

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: May 1, 2007
Public Hearing: May 22, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance changing the zoning of Tracts 9C, 9D, 9D1, and 10, Block 13, Upper Valley Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to P-R I (Planned Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Borderland Road and East of Westside Drive. Applicants: BAR Construction Inc, and El Paso Jamas, LTD. ZON07-00017 (District 1)

BACKGROUND / DISCUSSION:

See attached report.

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 (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 9C, 9D, 9D1, AND 10, BLOCK 13, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO P-R 1 (PLANNED RESIDENTIAL). 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 *Tracts 9C, 9D, 9D1, and 10, Block 13, Upper Valley Surveys, City of El Paso, El Paso County, Texas*, be changed from **R-F (Ranch and Farm)** to **P-R 1 (Planned Residential)**, 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 _____, 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

CITY CLERK DEPT.
07 APR 24 PM 2:22

ORDINANCE NO. _____

Zoning Case No: ZON07-00017



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING

CITY COUNCIL

ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES
PLANNING DIVISION

MEMORANDUM

DATE: April 24, 2007

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

FROM: Melissa Granado, Planner

SUBJECT: **ZON07-00017**

The City Plan Commission (CPC), on April 5, 2007, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to P-R I (Planned Residential), concurring with Staff's recommendation.

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. 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.

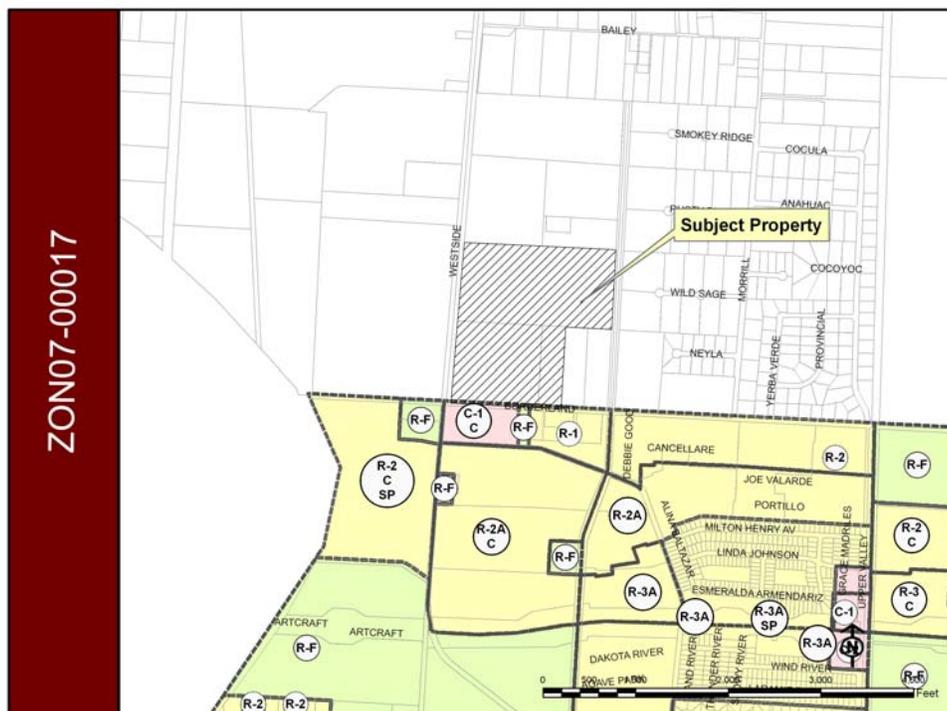
There were two (2) letters of opposition to this request.

Attachment: Staff Report, Site Plan, Application, Opposition Letters



ZON07-00017

Application Type:	Rezoning
Property Owner(s):	BAR Construction Inc, El Paso Jamas, LTD
Representative(s):	CEA Engineering Group
Legal Description:	Tracts 9C, 9D, 9D1, and 10, Block 13, Upper Valley Surveys, El Paso County, Texas
Location:	North of Borderland Road, East of Westside Drive
Representative District:	Northwest ETJ
Area:	57.23 acres
Present Zoning:	Northwest ETJ (to be zoned R-F (Ranch and Farm) upon annexation)
Present Use:	Vacant
Proposed Zoning:	P-R I (Planned Residential)
Recognized Neighborhood Associations Contacted:	Texas Apache Nations, Inc, Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association, Upper Valley Improvement Association
Public Response:	Two (2) letters of opposition
Surrounding Land Uses:	North: El Paso County, South: C-1/c, Church, R-F, R-1, Residential, East: El Paso County, West: El Paso County Residential (Northwest ETJ)
Year 2025 Designation:	



