

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: February 2, 2010
Public Hearing: February 23, 2010

CONTACT PERSON/PHONE: Andrew Salloum, (915) 541-4029, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 2, Block 1, Sandstone Ranch Estates Unit Two, City of El Paso, El Paso County, Texas from A-2 (Apartment) to A-3 (Apartment). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: East of Sean Haggerty Drive and South of Marcus Uribe Drive. Applicant: EPT Land Assets, LP. ZON09-00071 (**District 4**).

BACKGROUND / DISCUSSION:

N/A

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: Victor Q. Torres
Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 2, BLOCK 1, SANDSTONE RANCH ESTATES UNIT TWO, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2 (APARTMENT) TO A-3 (APARTMENT).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 Lot 2, Block 1, Sandstone Ranch Estates Unit Two, City of El Paso, El Paso County, Texas*, and more particularly described by metes and bounds in the attached Exhibit "A", be changed from **A-2 (Apartment) to A-3 (Apartment)**, 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 _____, 2010.

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy
Deputy Director – Planning
Development Services Department

Being a portion of Lot 2, Block 1,
Sandstone Ranch Estates Unit Two
City of El Paso, El Paso County, Texas
Prepared for: EPT Real Estate
October 2, 2009

EXHIBIT "A"

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lot 2, Block 1, Sandstone Ranch Estates Unit Two, City of El Paso El Paso County, Texas and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing city monument at the centerline intersection of Marcus Uribe Dr. and Sean Haggerty Dr. as referenced on plat of Sandstone Ranch Estates Unit One, recorded in File No. 20060123876, Real property records of El Paso County, Texas whence an existing city monument at the centerline intersection of Marcus Uribe Dr. and Charles Reynolds Ln. bears North 88°50'59" East a distance of 1072.34 feet; Thence along the centerline of Sean Haggerty Dr. South 01°09'01" East a distance of 566.46 feet to a point; Thence leaving said centerline North 88°50'59" East a distance of 60.00 feet to a point on the easterly right of way line of Sean Haggerty Dr. for the "TRUE POINT OF BEGINNING",

Thence along said right of way line North 01°09'01" West a distance of 503.46 feet to a point of curve;

Thence 39.27 feet along the arc of a curve to the right which has a radius of 25.00 feet a central angle of 90°00'00" a chord which bears North 43°50'59" East a distance of 35.36 feet to a point on the southerly right of way line of Marcus Uribe Dr.;

Thence along said right of way line North 88°50'59" East a distance of 691.34 feet to a point;

Thence leaving said right of way line South 01°09'01" East a distance of 202.94 feet to a point;

Thence North 88°50'59" East a distance of 30.20 feet to a point;

Thence South 29°37'50" East a distance of 252.37 feet to a point;

Thence South 60°22'10" West a distance of 304.00 feet to a point;

Thence South 29°37'50" East a distance of 582.50 feet to a point on the northerly line of a 200 feet drainage right of way;

Thence along said line South 60°22'10" West a distance of 656.56 feet to a point;

Thence leaving said line North 01°09'01" West a distance of 178.74 feet to a point of curve;

Thence 363.49 feet along the arc of a curve to the left which has a radius of 946.66 feet a central angle of 22°00'00" a chord which bears North 12°09'01 West a distance of 361.26 feet to a point of reverse curve;

Thence 163.83 feet along the arc of a curve to the right which has a radius of 426.66 feet a central angle of 22°00'00" a chord which bears North 12°09'01 West a distance of 162.82 feet to a point;

Thence North 01°09'01" West a distance of 173.18 feet to a point;

Thence South 88°50'59" West a distance of 200.34 feet to the "TRUE POINT OF BEGINNING" and containing 17.73 Acres of land more or less.

NOTE: Not a ground survey, bearings based on plat of Sandstone Ranch Estates Unit One recorded in file No. 20060123876, Real property records of El Paso County, Texas


Ron R. Conde
R.P.L.S. No. 5152
Job No. 909-55



MEMORANDUM

DATE: January 29, 2010

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00071

The City Plan Commission (CPC), on January 28, 2010, voted **7-0** to recommend **APPROVAL** of rezoning subject property from A-2 (Apartment) to A-3 (Apartment).

