

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

DEPARTMENT: Development Services Department

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

CONTACT PERSON/PHONE: Stephen Schlett, 541-4935

DISTRICT(S) AFFECTED: #7

SUBJECT:

An Ordinance changing the zoning of Lots 2-5, Block 2, Fuller Addition and a portion of Tracts 4 and 5, Block 1, Christy Tract, City of El Paso, El Paso County Texas, from R-3/sc (Residential/special contract) to R-5/sc (Residential/special contract). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: West of Saenz Street and South of Mansfield. Applicants: Jose & Maria Saenz. ZON06-00149 (District 7)

BACKGROUND / DISCUSSION:

See attached report.

BOARD / COMMISSION ACTION:

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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Alan Shubert

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 2 - 5, BLOCK 2, FULLER ADDITION AND A PORTION OF TRACTS 4 AND 5, BLOCK 1, CHRISTY TRACT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3/SC (RESIDENTIAL/SPECIAL CONTRACT) TO R-5/SC (RESIDENTIAL/SPECIAL CONTRACT). 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 *Lots 2 - 5, Block 2, Fuller Addition, and a portion of Tracts 4 and 5, Block 1, Christy Tract, 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-3/sc (Residential/special contract)** to **R-5/sc (Residential/special contract)**, 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

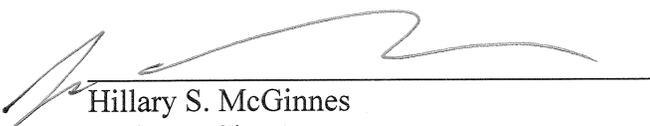
ATTEST:

John F. Cook
Mayor

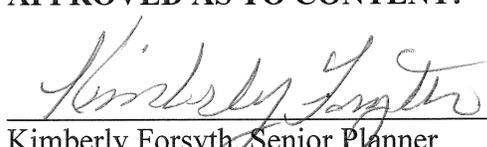
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Hillary S. McGinnes
Assistant City Attorney



Kimberly Forsyth, Senior Planner
Development Services Department

BARRAGAN & ASSOCIATES

Land Planning & Land Surveying

1450 Pendale Road, Suite "B" El Paso, Texas 79936 Ph.(915) 591-5709 Fax(915) 591-5706

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tracts 4 and 5, Block 1, Christy Tract, (filed in Vol. 6, Pg. 48, Plat Records of El Paso County Texas) City of El Paso, El Paso County, Texas, (being the same as described in Deeds filed in Volume 9988, Page 1368, Deed Records of El Paso County Texas) and is more particularly described by this metes and bounds as follows:

COMMENCING for reference at the northwesterly corner of Tract 5, Block 1, Christy Tract on the Easterly Right-of-way Line of Playa Drain (110' wide); **THENCE**, along said the Right-of-way Line a distance of 143.91 feet to a found 1/2 rebar and also being the **POINT OF BEGINNING** of the herein parcel being described:

THENCE, S 71°00'00" E, a distance of 302.68 feet to a found 5/8 rebar for a corner of this parcel;

THENCE, S 19°00'00" W, a distance of 94.53 feet to a set 5/8 rebar for a corner of this parcel;

THENCE, 15.89 feet along an arc of a curve to the right with a radius of 20.00 feet and a central angle of 45°31'51" whose chord bears S 40°39'16" W, a distance of 15.48 feet to a set 5/8" rebar for a corner of this parcel;

THENCE, 117.30 feet along an arc of a curve to the left with a radius of 50.00 feet and a central angle of 134°25'11" whose chord bears S 03°47'25" E, a distance of 92.19 feet to a set 5/8" rebar for a corner of this parcel;

THENCE, S 19°00'00" W, a distance of 81.66 feet to a set 5/8 rebar on the Northerly Right-of-way line of Playa Drain for a corner of this parcel;

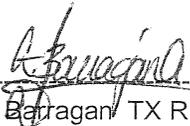
THENCE, along said Right-of-way Line, N 71°00'00" W, a distance of 235.78 feet to a set 5/8 rebar for a corner of this parcel;

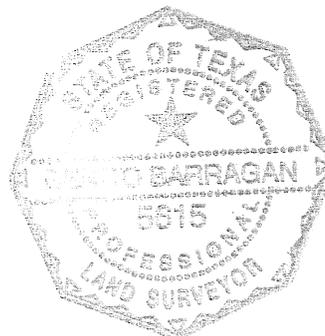
THENCE, continuing on said Right-of-way Line 152.21 feet along an arc of a curve to the right with a radius of 96.90 feet and a central angle of 90°00'00" whose chord bears N 26°00'00" W, a distance of 137.04 feet to a set 5/8" rebar for a corner of this parcel;

THENCE, along the same Right-of-way Line, N 19°00'00" E, a distance of 178.67 feet to the **POINT OF BEGINNING** of the herein parcel being described, containing 1.90 acres of land more less.

