2: Conceptual Site Plan



Attachment 3: Application



**REZONING APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO**

1. CONTACT INFORMATION

PROPERTY OWNER(S): Camino Real Properties I, LTD
 ADDRESS: 1790 Lee Trevino, Suite 601 ZIP CODE: 79936 PHONE: 592-0290
 APPLICANT(S): Camino Real Properties I, LTD
 ADDRESS: 1790 Lee Trevino, Suite 601 ZIP CODE: 79936 PHONE: 592-0290
 REPRESENTATIVE(S): Conde, Inc.
 ADDRESS: 1790 Lee Trevino, Suite 400 ZIP CODE: 79936 PHONE: 592-0283
 E-MAIL ADDRESS: cconde@elp.rr.com

PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: X579-999-2340-0040
 LEGAL DESCRIPTION: Being a Portion Tracts 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas
 STREET ADDRESS OR LOCATION: Tierra Flores Dr.
 ACREAGE: 0.261 PRESENT ZONING: R-5 PRESENT LAND USE: Vacant
 PROPOSED ZONING S-D PROPOSED LAND USE: To allow for Special Development
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____

2. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: X579-999-2340-0090 X579-999-2340-0040
 LEGAL DESCRIPTION: Being a Portion Tracts 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas
 STREET ADDRESS OR LOCATION: Edgemere
 ACREAGE: 1.418 ac. PRESENT ZONING: A-2 PRESENT LAND USE: Vacant
 PROPOSED ZONING C-1 PROPOSED LAND USE: To allow for Commercial Development
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____

PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: X579-999-2340-0040 X579-999-2440-0090
 LEGAL DESCRIPTION: Being a Portion Tracts 1A and 12D, Section 34, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas
 STREET ADDRESS OR LOCATION: Edgemere Blvd. & Jason Crandall
 ACREAGE: 6.953 PRESENT ZONING: R-5 PRESENT LAND USE: Vacant
 PROPOSED ZONING A-2 PROPOSED LAND USE: To allow for multi-family development
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____

ADDITIONAL INFORMATION

OWNER (S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Camino Real Properties I, LTD Signature: _____
 Printed Name: By: Camino Real Properties, Inc. Signature: _____
 Printed Name: By: Douglas A. Schwartz, President Signature:

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

** OFFICE USE ONLY **		
ZON _____	RECEIVED DATE: <u>8/22/07</u>	APPLICATION FEE: \$ <u>1770</u>
DCC REVIEW DATE: <u>9/19/07</u>	(8:30 am, Planning Department Conference Room, 2 nd Floor, City Hall Building)	
CPC REVIEW DATE: <u>10/18/07</u>	(11:30 pm, City Council Chambers, 2 nd Floor, City Hall Building)	
ACCEPTED BY: <u>KLF</u>	FUND -01101, DEPT ID -99010335, ACCOUNT -404126	

Revised 6/2004

AUG 23 2007