

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

**DEPARTMENT:** Planning & Economic Development Department

**AGENDA DATE:** Introduction: January 31, 2012  
Public Hearing: February 21, 2012

**CONTACT:** Melissa Granado, (915) 541-4730

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance changing the zoning of Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, City of El Paso, El Paso County, Texas from C-2 (Commercial) to SCZ (SmartCode Zone). The penalty is as provided for in Chapter 21.60 of the El Paso City Code. Property Owner: EPT Mesa Development, LP. PZRZ11-00052 (**District 8**)

**BACKGROUND / DISCUSSION:**

N/A

**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) – Approval Recommendation

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Deputy Director-Planning & Economic Development

**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE CHANGING THE ZONING OF LOTS 3 AND 4, BLOCK 9, MONTECILLO UNIT THREE REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-2 (COMMERCIAL) TO SCZ (SMARTCODE ZONE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 21.60 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 3 and 4, Block 9, Montecillo Unit Three Replat A, City of El Paso, El Paso County, Texas*, be changed from **C-2 (Commercial)** to **SCZ (SmartCode Zone)**, within the meaning of Title 21, SmartCode; and,

That the zoning map of the City of El Paso be revised accordingly; and,

That the City Council approve the Regulating Plan attached as Exhibit "A" and incorporated herein for all purposes; and,

That the development of the property described above and land uses allowed on such property shall be in accordance with Title 21, SmartCode, the attached Regulating Plan, and the El Paso City Code.

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2012.**

**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

\_\_\_\_\_  
Mathew S. McElroy, Deputy Director  
Planning and Economic Development  
Department

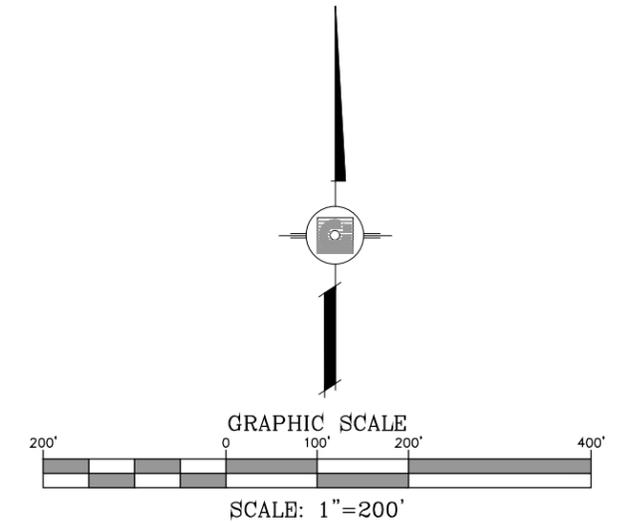


SMART CODE APPLICATION  
 EL PASO, TEXAS CODE OF ORDINANCES  
 TITLE 21 APPLICATION.

MONTECILLO ESTATES  
 UNIT 3 - SENIOR HOUSING

TABLE OF CONTENTS

- PAGE 2 - AERIAL
- PAGE 3 - EXISTING ZONING
- PAGE 4 - PROJECT SIZE & BOUNDARY
- PAGE 5 - TRANSECT ZONE ALLOCATION
- PAGE 6 - THOROUGHFARE ASSIGNMENTS
- PAGE 7 - WARRANT & VARIANCE REQUESTS



LEGEND:

PROJECT BOUNDARY - - - - -

PAGE 1



**CONDE INC.**  
 REGISTRATION No. F-2321  
 ENGINEERING / PLANNING  
 SURVEYING / GPS  
 6080 SURETY DR. STE 100  
 EL PASO, TEXAS 79906  
 PH. # 692-0283 FAX # 692-0286

NOVEMBER 9, 2011

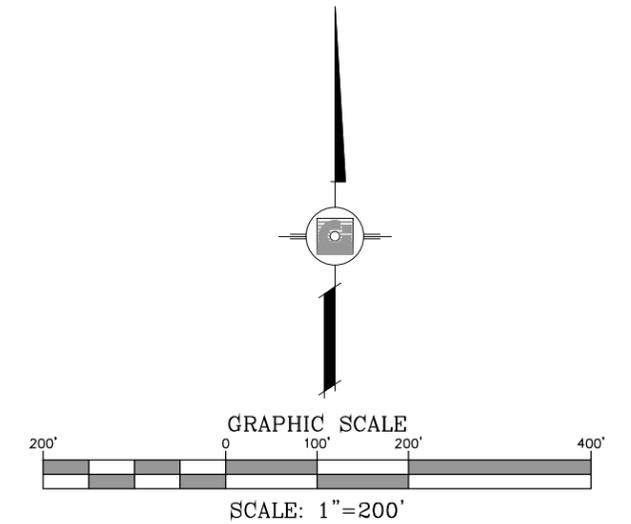


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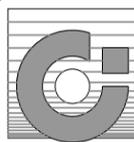
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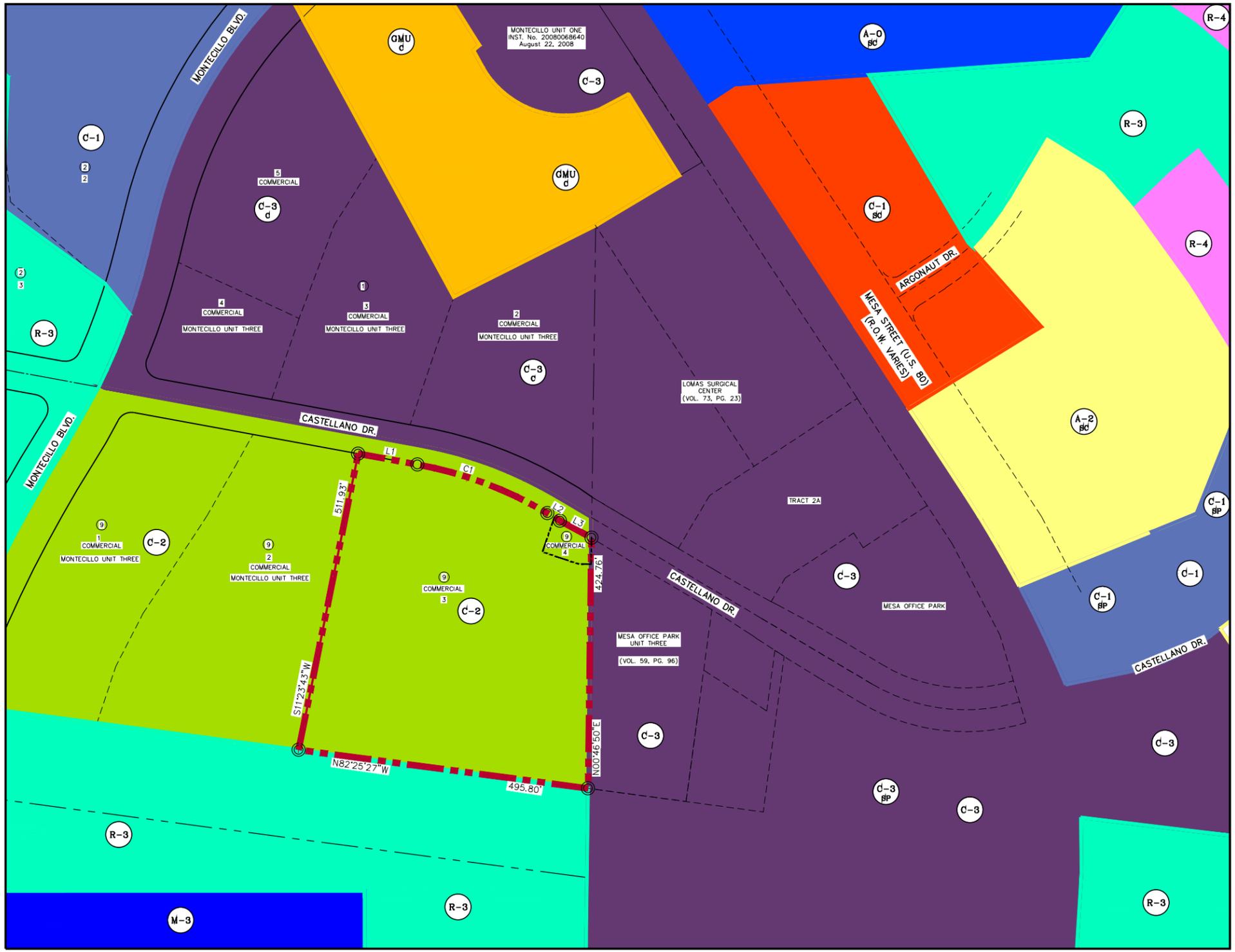
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**ZONING MAP**

