

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

DEPARTMENT: Development Services - Planning Division
AGENDA DATE: Introduction 02/13/07; Public Hearing 03/6/07
CONTACT PERSON/PHONE: Arlan Greer, Planner – 541-4723
DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance changing the zoning of a portion of Tract 210, South Parkland, City of El Paso, El Paso County, Texas from C-2/sc (Commercial/special contract) to R-5/sc (Residential/special contract) and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: Cross Street and Transmountain Drive. Applicant: Carefree Homes, L. P. ZON06-00143 (District 4)

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) – Approval Recommendation (6-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Shubert

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____ CITY CLERK DEPT.

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 210, SOUTH PARKLAND ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-2/SC (COMMERCIAL/SPECIAL CONTRACT) TO R-5/SC (RESIDENTIAL/SPECIAL CONTRACT) AND IMPOSING 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 a portion of Tract 210, South Parkland Addition, 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-2/sc (Commercial/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.

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: that an eight foot high rock wall be required along the northerly property line

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:

Lupe Cuellar, Assistant City Attorney

APPROVED AS TO CONTENT:

Kimberly Forsyth, Senior Planner
Development Services Department

ATCON ENGINEERING
A 2.166 ACRE PARCEL
BEING A PORTION OF TRACT 210
SOUTH PARKLAND ADDITION
OCTOBER 4, 2006

CITY CLERK DEPT.
07 FEB -5 PM 12:21

DESCRIPTION
(REZONING AND SPECIAL PERMIT)

DESCRIPTION OF A PARCEL OF LAND BEING A PORTION OF TRACT 210, SOUTH PARKLAND ADDITION, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FOR REFERENCE AT AN EXISTING CITY MOUNMENT LOCTED AT THE CENTERLINE INTERSECTION OF CROSS STREET (60' RIGHT-OF-WAY) AND NAVY LANE (46' RIGHT-OF-WAY) AND SIAD POINT BEING THE POINT OF BEGINNING FOR THE PARCEL OF LAND DESCRIBED HEREIN;

THENCE, ALONG THE CENTERLINE OF CROSS STREET 84.75 FEET ALONG THE ARC OF A CURVE TO THE RIGHT WHICH HAS A CENTRAL ANGLE OF $10^{\circ}11'52''$, A RADIUS OF 476.16 FEET AND A CHORD WHICH BEARS NORTH $06^{\circ}13'09''$, WEST A DISTANCE OF 84.64 FEET TO A FOUND NAIL ON THE POINT OF CURVE;

THENCE, NORTH $01^{\circ}07'00''$, WEST A DISTANCE OF 33.03 FEET ALONG THE CENTERLINE OF CROSS STREET TO A SET NAIL WITH SHINNER TO A POINT;

THENCE, LEAVING SAID CENTERLINE OF CROSS STREET SOUTH $88^{\circ}53'00''$, WEST A DISTNACE OF 30 FEET TO FOUND $\frac{1}{2}$ " REBAR TO THE WESTERLY RIGHT-OF-WAY LINE OF CROSS STREET FOR A CORNER OF THIS PARCEL;

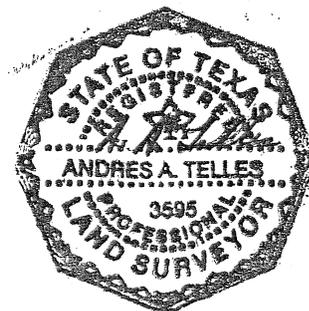
THENCE, LEAVING SAID RIGHT-OF-WAY LINE NORTH $61^{\circ}35'15''$, WEST A DISTNCE OF 405.94 FEET ALONG THE COMMON LINE OF SUMMER FIELD UNIT TWO- AND TRACT 210, SOUTH PARKLAND ADDITION TO A SET CONCRETE NAIL FOR A CORNER OF THIS PARCEL;