General Information:

The applicant requests a rezoning from R-F (Ranch and Farm) to P-R I (Planned Residential) in order to permit single-family residential development. The conceptual site plan proposes approximately 173 single-family dwelling units, one park, one park pond, and 10 ft. pedestrian walkways. Lots range in size from 5,000 to 10,000 square feet. Access is proposed via Borderland Road. There are no zoning conditions currently on this property.

A Development Agreement was approved by City Council in January 2007 for this property. It is currently under review for annexation to the city of El Paso. If annexed, zoning will be assigned as R-F (Ranch and Farm).

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this rezoning request.

The recommendation is based on the following:

- **The Plan for El Paso** City-Wide Land Use Goals recommends that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”
- **The Year 2025 Projected General Land Use Map** for the Northwest ETJ designates this property for **Residential** land uses.
- **P-R I (Planned Residential) zoning** permits single-family residential development and is **compatible** with surrounding development.

Findings:

The Commission must determine the following:

1. Will P-R I (Planned Residential) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will single-family residential development be compatible with adjacent land uses?
3. What is the relation of the proposed rezoning to the City’s Comprehensive Plan?
4. What effects will the proposed rezoning have on the natural environment, social and economic conditions and property values in the vicinity and the city as a whole?

Development Services - Building Permits and Inspections Division:

Zoning Review: Proposed P-R I Planned Residential development meets minimum district area requirements, general lot size and yard standards.

Landscaping: No comments received.

Development Services - Planning Division:

Current Planning: Recommends approval. The proposed rezoning is compatible with surrounding uses and development; the proposed use is in conformance with the 2025 Projected Land Use map which designates this property for residential uses.

Land Development: No comments received.

Engineering Department, Traffic Division:

No major traffic concerns with proposed rezoning.

Fire Department:

No comments received.

El Paso Water Utilities Notes:

1. EPWU does not object to this rezoning request.

Water:

2. There are no existing water mains adjacent to the proposed development. Presently there is an existing 12-inch diameter water main along Borderland Road that extends west from Strahan Road and dead-ends at the intersection of Morrill Road and Borderland Road.

3. Off-site and on-site water main extensions are required to serve the subject property. The Developer is responsible for all on-site water main extension costs. EPWU has completed the design for the off-site water main extension along Borderland Road from Morrill Road to Westside Drive. The plans for this off-site water main extension have been forwarded to the Developer. EPWU has asked the Developer to coordinate with adjacent property owners to determine their contribution to the off-site water main extension cost. The Developer is responsible for all or a portion of the off-site water main extension cost, depending on the Developer's agreement with the adjacent property owners.

4. As previously agreed, EPWU shall acquire all surface water rights on property of two (2) acres or less in size.

Sanitary Sewer:

5. There are no existing sanitary sewer mains adjacent to the subject property. Off-site and on-site sanitary sewer main extensions will be required to serve the subject property. The Developer is responsible for all on-site sanitary sewer main extension costs. EPWU has completed the design for the off-site sanitary sewer main extension along Borderland Road from the Borderland Spur Drain to Westside Drive. The plans for this off-site sewer main extension have been forwarded to the Developer. EPWU has asked the Developer to coordinate with adjacent property owners to determine their contribution to the off-site sewer main extension cost. The Developer is responsible for all or a portion of the off-site water main extension cost, depending on the Developer's agreement with the adjacent property owners.

6. EPWU proposes providing sanitary sewer service by conveying wastewater flows to the proposed Far West County Lift Station, which will be located at northwest corner of River Park West Unit Five. The Far West County lift station will temporarily discharge flows into the existing Laguna Meadows sewer system. In order to provide service during this interim period, the Laguna Meadows lift station needs to be upgraded. At the completion of the proposed Easy Way II Lift Station and associated Strahan sewer interceptor (Summer 2008), all wastewater flows produced by the subject property and other developments within the Far West County Lift Station service area will be conveyed via a combination force main and gravity main along Borderland Road to the Strahan interceptor.