THE ZONING FOR THE PROPERTY IS CURRENTLY C-2

■ PER SECTION 21.10.040 (B)(1)

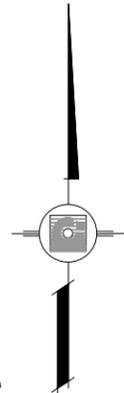
THE LEGAL DESCRIPTION FOR MONTECILLO ESTATES UNIT 3 – SENIOR HOUSING IS BEING LOTS 3 AND 4, BLOCK 9, MONTECILLO UNIT 3 REPLAT-A.

**LEGEND:**

PROJECT BOUNDARY



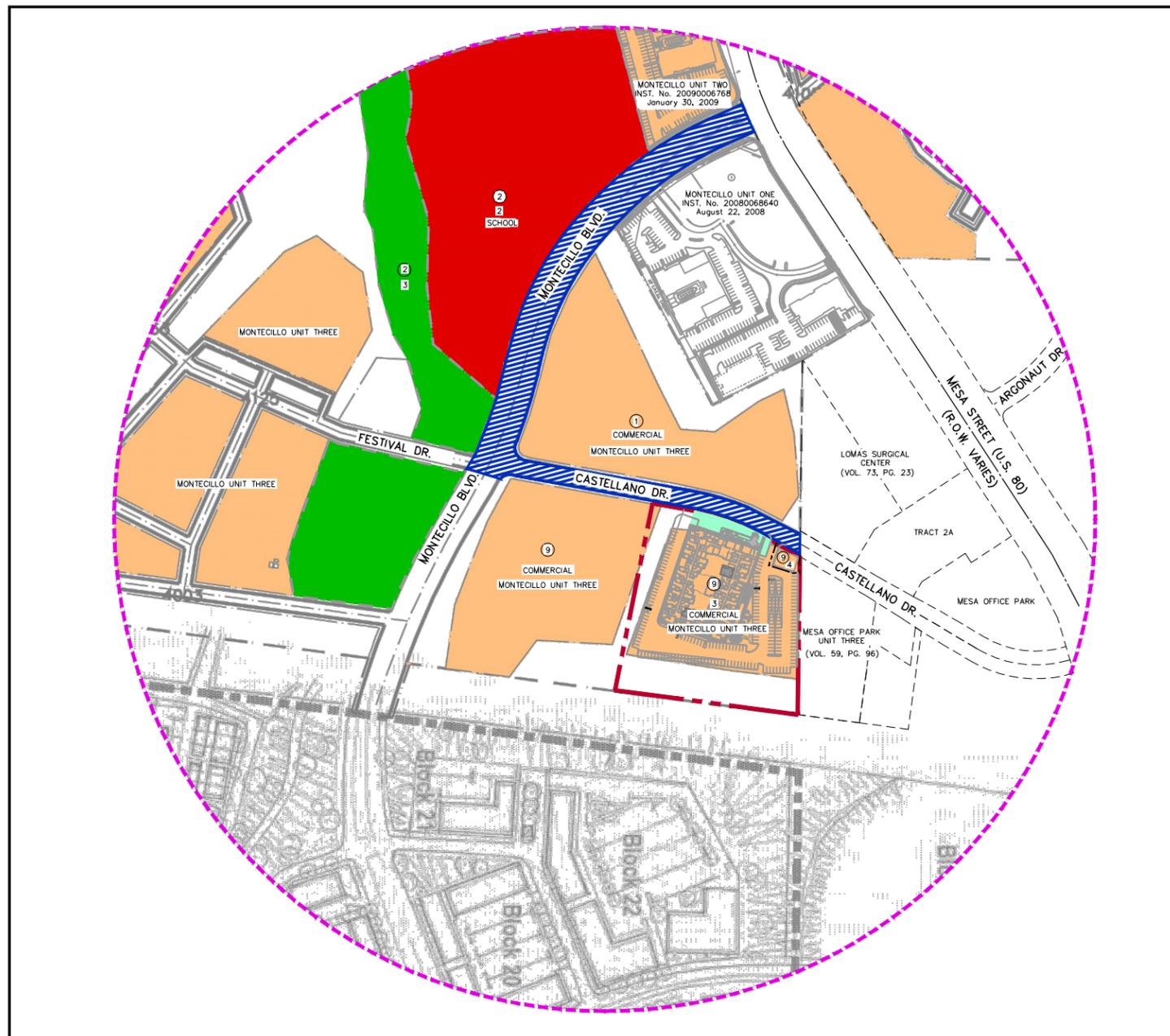
SCALE: 1"=200'





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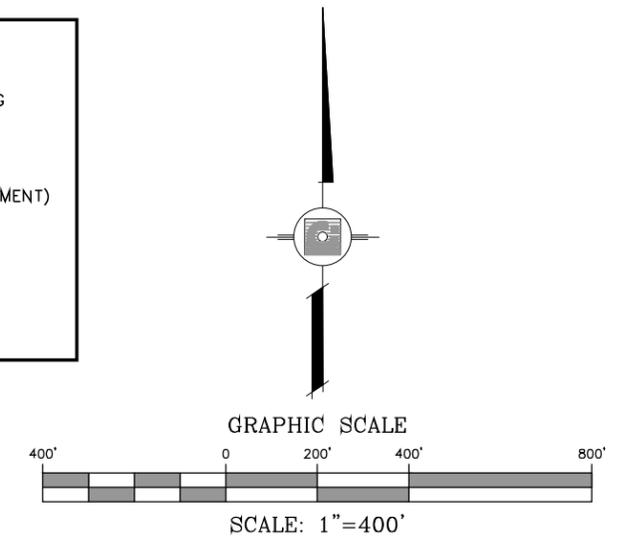
JANUARY 23, 2012



**PROJECT SIZE & BOUNDARY**

- IDENTIFY APPLICATION TYPE (SEE BELOW)
- IDENTIFY PEDESTRIAN SHED(S)  
(PEDESTRIAN SHED REQUIREMENTS FOR INFILL TND ARE SET FORTH IN SECTION 21.40.020)
- IDENTIFY COMMUNITY TYPE (SEE BELOW)
- IDENTIFY PROJECT BOUNDARIES BASED ON PEDESTRIAN SHED.
- SPECIAL DISTRICTS: NONE
- IDENTIFY CIVIC ZONE AS SET FORTH IN SECTION 21.40.040
- PRIVATE FRONTAGE AS SET FORTH IN SECTION 21.20, TABLE 7C

PROJECT DATA	
PROJECT NAME:	MONTECILLO ESTATES UNIT 3-SENIOR HOUSING
APPLICATION TYPE:	INFILL COMMUNITY
COMMUNITY TYPE:	INFILL TND (TRADITIONAL NEIGHBORHOOD DEVELOPMENT)
TOTAL SITE AREA:	5.00 ACRES
NET SITE AREA:	5.00 ACRES
PEDESTRIAN SHEDS:	1 PEDESTRIAN SHED

