

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

**DEPARTMENT:** Planning and Economic Development

**AGENDA DATE:** Introduction: April 24, 2012  
Public Hearing: March 15, 2012

**CONTACT PERSON/PHONE:** Michael McElroy, 541-4238

**DISTRICT(S) AFFECTED:** 5

**SUBJECT:**

An Ordinance changing the zoning of the following real property known as: Parcel 1: Block 34 excluding Lot 1 and Lot 31, all of Block 35 and Block 36 excluding Lot 1 and Lot 20, City of El Paso, El Paso County, Texas, from R-5/sc (Residential/Special contract) to RMU (Residential Mixed Use); and, Parcel 2: Lot 1, Block 36, Montwood Heights Unit 8, City of El Paso, El Paso County, Texas, from C-3/sc (Commercial/Special contract) to RMU (Residential Mixed Use), the penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: North of Zaragoza Road and East of Joe Battle Boulevard. Property Owner: The Housing Authority of the City of El Paso. PZRZ12-00005 (District 5)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (7-0)

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

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

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

**DIRECTOR:** Mathew McElroy  
Deputy Director, Planning and Economic Development

**APPROVED FOR AGENDA:**

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

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

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY KNOWN AS:

PARCEL 1: BLOCK 34 EXCLUDING LOT 1 AND LOT 31, ALL OF BLOCK 35 AND BLOCK 36 EXCLUDING LOT 1 AND LOT 20, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM R-5/SC (RESIDENTIAL/SPECIAL CONTRACT) TO RMU (RESIDENTIAL MIXED USE); AND,

PARCEL 2: LOT 1, BLOCK 36, MONTWOOD HEIGHTS UNIT 8, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM C-3/SC (COMMERCIAL/SPECIAL CONTRACT) TO RMU (RESIDENTIAL MIXED USE),

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 *Parcel 1: Block 34 excluding Lot 1 and Lot 31, all of Block 35 and Block 36 excluding Lot 1 and Lot 20, 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; *and, Parcel 2: Lot 1, Block 36, Montwood Heights Unit 8, 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 as listed for **PARCEL 1: FROM R-5/SC (RESIDENTIAL/SPECIAL CONTRACT) TO RMU (RESIDENTIAL MIXED USE); AND, PARCEL 2: FROM C-3/SC (COMMERCIAL/SPECIAL CONTRACT) TO RMU (RESIDENTIAL MIXED USE)**, such land uses allowed as being reflected in the Master Zoning Plan attached as Exhibit "B" and the Master Zoning Report attached as Exhibit "C" incorporated herein for all purposes, 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

## MONTWOOD HEIGHTS, UNIT 8

The property is a portion of Montwood Heights, Unit 8, a subdivision in the City of El Paso, El Paso County, Texas. The property includes all the Right-of-Way located within the subdivision, Block 34, excluding Lots 1 and 31, all of Block 35, and Block 36, excluding Lot 20 as shown on the plat filed in the Real Property Records of El Paso County on March 28, 2008, Instrument Number 20080024329.

Commencing at a City Monument located at the westerly cul-de-sac of Robert Dahl; Thence South  $43^{\circ} 24' 39''$  West, a distance of 248.43 feet to a mark on a rock wall; THENCE, South  $00^{\circ} 30' 52''$  East, a distance of 278.66 feet to the corner of a rock wall, being a point on a curve of Laila Lane, being THE TRUE POINT OF BEGINNING and the northeasterly corner of the property herein described;

THENCE, South  $00^{\circ} 30' 52''$  East, a distance of 285.67 feet to a chiseled "X" at the intersection of 2 rock walls;

THENCE, South  $89^{\circ} 29' 08''$  West, a distance of 275.00 feet to a found rebar on the easterly Right of Way of Loop 375 (Joe Battle Boulevard), 300 foot public Right of Way;

THENCE, North  $00^{\circ} 30' 52''$  West, along the easterly Right of Way of Loop 375 (Joe Battle Boulevard), passing Laila H. Lane, 52 foot public Right of Way, a distance of 308.86 feet to a point of curvature;

THENCE, 31.42 feet along the arc of a curve to the left with a radius of 20.00 feet, and a chord that bears South  $45^{\circ} 30' 52''$  East, for a distance of 28.28 feet, being on the northerly Right of Way of Laila H. Lane;

THENCE, North  $89^{\circ} 29' 08''$  East, along the northerly Right of Way of Laila H. Lane a distance of 197.12 feet to a point of curvature;

THENCE, 58.00 feet along the arc of a curve to the right with a radius of 526.00 feet, and a chord that bears South  $87^{\circ} 21' 21''$  East, for a distance of 57.97 feet, to the TRUE POINT OF BEGINNING of this parcel containing 79,461 square feet or 1.8242 acres of land MORE OR LESS.

SLI ENGINEERING, INC.  
Consulting Engineers - Land Surveyors



February 9, 2012  
Job# 06-11-3158  
M&B/1731 revised

## MONTWOOD HEIGHTS, UNIT 8

The property is a portion of Montwood Heights, Unit 8, a subdivision in the City of El Paso, El Paso County, Texas. The property includes all the Right-of-Way located within the subdivision, Block 34, excluding Lots 1 and 31, all of Block 35, and Block 36, excluding Lots 1 and 20 as shown on the plat filed in the Real Property Records of El Paso County on March 28, 2008, Instrument Number 20080024329.

Commencing at a City Monument located at the westerly cul-de-sac of Robert Dahl; Thence South 43° 24' 39" West, a distance of 248.43 feet to a mark on a rock wall, being THE TRUE POINT OF BEGINNING and the northerly corner of the property herein described;

THENCE, South 89° 58' 15" East, a distance of 318.18 feet to a found 5/8-inch rebar;

THENCE, South 47° 29' 00" East, a distance of 958.64 feet to the centerline intersection of a rock wall;

THENCE, South 42° 31' 00" West, a distance of 279.18 feet to the end of a rock wall, being a point on the northerly Right of Way of Nour H. Way, 52 foot public Right of Way;

THENCE, South 47° 29' 00" East, along the northerly Right of Way of Nour H. Way, a distance of 255.00 feet to a point of curvature;

THENCE, 31.42 feet along the arc of a curve to the left with a radius of 20.00 feet, and a chord that bears North 87° 31' 02" East, for a distance of 28.28 feet to a point on the northerly Right of Way of FM 659 (Zaragosa Road), 100.00 foot public Right of Way.

THENCE, South 42° 31' 00" West, along the northerly Right of Way of FM 659 (Zaragosa Road), a distance of 92.00 feet to a point of curvature;

THENCE, 31.42 feet along the arc of a curve to the left with a radius of 20.00 feet, and a chord that bears North 02° 29' 00" West, for a distance of 28.28 feet, being on the southerly Right of Way of Nour H. Way;

THENCE, North 47° 29' 00" West, along the southerly Right of Way of Nour H. Way, a distance of 255.00 feet to the end of a rock wall;

THENCE, South 42° 31' 00" West, a distance of 279.18 feet to the centerline intersection of two rock walls;

THENCE, North 47° 29' 00" West, a distance of 789.90 feet to an angle point along the centerline of a rock wall;

THENCE, South 89° 29' 08" West, a distance of 25.00 feet to a chiseled "X" at the intersection of 2 rock walls;

THENCE, North 00° 30' 52" West, a distance of 564.33 feet to the TRUE POINT OF BEGINNING of this parcel containing 644,889 square feet or 14.8046 acres of land MORE OR LESS.

SLI ENGINEERING, INC.  
Consulting Engineers - Land Surveyors



Tom Rollag  
Registered Professional Land Surveyor  
Texas License No. 6313

February 9, 2012  
Job# 06-11-3158  
M&B/1731 revised



EXHIBIT "C"

# Residential Mixed Use Zoning Report

Montwood Heights Unit 8, El Paso, Texas

Owner: The Housing Authority of The City of El Paso.

Prepared by: Georges Halloul, P.E.

