

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: January 5, 2008  
Public Hearing: February 19, 2008

**CONTACT PERSON/PHONE:** Arturo Rubio, 541-4633

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance changing the zoning of a portion of Tract 14A, A.F. Miller Survey No. 210 and a portion of Tract 3-B-3-A, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-4 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Dianjou Drive and West of Bartlett Drive. Applicants: Mountain Valley Homes, ZON07-00129 (District 1)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

This was heard by the City Council on January 29, 2008. Upon City Council action, the case was postponed because the applicant did not provide proof of rezoning sign posting. Per El Paso City Code applicant is required to provide a photograph that shows the required sign on subject property with the required dimensions 15 days prior to first public hearing and remain on subject property until a final decision has been handed down. The applicant was unable to provide proof, and the case was sent back to CPC for reconsideration.

**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

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ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 14A, A. F. MILLER SURVEY NO. 210 AND A PORTION OF TRACT 3-B-3-A, JOHN WHITTAKER SURVEY NO. 134, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO R-4 (RESIDENTIAL). 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 a portion of Tract 14A, A.F. Miller Survey No. 210 and a portion of Tract 3-B-3-A, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas, be changed from R-3 (Residential) to R-4 (Residential), 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 \_\_\_\_\_, 2008.

THE CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

*for* \_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

*for* \_\_\_\_\_  
Kelly Carpenter, AICP, Deputy Director  
Development Services Department,  
Planning Division

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ORDINANCE NO. \_\_\_\_\_

Zoning Case No: ZON07-00129



**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**

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**MEMORANDUM**

**DATE:** January 31, 2008  
**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager  
**FROM:** Arturo Rubio, Planner  
**SUBJECT:** ZON07-00129

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The City Plan Commission (CPC), on December 6, 2007, recommended APPROVAL of rezoning the subject property from R-3 (Residential) to R-4 (Residential). 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 rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

This was heard by the City Council on January 29, 2008. Upon City Council action, the case was postponed because the applicant did not provide proof of rezoning sign posting. Per El Paso City Code applicant is required to provide a photograph that shows the required sign on subject property with the required dimensions 15 days prior to first public hearing and remain on subject property until a final decision has been handed down. The applicant was unable to provide proof, and the case was sent back to CPC for reconsideration.

There was one letter of opposition to this request.