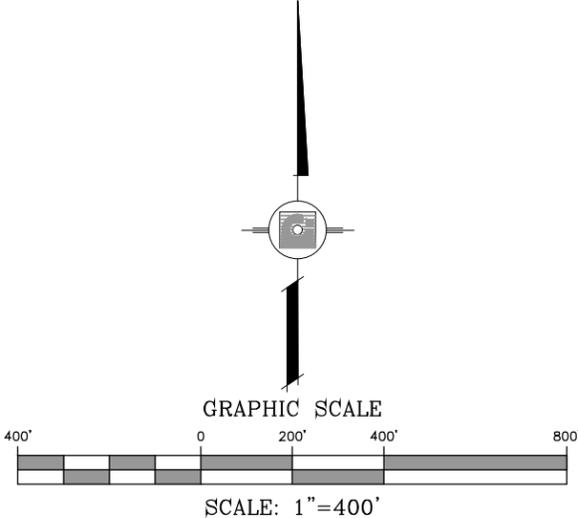
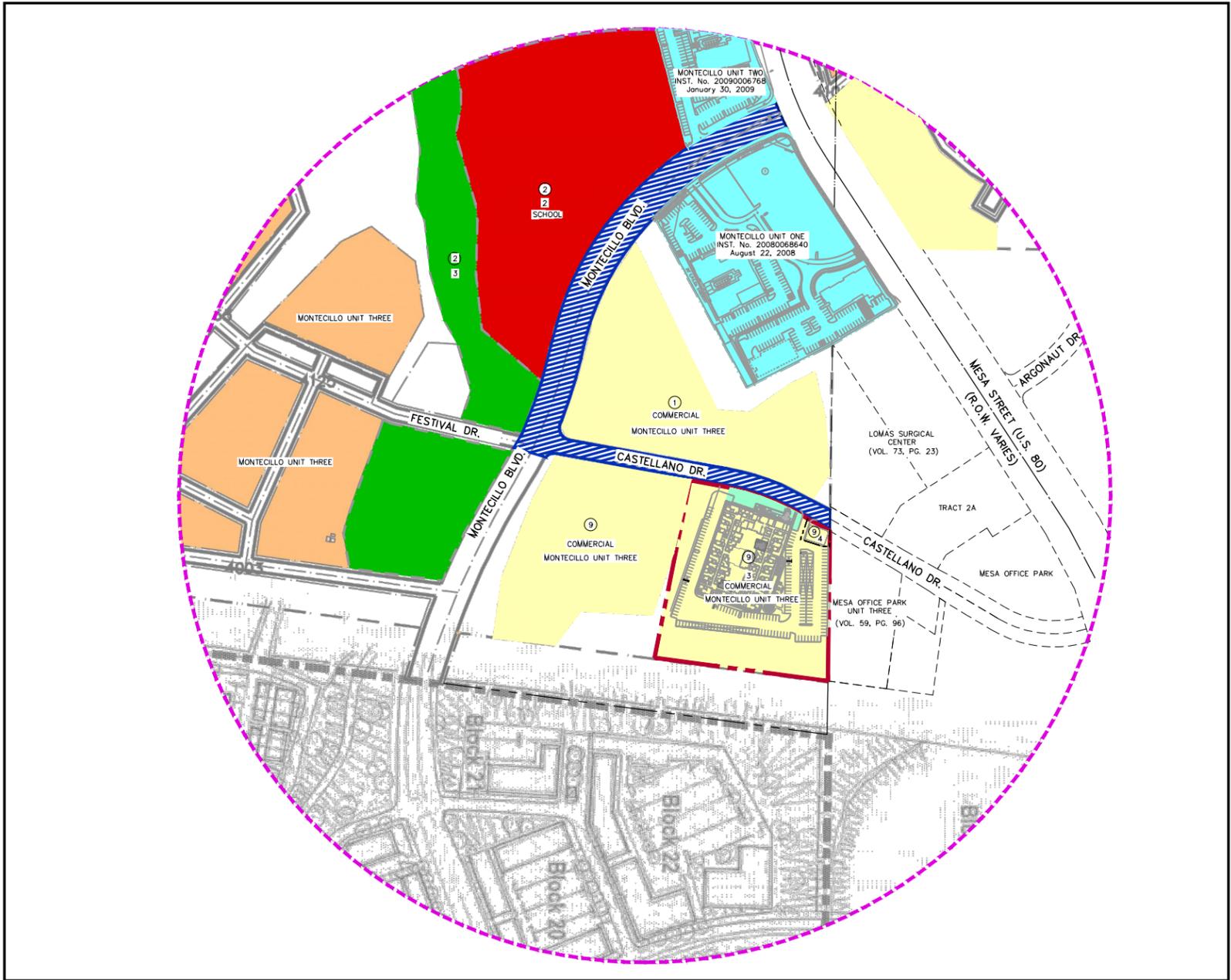


**LEGEND:**

- PROJECT BOUNDARY
- PEDESTRIAN SHED BOUNDARY
- CIVIC SPACE (PARK)
- CIVIC BUILDING (SCHOOL)
- PRIVATE FRONTAGE (TERRACE)
- EXISTING STREETS

TRANSECT ZONE ALLOCATION: T40

- COMPLIANCE WITH TRANSECT ZONE ALLOCATION REQUIREMENTS AS SET FORTH IN SECTION 21.40.030.
- COMPLIANCE WITH FRONTAGE BUILDOUT FOR T40 TO BE 80% MINIMUM AS SET FORTH IN SECTION 21.80 (TABLE 14: SUMMARY TABLE). CALCULATION AS FOLLOWS:
  - a.) PRINCIPAL BUILDING LOT FRONTAGE WIDTH = 424.73' LESS SLOPE & EASEMENT OF 122.10' = 302.63', LESS FUTURE BUILDING LOT OF 72' = 230.63' NET LOT FRONTAGE PRINCIPAL. BUILDING = 184.50' DIVIDED BY LOT FRONTAGE = 80%.
  - b.) FUTURE BUILDING LOT FRONTAGE WIDTH = 72' FUTURE BUILDING = 57.60' DIVIDED BY LOT FRONTAGE = 80%.

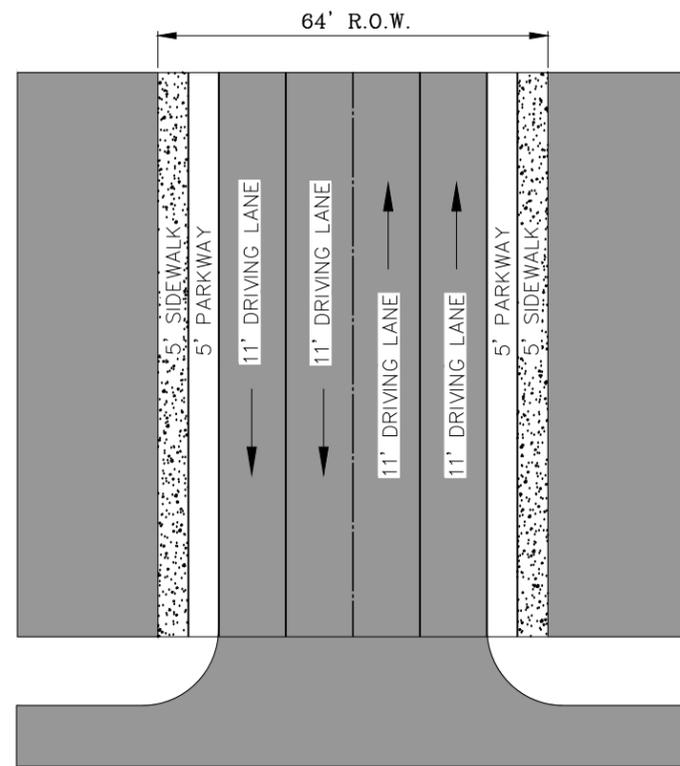


- LEGEND:
- PROJECT BOUNDARY
  - PEDESTRIAN SHED BOUNDARY
  - T40 GENERAL URBAN
  - T5 URBAN CENTER ZONE
  - GMU
  - CIVIC SPACE (PARK)
  - CIVIC BUILDING (SCHOOL)
  - PRIVATE FRONTAGE (TERRACE)
  - EXISTING STREETS