January 2012

# RESIDENTIAL MIXED USE ZONING REPORT

## MONTWOOD HEIGHTS UNIT 8, EL PASO, TEXAS

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## ABSTRACT

This study is intended to assist the owner/ developer in meeting the City requirements for rezoning application of the proposed tracts. The report will address the requirements as set in the City Of El Paso Municipal Code Title 20, Section 20.10.360G..

## LIMITATIONS

This report has been prepared for the exclusive use of The City of El Paso, Hunt Building Company, LTD, and its consultants for evaluation purposes and does not contain information for other parties or other uses. Mr. Dan Bartlett authorized this study on December 15, 2011 via an email transmission.

The results submitted in this report are based on data obtained from the following sources:

1. SLI Engineering, Inc.
2. The City of El Paso
3. Texas Department of Transportation
4. HACEP
5. Field data collected during the study

If the project information described in this report is incorrect or altered, or if new information is available, we should be retained to review and modify the results of this study.

## INTRODUCTION

Hunt Building Company, Ltd. is in the process of processing a Rezoning Application for existing residential and commercial lots subdivision plat for the 22.064 acres site located east of Loop 375 and Zaragoza. The developer is applying for a Residential Mixed Use to accommodate, encourage and promote an innovatively designed mix of single family, and Multifamily, and common open space/recreational uses.

## EXECUTIVE SUMMARY

The proposed development will be in compliance with all the General Design Principals, General Design Elements, Architectural Objectives, Roadway Design, Parking, Setbacks and Landscaping principals and requirement listed under Chapter 20.10.360G Supplemental Use Regulations, residential Mixed Use Development.

Also the proposed development is in compliance with the Land Use and City Goals and Policies:

- ✦ **Land Use City Forms:** The proposed development consists of 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.
- ✦ **Residential :** This development will promote fair housing by providing affordable housing, and market rate housing in accordance with Federal, State and Local regulations. The wide range of proposed housings, single family dwellings, 1,2 and 3 bedroom apartments, will respond to the needs of all economic segments of the community. Also the proposed private amenities encourage the use of planned unit development
- ✦ **Office:** The community center is located along Joe battle to ensure their compatibility with the adjacent commercial uses. They are also located nearby the proposed Sun Metro bus stop and are connected with the residential with a walking and bike trail.
- ✦ **Neighborhoods:** The proposed development with the walking trails and the circular drives provides safe and efficient vehicular and pedestrian circulation systems. The community facilities are scattered throughout the development within walking distance from most dwellings. The neighborhood commercial services will be compatible with the neighborhood residential character.

## SITE LOCATION

The proposed Sites consist of a parcel of land located in El Paso, El Paso County, Texas. The Site is located east and adjacent to FM 659 Road (Zaragosa Dr.) and Loop 375 North..

The parcel is shown on the following exhibit.

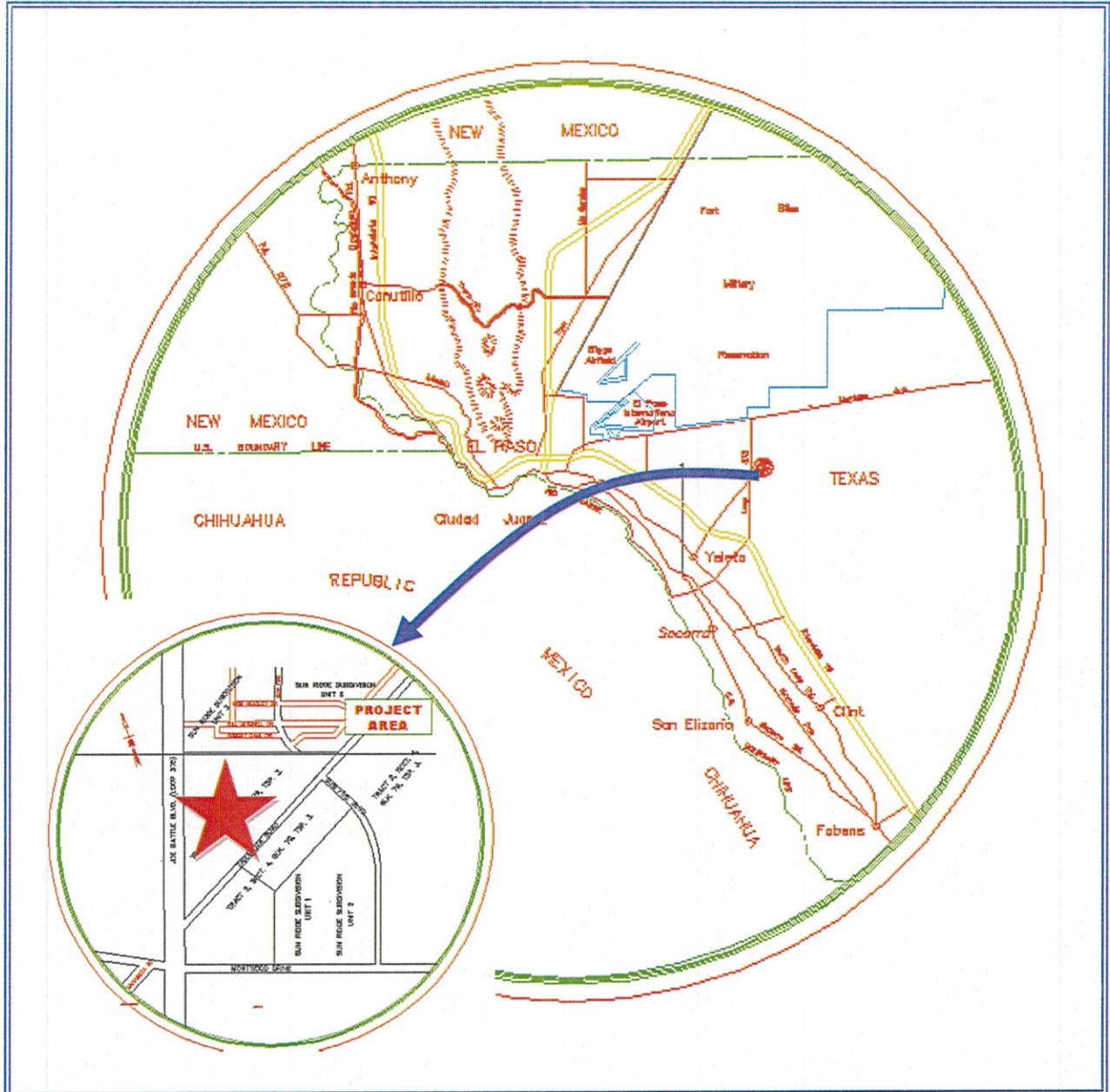


FIGURE 1: SITE LOCATION

The following is an aerial photo showing the location of the site shaded in red. The site has frontage on Zaragoza and on Loop 375 North. The site is bound by Zaragoza Road On the south, Residential subdivision on the east, Loop 375 and commercial development on the west and residential and commercial development on the north.