NOTES:

1. A Plat of Survey of even date accompanies this description.
2. Bearings recited herein are based on the filed plat for Christy Tract.


Benito Barragan TX R.P.L.S. 5615, October 26, 2006.



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT, PE, CBO
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING



CITY COUNCIL
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SUSANNAH M. BYRD, DISTRICT 2
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BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES PLANNING DIVISION

December 15, 2006

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

FROM: Stephen Schlett, Planner

SUBJECT: ZON06-00149

The City Plan Commission (CPC), on December 7, 2006, voted **6 to 0** to recommend **APPROVAL** of rezoning the subject property from R-3/sc (Residential/special contract) to R-5/sc (Residential/special contract) zoning.

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 that 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.

Planning Division has received one letter in opposition to this request.

Attachment: Location Map, Aerial Map, Site Plan

STAFF REPORT

Rezoning Case: ZON06-00149

Property Owner(s): James & Elizabeth Jacobs

Applicant(s): Jose & Maria L. Saenz

Representative: Ray Mancera

Legal Description: Lots 2-5, Block 2, Fuller Subdivision and a portion of Tracts 4 and 5, Block 1, Christy Subdivision, City of El Paso, El Paso County, Texas

Location: West of Saenz Street and South of Mansfield

Representative District: 7

Area: 3.90 Acres

Present Zoning: R-3/sc (Residential / special contract)

Present Use: Vacant

Proposed Zoning: R-5/sc (Residential / special contract)

Proposed Use: Single Family Dwellings

Recognized Neighborhood Associations Contacted: Thomas Manor Neighborhood Association

Surrounding Land Uses:

North -	R-3/sc (Residential / special contract) / Residential
South -	R-F (Ranch and Farm) / vacant
East -	R-3/sc (Residential / special contract) Residential
West-	R-F (Ranch and Farm) / vacant

Year 2025 Designation: Residential (Lower Valley Planning Area)

**CITY PLAN COMMISSION HEARING, 12/7/2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00149

GENERAL INFORMATION:

The applicant is requesting a rezoning from R-3/sc (Residential / special contract) to R-5/sc (Residential / special contract) in order to permit single family dwellings. The property is 3.90 acres in size and is currently vacant. The proposed site plan shows 22 single family lots to be located on the site. Access is proposed via Saenz Place. There are zoning conditions currently imposed on this property (see attached contract, dated 11-24-1987):

1. Prior to the issuance of a building permit, a subdivision replat must be filed of record.
2. Prior to the issuance of certificates of occupancy, the owners shall erect a six foot (6') rock wall adjacent to the Playa Drain

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has received no 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 R-3/sc (Residential / special contract) to R-5/sc (Residential / special contract).

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend 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 **Lower Valley** Planning Area designates this property for Residential land uses.

R-5/sc (Residential / special contract) zoning permits single family development and **is compatible** with adjacent development.

The Commission must determine the following:

1. Will the R-5/sc (Residential / special contract) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will single family homes 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

Proposed R-5/sc Residential development meets minimum District's Development standards

Landscape Review

Landscape not required for this project.

Development Services Department - Planning Division Comments:

Current Planning:

Planning recommends approval of the rezoning request.

1. The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for Residential land uses.
2. R-5/sc zoning permits single family homes and is compatible with adjacent development.

Subdivision Review:

No comments received

Engineering Department - Traffic Division Comments:

No apparent traffic concerns.

Fire Department Comments:

No comments received.

El Paso Water Utilities Comments:

Water

Along Mansfield Street between Riverview Street and Cora Street there is an existing six (6) inch diameter water main.

Along Saenz Place south of Mansfield Street there are no existing water mains.

Previous water pressure readings conducted on a fire hydrant located at the corner of Mansfield and Riverview Streets have yielded a static pressure of 100 pounds per square inch (psi), residual pressure of 54 psi, discharge of 919 gallons per minute (gpm).

