

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: March 13, 2012
Public Hearing: April 3, 2012

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 6

SUBJECT:

An ordinance changing the zoning of Tracts 7K, 7K1, 7L1, 7L1A, and 7L1B, Block 35, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to PR-I (Planned Residential I) and approving a Detailed Site Development Plan to allow the development of a Senior Housing Living Community. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Independence Drive and Elvin Way. Property Owner: City of El Paso. PZRZ12-00002 (**District 6**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) Recommend Approval

City Plan Commission (CPC) Recommend Approval

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

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

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 7K, 7K1, 7L1, 7L1A, AND 7L1B, BLOCK 35, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO PR-I (PLANNED RESIDENTIAL I) AND APPROVING A DETAILED SITE DEVELOPMENT PLAN TO ALLOW THE DEVELOPMENT OF A SENIOR HOUSING LIVING COMMUNITY. 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 *Tract 7K, 7K1, 7L1, 7L1A, and 7L1B, Block 35, Ysleta Grant, 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 **PR-I (PLANNED RESIDENTIAL I)** and approving a Detailed Site Development Plan as shown on the attached Exhibit “B” to allow the development of a Senior Housing Living Community, 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 _____, 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

Being Tracts 7K and 7K1, 7L1, 7L1A
And 7L1B, Block 35, Ysleta Grant
City of El Paso, El Paso County, Texas
Prepared for: City of El Paso
February 23, 2012

METES AND BOUNDS DESCRIPTION

Being Tracts 7K, 7K1, 7L1, 7L1A and 7L-1B, Block 35, Ysleta Grant, 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 brass disk city monument at the centerline intersection of Independence Drive and Elvin Way, from which an existing brass disk city monument at the centerline intersection of independence and Victor Lane bears South 56°06'52" West a distance of 189.16 feet; Thence along the centerline of Elvin Drive, South 56°06'52" West a distance of 26.32 feet, Thence leaving said centerline North 57°14'25" West a distance of 27.23 feet to a set ½" rebar with cap marked X 5152 on the northwesterly right of way line of Elvin Way for the "TRUE POINT OF BEGINNING"

Thence along the northerly line of Victor Estates correction plat recorded in volume 61, page 29, Plat records of El Paso County, Texas, North 57°14'25" West (S 57°11'47" E, Vol. 65, Pg. 13) a distance of 490.14 feet to a point on the southerly line of Enrique Franco Unit 2, recorded in volume 59, page 71, Plat records of El Paso County, Texas;

Thence along said line North 74°53'00" East a distance of 438.63 feet to a point on the southerly line of Pueblo Querido recorded in volume 65, Page 17, Plat records of El Paso County, Texas;

Thence along said line, South 56°15'00" East a distance of 334.26 feet to a set ½" rebar with cap marked TX 5152 on the northwesterly right of way line of Elvin Way;

Thence along said right of way line, South 56°09'30" West a distance of 348.19 feet to the "TRUE POINT OF BEGINNING" and containing 133,527 Square Feet or 3.0654 Acres of land more or less.

A Drawing of even date accompanies this description.

Ron R. Conde
R.P.L.S. No. 5152



job #1211-54

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79905 / (915) 592-0283
FAX (915) 592-0286



Date: March 6, 2012
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZRZ12-00002 Rezoning & Detailed Site Development Plan**

On February 23, 2012, the City Plan Commission (CPC) voted 5-1 to recommend **approval** of the rezoning and detailed site development plan review request. This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

The CPC found that the rezoning and detailed site development plan review 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 Mission Valley Planning Area. The CPC also determined that the rezoning and detailed site development plan will protect 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.

One (1) person was present at the meeting to speak in opposition to this request; a petition with 3 signatures in opposition was received.

On March 6, 2012, the City Council unanimously approved to amend the 2025 Major Thoroughfare Plan Atlas Map of The Plan for El Paso by deleting a portion of Independence Drive to Elvin Way.