THENCE, NORTH $00^{\circ}01'15''$ WEST A DISTANCE OF 171.25 FEET ALONG THE COMMON LOT LINE OF LOT 49, BLOCK 4, SUMMER FIELD UNIT TWO AND TRACT 210, SOUTH PARKLAND ADDITION TO A SET $\frac{1}{2}$ " REBAR FOR A CORNER OF THIS PARCEL;

THENCE, NORTH $89^{\circ}58'45''$ EAST A DISTANCE OF 350 FEET ALONG THE SOUTH RIGHT-OF-WAY LINE OF TRANS-MOUNTAIN ROAD TO A SET $\frac{1}{2}$ " REBAR FOR A CORNER OF THIS PARCEL:

THENCE, SOUTH $01^{\circ}07'00''$ EAST DISTANCE OF 364.60 FEET ALONG THE WESTERLY RIGHT-OF-WAY LINE OF CROSS STREET TO THE POINT OF BEGINNING AND SAID PARCEL CONTAINING 94,359.08 SQUARE FEET OR 2.166 ACRES OF LAND MORE OR LESS

Exhibit "A"



2006-00143

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

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

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
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EDDIE HOLGUIN JR., DISTRICT 6
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BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION**

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

FROM: Arlan Greer, Planner

SUBJECT: ZON06-00143

The City Plan Commission (CPC), on December 21, 2006, voted **(6-0)** to recommend **approval** of the rezoning from C-2/sc (Commercial/special contract) to R-5/sc (Commercial/special contract) by Carefree Homes on their property located at the intersection of Cross Street and Transmountain Drive. The property is legally described as a portion of Tract 210, South Parkland Addition, City of El Paso, El Paso County, Texas.

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, which designates the subject property for residential uses. 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 rezoning request.

STAFF REPORT

Rezoning Case: ZON06-00143

Property Owner(s): Carefree Homes

Representative(s): ATCON Engineering & Surveying

Legal Description: Portion of Tract 210, South Parkland, City of El Paso, El Paso County, Texas

Location: Intersection of Cross Street and Transmountain Drive

Representative District: 4

Area: 2.17 Acres

Present Zoning: C-2/sc (Commercial / special contract)

Present Use: Vacant

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

Proposed Use: Single Family Homes

Recognized Neighborhood Associations Contacted: Northeast Healthy Communities
Northeast Civic Association

Surrounding Land Uses:

North -	A-M/sc (Apartment and Mobile Home Park / special contract) / Single-family Attached Residential
South -	R-5 (Residential) / Single-family Residential
East -	C-4 (Commercial) and R-5/sp (Residential / special permit) / Single-family Residential
West-	R-4 (Residential) / Single-family Residential

Year 2025 Designation: Residential (Northeast Planning Area)

**CITY PLAN COMMISSION HEARING, DECEMBER 21, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00143

GENERAL INFORMATION:

The applicant is requesting a rezoning from C-2/sc (Commercial / special contract) to R-5/sc (Residential / special contract) in order to permit single family residential homes. The property is approximately 2.17 acres in size and is currently vacant land. Access is proposed via Minuteman Street. There is currently a zoning condition imposed on this property by ordinance #7812 dated 8/2/1983 that prohibits commercial video games and video arcades.

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 C-2/sc to R-5/sc.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “develop a balanced and complete community which contains a mix of land uses”; and “provide a pattern of commercial which best serves community needs and which complements and serves all other land uses.”

The Year 2025 Projected General Land Use Map for the Northeast Planning Area designates this property for **Residential** use.

R-5/sc zoning permits single family residential and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will rezoning protect the best interest, health, safety and welfare of the public in general?
- B. Will the proposed rezoning be compatible with adjacent land uses?
- C. What is the relation of the proposed rezoning change to the City’s Comprehensive Plan?
- D. What effects 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 Division Notes:

Zoning Review:

Proposed development meets minimum R-5 residential lot development standards.

Landscape Review:

Landscape not required for this project; not required for residential use.

