

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: December 27, 2006
Public Hearing: January 16, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 1, Block 294, Vista Del Sol Unit Sixty, City of El Paso, El Paso County, Texas from C-4 (Commercial) to A-O (Apartment/Office). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 11500 Chito Samaniego. Applicant: William H. Van Haselen III. ZON06-00136 (District 7)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Unanimous Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Schubert

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 294, VISTA DEL SOL UNIT SIXTY, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-4 (COMMERCIAL) TO A-O (APARTMENT/OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 *A portion of Lot 1, Block 294, Vista Del Sol Unit Sixty, 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 **C-4 (Commercial) to A-O (Apartment/Office)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2007.

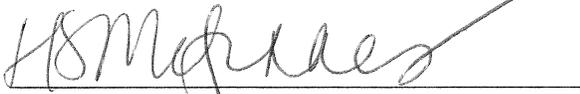
THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Hillary S. McGinnes
Assistant City Attorney

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

06 DEC 15 PM 2:38
CITY CLERK DEPT.

PROPERTY DESCRIPTION
403,900 Square Feet or 9.272 Acres

Being the description of a portion of Lot 1, Block 294, Vista Del Sol, Unit Sixty (volume 56, page 39, plat records), City of El Paso, El Paso county, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the city monument at the intersection of Adabel Drive (60 feet wide) and Miriam Drive (60 feet wide) and a city monument at the PI in said Miriam Drive bears, North 54°31'06" West (bearing base), 254.94 feet;

THENCE, along the centerline of said Miriam Drive, North 54°31'06" West, a distance of 65.00 feet;

THENCE, leaving said centerline, North 35°28'54" East, a distance of 30.00 feet to a set ½ inch rebar marked (Tx2027) in the North right-of-way line of said Miriam Drive and **POINT OF BEGINNING** for the herein described tract;

THENCE, along said right-of-way line the following three (3) courses:

North 54°31'06" West, a distance of 130.04 feet to a set ½ inch rebar marked (Tx2027) at the beginning of a curve to the right;

Along the arc of said curve (Delta Angle = 07°17'24", Radius = 911.89 feet, Chord = North 50°52'24" West, 115.95 feet) a distance of 116.02 feet to a set ½ inch rebar marked (Tx2027);

North 47°13'42" West, 4.68 feet to a set ½ inch rebar marked (Tx2027);

THENCE, leaving said right-of-way line, North 42°35'17" East, a distance of 201.11 feet to a set ½ inch rebar marked (Tx2027);

THENCE, North 47°14'37" West, a distance of 447.12 feet to set ½ inch rebar marked (Tx2027);

THENCE, North 14°46'00" East, a distance of 214.92 feet to a set ½ inch rebar marked (Tx2027);

THENCE, North 75°08'40" West, a distance of 196.00 feet to a set ½ inch rebar marked (Tx2027) in the East right-of-way line of Chito Samaniego Drive (60 feet wide);

THENCE, along said right-of-way line the following four (4) courses:

North 14°43'30" East, a distance of 53.78 feet to a set ½ inch rebar marked (Tx2027) at the beginning of a curve to the right and a found city monument in said Chito Samaniego Drive bears, N75°18'23" West, 30.00 feet;

Along the arc of said curve (Delta Angle = 48°52'32", Radius = 355.11 feet, Chord = North 39°09'46" East, 293.82 feet) a distance of 302.92 feet to a set ½ inch rebar marked (Tx2027);

North 63°36'01" East, a distance of 24.91 feet (25.00 feet call) to a set ½ inch rebar marked (Tx2027) at the beginning of a curve to the right;

Along the arc of said curve [Delta Angle = $89^{\circ}54'12''$ ($90^{\circ}00'00''$ call), Radius = 35.00 feet, Chord = South $71^{\circ}26'52''$ East, 49.46 feet (49.50 feet call)] a distance of 54.92 feet (54.98 feet call) to a set $\frac{1}{2}$ inch rebar marked (Tx2027) in the South right-of-way line of Rojas Drive (90 feet wide and a city monument at the intersection of said Miriam Drive and Rojas Drive bears, North $08^{\circ}03'46''$ East, 79.33 feet;

THENCE, along said right-of-way line the following three (3) courses:

South $26^{\circ}29'46''$ East (South $26^{\circ}23'59''$ East call), a distance of 273.15 feet (273.93 feet call) to a set $\frac{1}{2}$ inch rebar marked (Tx2027) to the beginning of a curve of the left;

Along the arc of said curve [Delta Angle = $28^{\circ}07'44''$ ($28^{\circ}07'07''$ call), Radius = 651.96 feet, Chord = South $40^{\circ}33'38''$ East, 316.87 feet (316.76 feet call)] a distance of 320.07 feet (319.96 feet call) to a set $\frac{1}{2}$ inch rebar marked (Tx2027) and a found city monument in said Rojas Drive bears, North $35^{\circ}11'26''$ East, 45.00 feet and a found city monument at the intersection of said Rojas Drive and Andrienne Drive bears, South $77^{\circ}42'20''$ East, 114.71 feet;

South $54^{\circ}37'30''$ East (South $54^{\circ}31'06''$ East), a distance of 320.93 feet (320.67 feet call) to a set $\frac{1}{2}$ inch rebar marked (Tx2027) in the West right-of-way line of said Adabel Drive at the beginning of a curve to the right and a found city monument at the intersection of said Rojas Drive and Adabel Drive bears, South $89^{\circ}32'48''$ East, a distance of 78.61 feet;

THENCE, along the West right-of-way line of said Adabel Drive the following three (3) courses:

