

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

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

**AGENDA DATE:** Introduction: February 6, 2007  
Public Hearing: February 27, 2007

**CONTACT PERSON/PHONE:** Melissa Granado, 541-4730

**DISTRICT(S) AFFECTED:** 1

**SUBJECT:**

An Ordinance changing the zoning of Tracts 11 and 12, Block 7, Upper Valley Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to P-R 1 (Planned Residential/1), and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Upper Valley Road and South of Gomez Road. Applicant: I.H.H. Investments, LLC. ZON06-00134 (District 1)

**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:** R. Alan Schubert

**APPROVED FOR AGENDA:**

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

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

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

CITY CLERK DEPT.  
07 JAN 24 PM 2:11

**AN ORDINANCE CHANGING THE ZONING OF TRACTS 11 AND 12, BLOCK 7, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO P-R 1 (PLANNED RESIDENTIAL/1), AND IMPOSING A CONDITION. 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 *Tracts 11 and 12, Block 7, Upper Valley 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-F (Ranch and Farm)** to **P-R 1 (Planned Residential/1)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City: *"The gross density shall not exceed 2.5 dwelling units to the acre."*

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.**

**THE CITY OF EL PASO**

**ATTEST:**

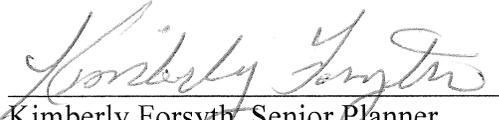
\_\_\_\_\_  
John F. Cook  
Mayor

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

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

  
\_\_\_\_\_  
Kimberly Forsyth, Senior Planner  
Development Services Department

CITY CLERK DEPT.  
07 JAN 24 PM 2:11

## PROPERTY DESCRIPTION

BEING the description of Tract 11 and Tract 12, Block 7, Upper Valley Surveys, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at a set 5/8' rebar with cap for the southwest corner of said Tract 12 from whence a found 1/2" rebar for the northwest corner of Lot 14, Block 6, River Run, Unit 2 bears N 89° 54' 08" E, 40.00 feet, said 5/8" rebar with cap being the True Point of Beginning of the property being described;

THENCE N 00° 05' 00" W, 2413.20 feet to a set 5/8" rebar with cap for the northwest corner of said Tract 11;

THENCE S 89° 50' 00" E, 580.70 feet to a set 5/8" rebar with cap for the northeast corner of said Tract 11;

THENCE S 00° 06' 00" E, 1532.70 feet to a set 5/8' rebar with cap for the southeast corner of said Tract 11 and the northeast corner of said Tract 12;

THENCE S 02° 28' 00" W, 878.70 feet to a set 5/8' rebar with cap for the southeast corner of said Tract 11;

THENCE S 89° 54' 08" W, 542.05 feet to the True Point of Beginning and containing 1,384,129 acres or 31.7752 acres of land more or less.



Basil R. Smith, Jr.  
Texas R.P.L.S. No. 4707  
SECO  
P.O. Box 220025  
El Paso, TX 79932

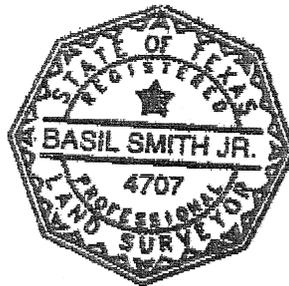


Exhibit "A"

ZON06-00134

**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:** January 24, 2007

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

**FROM:** Melissa Granado, Planner

**SUBJECT: ZON06-00134**

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The City Plan Commission (CPC), on January 4, 2007, voted **7-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to P-R I/c (Planned Residential I/conditions), 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.