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DECEMBER 6, 2011



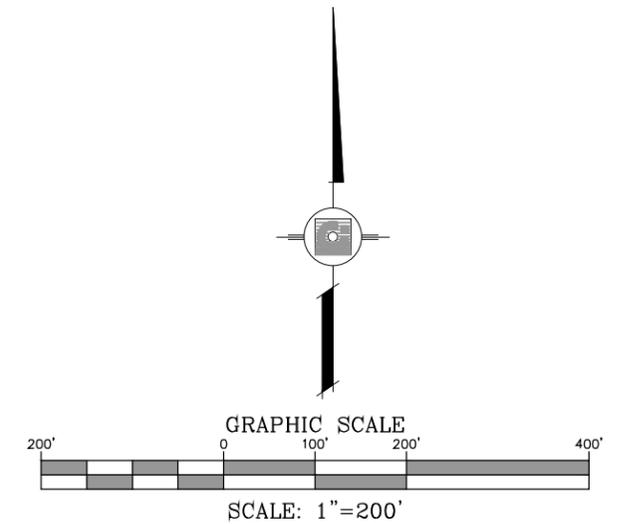
EXISTING 64' COLLECTOR ARTERIAL

THOROUGHFARE ASSIGNMENTS (N/A)

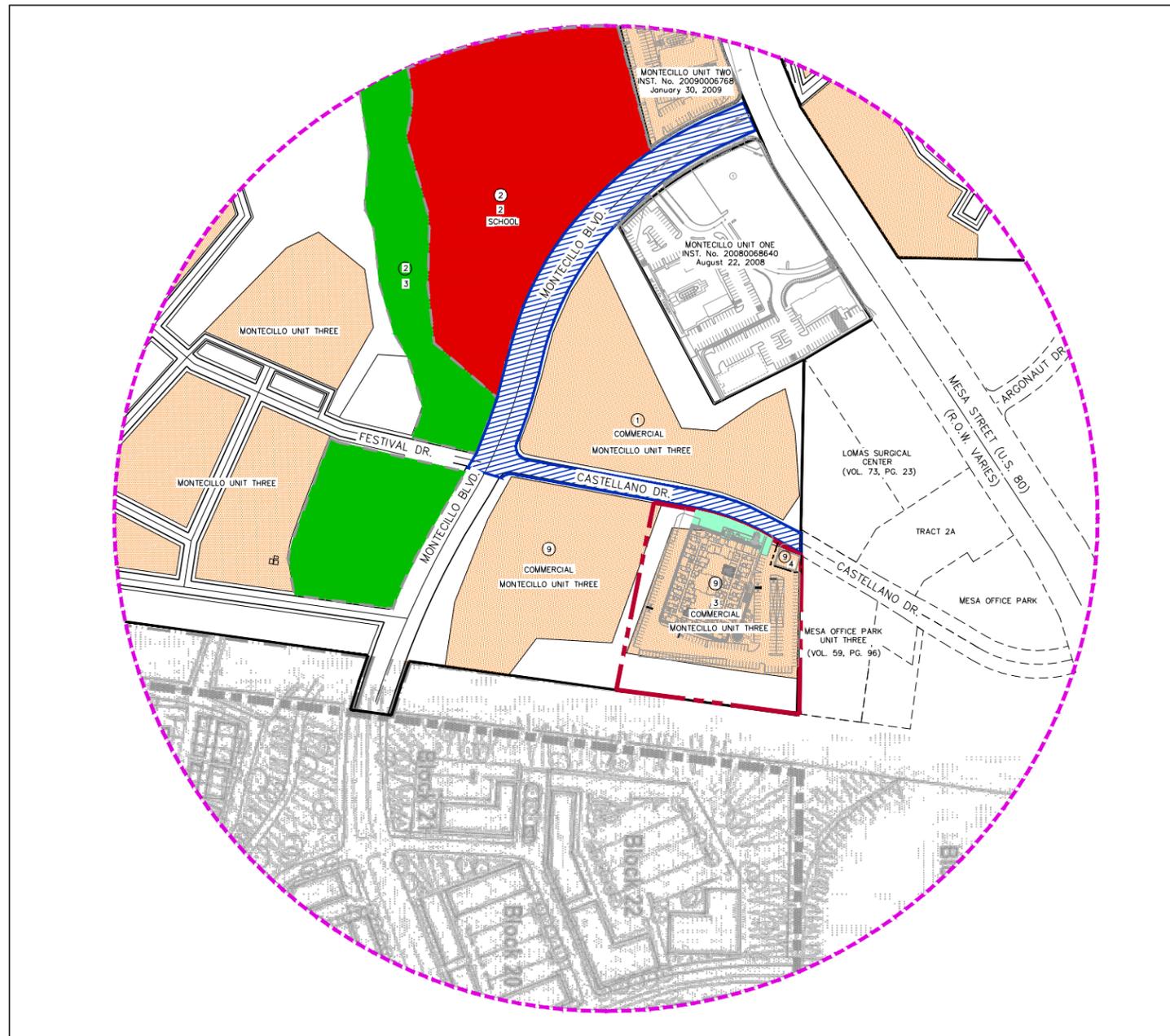
NOTES:

PAVEMENT WIDTH INCLUDES CURB AND GUTTER WHERE PRESENTED, AND IS MEASURED FROM FACE OF CURB TO FACE OF CURB.

- EXISTING COLLECTOR ARTERIAL (PLATTED WITHIN MONTECILLO ESTATES UNIT 3)



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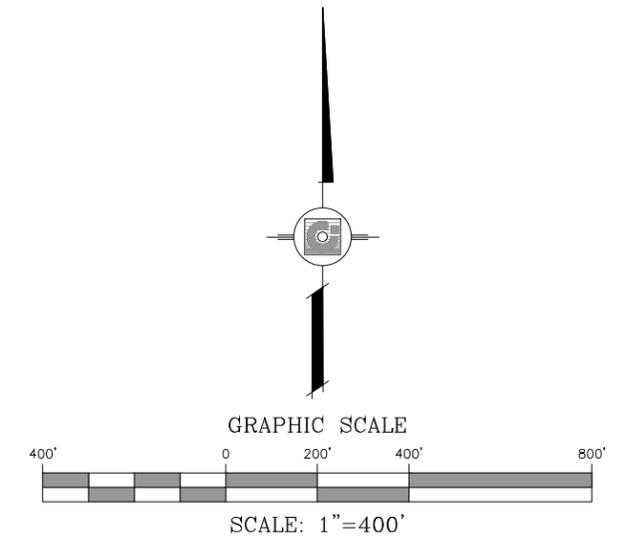


**WARRANT & VARIANCE REQUESTS**

NOTES:

THE APPLICATION IS COMPLIANT WITH CHAPTER 21 PENDING THE FOLLOWING WARRANT AND VARIANCES.

- VARIANCE REQUEST FOR REQUIRED FRONT SETBACK 0' TO 12' MAXIMUM AS SET FORTH IN SECTION 21.80.030, SUMMARY TABLE 14. VARIANCE FOR THE FRONT SETBACK TO BE NO MORE THAN 45' DUE TO TOPOGRAPHIC (25% TO 40% SLOPES) CONSTRAINTS PER TITLE 21.10.050.



**LEGEND:**

- PROJECT BOUNDARY 
- PEDESTRIAN SHED BOUNDARY 
- CIVIC SPACE (PARK) 
- CIVIC BUILDING (SCHOOL) 
- PRIVATE FRONTAGE (TERRACE) 
- EXISTING STREETS 



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**Date:** January 24, 2012  
**To:** Honorable Mayor and City Council  
Joyce Wilson, City Manager  
**From:** Melissa Granado, Senior Planner  
**Subject:** **PZRZ11-00052 Rezoning**

---

The City Plan Commission (CPC) on January 12, 2012, voted **4-0** to recommend **approval** of this rezoning. The request is to change the zoning from C-2 (Commercial) to SCZ (SmartCode Zone) to allow Infill Traditional Neighborhood Development.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

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

There was no one present at the meeting to speak in favor or in opposition to this request.