7. As previously agreed, the Developer is responsible for all Far West County Lift Station costs, as well as all costs for the associated force mains and Laguna Meadows lift station upgrades. The Developer and EPWU have recently entered into a Development Agreement for construction of the Far West County Lift Station and associated force mains.

General:

8. Permits from the El Paso County Water Improvement District No. 1 (EPCWID No. 1) are required for the proposed water and sanitary sewer main crossings of the EPCWID No. 1 facilities along Borderland Road.

9. Dewatering is required for the installation of water mains, sanitary sewer mains and related appurtenant structures.

10. EPWU requires a new service application to initialize design of the on-site water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. 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.

List of Attachments:

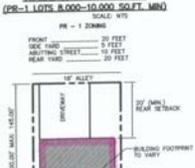
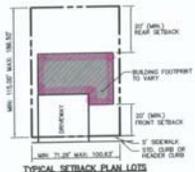
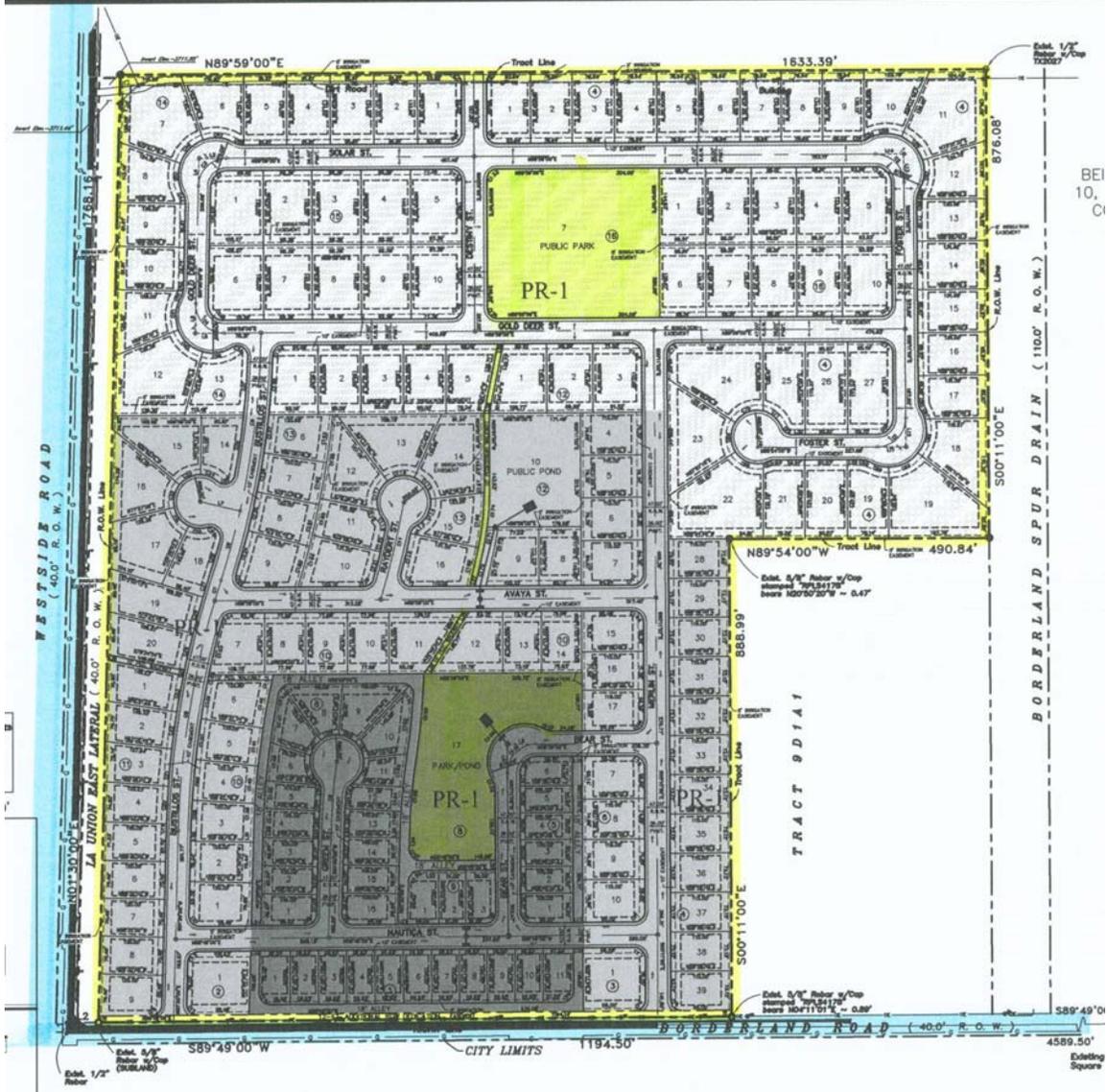
Attachment 1: Site Plan