Along the arc of said curve [Delta Angle = $90^{\circ}06'24''$ ($90^{\circ}00'00''$ call), Radius = 35.00 feet, Chord = South $09^{\circ}34'18''$ East, 49.54 feet (49.50 feet call) a distance of 55.04 feet (54.98 feet call] to a set $\frac{1}{2}$ inch rebar marked (Tx2027);

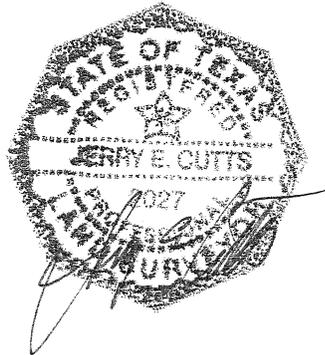
South $35^{\circ}28'54''$ West, a distance of 501.85 feet (500.01 feet call) to a set $\frac{1}{2}$ inch rebar marked (Tx2027) at the beginning of a curve of the right;

Along the arc of said curve (Delta Angle = $90^{\circ}00'00''$, Radius = 35.00 feet, Chord = South $80^{\circ}28'54''$ West, 49.50 feet) a distance of 54.98 feet to the **POINT OF BEGINNING** and containing **403,900 square feet** or **9.272 acres** of land.

This description was prepared from a survey made on the ground on July 17, 2006 with a plat of same date.

PREPARED BY:
Cutts land Surveying, Inc.
El Paso, Texas
July 17, 2006
Job No. 060706

Sheet 2 of 2



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING



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

DEVELOPMENT SERVICES
PLANNING DIVISION

MEMORANDUM

DATE: December 15, 2006

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Melissa Granado, Planner

SUBJECT: ZON06-00136

The City Plan Commission (CPC), on December 7, 2006, voted **6-0** to recommend **APPROVAL** of rezoning the subject property from C-4 (Commercial) to A-O (Apartment/Office), concurring with Staff's 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.

There was no opposition to this request.

Attachment: Staff Report, Location Map, Aerial Map, Site Plan

STAFF REPORT

Rezoning Case: ZON06-00136

Property Owner(s): William H. Van Haselen III

Representative(s): Quantum Engineering Consultants, Inc.

Legal Description: A portion of Lot 1, Block 294, Vista Del Sol Unit Sixty, City of El Paso, El Paso County, Texas

Location: 11500 Chito Samaniego

Representative District: # 7

Area: 9.27 acres

Present Zoning: C-4 (Commercial)

Present Use: Vacant

Proposed Zoning: A-O (Apartment/Office)

Proposed Use: Duplexes

Recognized Neighborhood Associations Contacted: East Side Civic Association, Las Palmas Neighborhood Association

Surrounding Land Uses:

North -	R-3 (Residential), A-2 (Apartment) / Mixed Residential
South -	C-4 (Commercial) / Warehouse
East -	C-4 (Commercial) / Warehouse
West-	C-4 (Commercial) / Warehouse

Year 2025 Designation: Commercial, Residential (East Planning Area)

**CITY PLAN COMMISSION HEARING, DECEMBER 7, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00136

GENERAL INFORMATION:

The applicant is requesting a rezoning from C-4 (Commercial) to A-O (Apartment/Office) in order to permit duplexes. The property is 9.27 acres in size and is currently vacant. The proposed site plan shows thirty-five (35) lots to be located on the site. Access is proposed via Chito Samaniego Drive and Miriam Drive. There are no zoning conditions currently imposed on this property.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has not received any calls or letters in support or opposition to this application.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from C-4 (Commercial) to A-O (Apartment/Office).

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “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 East Planning Area designates this property for Commercial and Residential land uses.

A-O (Apartment/Office) zoning permits duplexes and **is compatible** with adjacent development.

The Commission must determine the following:

1. Will A-O (Apartment/Office) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will duplexes 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?

Information To The Applicant:

Development Services Department - Building Permits and Inspections Division Comments:

Zoning Review: Two-family (Duplexes) dwelling units permitted on proposed A-O (Apartment/Office) District. Conceptual plan submitted meets minimum district lot development standards for proposed use.

Landscape Review: Landscape required for areas zoned A-O. No landscape calculations provided. Do these duplexes share an office or community center?

Development Services Department - Planning Division Comments:

Current Planning: Planning Division recommends approval of the rezoning request. The down-zoning will serve as a buffer between the residential and commercial districts.

Subdivision Review: No comments received.

Engineering Department - Traffic Division Comments:

No major traffic issues with the proposed zoning change from C-4 to A-O (duplexes).

Fire Department Comments:

No comments received.

El Paso Water Utilities Comments:

Water:

There are existing 8-inch diameter water mains along Rojas Drive, Chito Samaniego Drive, Adabel Drive, and Miriam Drive fronting the subject property.

Sanitary Sewer:

There are existing 8-inch diameter sanitary sewer mains along Rojas Drive, Chito Samaniego Drive, Adabel Drive, and Miriam Drive fronting the subject property.

General:

Private water pressure regulating devices will be required at every lot within the proposed development. The Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. The lot/home buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to any construction to ensure water for construction work. EPWU requires a finalized set of improvement plans including drainage and grading plans to initialize the design of the water and sanitary sewer main extensions to serve subject property. The owner is responsible for the costs of any necessary extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. Furthermore, application for services for the property must be made in conjunction with the request for water and sanitary sewer main extensions. A site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application.

EPWU does not object to this request.

ATTACHMENT: Location Map, Aerial Map, Site Plan

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DIVISION AT (915) 541-4056.