**Attachment:** Staff Report

**Mayor**  
John F. Cook

**City Council**

*District 1*  
Ann Morgan Lilly

*District 2*  
Susie Byrd

*District 3*  
Emma Acosta

*District 4*  
Carl L. Robinson

*District 5*  
Dr. Michiel R. Noe

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Cortney Carlisle Niland

**City Manager**  
Joyce A. Wilson





## *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZRZ11-00052  
**Application Type:** SmartCode Rezoning  
**CPC Hearing Date:** January 12, 2012  
**Staff Planner:** Melissa Granado, 915-541-4730, granadom@elpasotexas.gov  
**Location:** South of Castellano, north of Executive Center, east of Interstate 10 and west of Mesa  
**Legal Description:** Lots 3 and 4, Block 9, Montecillo Unit Three Replat A, City of El Paso, El Paso County, Texas  
**Acreage:** 5 acres  
**Rep District:** 8  
**Zoning:** C-2 (Commercial)  
**Existing Use:** Vacant  
**Request:** From C-2 (Commercial) to SCZ (SmartCode Zone)  
**Proposed Use:** Senior housing facility  
**Property Owner:** EPT Mesa Development, LP  
**Representative:** Conde, Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** C-3 (Commercial)  
**South:** R-3 (Residential)  
**East:** C-3 (Commercial)  
**West:** C-2 (Commercial)

**Plan for El Paso Designation:** Mixed Use (Northwest Planning Area)  
**Nearest Park:** Mission Hills Park (1.7 miles)  
**Nearest School:** Morehead Middle School (1.5 miles)

### **NEIGHBORHOOD ASSOCIATIONS**

Mesa Hills Neighborhood Association  
Save the Valley  
Upper Mesa Hills Neighborhood Association  
Coronado Neighborhood Association  
Upper Valley Improvement Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on December 21, 2011.

### **APPLICATION DESCRIPTION**

The applicant is requesting a rezoning from C-2 (Commercial) to SmartCode Zone (SCZ) to permit an Infill Traditional Neighborhood Development (TND), T4O (General Urban Zone - Open) transect. The property is 5 acres in size and is currently vacant. The regulating plan shows a Senior Housing Facility to be located on the site. There are no zoning conditions currently imposed on this property. A variance request for the required front yard setback was approved by the Zoning Board of Adjustments on November 14, 2011.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from C-2 (Commercial) to SCZ (SmartCode Zone) based on the compatibility with the comprehensive plan and the adjacent properties

in the area. This development complies with Title 21 SmartCode and furthers the City Council direction to promote smart growth.

### **The Plan for El Paso-City-Wide Land Use Goals**

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

### **Development Coordinating Committee Review**

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning staff's recommendation for **approval**.

### **Engineering & Construction Management Services Department – Plan Review**

No comments received.

### **Engineering & Construction Management Service Department - Land Development**

No comments.

### **Department of Transportation**

The Department of Transportation does not object to the proposed rezoning; however, the following concern shall be addressed:

1. The proposed thoroughfare type for Castellano does not match the standard cross-section that was approved with the original subdivision plat.

Note:

2. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in accordance with the current City of El Paso Design Standards for Construction and shall be ADA/TAS compliant.

### **El Paso Water Utilities**

1. The Owner/Developer has entered into a Development Agreement with the El Paso Water Utilities – Public Service Board (EPWU-PSB) to construct the proposed water and sanitary sewer mains to provide service to Montecillo Unit 3 subdivision. The Developer's utility contractor is currently installing the required water and sanitary sewer mains. These mains are not available for permanent service until EPWU-PSB issues a Letter of Final Acceptance of the facilities.

2. Furthermore, a sanitary lift station with associated force main and an off-site gravity main with horizontal tunneling across IH-10 are required to provide sewer service to the proposed subdivision. The Owner/Developer has also entered into a Development Agreement with the El Paso Water Utilities – Public Service Board (EPWU-PSB) to construct these facilities and currently under construction. No Final Acceptance has been issued by EPWU for these facilities.

3. The property will be located within an intermediate pressure zone. Private water pressure regulating devices will be required at every lot within the intermediate pressure zone. 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.

4. The water and sanitary sewer mains mentioned above are required to be installed and accepted by EPWU-PSB prior to providing service to the subject property.

5. Application for services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility

plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water lines and appurtenances.

**Fire Department**

Recommend approval.

**Police Department**

The change does not present an issue for police. The concern for the area would be that adequate lighting and traffic control is available for the citizens.

**CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

**Attachments:**

Attachment 1: Regulating plan

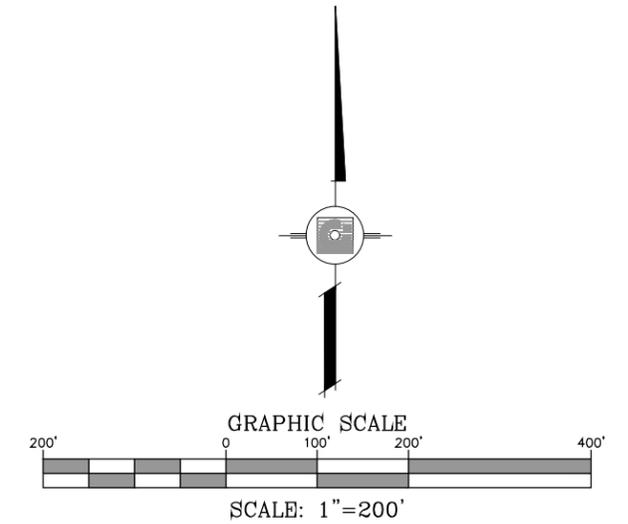


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MONTECILLO ESTATES  
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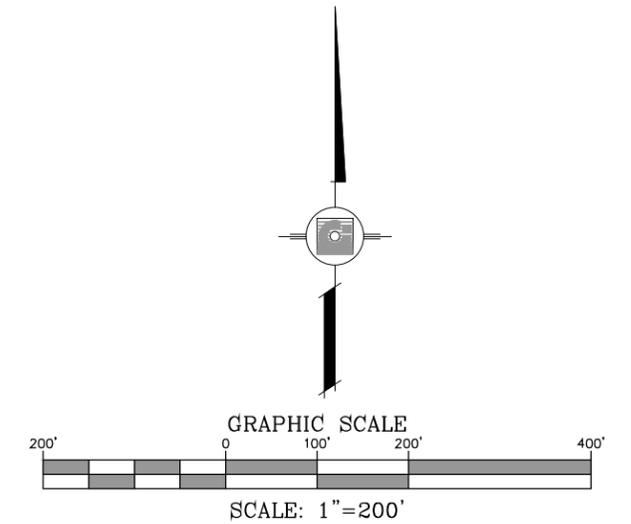