Development Services Department - Planning Division Comments:

Current Planning:

1. Planning recommends approval of the rezoning of this property.
2. The Year 2025 Projected General Land Use Map for the Northeast Planning Area designates this property Residential-Use.
3. R-5 / sc zoning permits Single Family Residential and is compatible with adjacent development.

Subdivision Review:

1. No comments.
2. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
3. Grading plan and permit shall/may be required.*
4. Storm Water Pollution Prevention plan and/or permit shall/may be required.*
5. Drainage plans must be approved by the City Engineer.*
6. Coordination with TXDOT.*
7. No water runoff allowed outside the proposed development boundaries.*
8. Additional Comments: Site location is located within a Special Flood Hazard Area, Flood Zone(s) AH, Panel 480214 0044 C. The buildings have to be built at or above the Base Flood Elevation for the area, confirmed by elevation certificates.

* This requirement will be applied at the time of development.

Engineering Department - Traffic Division Notes:

No major traffic issues with the proposed zoning change.

Fire Department Notes:

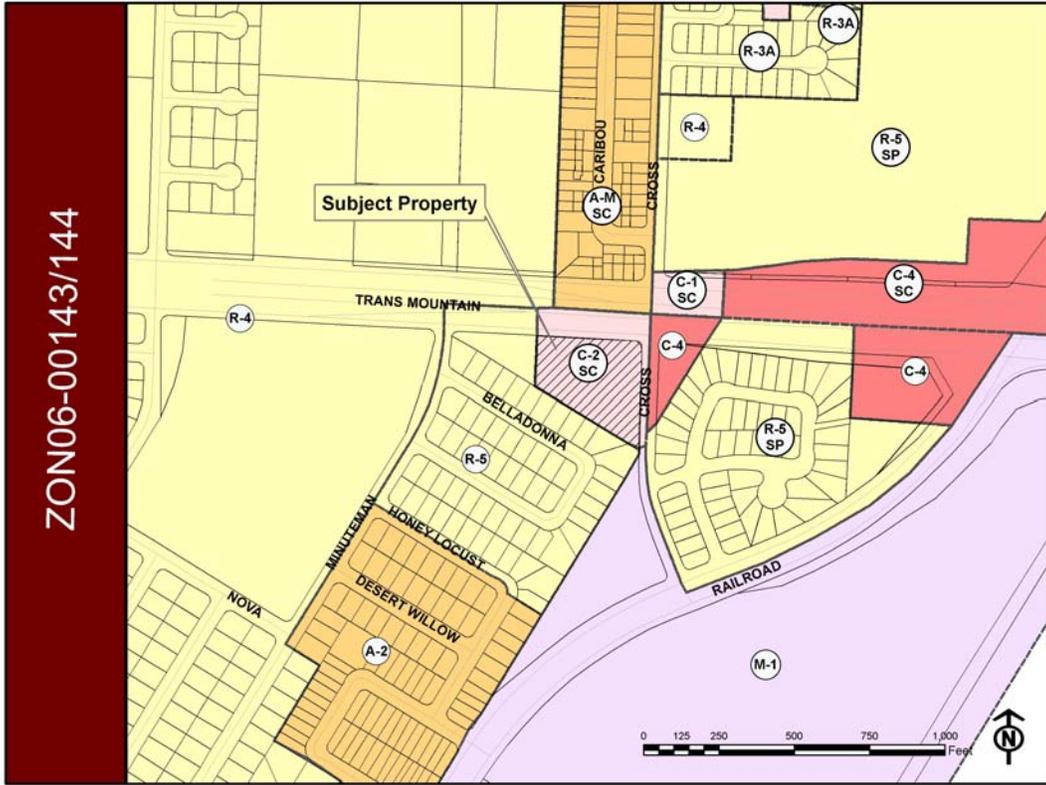
No comments received.

El Paso Water Utilities Notes:

No comments received.

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 DEVELOPMENT SERVICES DEPARTMENT - PLANNING DIVISION (915) 541-4056.

LOCATION MAP



AERIAL MAP



SITE PLAN