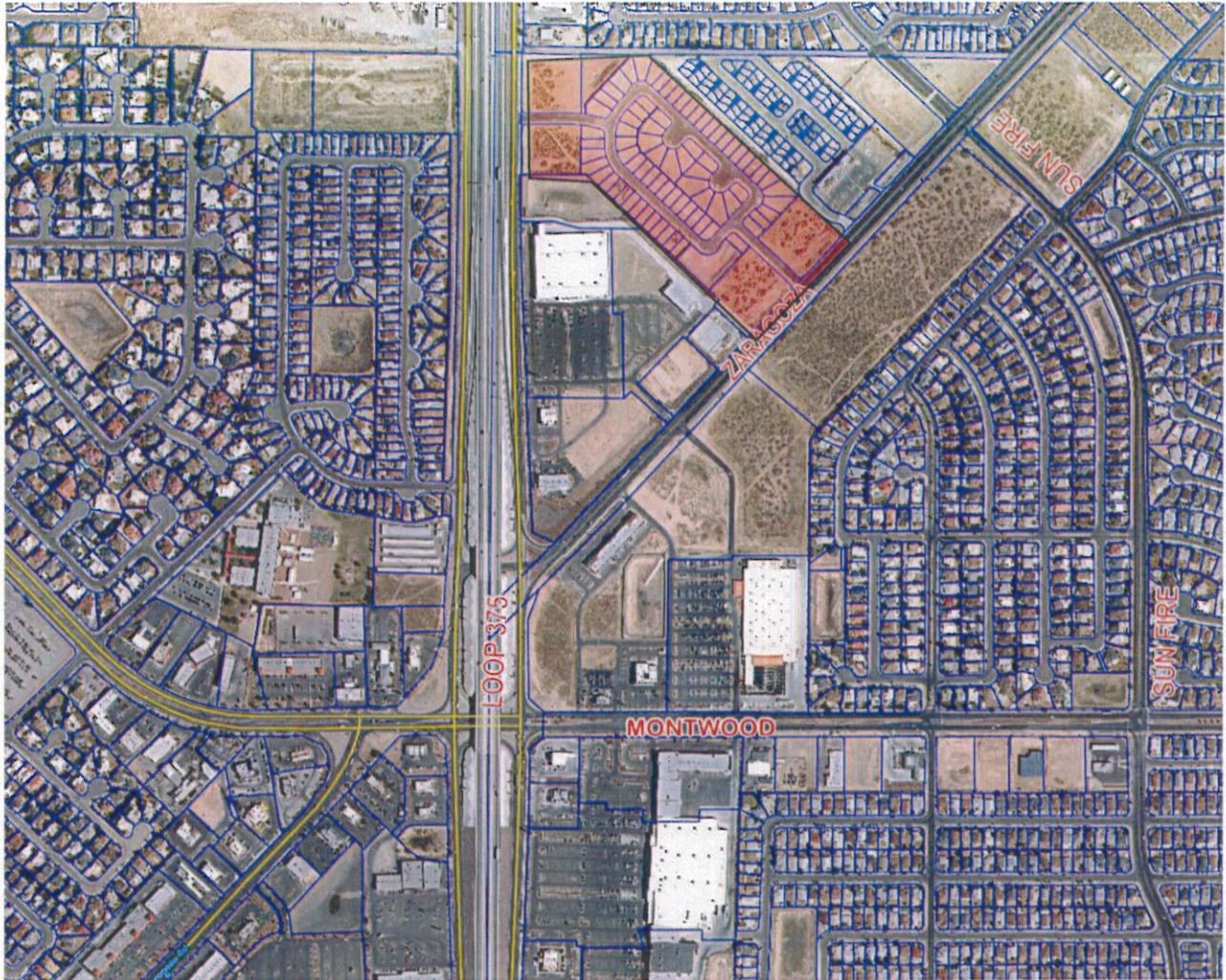


FIGURE 2: AERIAL LOCATION MAP

## SITE DESCRIPTION

### PLATTING DETERMINATION & PHYSICAL BOUNDARY

The site was legally subdivided in 2008. It is described as : **Montwood heights Unit 8, El Paso, Texas.**

The subdivision plat was filed and recorded in the office of the County Clerk of El Paso

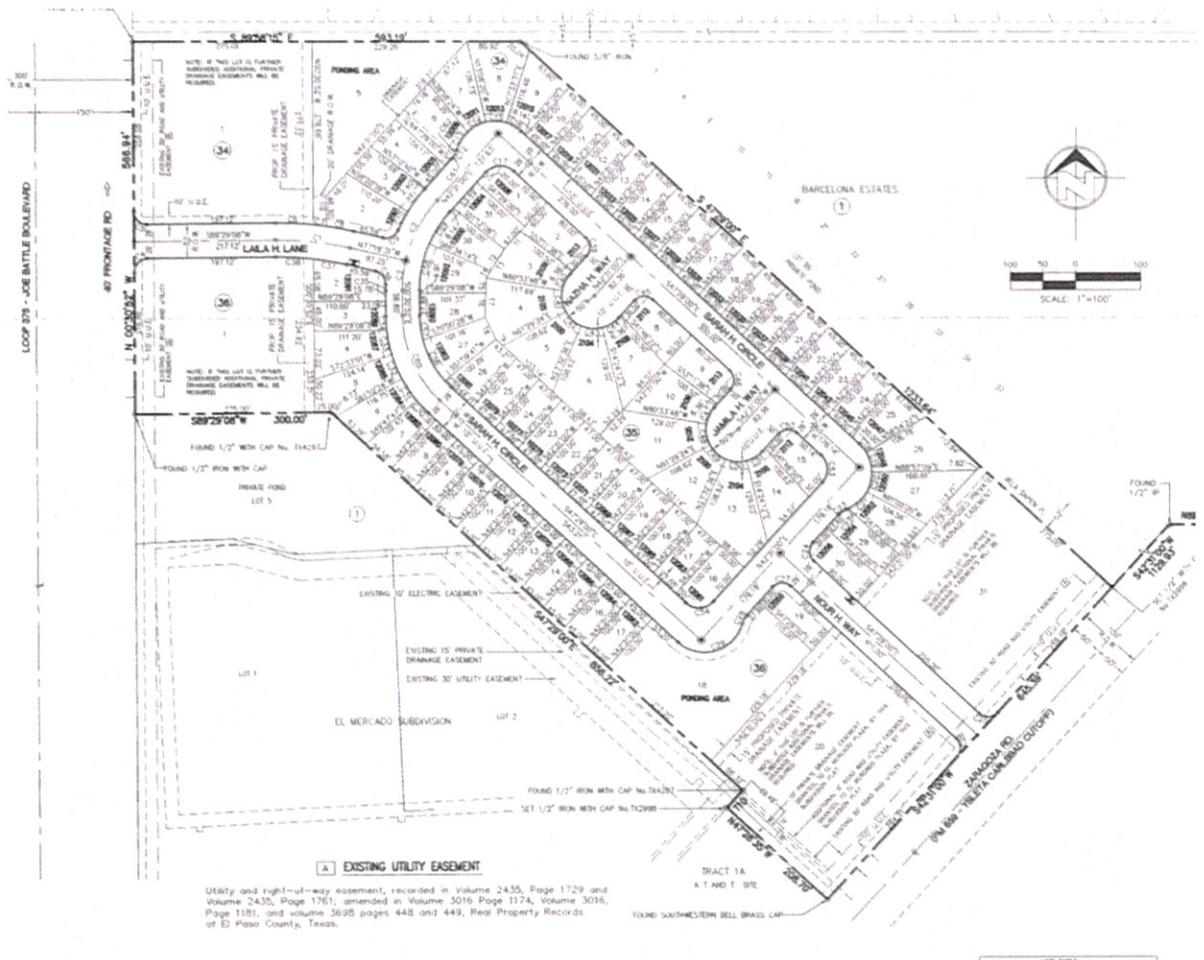


FIGURE 3: RECORDED SUBDIVISION PLAT

County, Texas on March 28, 2008 in Instrument No. 20080024326.

The site consists of 22.064 acres. It is subdivided into 76 residential lots, 4 commercial lots, and 1 retention pond. The site is bound by Zaragoza Road On the south, Residential

subdivision on the east, Loop 375 and commercial development on the west and residential and commercial development on the north.

There are 10 existing houses within the limit of the site.