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; 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.

There was **NO OPPOSITION** to this request.

Attachment: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00071
Application Type: Rezoning
CPC Hearing Date: January 28, 2010
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: East of Sean Haggerty Drive and South of Marcus Uribe Drive
Legal Description: A portion of Lot 2, Block 1, Sandstone Ranch Estates Unit Two, City of El Paso, El Paso County, Texas
Acreage: 17.734 acres
Rep District: 4
Existing Use: Vacant
Request: A-2 (Apartment) to A-3 (Apartment)
Proposed Use: Apartment Complex

Property Owner: EPT Land Assets, LP
Applicant: EPT Land Assets, LP
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: C-1/c (Commercial/conditions) / Vacant and R-3A (Residential) / Single-Family Residential
South: C-1/c (Commercial/conditions) and A-2 (Apartment) / Vacant
East: R-3A (Residential) / Single-Family Residential
West: C-1/c (Commercial/conditions) / Vacant and R-3A (Residential) / Vacant

THE PLAN FOR EL PASO DESIGNATION: Residential (Northeast Planning Area)

Nearest Park: Veteran Park (3,600 Feet)

Nearest School: Bradley Elementary (2,865 Feet)

NEIGHBORHOOD ASSOCIATIONS

Northeast El Paso Civic Association

North Hills Neighborhood Pride Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on January 13, 2010. The Planning Division has received phone calls inquiring about the project and a letter supporting the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from A-2 (Apartment) to A-3 (Apartment) in order to permit an apartment complex with buildings that are higher than the 35-foot height permitted in the A-2 zone. The property is 17.734 acres in size. The conceptual plan shows a 246-unit apartment complex, a clubhouse, and a swimming pool. Access to the property is from Sean Haggerty Drive and Marcus Uribe Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from A-2 (Apartment) to A-3 (Apartment).

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from A-2 (Apartment) to A-3 (Apartment).

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: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.

The purpose of A-3 (Apartment) districts is to promote and preserve residential development within the city associated with a landscape more urban in appearance and permitting a mixture of housing types. It is intended that the district regulations allow for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. The regulations of the districts will permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain nonresidential uses and support facilities.

Development Services Department - Building Permits and Inspections Division

Zoning Review: Plan Review has no objections. A 6 foot screening wall will be required between the A zone and the C zone.

Landscape Review: no comments received.

Development Services Department - Planning Division

The Planning Division recommends **APPROVAL** of rezoning the property from A-2 (Apartment) to A-3 (Apartment).

Land Development: No comments received.

Engineering Department - Traffic Division

No objection, provided density does not exceed 400 units.

Street Department

- We offer no objections.
- All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Fire Department

No adverse comments.

El Paso Water Utilities

EPWU does not object to this request.

Sun Metro

No comments received.