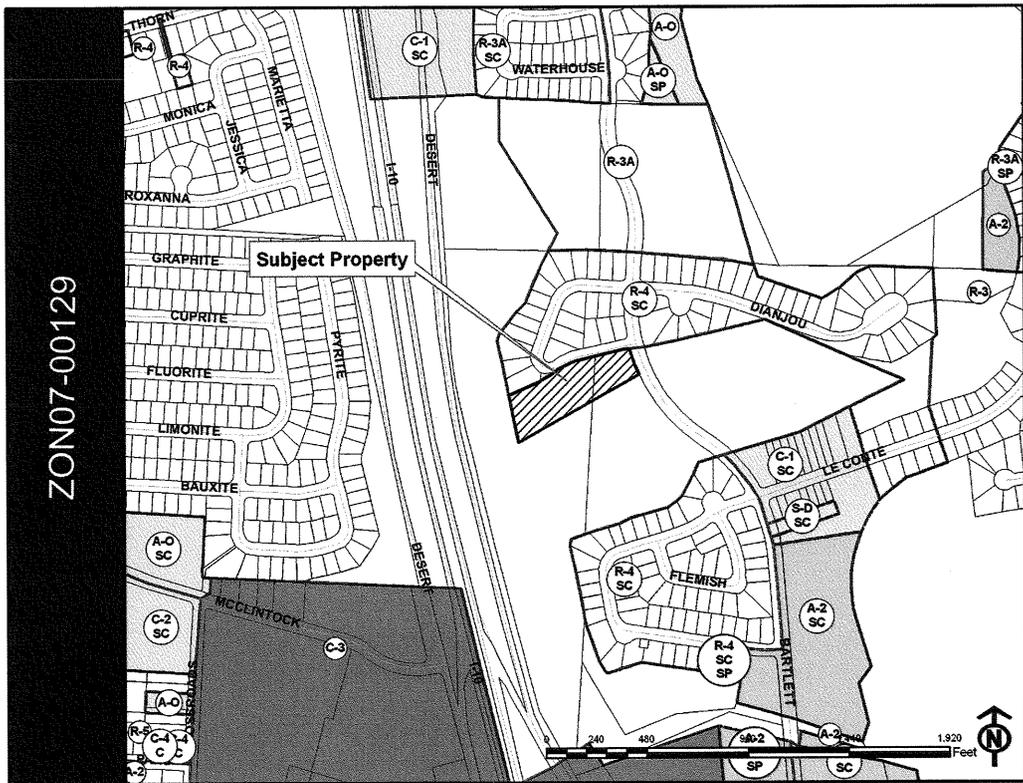
**Attachment:** Staff Report



**ZON07-00129**

**Application Type:** Rezoning  
**Property Owner:** Mountain Valley Homes  
**Representative:** SLI Engineering, Inc.  
**Legal Description:** A portion of Tract 14A, A.F. Miller Survey No. 210 and a portion of Tract 3-B-3-A, John Whittaker Survey No. 134, City of El Paso, El Paso County, Texas

**Location:** South of Dianjou Drive and West of Bartlett Drive  
**Representative District:** 1 **Area:** 2.717  
**Present Zoning:** R-3 (Residential) **Present Use:** Vacant  
**Proposed Zoning:** R-4 (Residential)  
**Recognized Neighborhood Associations Contacted:** Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association  
**Public Response:** None  
**Surrounding Land Uses:** **North:** R-4/sc single family dwellings; **South:** R-3 Mesa drain; **East:** R-3 single family dwellings, Mesa drain, Bartlett Drive; **West:** R-3, Mesa drain, Desert Boulevard  
**Year 2025 Designation:** Residential (North West Planning Area)



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**General Information:**

The applicant is requesting a rezoning from R-3 (Residential) to R-4 (Residential). The property is 2.717 acres (118,358 sq. ft.) in size and is currently vacant. The non-binding conceptual site plans shows 12 lots. Access is proposed via Dianjou Drive and there are no zoning conditions on this property.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) recommends **Approval** of this request for rezoning from R-3 (Residential) to R-4 (Residential).

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 North West Planning Area designates this property for **Residential** land uses.
- **R-4 (Residential) zoning** permits single family development and **is compatible** with adjacent development.

**Findings:**

The Commission must determine the following:

1. Will the zoning protect the best interest, health, safety and welfare of the public in general?
2. Will single-family dwellings 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: No comments received.

Landscape Review: No comments received.

**Development Services Department - Planning Division:**

Current Planning: Recommends approval of zoning request from R-3 (Residential) to R-4 (Residential)

Request is compatible to the General Land Use Map and surrounding land use.

Land Development: No Comments Received

**Engineering Department - Traffic Division:**

No apparent traffic concerns.

**Fire Department**

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No comments received.

**El Paso Water Utilities:**

EPWU does not object to this request.