### ZONING AND PROPOSED USES:

The site consists of 2 zoning designations:

1. R-5, Residential
2. C-4, Commercial District.

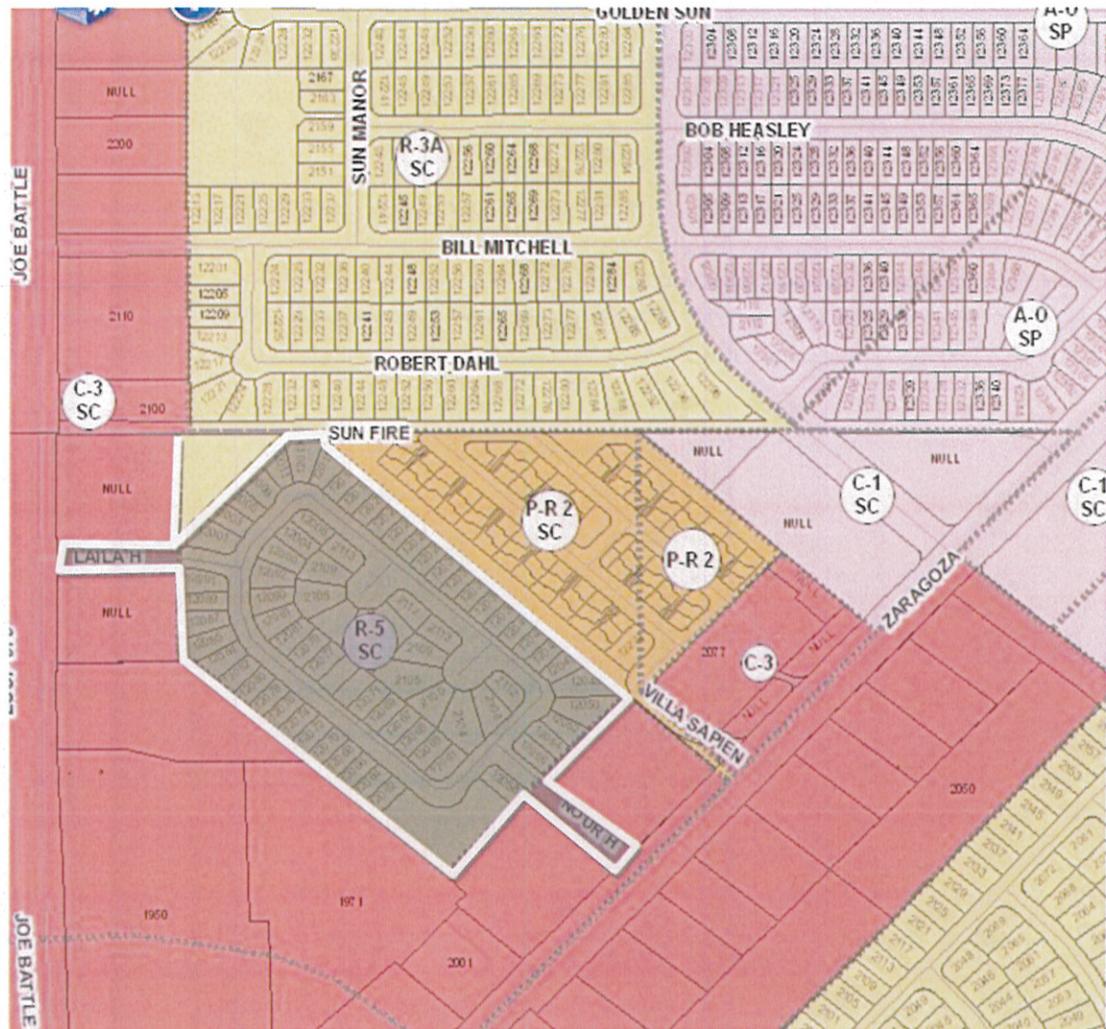


FIGURE 4: EXISTING ZONING, SOURCE: CITY OF EL PASO

The site will be zoned to RMU Residential Mixed Use.

The residential areas will occupy 11.414 acres of the site.

The ponding areas will occupy 1.53 acres

The commercial lots will occupy 5.17 acres

The streets will occupy 3.95 acres

The residential areas will be used to build 188 dwelling units and amenities.

There are 10 existing detached housing units. These units will not be included in the study since they exist and they contribute to the existing traffic count.

The land remaining for commercial development is approximately 225,000 square feet. The total possible square footage of dirt to be developed as leasable commercial space within this subdivision using the 7000 Square feet per acre is approximately 32,000 Square feet.

The following exhibit shows the number of proposed lots in the subdivision as well as the zoning master plan. Please note that the R-5 will be changed to RMU and the commercial lot located on the south west corner of Laila H. Drive and Loop 375 North will also be changed .

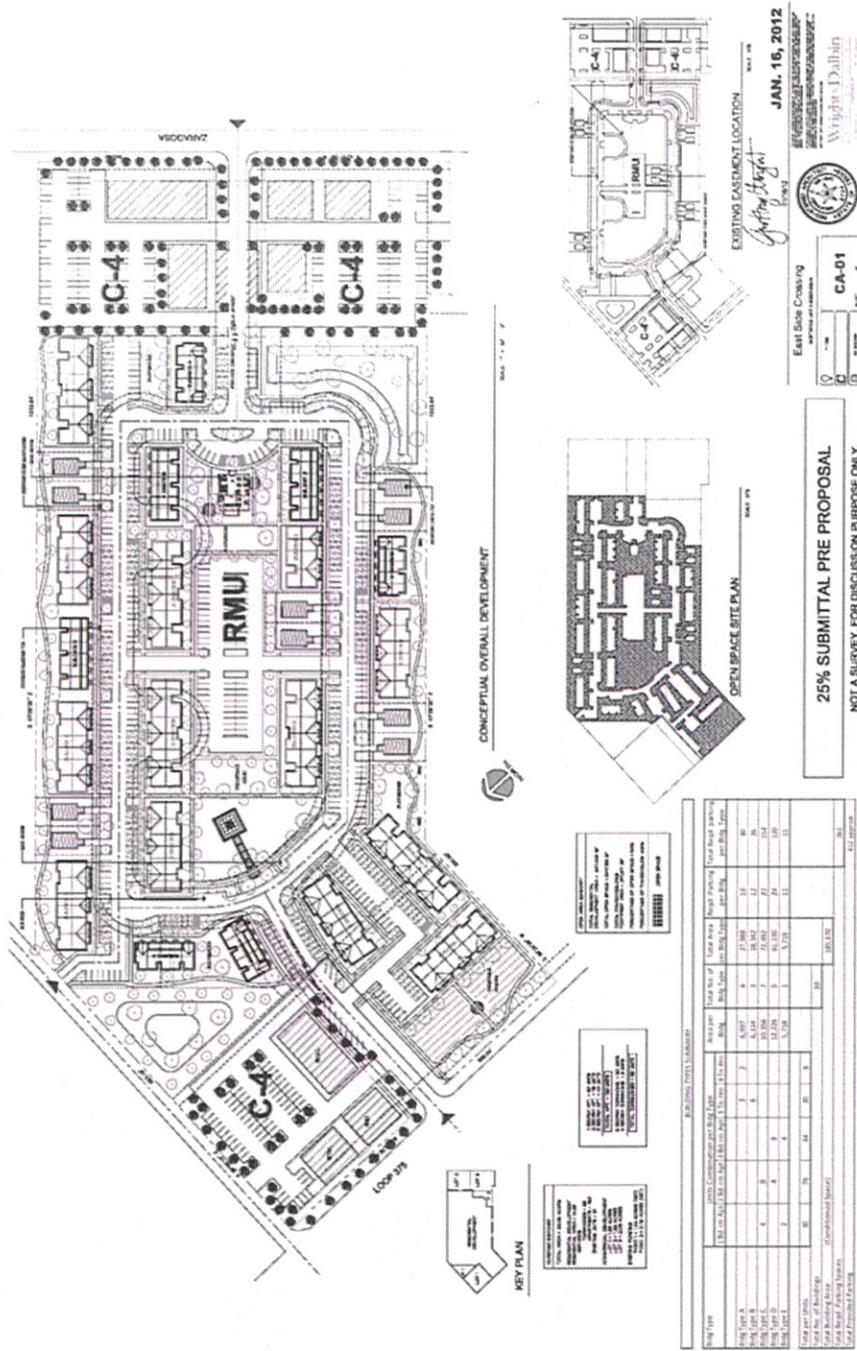


FIGURE 5: PROPOSED SITE LAYOUT AND ZONING MASTER PLAN

## PRINCIPALS AND REQUIREMENTS

The following principles and requirements shall apply to a mixed-use development and shall serve as the basis for approval of a master zoning plan. According to the General Design Principles as per Title 20.10.360G, the following bullets are to be used as guidelines only,” and compliance with any guideline within a mixed-use development shall be determined on a case by case basis as part of the master zoning plan and mixed use development plan approval. It is not intended that every mixed-use development conform to all or any set number of the enumerated design guidelines”.