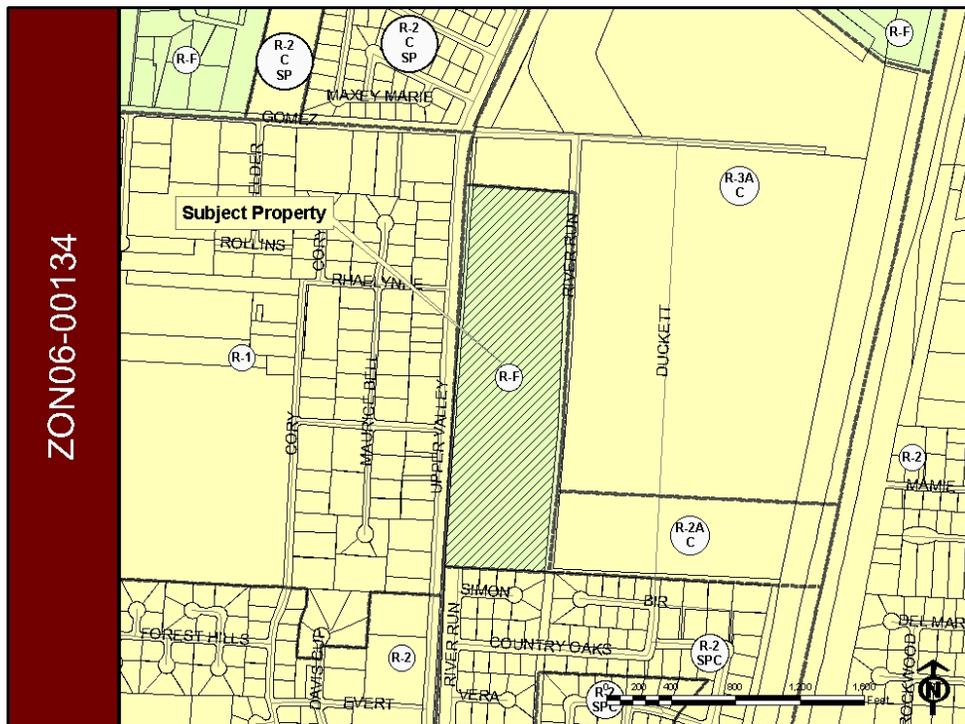
The Planning Division received forty-two (42) letters in support of this application.

**Attachment:** Staff Report, Aerial Map, Site Plan, Example Letter



## ZON06-00134

**Application Type:** Rezoning  
**Property Owner(s):** I.H.H. Investments, LLC  
**Representative(s):** Kristi Eddings  
**Legal Description:** Tracts 11 and 12, Block 7, Upper Valley Surveys, El Paso, El Paso County, Texas  
**Location:** East of Upper Valley Road and South of Gomez Road  
**Representative District:** 1  
**Area:** 31.78 acres  
**Present Zoning:** R-F (Ranch and Farm)  
**Present Use:** Farmland  
**Proposed Zoning:** P-R I (Planned Residential I)  
**Recognized Neighborhood Associations Contacted:** Texas Apache Nations, Inc., Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association  
**Public Response:** Forty-two letters in support  
**Surrounding Land Uses:**  
**North:** R-3A/c / Vacant  
**South:** R-2/sp/c / Single-family Residential  
**East:** R-3A/c, R-2A/c / Vacant  
**West:** R-1 / Single-family Residential  
**Year 2025 Designation:** Residential (Northwest Planning Area)



**General Information:**

The applicant requests a rezoning from R-F (Ranch and Farm) to P-R I (Planned Residential I) in order to permit mixed residential development. The property is 31.78 acres in size and is currently partially vacant and partially farmland. The site plan proposes 56 mixed residential lots with minimum lot sizes of 5300 sq. ft. Access is proposed via Upper Valley Road and River Run Street. There are no zoning conditions currently on this property.

**Staff Recommendation:**

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from R-F (Ranch and Farm) to P-R 1 (Planned Residential I) with the following condition:

“The gross density shall not exceed 2.5 dwelling units to the acre.”

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 Northwest Planning Area designates this property for **Residential** land uses.
- **P-R I (Planned Residential) zoning** permits mixed residential development and **is compatible** with adjacent development.
- **Note:** As per P-R I (Planned Residential I) District development standards, submittal and approval of a detailed site plan will be required.

**Findings:**

The Commission must determine the following:

1. Will P-R I (Planned Residential I) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will mixed residential development be compatible with adjacent land uses?
3. What is the relation of the proposed change to the City’s Comprehensive Plan?
4. What effects will the rezoning have on 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 Comments:**

Zoning Review: Administrative Year 2025 designation review decision. No objections.  
Landscape Review: Landscaping not required for this project. Landscape not required for residential use.

**Development Services Department - Planning Division Comments:**

Current Planning: Planning recommends approval of the request with a condition that the gross density shall not exceed 2.5 dwelling units to the acre. As per P-R I development standards, submittal and approval of a detailed site plan will be required.

Land Development: No comments received.

**Engineering Department - Traffic Division Comments:**

No major traffic issues with the proposed zoning change from R-F to P-R I.

**Fire Department Comments:**

No comments received.

**El Paso Water Utilities Comments:**

**Water:** Along Gomez Road between Upper Valley Road and Valley Palm Oak Court (immediately east of the Schultz Lateral) there is an existing twelve (12) inch diameter water main. Along Upper Valley Road between Gomez Road and Evert Drive there is an existing twelve (12) inch diameter water main. From the intersection of River Run Street and Simon Court along River Run Street towards the north, there is an existing eight (8) inch diameter water main. This main dead-ends at approximately 130 feet north of Simon Court.