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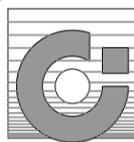
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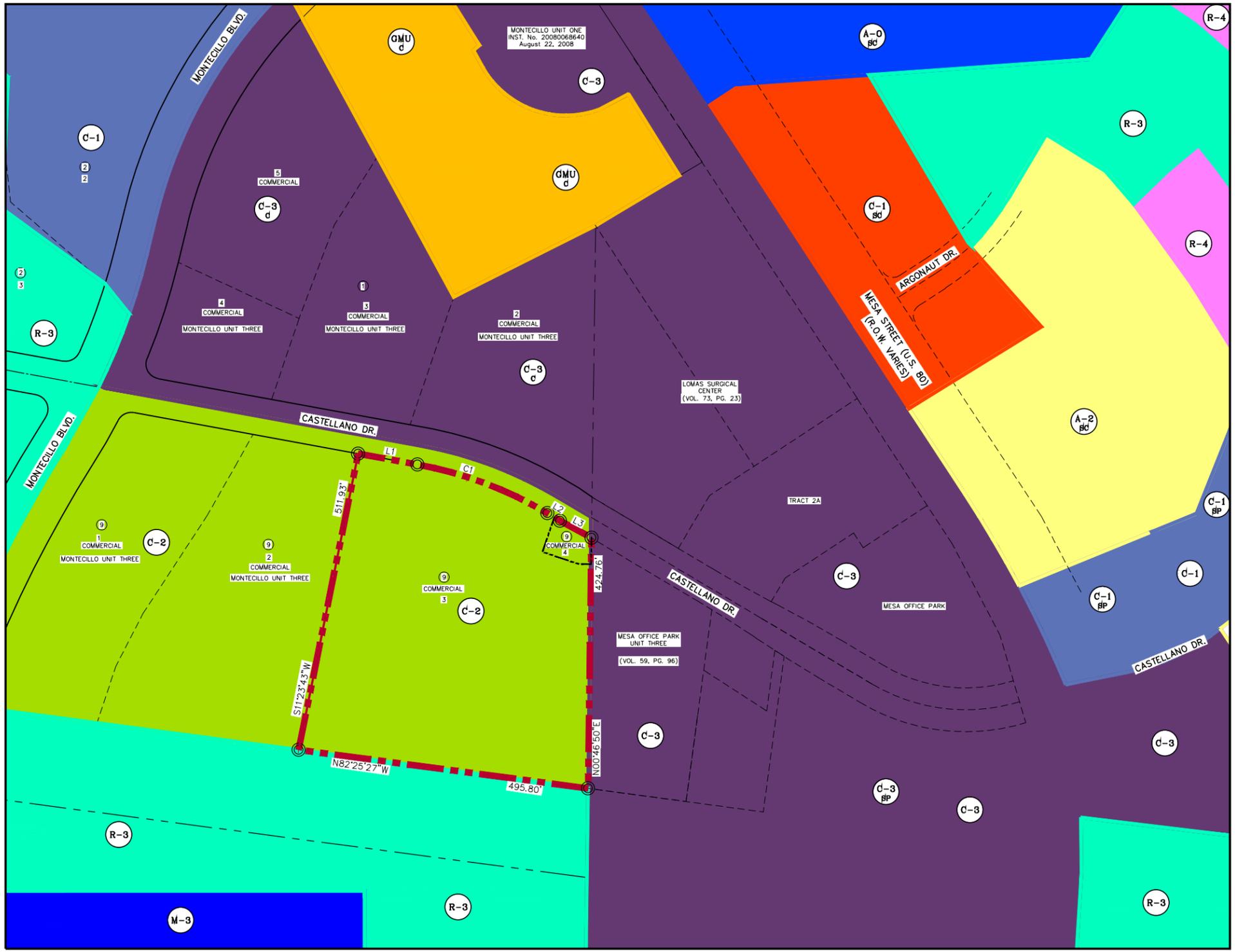
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**ZONING MAP**

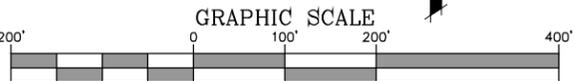
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■ PER SECTION 21.10.040 (B)(1)

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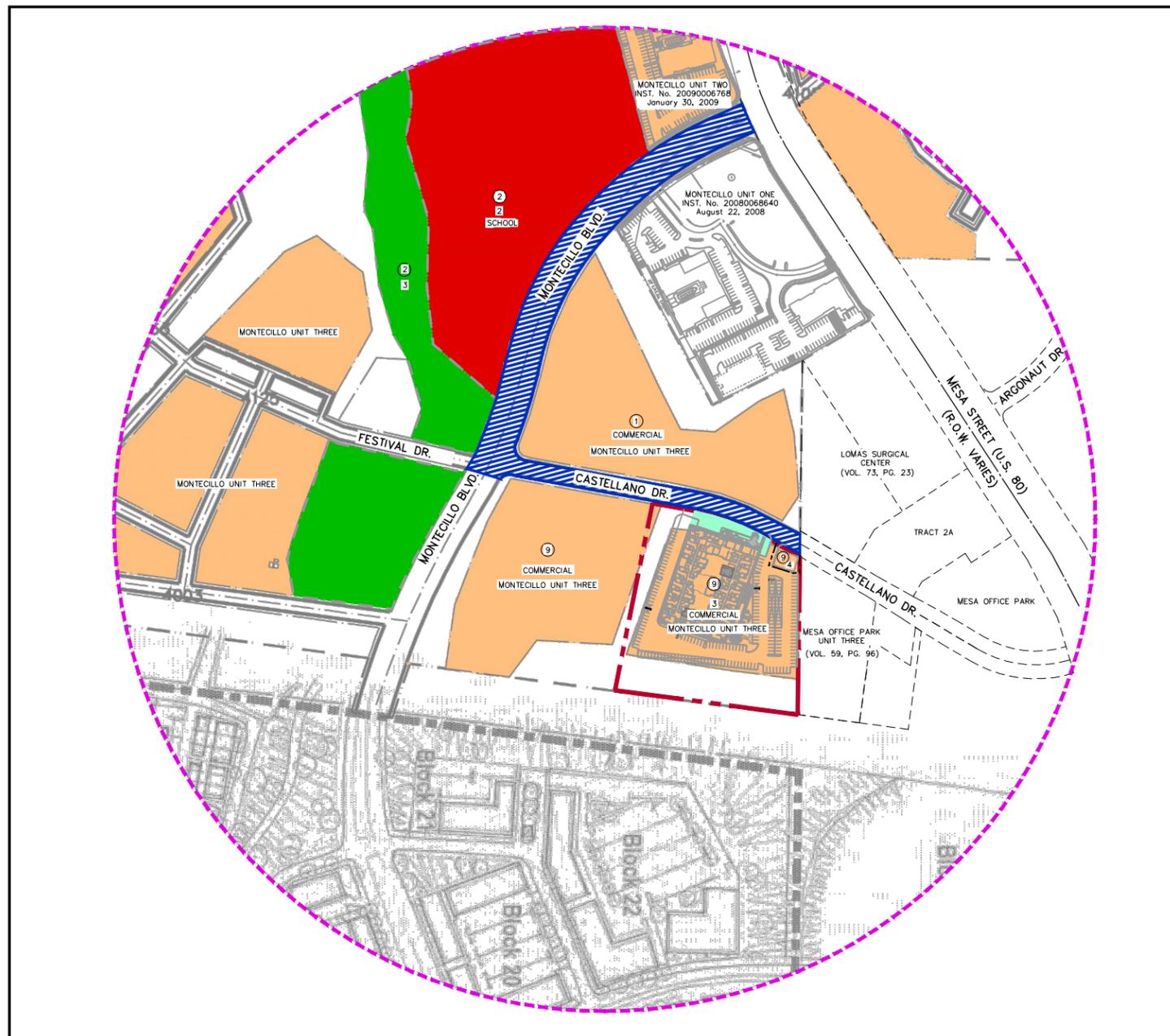
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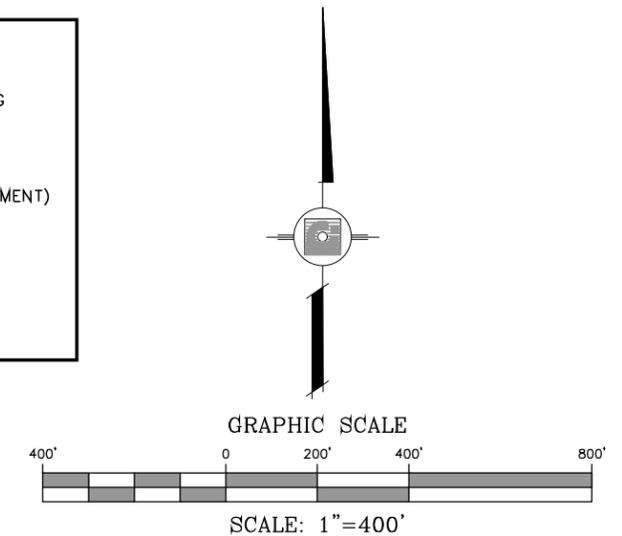
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APPLICATION TYPE:	INFILL COMMUNITY
COMMUNITY TYPE:	INFILL TND (TRADITIONAL NEIGHBORHOOD DEVELOPMENT)
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NET SITE AREA:	5.00 ACRES
PEDESTRIAN SHEDS:	1 PEDESTRIAN SHED