Attachment: CPC Staff Report
Petition

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: PZRZ12-00002
Application Type: Rezoning & Detailed Site Development Plan Review
CPC Hearing Date: February 23, 2012
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: Independence Drive and Elvin Way
Legal Description: Tracts 7K, 7K1, 7L1, 7L1A, and 7L1B, Block 35, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 2.993 acres
Rep District: 6
Zoning: R-F (Ranch & Farm)
Existing Use: Vacant
Request: PR-I (Planned Residential I) zoning & Detailed Site Development Plan Review
Proposed Uses: Apartments (Senior Housing)
Property Owner: City of El Paso
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: RMH/sc (Residential Mobile Home/special contract) / mobile home subdivision

South: R-4 (Residential), R-F (Ranch & Farm) / single-family

East: A-M/sc (Apartment/Mobile Home Park, special contract) / single-family

West: S-D/sc (Special Development/special contract) /single-family

The Plan for El Paso Designation: Residential, (Mission Valley Planning Area)

Nearest Park: Capistrano Park (5,302 feet)

Nearest School: Ysleta Middle (1,465 feet)

NEIGHBORHOOD ASSOCIATIONS

Save the Valley 21

NEIGHBORHOOD INPUT

Notices of the February 23, 2012 public hearing were mailed to all property owners within 300 feet of the subject property on February 8, 2011. The Planning Division has not received any calls or letters in favor or in opposition to this request.

APPLICATION DESCRIPTION

The request is to change the zoning from R-F (Ranch & Farm) to PR-I (Planned Residential I) to allow the development of a senior housing living community. The detailed site plan shows eight (8) buildings that will include 20-700 sq. ft. units, a park/open space easement with benches, tables and gazebo, and two (2) pedestrian access easements to the north portion of Independence Drive. Access is proposed via Elvin Way.

Detailed Site Development Plan Review is required under the PR-I (Planned Residential I) zoning district where development other than single-family residential is being proposed.

The City Plan Commission (CPC) on February 9, 2012, recommended approval to delete Independence Drive, from Delfina Drive to Elvin Way, from the Major Thoroughfare Plan.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning and the detailed site development plan with the EPWU requirement that “no trees be placed within the limits of the 25-foot wide PSB easement.

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

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

- a. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- 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 the PR-I (Planned Residential I) district is to encourage planned developments as a means of creating a superior living environment through unified planning and building operations at lower residential densities. The regulations of the district are designed to encourage variety in housing needed to meet changing housing demands and to provide adequate community facilities well-located with respect to needs; to protect the natural beauty of the landscape; to encourage preservation and more efficient use of open space; and to offer an opportunity for design flexibility and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.

Development Coordinating Committee Review

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

Department of Transportation

Transportation recommends approval of the proposed rezoning and detailed site development plan provided the following:

A Major Thoroughfare Plan (MTP) amendment request is currently under review at this time. Should the MTP amendment be denied, the proposed rezoning and detailed site plan will not be in conformance with the MTP as shown, as Independence Drive is not shown connecting to Elvin Drive as a Collector Arterial.

Note: 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.

Engineering – Construction Management Division-Plan Review

No comments received.

Land Development

-ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*

-Grading plan and permit shall be required.*

-Storm Water Pollution Prevention Plan and/or permit required.*

-Drainage plans must be approved by the Engineering and Construction Management Department, Land Development Section.*

-Six ft. Rockwall is required abutting residential.

-The property shall be subject to on-site ponding.

-The Subdivision is within Flood Zone X-“Areas of minimal flooding” – Panel # 480212 0048C, dated February 16, 2006.

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

Fire Department

No comments received.

Sun Metro

Sun Metro does not oppose this request.

Sun Metro recommends the construction of sidewalks to provide pedestrian access to mass transit opportunities.

El Paso Water Utilities

1. EPWU requires that no trees shall be placed within the limits of the 25-foot wide PSB easement.

EPWU-PSB Comments

Water:

2. There is an existing 12-inch diameter water main transecting the property following the alignment of Independence Drive.

3. There is an existing 12-inch diameter water main along Elvin Way east of Independence Drive. This water main continues as an 8-inch diameter water main west of Independence Drive.

4. Previous water pressure readings from fire hydrant #4949 located at south east corner of the intersection of Independence Drive and Elvin way have yield a static pressure of 98 pounds per square inch (psi), a residual pressure of 84 psi, and a discharge of 1278 gallons per minute.

5. The Owner should, for his own protection and at his own expense, install at the discharge side of the water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

6. There is an existing 8-inch diameter sanitary sewer main along Elvin Way. Sanitary sewer service to the property requires the extension of an 8-inch diameter sewer main within the above mentioned 25' PSB easement.