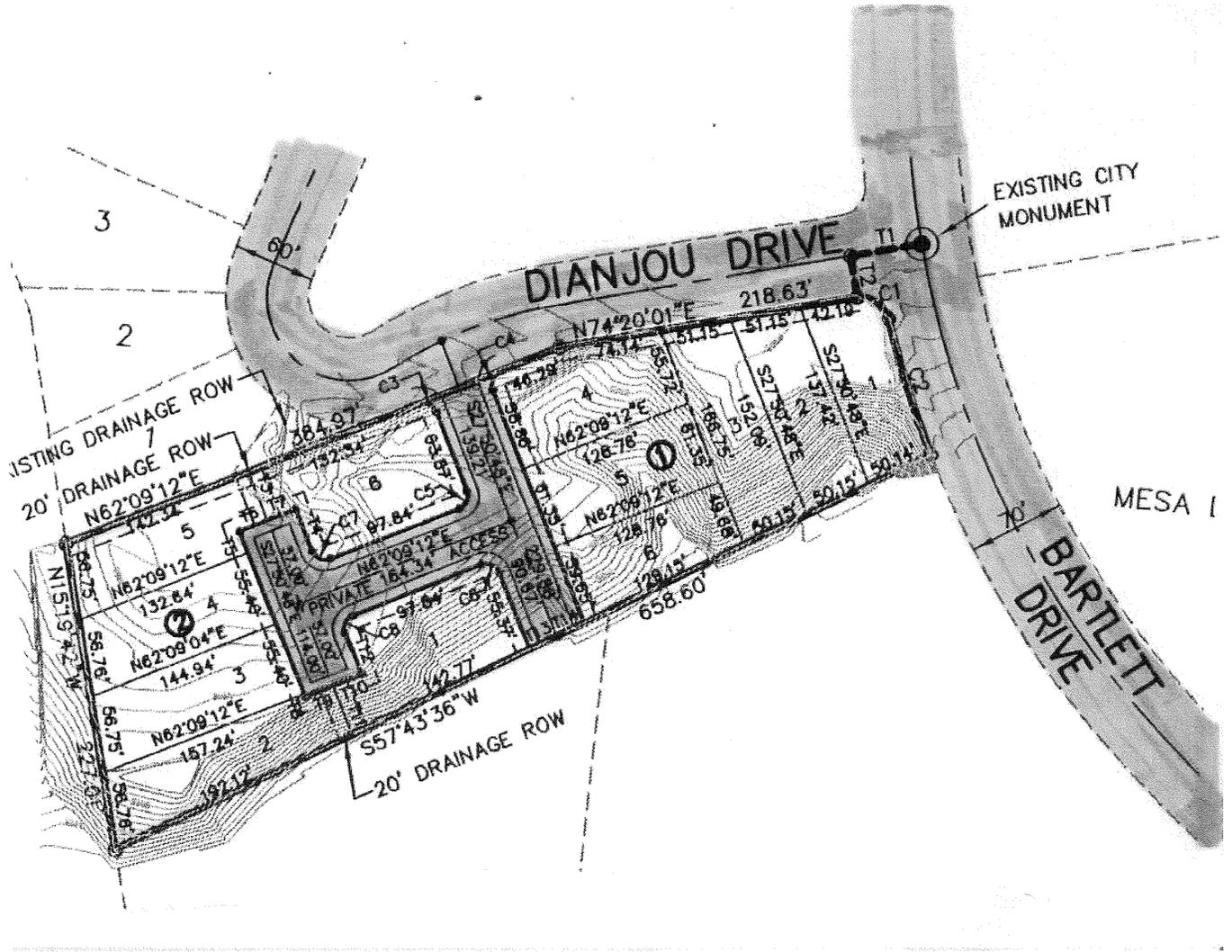
**List of Attachments:**

Attachment 1: Conceptual Site Plan

Attachment 2: Application

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Attachment 1: Conceptual Site Plan

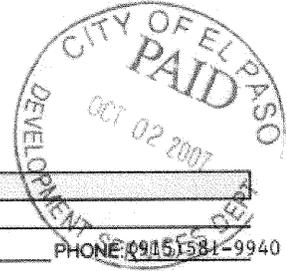


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Attachment 2: Application



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



**1. CONTACT INFORMATION**

PROPERTY OWNER(S): Mountain Valley Homes  
 ADDRESS: 3424 Doniphan Dr. ZIP CODE: 79912 PHONE: (915) 584-9940  
 APPLICANT(S): Same  
 ADDRESS: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 REPRESENTATIVE(S): SLI Engineering, Inc.  
 ADDRESS: 6600 Westwind Dr. ZIP CODE: 79912 PHONE: (915) 584-4457  
 E-MAIL ADDRESS: \_\_\_\_\_ FAX: \_\_\_\_\_

**2. PARCEL ONE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: X210-999-000C-8450 ; X134-999-0000-5000  
 LEGAL DESCRIPTION: A portion of Tract 14A, A.F. Miller Survey No. 210 and a portion of Tract 383, John Whittaker Survey No. 134, El Paso, El Paso County, Texas  
 STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: 1  
 ACREAGE: 2.717 PRESENT ZONING: R3 PRESENT LAND USE: Vacant  
 PROPOSED ZONING: R4 PROPOSED LAND USE: Residential

**3. PARCEL TWO INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
 LEGAL DESCRIPTION: \_\_\_\_\_  
 STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_  
 ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_  
 PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**4. PARCEL THREE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
 LEGAL DESCRIPTION: \_\_\_\_\_  
 STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_  
 ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_  
 PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**5. ADDITIONAL INFORMATION**

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):  
 Printed Name: M. A. KHAMSI Signature: \_\_\_\_\_  
 Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
 Printed Name: \_\_\_\_\_ 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 ZON07-00129 RECEIVED DATE: 10/03/07 APPLICATION FEE: \$ 810<sup>00</sup>  
 DCC REVIEW DATE: 10/31/07 (8:30 am, Planning Department Conference Room, 2<sup>nd</sup> Floor, City Hall Building)  
 CPC REVIEW DATE: 12/06/07 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)  
 ACCEPTED BY: Ronda Castle FUND - 01101, DEPT ID - 99010336, ACCOUNT - 404126

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