### DEVELOPMENT PERSPECTIVE.

- i. That the natural infrastructure and visual character of the development area be retained as derived from existing topography, riparian corridors and other environmentally sensitive areas.

*This is an existing site. The Existing streets will become driveways, the topography will not change drastically and open space will be added.*

- ii. That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods.

*The development will be considered as infill since most of the site has been vacant. The Mix-use will be compatible with the residential usage along the northern side and the commercial uses along the east, west and south.*

- iii. That proposed development contiguous to urban areas be organized as town centers and neighborhoods, and be integrated with the existing urban pattern.

*The proposed development will have a community center and other amenities for the future residents.*

- iv. That proposed development noncontiguous to urban areas is organized in the pattern of an isolated community consisting of a complete town center serving the neighborhood(s).

*This item is not applicable*

- v. That a mixture of housing types and densities be distributed throughout the mixed-use development.

*The development consists of single family dwellings, townhomes, 1, 2 and 3 bedrooms apartments, and green areas.*

- vi. That transportation corridors be planned and reserved in coordination with land use patterns.

*The corridors are existent.*

- vii. That natural or man-made green corridors and open space areas be used to define and connect neighborhoods to other facilities within the development, and that these areas allow for connectivity outside of the development where feasible.

*The proposed development will include a walking trail that connects the proposed amenities, green areas and the commercial facilities to the proposed residential development.*

- viii. That the development includes a framework of transit, pedestrian and bicycle systems that provide alternatives to the automobile.

*The developer will coordinate with Sun Metro to provide Bus Stops adjacent to the [proposed development].*

- ix. That neighborhoods with town centers be the preferred pattern of development and that developments specializing in single use be discouraged.

*This item is not applicable*

- x. That neighborhoods be compact, pedestrian-friendly, and mixed use.

*The proposed development includes walking trails, sidewalks, and bike racks. Traffic calming measures will also be installed.*

- xi. That ordinary activity of daily living occurs within walking distance of most dwellings.

*The proposed development, the amenities and the bus stop will be located within walking distances from most dwellings.*

- xii. That interconnected networks of streets be designed to disperse and reduce the length of vehicle trips.

*The development will have a circular drive that reduces the length of vehicle trips.*

- xiii. That within neighborhoods, a range of housing types and price levels be provided to accommodate people of diverse ages and incomes.

*The development consists of single family dwellings, townhomes, 1, 2 and 3 bedrooms apartments, and green areas.*

- xiv. That appropriate building densities and land use be provided within walking distance of transit stops.

*Coordination is on the way with SunMetro to provide 2 bus stops along Zaragoza Drive and Loop 375 North.*

- xv. That civic, institutional and commercial activity be embedded, and not isolated, in the development.

*All proposed civic, institutional and commercial activities will be built within walking distance from most dwellings.*

- xvi. That a range of open space including parks, squares, and playgrounds be distributed within the development.

*The proposed development will include a walking trail that connects the proposed amenities, green areas and the commercial facilities and these proposed amenities will be distributed within the proposed development.*

- xvii. That a development has sufficient size to accommodate the mixed-use concentration of uses.

*The development will include 14.8628 square feet of residential, , and the remaining will be used for open space.*

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#### **BUILDING PERSPECTIVE.**

The following items are the guidelines for building perspectives under to the General Design Principles as per Title 20.10.360G

- i. That buildings and landscaping contribute to the physical definition of streets as civic places.

*The length of streets is minimal for this project. These streets will be landscaped accordingly.*

- ii. That the design of streets and buildings reinforce safe environments.

*The buildings will be constructed in the center of the project and on the along the property lines. They will be separated from the driveways by proposed parking stalls. The streets will also have traffic calming measures to make them safer.*

- iii. That architecture and landscape design grow from local climate, topography, history and building practice.

*The design will be typical design for this region.*

- iv. That the preservation and renewal of historic buildings be facilitated.

*This item is not applicable*

- v. That principal buildings and facades, where possible, be located parallel to the frontage line to encourage a community-friendly environment.

*Please refer to the attached site plan.*

## GENERAL DESIGN ELEMENTS

The following items are the general design elements according to the General Design Principles as per Title 20.10.360G

1. Neighborhoods limited in size and oriented toward pedestrian activity.

*The site is designed with a circular drive and walking trails to make it pedestrian friendly.*

2. A variety of housing types, jobs, shopping, services, and public facilities.

*The development consists of single family dwellings, townhomes, 1, 2 and 3 bedrooms apartments, and green areas.*

3. Residences, shops, workplaces, and other buildings interwoven within the neighborhood, all within close proximity.

*Residential and open spaces are placed within walking distance from most dwellings.*

4. A network of interconnecting streets and blocks that maintain respect for the natural landscape.

*The site is an existing site. The developer and the design team will attempt to comply with this item.*

5. Natural features and undisturbed areas that are incorporated into the open space of the neighborhood.

*The site is an existing site. The developer and the design team will attempt to comply with this item.*

6. A coordinated transportation system with a hierarchy of appropriately designed facilities for pedestrians, bicycles, public transit and automotive vehicles.

*The site will have walking trail, and bus stops to encourage residents to use alternative transportation methods.*

7. Well-configured squares, plazas, greens, landscaped streets, preserves, greenbelts, or parks dedicated to the collective social activity, recreation, and visual enjoyment of the neighborhood.
8. Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
9. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character and landscaping to establish a livable and harmonious environment.
10. Classification of uses deploying a range from rural-to-urban to arrange in useful order the typical context groupings of natural and urban areas to ensure compatibility of land uses.

The proposed development complies with most of the items listed above. The developer and the design team will make an extra effort to comply with items 7 through 10.

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#### **ARCHITECTURAL OBJECTIVES.**

As previously stated, the architectural design of the proposed development will achieve the following objectives as part of the mixed-use development plan:

1. Architectural compatibility;
2. Human scale design;
3. Integration of uses;
4. Encouragement of pedestrian activity;
5. Buildings that relate to and are oriented toward the street and surrounding buildings;
6. Residential scale buildings in any mixed residential area;
7. Buildings that contain special architectural features to signify entrances to the mixed-use development; and
8. Buildings that focus activity on a neighborhood open space, square or plaza.

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#### **ROADWAY DESIGN.**

Driveways will be used for traffic circulation within the proposed development. The designs used within this mixed-use development may vary depending on the proposed function of the roadway, the anticipated land uses, and the anticipated traffic load. However, the design of these driveways will comply with City of El Paso rules and regulations and will comply with the Texas

department of Transportation rules and regulations since both driveways abut right of way owned and operated by TXDOT.

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#### **PARKING.**

The required spaces of parking will be calculated and provided according to the parking requirements in [Chapter 20.14](#)

Also the community-parking facilities or shared parking will be used in some areas to permit the collocation of required parking for individual uses in order to promote pedestrian activity within the development.

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#### **SETBACKS.**

According to the to the General Design Principles as per Title 20.10.360G ,” Properties within a mixed-use development shall be allowed zero setbacks for all uses, unless otherwise required by the city council as part of the review of the master zoning plan”. Therefore, this development will have a minimum of 5 foot setbacks setbacks

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#### **LANDSCAPING.**

According to the General Design Principles as per Title 20.10.360G, “Uses within a mixed-use development shall not be required to conform to the landscaping requirements of [Title 18](#) (Building and Construction) of the El Paso City Code”.

The proposed landscaping, amenities and other green areas proposed within this development will be shown and considered as part of the master zoning plan and mixed-use development plan approval process.