Previous water pressure readings conducted on a fire hydrant located at the corner of Gomez Road and Upper Valley Road have yielded a static pressure of 78 pounds per square inch (psi), residual pressure of 60 psi, discharge of 919 gallons per minute (gpm). Previous water pressure readings conducted on a fire hydrant located at the corner of River Run Street and Country Oaks Drive have yielded a static pressure of 74 pounds per square inch (psi), residual pressure of 72 psi, discharge of 1,061 gallons per minute (gpm).

**Sanitary Sewer:** Along Gomez Road between Upper Valley Road and Valley Palm Oak Court there are no existing sanitary sewer mains. From the intersection of River Run Street and Simon Court along River Run Street towards the north, there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 130 feet north of Simon Court.

Along Upper Valley Road between Gomez Road and Romer Ray Drive there is an existing twenty-one (21) inch diameter sanitary sewer main. At approximately 100 feet south of the intersection of Romer Ray Drive and Upper Valley Road, the alignment of this main continues towards the east; the size of this main increases to twenty-four (24) inches in diameter. No service connections are allowed to this main as per the EPWU-PSB Rules and Regulations. This main is within a 40-foot wide EPWU-PSB easement inside Tract 12, Block 7, Upper Valley Surveys. EPWU-PSB requires access to the 24-inch diameter sanitary sewer main at all times. The Developer shall raise existing manhole rims to one (1) foot above the proposed ground.

The Owner/Developer shall provide a means of delineation of the 40-foot wide EPWU-PSB easement. The Owner/Developer shall submit his/her easement delineation proposal to EPWU-PSB for review. Ultimately, EPWU-PSB reserves the right to elect the method of easement delineation to be used. All costs associated with this delineation work are the responsibility of the Owner/Developer. The submitted plat indicates that proposed common areas within Heritage Farms Subdivision double as recreational areas. EPWU-PSB requires for the existing 40-foot wide easement to remain solely as an EPWU-PSB easement and not to be combined with the proposed common recreational areas. EPWU-PSB requires a complete set of improvement plans, and grading plans for review and approval prior to any improvement work pertaining to the area located within the existing 40-foot wide EPWU-PSB easement, as well as the along the immediate vicinity of the easement. This is required in order to ascertain that the proposed improvements and/or grading will not adversely affect the existing twenty-four (24) inch diameter sanitary sewer main.

**General:** Sanitary sewer service is critical. The El Paso Water Utilities – Public Service Board (EPWU-PSB) requires complete final grading plans before committing to provide sanitary sewer service to this proposed subdivision.

The Nemexas Drain and the Schultz Lateral are El Paso County Water Improvement District No. 1 (EPCWID No. 1) rights-of-way. Permits from EPCWID No. 1 will be required in the event that the proposed water and sanitary sewer facilities cross the EPCWID No. 1 right-of-way. The El Paso Water Utilities - Public Service Board (EPWU-PSB) is interested in leasing the water rights of this subdivision. Please contact Jim Shelton at 594-5511 or Bertha Hernandez at 594-5512. The Owner / Developer will be responsible for the acquisition of easements, if required.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy. Should private streets be proposed, the streets are required to be designated full-width utility easements in order to enable the construction, operation, maintenance, and, repair of the proposed water and sanitary sewer mains. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB. The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

Proposed easement surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB. In the event that the City of El Paso Fire Department requires additional fire hydrants and/or an on-site fire protection system within the private property, the Owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. 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.

In order to accommodate the required fire hydrants, the proposed right-of-way (whether public or private) is to be adjusted. The right-of-way adjustments are to be areas consisting of 10 feet by 10 feet. The locations of the adjustments will be at the discretion of EPWU-PSB. Service to be provided at the entrance of panhandle lots. The Owner is to provide the locations for the water services outside of the driveways. The placement of water meters shall be outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.

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.

**AERIAL MAP**





EXAMPLE LETTER

CITY CLERK DEPT.  
07 JAN 24 PM 2:12

October 3, 2006

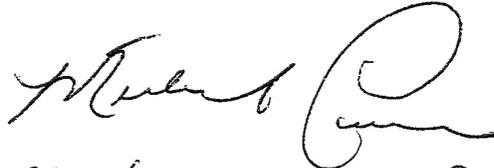
Dear Mayor and City Council:

I want to congratulate the City of El Paso for the work it has been doing on preserving open spaces in our community. An abundance of open space contributes to the quality of life enjoyed by all citizens living in our City, and is a major attractant for new businesses and families to relocate to this region.

An important part of open space is the preservation and availability of equestrian trails as many families in our community share a common equestrian interest. Many families live in the Upper Valley to enhance their life styles through their horse interest, and we need trails to ride our horses!

I support a horse trail system throughout the Valley and on the existing ditches, and strongly urge you to support this important effort!

Sincerely,



Name:

Michael Casow

Address:

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