General:

7. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWU-PSB Easement Policy. EPWU-PSB requires access to the proposed water and sanitary sewer facilities and appurtenances within the easements 24 hours a day, seven days a week. 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.

8. EPWU requires a new service application to serve the subject subdivision. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

CITY PLAN COMMISSION OPTIONS

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning and detailed site development plan review application:

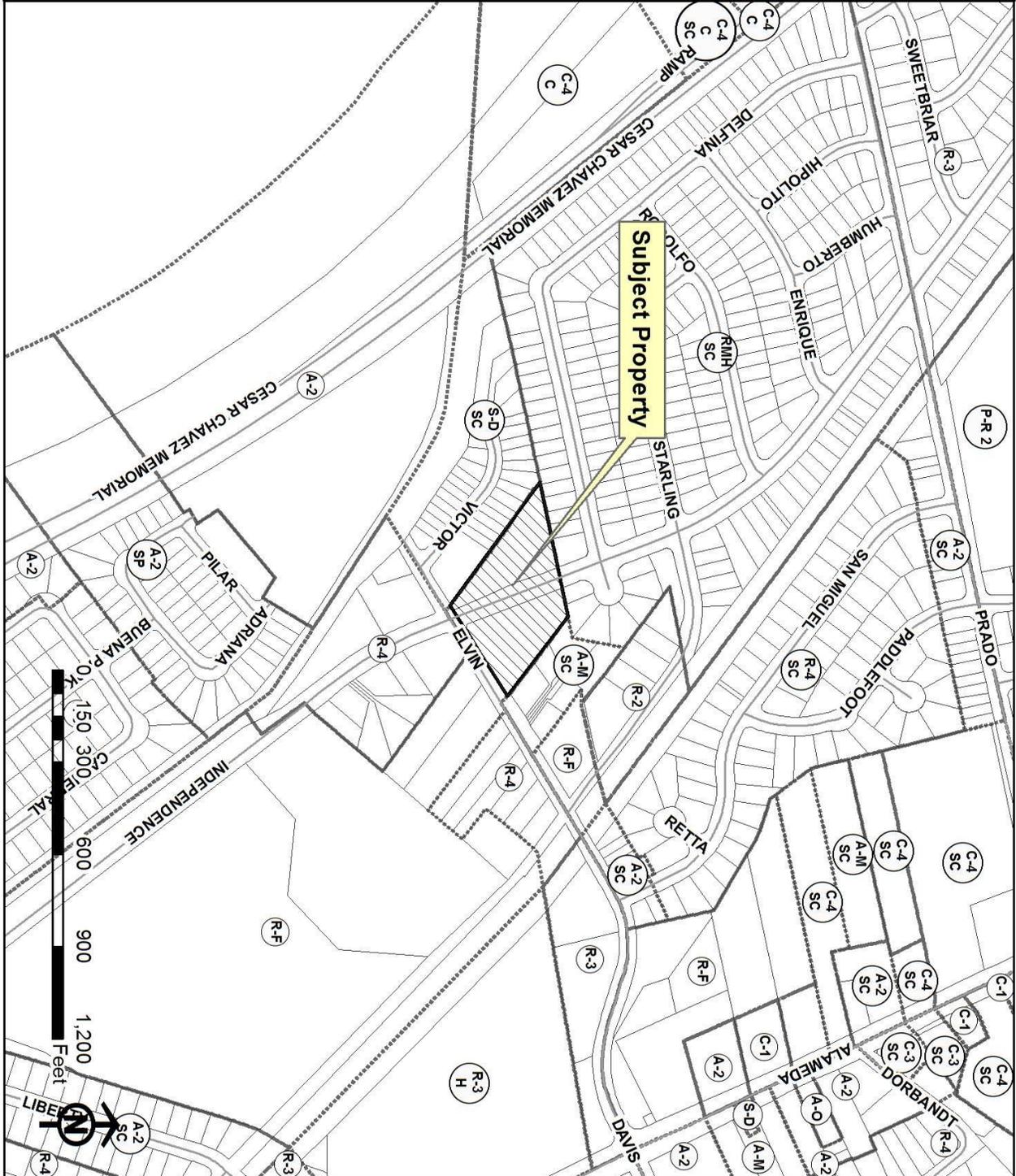
1. Recommend approval of the application finding that it is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring it into conformance with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