**LEGEND:**

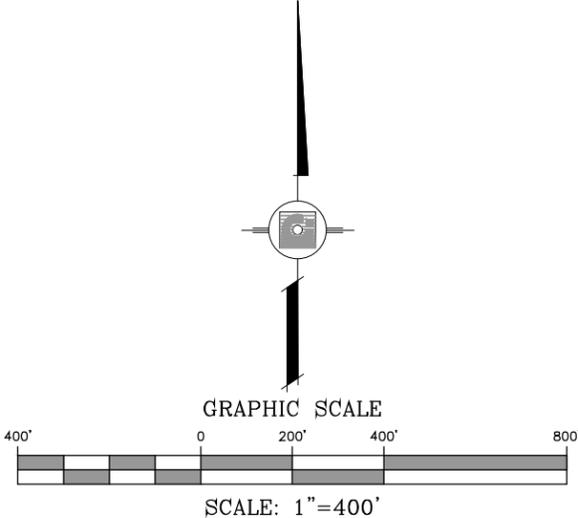
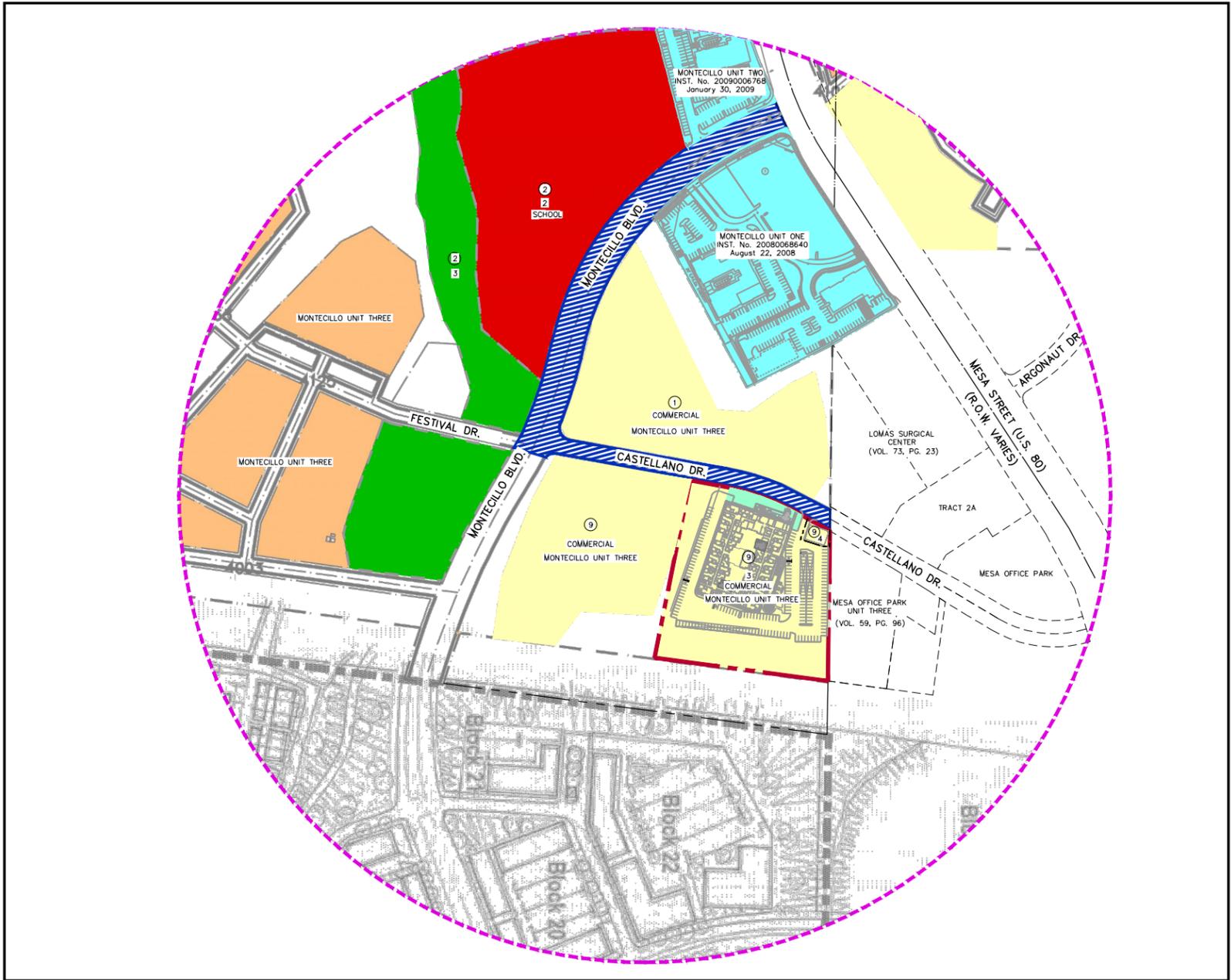
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TRANSECT ZONE ALLOCATION: T40

- COMPLIANCE WITH TRANSECT ZONE ALLOCATION REQUIREMENTS AS SET FORTH IN SECTION 21.40.030.
- COMPLIANCE WITH FRONTAGE BUILDOUT FOR T40 TO BE 80% MINIMUM AS SET FORTH IN SECTION 21.80 (TABLE 14: SUMMARY TABLE). CALCULATION AS FOLLOWS:
  - a.) PRINCIPAL BUILDING LOT FRONTAGE WIDTH = 424.73' LESS SLOPE & EASEMENT OF 122.10' = 302.63', LESS FUTURE BUILDING LOT OF 72' = 230.63' NET LOT FRONTAGE PRINCIPAL. BUILDING = 184.50' DIVIDED BY LOT FRONTAGE = 80%.
  - b.) FUTURE BUILDING LOT FRONTAGE WIDTH = 72' FUTURE BUILDING = 57.60' DIVIDED BY LOT FRONTAGE = 80%.

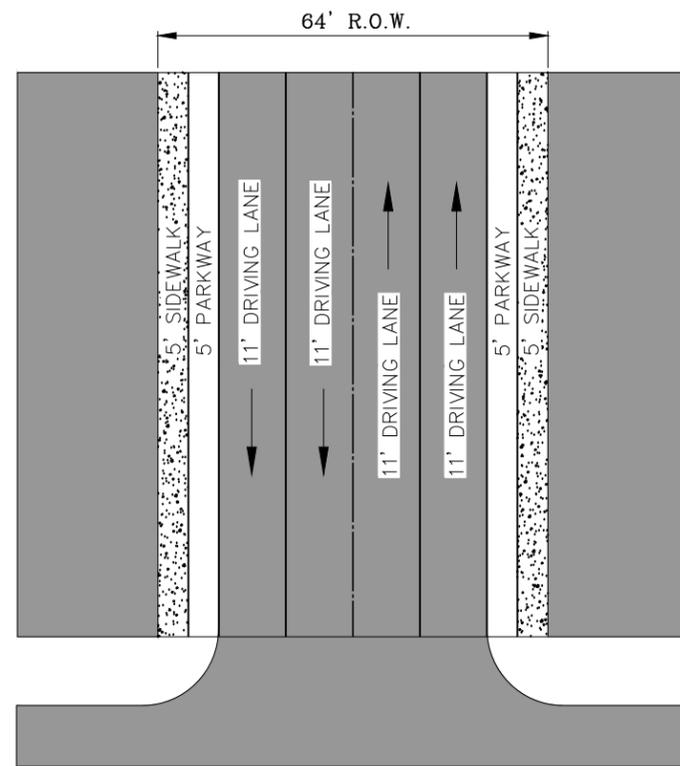


- LEGEND:
- PROJECT BOUNDARY
  - PEDESTRIAN SHED BOUNDARY
  - T40 GENERAL URBAN
  - T5 URBAN CENTER ZONE
  - GMU
  - CIVIC SPACE (PARK)
  - CIVIC BUILDING (SCHOOL)
  - PRIVATE FRONTAGE (TERRACE)
  - EXISTING STREETS