CITY PLAN COMMISSION OPTIONS

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

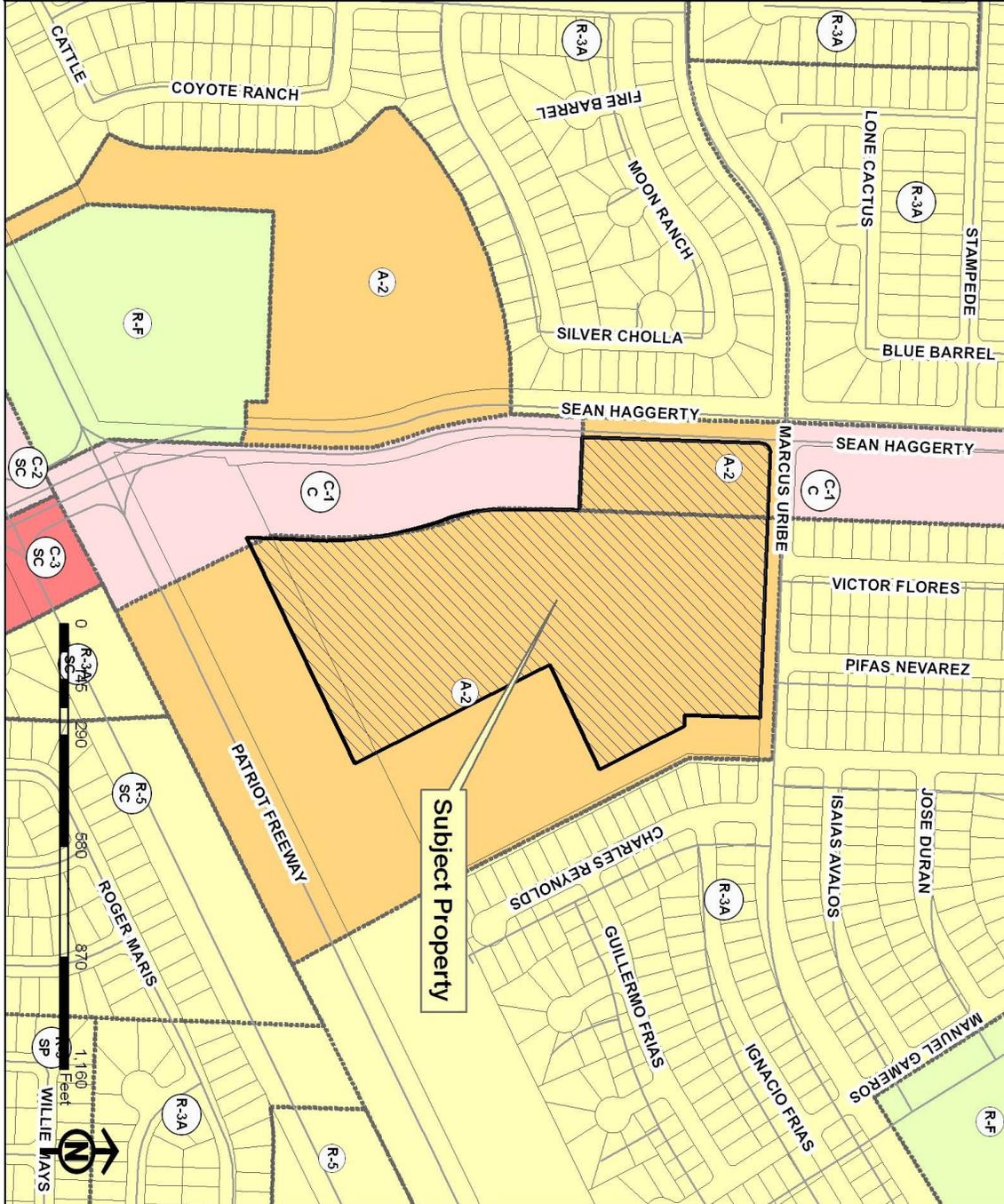
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into 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: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Conceptual Site Plan
- Attachment 4: Support Letter