Attachments

1. Zoning Map
2. Aerial Map
3. Site Plan

ATTACHMENT 1: ZONING MAP

PZRZ12-00002



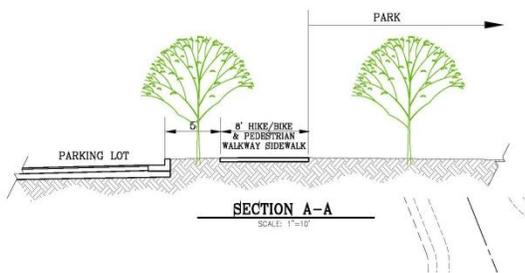
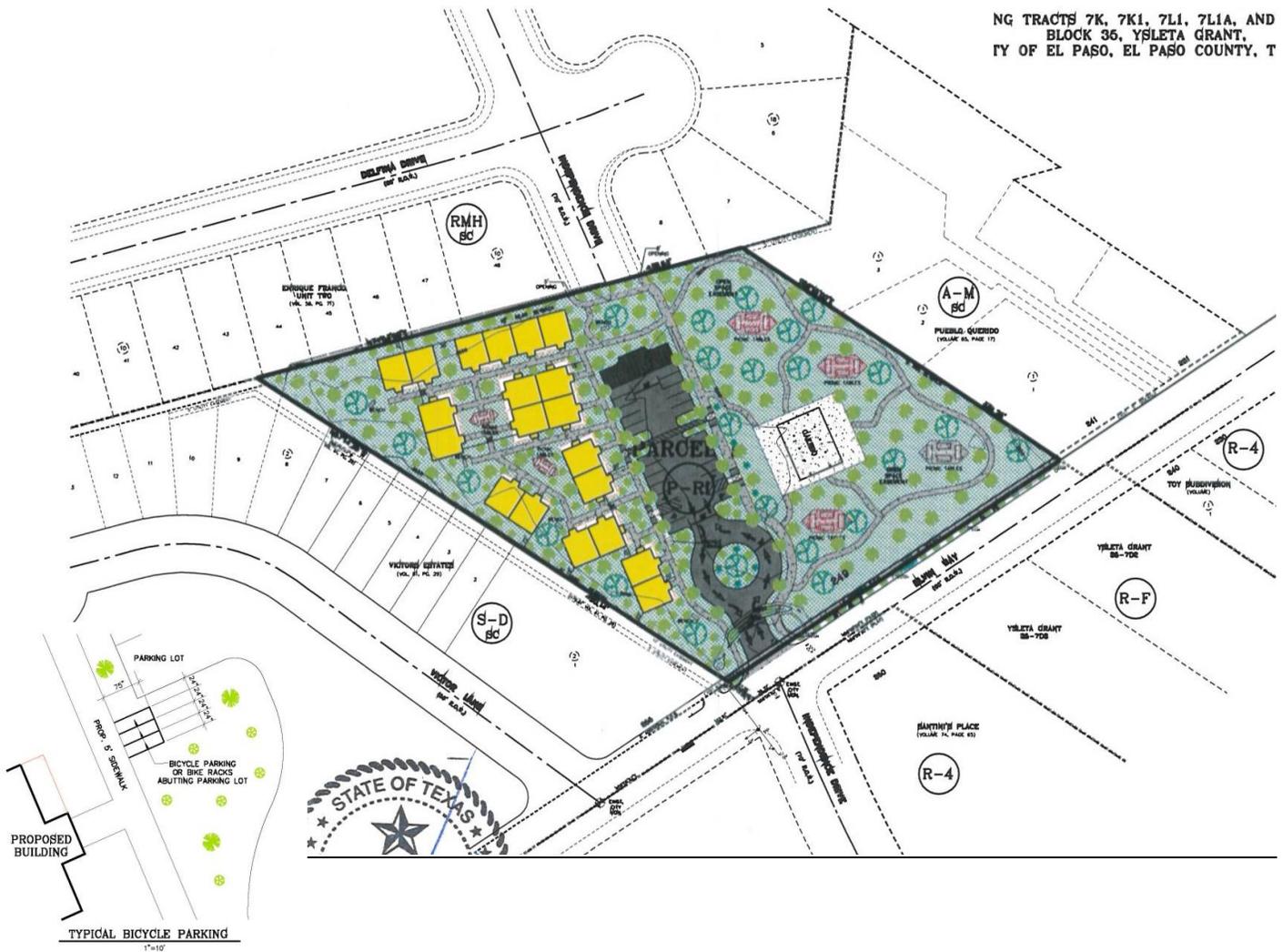
ATTACHMENT 2: AERIAL MAP