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#### **PHASING**

The development will be constructed in one phase.

**MIXED USE TABLE.**

Please refer to the following table for the proposed possible mix use for the development

Land use Type	Minimum Lot Area	LOT COVERAGE		Minimum Lot Width	Minimum Lot Depth	MAX BLDG HEIGHT (1)	
		Minimum	Maximum			Primary Structure	Accessory Structure
<b>3.0 Education, institutional &amp; social</b>							
Art Gallery	2,500 sqft	n/a	n/a	25'	100'	30'	30'
Child Care Facility, Type 6	3,600 sqft	n/a	n/a	40'	90'	30'	30'
Community Recreation facility	3,600 sqft	n/a	n/a	40'	90'	35'	35'
<b>4.0 Office &amp; research services</b>							
Office, administrative & manager's	1,500 sqft	n/a	n/a	25'	60'	30'	30'
Office, Business	1,500 sqft	n/a	n/a	25'	60'	30'	30'
School, arts and crafts	1,500 sqft	n/a	n/a	25'	60'	30'	30'
<b>9 Parking &amp; Loading</b>							
Garage or lot parking (private)	n/a	n/a	n/a	40'	60'	n/a	n/a
<b>10.0 Personal services</b>							
Barber shop	1,500 sqft	n/a	n/a	25'	60'	30'	30'
Beauty salon	1,500 sqft	n/a	n/a	25'	60'	30'	30'
Laundromat, laundry (<5,000sqft)	3,600 sqft	n/a	n/a	40'	90'	30'	30'
<b>11.00 Recreation, amusement &amp; ent.</b>							
Athletic facility (indoor)	2500 sqft	n/a	n/a	25'	60'	35'	30'
Community Recreation facility	4,000 sqft	n/a	n/a	40'	90'	30'	30'
Exercise facility (indoor)	2500 sqft	n/a	n/a	25'	60'	30'	30'
Open Space	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Park/Playground	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Swimming pool (commercial)	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Tennis club, outdoor	n/a	n/a	n/a	n/a	n/a	n/a	n/a
<b>13.00 Residential</b>							
Apartments	6,000 sqft	n/a	n/a	60'	100'	45'	35'
Domestic Garden tool	1,500 sqft	n/a	n/a	25'	60'	30'	30'
Domestic Storage	n/a	n/a	n/a	n/a	n/a	35'	35'
Duplex (two-family dwelling)	3,600 sqft	n/a	n/a	40'	90'	30'	30'
Family Home	1,500 sqft	n/a	n/a	25'	60'	30'	30'
Guest, employee quarters	1,500 sqft	n/a	n/a	25'	60'	30'	30'
Home Occupation Use	n/a	n/a	n/a	n/a	n/a	30'	30'
Laundry room	1500 sqft	n/a	n/a	25'	60'	30'	30'
Quadraplex	2,400 sqft	n/a	n/a	60'	90'	30'	30'
Single family (attached, detached)	1,500 sqft	n/a	n/a	25'	60'	30'	30'
Townhomes	1,500 sqft	n/a	n/a	18'	60'	30'	30'



PLANNING AND ECONOMIC DEVELOPMENT  
PLANNING DIVISION

MEMORANDUM

**DATE:** 04/17/2012

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

**FROM:** Michael McElroy, Planner

**SUBJECT:** REZONING PZRZ12-00005

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The City Plan Commission (CPC) on 04/05/2012 voted 7-0 to recommend **APPROVAL** of rezoning the subject property to RMU (Residential Mixed Use), concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with comprehensive plan; and the proposed use is in conformance with the Future Land Use Map. The CPC also determined that this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

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

**Attachment:** Staff Report



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

**Case No:** PZRZ12-00005  
**Application Type:** Rezoning  
**CPC Hearing Date:** April 5, 2012  
**Staff Planner:** Michael McElroy, 915-541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)  
**Location:** North of Zaragoza Road and East of Joe Battle Boulevard  
**Legal Description:** Parcel 1. Block 34 excluding Lots 1 and 31, all of Block 35 and Block 36 excluding Lot 1 and Lot 20, City of El Paso, El Paso County, Texas  
Parcel 2. Lot 1, Block 36, Montwood Heights Unit 8, City of El Paso, El Paso County, Texas  
**Acreage:** 16.28 acres  
**Rep District:** 5  
**Zoning:** Parcel 1. R-5/sc (Residential/Special Contract)  
Parcel 2. C-3/sc (Commercial/Special Contract)  
**Existing Use:** Parcel 1. Vacant and Residential  
Parcel 2. Vacant  
**Request:** From R-5/sc and C-3/sc to RMU (Residential Mixed Use)  
**Proposed Use:** Residential  
**Property Owner:** The Housing Authority of El Paso  
**Representative:** Georges Halloul

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

**North:** P-R2/sc (Planned Residential II/Special Contract) & R-3A/sc (Residential/Special Contract) / Residential & Vacant  
**South:** C-3/sc (Commercial/Special Contract) / Retail & Vacant  
**East:** P-R2/sc (Planned Residential 2/Special Contract) & C-3 (Commercial) / Residential & Vacant  
**West:** C-3/sc (Commercial/Special Contract) & R-3A/sc/sp (Residential/Special Contract/Special Permit) / Retail & Residential

**Plan El Paso Designation:** G-4 – Suburban (East Planning Area)  
**Plan for El Paso Designation:** East (Mixed Use / Residential / Commercial)  
**Nearest Park:** Sal Berroteran Park (1,941 ft.)  
**Nearest School:** Helen Ball Elementary (2,424 ft.)

### **NEIGHBORHOOD ASSOCIATIONS**

Eastside Civic Association  
Las Tierras Neighborhood Association

### **NEIGHBORHOOD INPUT**

Notices of the April 5, 2012 public hearing were mailed to all property owners within 300 feet of the subject property on March 7, 2012. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

### **APPLICATION DESCRIPTION**

The request is to change the zoning from R-5/sc (Residential/special contract) and C-3/sc (Commercial/special contract) to RMU (Residential Mixed Use) to allow for a mixed residential development. The MZP proposes a development consisting of 31 buildings of various residential types comprising 199 total dwelling units. A summary of the Master Zoning Plan is attached (attachment 4, pg. 3-8). Access is to be from Joe Battle and Zaragoza. The proposed development incorporates many smart growth principles.

## **PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the rezoning to RMU (Residential Mixed Use).

### **Plan for El Paso-Future Land Use Map Designation**

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

G-4 – Suburban: This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the RMU (Residential Mixed use) district is to accommodate, encourage and promote innovatively designed developments involving neighborhood-serving residential and commercial land uses, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for developments that are intended by their size and nature of operation to provide service to a neighborhood. It is intended that the district regulations permit uses that are compatible with the residential areas that the uses serve, and allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

### **COMMENTS:**

#### **Department of Transportation**

Transportation does not object to the proposed rezoning request, but makes the following recommendation: 1. The parking spaces located at a 90 degree angle adjacent to the main entrances to the site are angled in the direction of the flow of traffic. This would improve the traffic flow onto the property. Notes: 1. Deceleration lanes proposed adjacent to Joe battle and Zaragoza shall be coordinated and approved by TxDOT. 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.

#### **Land Development**

Note to the Applicant: This subdivision "Montwood Heights Unit Eight" is not accepted by the City for maintenance.

#### **Sun Metro**

Sun Metro does not oppose this request. Sun Metro does recommend the construction of sidewalks to provide pedestrian accessibility.

#### **El Paso Water Utilities**

EPWU does not object to this request.

#### **Water:**

Within Montwood Heights Unit 8, along Laila H. Lane, Sarah H. Circle, and Nour H. Way there are existing eight (8) inch diameter water mains.

Along Nazha H. Way and Jamila H. Way there are existing six (6) inch diameter water mains.

North and parallel to Zaragoza Road, within Montwood Heights Unit 8, there is an existing twelve (12) inch diameter water main. This main is located inside an easement. No improvement, other than asphaltic paving (HMAC), shall be constructed on the described easement. EPWU-PSB requires access to this main 24 hours a day, seven (7) days a week.