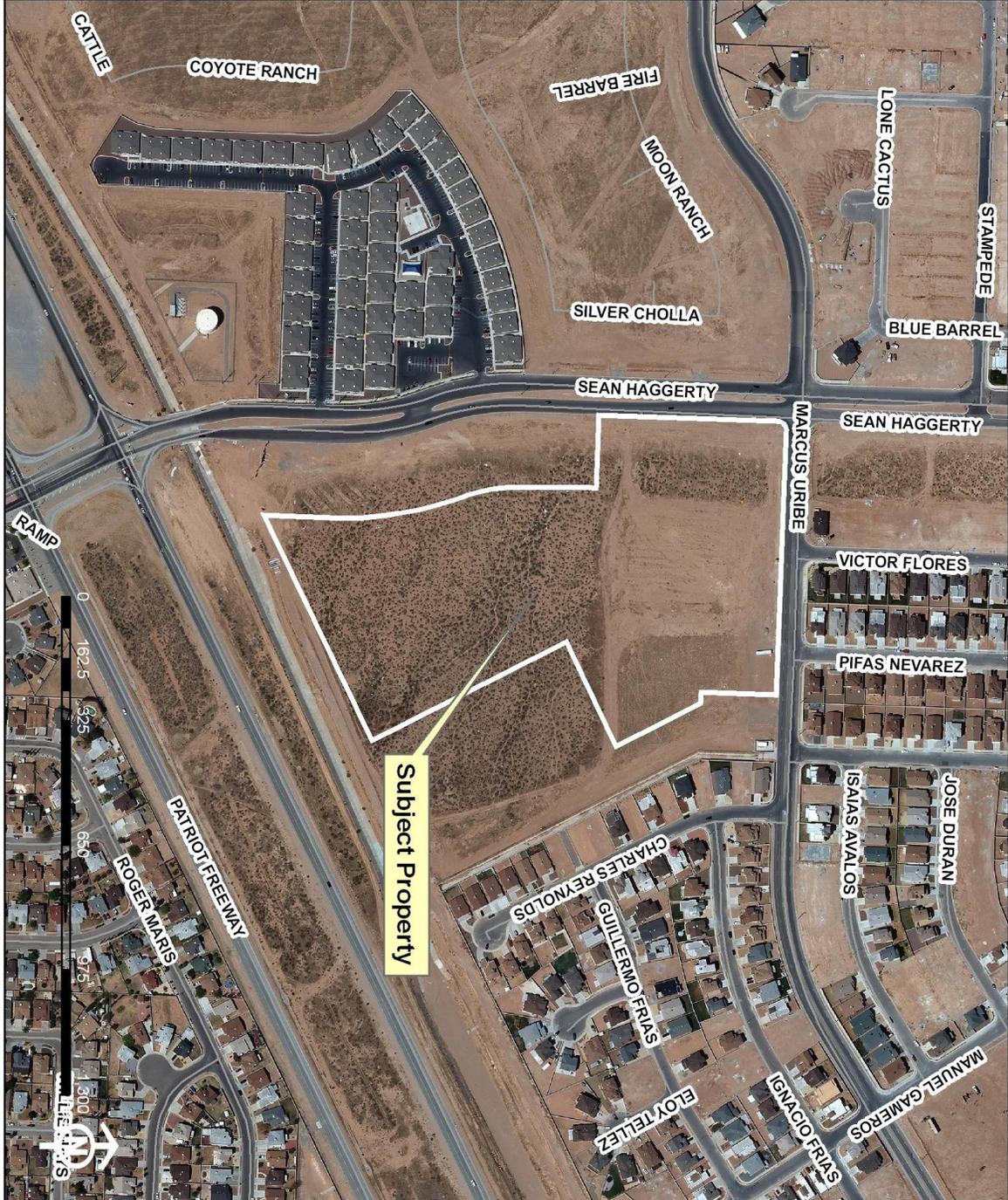
ATTACHMENT 1: ZONING MAP

ZON09-00071

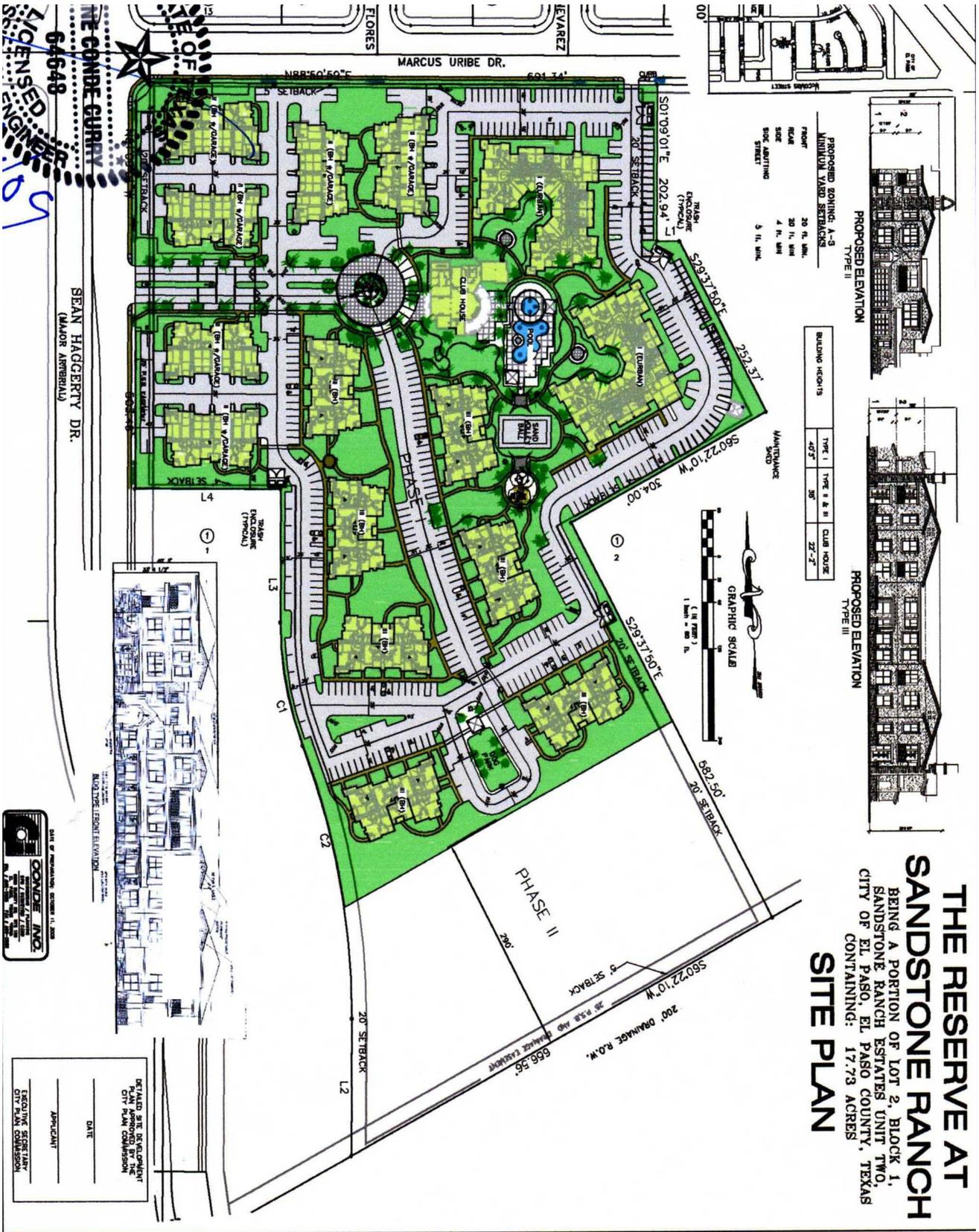


ATTACHMENT 2: AERIAL MAP

ZON09-00071



ATTACHMENT 3: CONCEPTUAL SITE PLAN



ATTACHMENT 4: SUPPORT LETTER



MIMCO INC.
Commercial Real Estate Management & Investments

January 22, 2010

City Plan Commission
c/o Planning, Research and Development
2 Civic Center Plaza, 2nd Floor
El Paso, TX 79901-1196

RE: CASE NO. ZON09-00071 Rezoning of a portion of Lot 2, Block 1, Sandstone Ranch Estates Unit Two, City of El Paso, El Paso County, Texas

To Whom It May Concern:

We received notice of the public hearing to rezone the property described as a portion of Lot 2, Block 1, Sandstone Ranch Estates Unit Two, City of El Paso, El Paso County, Texas. MIMCO fully supports the rezoning of this property from A-2 (Apartment) to A-3 (Apartment) to allow for an apartment complex. If you have any questions please call me at (915) 779-6500. Thank you.

Sincerely,
MIMCO, Inc.

Robert S. Ayoub
President

6500 Montana
El Paso, TX 79925
915-779-6500
1-800-351-5252
fax 915-779-6509
www.mimcoelp.com