PZRZ12-00002



ATTACHMENT 3: SITE PLAN

NG TRACTS 7K, 7K1, 7L1, 7L1A, AND
BLOCK 36, YSLETA GRANT,
TY OF EL PASO, EL PASO COUNTY, T



NTS

PARKING INFORMATION

SENIOR HOUSING PROJECT
20 UNITS: @ 700 SQ. FT. EACH = 14,000.00 SQ. FT.

TOTAL PARKING REQUIRED BY CITY CODE:	14
TOTAL HANDICAPPED PARKING REQUIRED:	1
TOTAL REGULAR PARKING PROPOSED:	19
TOTAL HANDICAPPED PARKING PROPOSED:	4
TOTAL PARKING PROPOSED:	23

TYPICAL PARKING DIMENSIONS:
STALLS : 9 FT. BY 18 FT.

PARK	= 1.1728 Ac. (39.10%)
SENIOR HOUSING	= 0.3214 Ac. (10.72%)
PARKING	= 0.3224 Ac. (10.75%)
OPEN SPACE	= 1.1827 Ac. (39.43%)

NOTE:
THIS SUBDIVISION WILL REQUIRE ON SITE PONDING.
ON SITE PONDING AREA TO BE ESTABLISHED AT
TIME OF LOT DEVELOPMENT. LANDSCAPE AREAS
WILL BE UTILIZED FOR HARVESTING AND RETENTION
OF STORMWATER RUNOFF.

Item 3

*Exel: 2
10:55 AM*

February 15, 2012

City Plan commission (c/o Planning Division

In reference to case # PZRZ12-00002

We are some concerned citizens living in this area of El Paso, TX. Who are opposing any change in zoning that does not include opening Independence St. from Delfina to Elvin, because it is not in the Best interest of the people living in this area or of the City, we can not understand why instead of finishing a Street that was planed over 25 years ago, and for which a right of way was obtained and sewer and water mains were installed, and it is a Main artery in this neighborhood and all of a sudden, without any notice it was closed we do not know who it will benefit to close it, but not the City of El Paso or the people in this area. We are not opposed to progress, but this closure does not make any sense to close a seventy feet wide street instead of finishing it and dedicate it to the betterment of our community, we need to hear how this change in closing this street will benefit the community before our acceptance of this change in zoning.

We are enclosing signatures of opposed property owners within 300 ft. of the proposed change of zone.

Respectfully:

Gilberto G. Morales	255 Elvin Way	915 859 5061
<i>G Morales</i>		<i>525-4410</i>
<i>R. Santini</i>	<i>250 Elvin Way</i>	<i>859-4931</i>
<i>JR Lopez</i>	<i>254 Elvin Way</i>	<i>859-8585</i>