Previous water pressure readings conducted on fire hydrant number 10068 located at the corner of

Leila H. Lane and Sarah H. Circle have yielded a static pressure of 54 pounds per square inch (psi), residual pressure of 46 psi, discharge of 750 gallons per minute (gpm).

**Sanitary Sewer:**

Within Montwood Heights Unit 8, along Laila H. Lane, Sarah H. Circle, and Nour H. Way, Nazha H. Way and Jamila H. Way there are existing eight (8) inch diameter sanitary sewer mains.

**General:**

As per EPWU-PSB records, Montwood Heights Unit 8 has seventy-six (76) three-quarter (  $\frac{3}{4}$  ) inch diameter water services, and 76 sanitary sewer services of four (4) inch diameter each.

The El Paso Water Utilities – Public Service Board (EPWU-PSB) requires a complete set of improvement plans, and grading plans pertaining to the proposed development for review and approval prior to any work to be performed within Montwood Heights Unit 8. This is required in order to ascertain that the proposed improvements and/or grading will not adversely affect the described existing water and sanitary sewer mains. Based on the *Master Zoning Plan* (MZP) enclosed in Rezoning Case Number PZRZ12 – 00005, the EPWU-PSB concludes that the MZP will eliminate Nazah H. Way and Jamila H. Way. The existing water mains may have to be severed at the connection to the main at Sarah H. Circle and the existing sanitary sewer mains may have to be plugged. The required work shall be performed by EPW-PSB since the described mains are part of the public system. All costs associated with the cutting and plugging of the mains are the responsibility of the Developer.

If the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or on-site fire protection systems within the private property, the property 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.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

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 vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the described existing water mains, appurtenances, and meters within easements 24 hours a day, seven (7) 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.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB.

Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.

EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.

EPWU-PSB requests the Developer to refrain from constructing signs within the PSB easements.

All proposed buildings shall comply with EPWU-PSB Easement Policy. Buildings shall be located 5 feet away from the easement line.

EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3<sup>rd</sup> Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (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 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 from the Plan by the CPC.

#### **Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Plan
4. Master Zoning Plan Summary

ATTACHMENT 1: ZONING MAP

PZRZ12-00005



ATTACHMENT 2: AERIAL MAP

PZRZ12-00005





**EXECUTIVE SUMMARY**

The proposed development will be in compliance with all the General Design Principals, General Design Elements, Architectural Objectives, Roadway Design, Parking, Setbacks and Landscaping principals and requirement listed under Chapter 20.10.360G Supplemental Use Regulations, residential Mixed Use Development.

Also the proposed development is in compliance with the Land Use and City Goals and Policies:

- ✦ **Land Use City Forms:** The proposed development consists of 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.
- ✦ **Residential :** This development will promote fair housing by providing affordable housing, and market rate housing in accordance with Federal, State and Local regulations. The wide range of proposed housings, single family dwellings, 1,2 and 3 bedroom apartments, will respond to the needs of all economic segments of the community. Also the proposed private amenities encourage the use of planned unit development
- ✦ **Office:** The community center is located along Joe battle to ensure their compatibility with the adjacent commercial uses. They are also located nearby the proposed Sun Metro bus stop and are connected with the residential with a walking and bike trail.
- ✦ **Neighborhoods:** The proposed development with the walking trails and the circular drives provides safe and efficient vehicular and pedestrian circulation systems. The community facilities are scattered throughout the development within walking distance from most dwellings. The neighborhood commercial services will be compatible with the neighborhood residential character.

**SITE LOCATION**

The proposed Sites consist of a parcel of land located in El Paso, El Paso County, Texas. The Site is located east and adjacent to FM 659 Road (Zaragosa Dr.) and Loop 375 North.

The parcel is shown on the following exhibit.

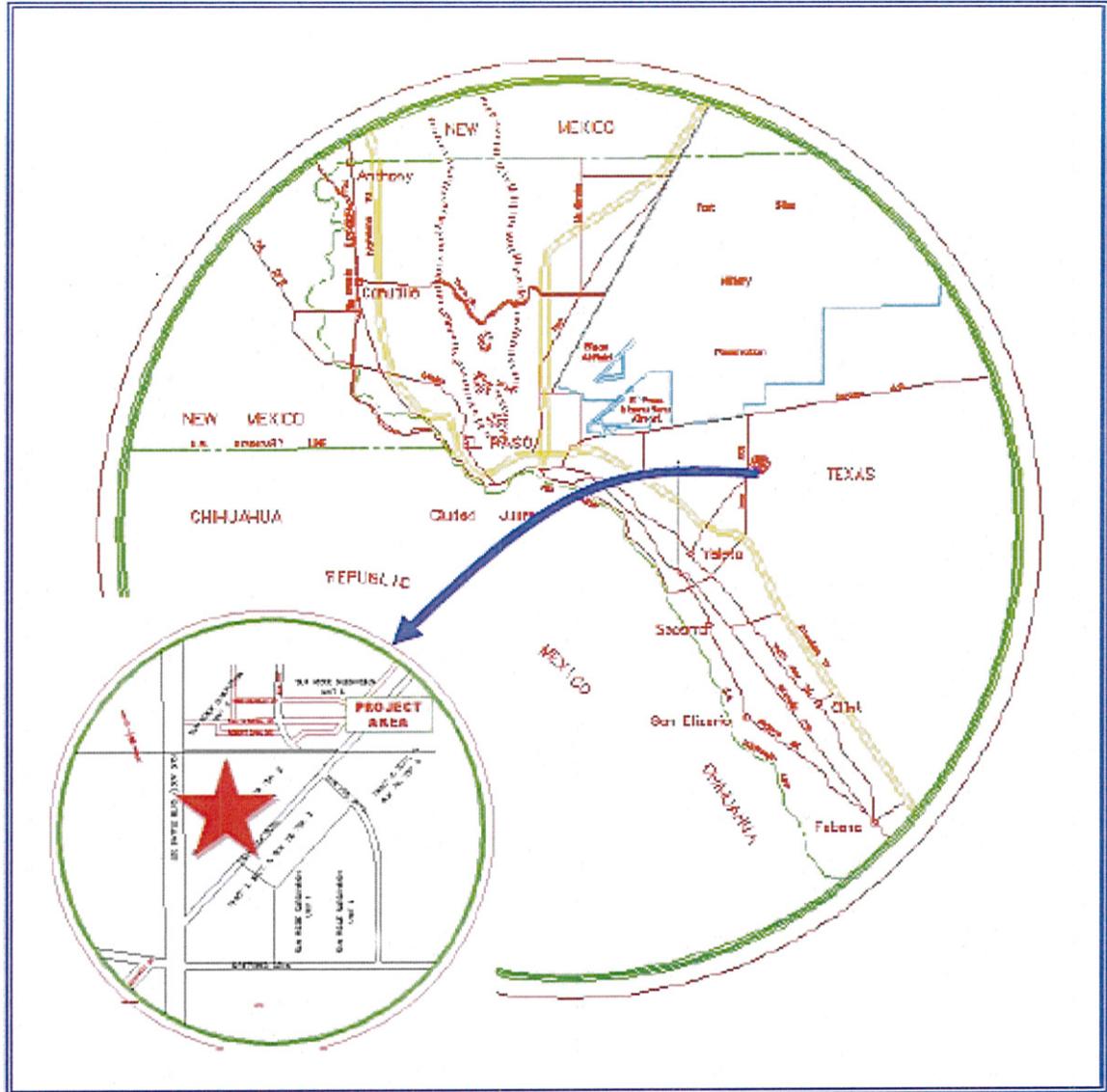


FIGURE 1: SITE LOCATION

ATTACHMENT 4: MASTER ZONING PLAN REPORT

The following is an aerial photo showing the location of the site shaded in red. The site has frontage on Zaragoza and on Loop 375 North. The site is bound by Zaragoza Road On the south, Residential subdivision on the east, Loop 375 and commercial development on the west and residential and commercial development on the north.