Sanitary Sewer

Along Mansfield Street between Riverview Street and Cora Street there is an existing twelve (12) inch diameter sanitary sewer main.

Along Saenz Place south of Mansfield Street there are no existing sanitary sewer mains.

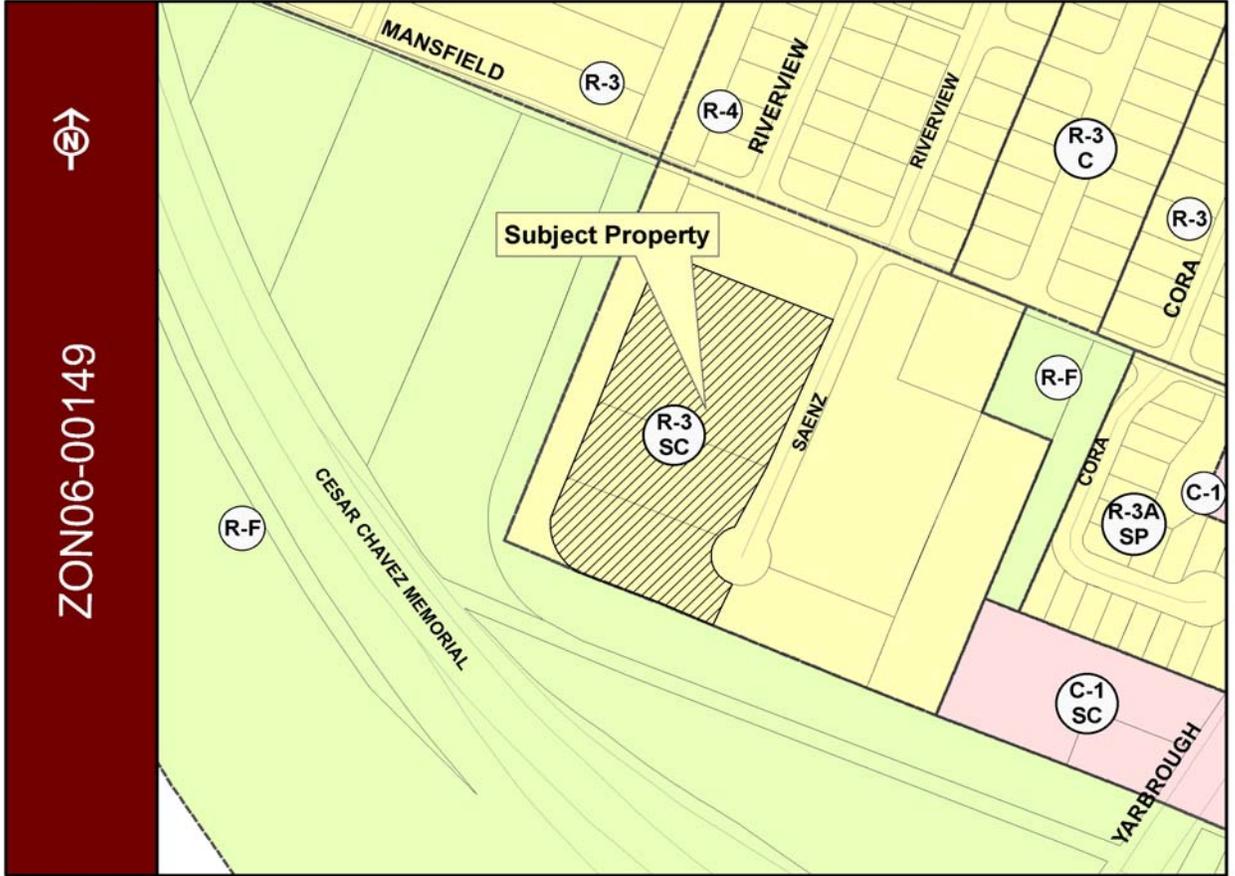
General

The El Paso Water Utilities 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 subdivision. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. Furthermore, application for services for subject subdivision must be made in conjunction with the request for water and sanitary sewer main extensions. The improvement plans should include a site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance which are required at the time of application. The certificate-of-compliance can be obtained on the 2nd floor at City Hall.

EPWU does not object to this request.

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.

LOCATION MAP



AERIAL