Wall to thwart vandals puts children at risk

By Aileen B. Flores
EL PASO TIMES

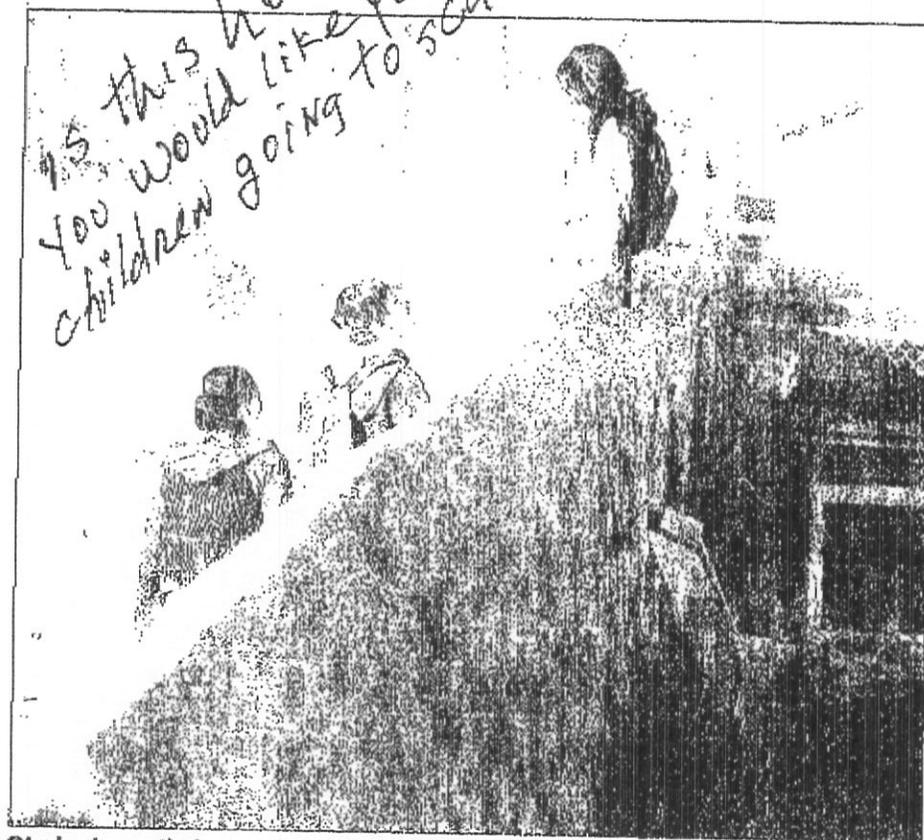
The city recently took action to stop vandals in one Lower Valley neighborhood, but residents there now worry that their children are in danger.

City officials in December constructed a six-foot-high rock wall and permanently closed Independence Drive between Delfina Drive and Elvin Way. The wall blocked access to a vacant lot that often was used by children as a shortcut to walk to school and by vandals trying to evade police.

City Rep. Eddie Holguin, who represents the area and lives in the neighborhood, said the wall has helped decrease vandalism. He said graffiti is less of a problem and no-parking signs along Elvin Way are no longer torn down by vandals.

But neighbors are upset that the wall's unintended consequence is that it is a hazard for children accustomed to cutting through the vacant lot on their way to school. Alternate routes for neighborhood children attending Capistrano Elementary School and Ysleta Middle School are not as direct.

Now, it's common before and after each school day to



Students on their way to school jump the six-foot-high rock wall.

see children climbing and then jumping over the wall.

Neighbors fear the children will get hurt if this continues.

Gilberto Morales, who has lived in the 200 block of Elvin Way since 1976, said the closure puts children at risk of falling when they clamber

over the high wall, or of being struck by a car as they walk an extra half-mile to school along Lee Sterling Drive, a street without sidewalks.

"With no warning or hearings, (the city) closed the street with no credible explanation and serving no purpose," he said.

Francisco Sotelo, whose backyard is adjacent to the wall, said students use his fence and a handy street sign to help boost themselves over the rock wall.

Sotelo, father of two 14-year-old boys and a 7-year-

old girl, said he has tried to help his children get over the wall by placing a small ladder in his backyard. But most of the time, he and his wife drive their children to school rather than risk them getting injured in a fall, he said.

Holguin, whose home is near the wall, said there is no problem with children climbing over the rock wall to use the vacant lot as a shortcut.

"Nobody jumps over the wall," Holguin said.

Seconds later, though, a child climbed over the wall.

Morales said he is not asking the city to complete the street through the vacant lot, but to tear down the wall and allow children to resume their accustomed safe route to school. The city spent \$3,000 on the wall's construction.

Holguin said about half of the empty lot is owned by the city and half is private property. He said it is illegal for people to step onto private land.

Holguin said the city built the wall on city right of way.

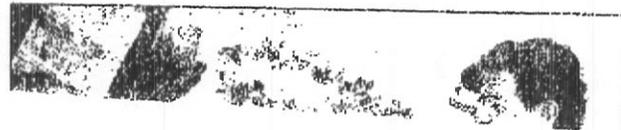
He said people have long asked for neighborhood improvements and the rock wall is just one of them.

Julie Baldwin-Muñoz, program administrator in the city's engineering department, said city officials will work with the Police Department to monitor the situation for public safety issues.

Is this how you would like your children going to school?

*Newspaper Article by Aileen B Flores
EL PASO Times Feb 22, 2011
Case # PZRZ12-00002
Page 2 of 2*

Downed chef returns to revamped,



02/21/2012 22:58 9158595061 MORALES PLUMBING PAG. 02/02