FIGURE 2: AERIAL LOCATION MAP

Zoning Plan, RMU

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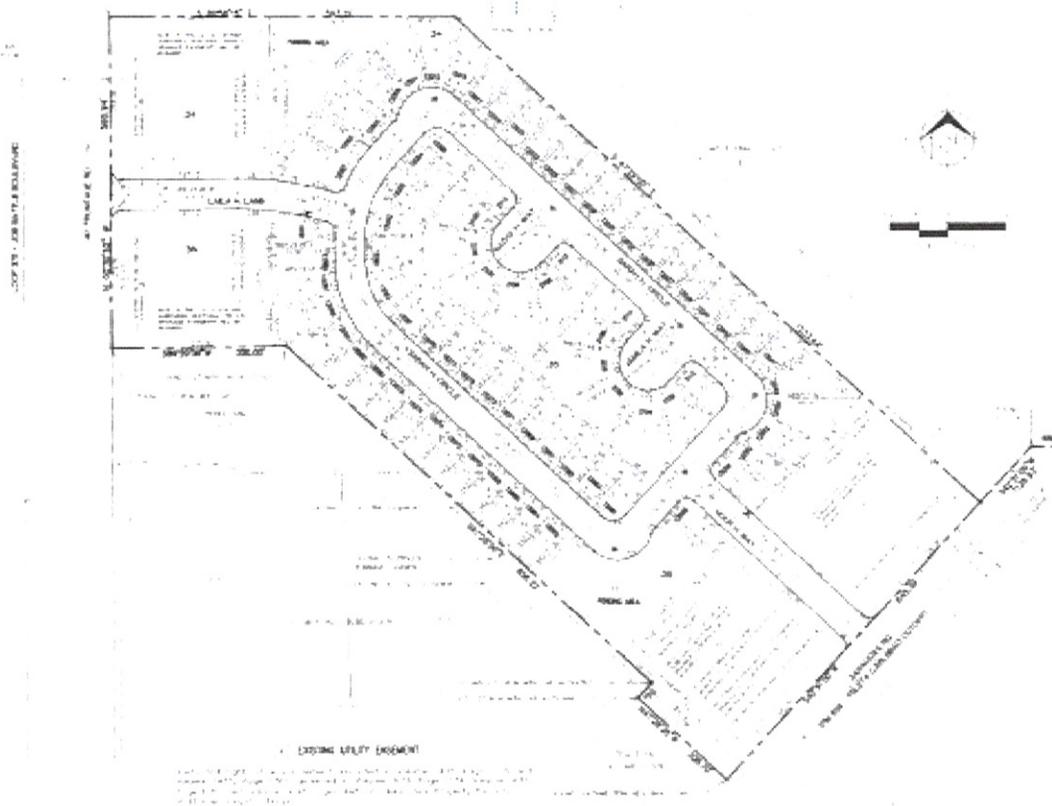
## ATTACHMENT 4: MASTER ZONING PLAN REPORT

### SITE DESCRIPTION

#### PLATTING DETERMINATION & PHYSICAL BOUNDARY

The site was legally subdivided in 2008. It is described as : Montwood heights Unit S, El Paso, Texas.

The subdivision plat was filed and recorded in the office of the County Clerk of El Paso



**FIGURE 3: RECORDED SUBDIVISION PLAT**

County, Texas on March 28, 2008 in Instrument No. 20080024326.

The site consists of 22.064 acres. It is subdivided into 76 residential lots, 4 commercial lots, and 1 retention pond. The site is bound by Zaragoza Road On the south, Residential

6<sub>Rest</sub>

ATTACHMENT 4: MASTER ZONING PLAN REPORT

subdivision on the east, Loop 375 and commercial development on the west and residential and commercial development on the north.

There are 10 existing houses within the limit of the site.

ZONING AND PROPOSED USES:

The site consists of 2 zoning designations:

- 1. R-5, Residential
- 2. C-4, Commercial District.

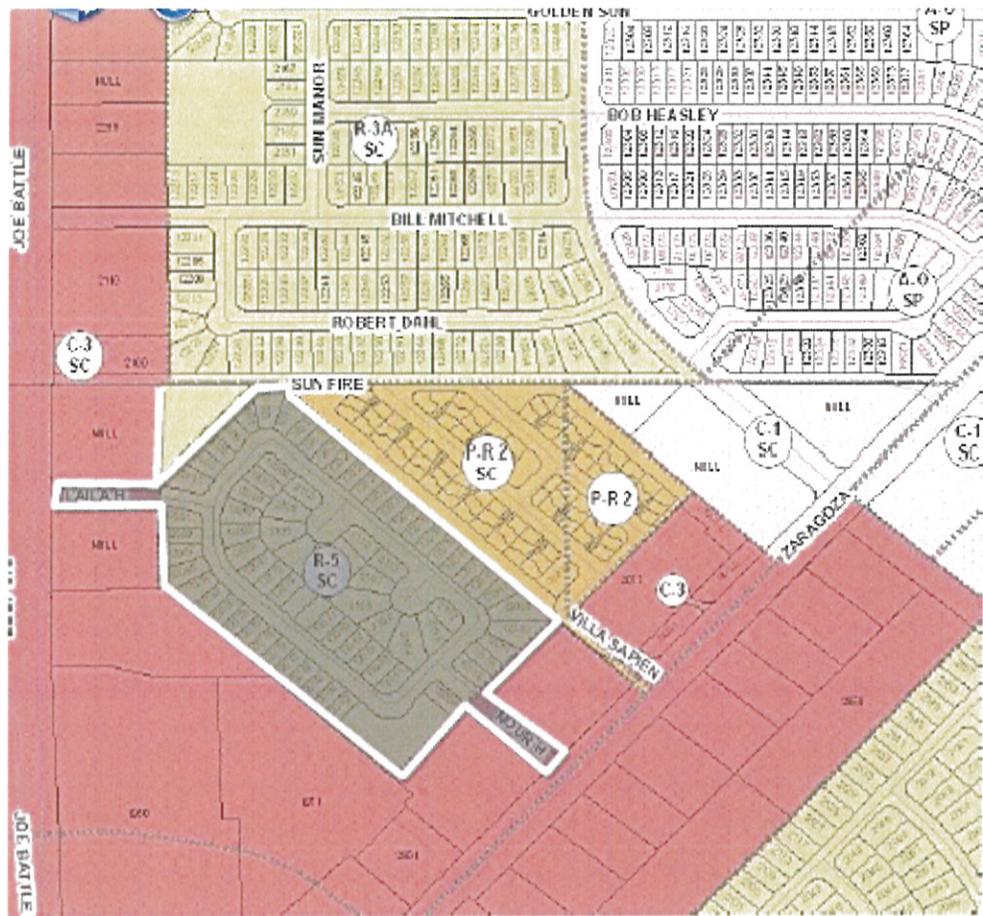


FIGURE 4: EXISTING ZONING, SOURCE: CITY OF EL PASO

The site will be zoned to RMU Residential Mixed Use.

Zoning Plan, RMU

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## ATTACHMENT 4: MASTER ZONING PLAN REPORT

The residential areas will occupy 11.414 acres of the site.

The ponding areas will occupy 1.53 acres

The commercial lots will occupy 5.17 acres

The streets will occupy 3.95 acres

The residential areas will be used to build 188 dwelling units and amenities.

There are 10 existing detached housing units. These units will not be included in the study since they exist and they contribute to the existing traffic count.

The land remaining for commercial development is approximately 225,000 square feet. The total possible square footage of dirt to be developed as leasable commercial space within this subdivision using the 7000 Square feet per acre is approximately 32,000 Square feet.

The following exhibit shows the number of proposed lots in the subdivision as well as the zoning master plan. Please note that the R-5 will be changed to RMU and the commercial lot located on the south west corner of Laila H. Drive and Loop 375 North will also be changed.