Attachment 2: Application

Attachment 3: Opposition Letters



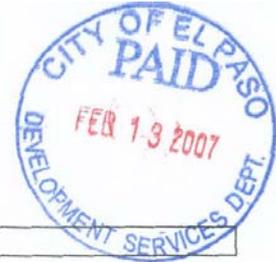
Attachment 1: Site Plan



Attachment 2: Application



REZONING APPLICATION
 PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
 CITY OF EL PASO, TEXAS



1. CONTACT INFORMATION

PROPERTY OWNER(S): SEE ATTACHMENT
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 APPLICANT(S): _____
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 REPRESENTATIVE(S): CEA ENGINEERING GROUP
 ADDRESS: 1204 Montana Ave. ZIP CODE: 79902 PHONE: 544-5232
 E-MAIL ADDRESS: jazcarate@ceagroup.net FAX: _____

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: U819000013009D5 / U819000013009D0 / U819000013009C0
 LEGAL DESCRIPTION: TRACTS 9C, 9D, 9D7, AND 10, BLOCK 13, UPPER VALLEY SURVEYS, EL PASO COUNTY, TX.
 STREET ADDRESS OR LOCATION: NORTHEAST AT THE INTERSECTION OF BORDERLAND AND WESTSIDE ROAD REP DISTRICT: 1
 ACREAGE: 57.8337 PRESENT ZONING: R-F PRESENT LAND USE: VACANT
 PROPOSED ZONING: PR-1 PROPOSED LAND USE: SINGLE-FAMILY RESIDENTIAL
ANNEXATION IN PROGRESS

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING: _____ PROPOSED LAND USE: _____

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____ REP DISTRICT: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING: _____ PROPOSED LAND USE: _____

5. ADDITIONAL INFORMATION

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Bill Hagan Signature: [Signature]
 Printed Name: _____ Signature: _____
 Printed Name: Keith Alexander Signature: [Signature]

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

****OFFICE USE ONLY****

ZON07-00017 RECEIVED DATE: 02/13/07 APPLICATION FEE: \$ 935.00
 DCC REVIEW DATE: 03/14/07 (8:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 04/05/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: [Signature] FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126

Revised 06/2004

1

PROPERTY OWNERS

1. B.A.R. Construction Inc.
311 McClintock
El Paso, TX. 79932
915-544-8347

2. El Paso Jamas, L.T.D.
2244 Trawood Drive, Suite 100
El Paso, TX. 79935
915-593-3111

Attachment 3: Opposition Letter

From: Larry Nance To: Melissa Granaado

Date: 3/20/2007 Time: 8:38:22 PM

Page 2 of 2

Upper Valley Improvement Neighborhood association
890 Forrest Hills Drive
El Paso, TX 7993
915-581-3025

March 20, 2007

Development Services Department
#2 Civic Center Plaza, 5th Floor
El Paso, TX 79901

Attention: Melissa Granado

Reference Case No: ZON07-00017

Dear Ms. Granado,

We wish to express our objections to the above proposed zoning change requested by BAR Contraction. This request does not comply with the North West Upper Valley Plan and would exceed the maximum limit of 2.5 homes per acre provided in the plan.

Thank you,

Larry Nance
Larry Nance
President

March 28, 2007

City Planning Commission
C/O Development Services Dept., Planning Div.
5th Floor City Hall
2 Civic Center Plaza
EL Paso TX 79901

RE: Case NO: ZON07-00017

Gentlemen,

I am the owner of property in the upper valley. I strongly urge you to NOT change the zoning for the property in question in the above case.

Thank you,



Burton Cherko, TTEE
1033 Kerry Dr
San Luis Obispo, CA 93405