PAGE 5



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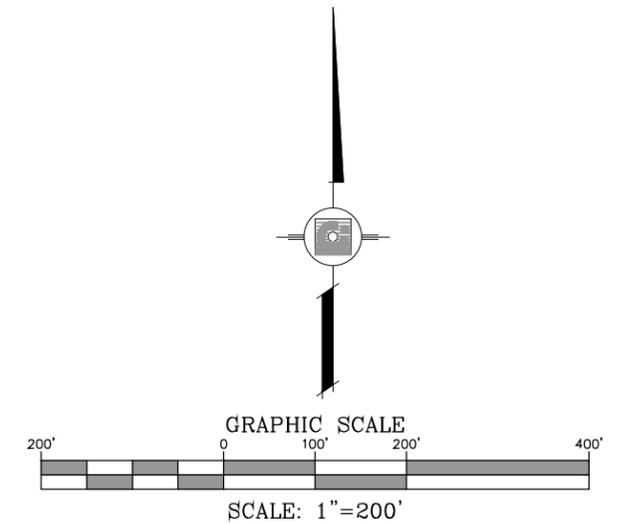
EXISTING 64' COLLECTOR ARTERIAL

THOROUGHFARE ASSIGNMENTS (N/A)

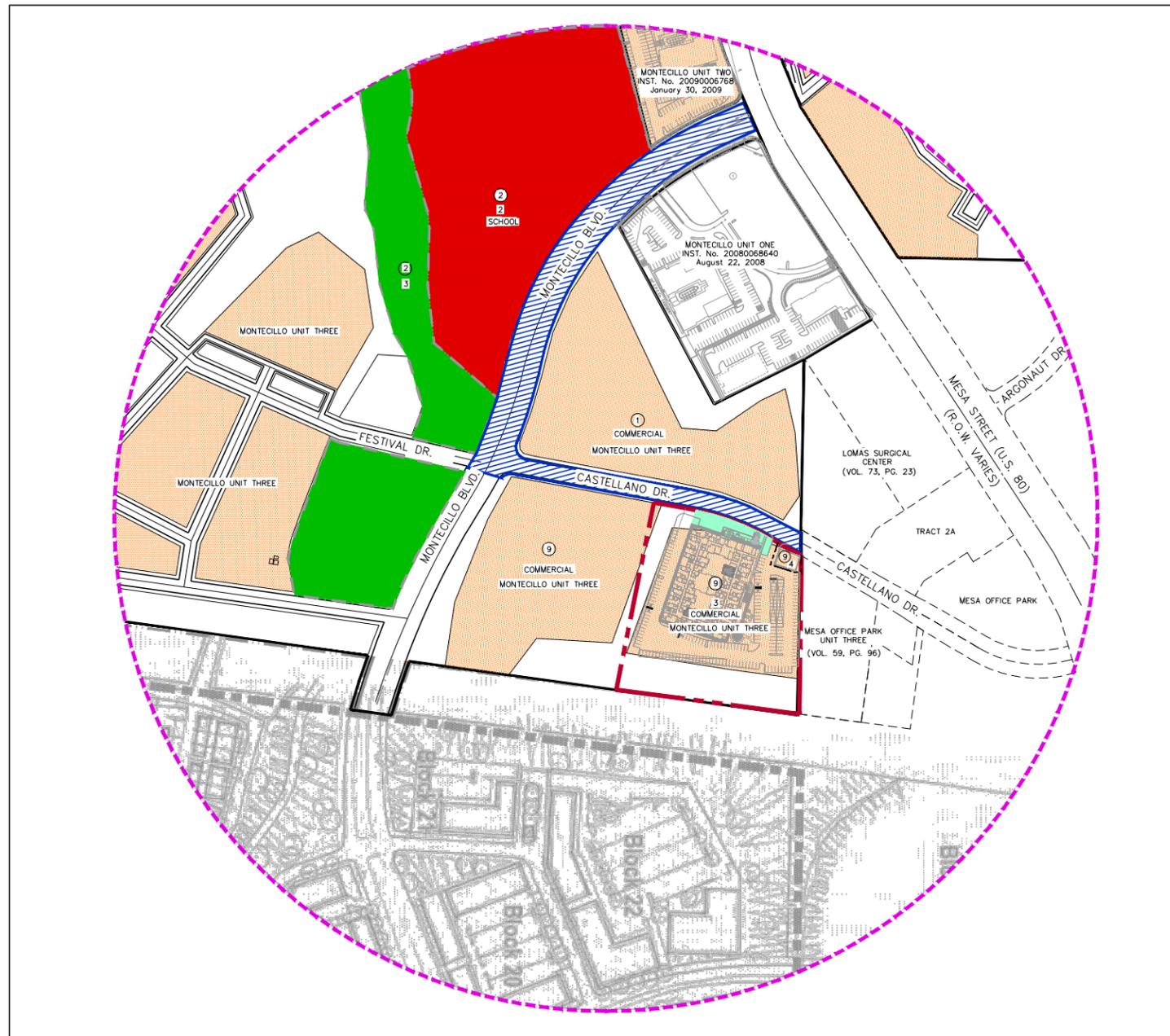
NOTES:

PAVEMENT WIDTH INCLUDES CURB AND GUTTER WHERE PRESENTED, AND IS MEASURED FROM FACE OF CURB TO FACE OF CURB.

- EXISTING COLLECTOR ARTERIAL (PLATTED WITHIN MONTECILLO ESTATES UNIT 3)



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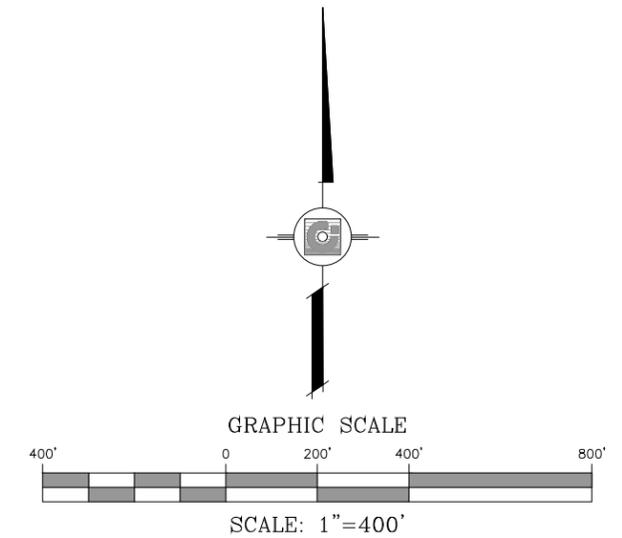


**WARRANT & VARIANCE REQUESTS**

NOTES:

THE APPLICATION IS COMPLIANT WITH CHAPTER 21 PENDING THE FOLLOWING WARRANT AND VARIANCES.

- VARIANCE REQUEST FOR REQUIRED FRONT SETBACK 0' TO 12' MAXIMUM AS SET FORTH IN SECTION 21.80.030, SUMMARY TABLE 14. VARIANCE FOR THE FRONT SETBACK TO BE NO MORE THAN 45' DUE TO TOPOGRAPHIC (25% TO 40% SLOPES) CONSTRAINTS PER TITLE 21.10.050.



**LEGEND:**

- PROJECT BOUNDARY 
- PEDESTRIAN SHED BOUNDARY 
- CIVIC SPACE (PARK) 
- CIVIC BUILDING (SCHOOL) 
- PRIVATE FRONTAGE (TERRACE) 
- EXISTING STREETS 



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