



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

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 8A, BOOTHVILLE SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-3 (RESIDENTIAL). 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 Tract 8A, Boothville Subdivision, 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 **R-3 (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 \_\_\_\_\_, 2009.

**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  
Development Services Department  
Planning Division

# Barragan & Associates

Land Planning & Land Surveying

10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax(915) 591-5708

## DESCRIPTION

**DESCRIPTION** of a parcel of land being a 0.19 acre Tract out of a 0.254 acre Tract in volume 2124, page 0294, Real Property Records of El Paso County, Texas, also being a portion of Tract 8A, Boothville Subdivision, an addition to the City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

**COMMENCING** for reference at a found TxDOT brass cap monument in concrete for the centerline PI of North Loop Road opposite Tract 8C, Boothville Subdivision; **THENCE**, S 34°58'35" E, the centerline of North Loop Road, a distance of 283.17 feet to a point; **THENCE**, S 52°36'00" W, a distance of 60.03 feet to a set 5/8" rebar on the Westerly right-of-way line of North Loop Road for the common Easterly corner of Said 0.254 acre Tract and a 0.281 acre Tract in volume 448, page 494, Real Property Records of El Paso County, Texas, said rebar also being the **POINT OF BEGINNING** of this parcel;

**THENCE**, S 34°58'35" E, along said westerly right-of-way line of North Loop Road, a distance of 32.20 feet to a point for a corner of this parcel from **WHENCE**, a TxDOT brass cap monument in concrete bears N 29°55'44" E, a distance of 0.66 feet;

**THENCE**, S 05°51'13" W, a distance of 45.40 feet to a TxDOT brass cap monument in concrete on the Northerly right-of-way line of Link Road for a corner of this parcel;

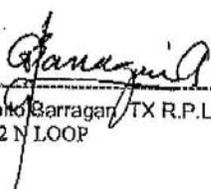
**THENCE**, S 46°41'00" W, along said Northerly right-of-way line of Link Road, a distance of 90.71 feet to a set "V" mark for the Southwesterly corner of said 0.254 acre Tract and a corner of this parcel;

**THENCE**, N 43°19'00" W, along the Westerly line of said 0.254 acre Tract, a distance of 74.99 feet to a set nail for the common Westerly corner of said 0.254 and 0.281 acre Tracts and a corner of this parcel;

**THENCE**, N 52°36'00" E, along the common line of said 0.254 and 0.281 acre Tracts, a distance of 130.43 feet to the **POINT OF BEGINNING** of this parcel and containing in all 8,133 sq. ft. or 0.18 acres of land more or less.

### Notes:

1. Bearings recited herein are based on the monumented centerline of North Loop Road TxDOT map cont 674 Sec 01 Job 048.
2. A plat of survey of even date accompanies this description.
3. This property may be subject to easements whether of record or not.
4. This description does not intent to be a subdivision process, for client purposes only.

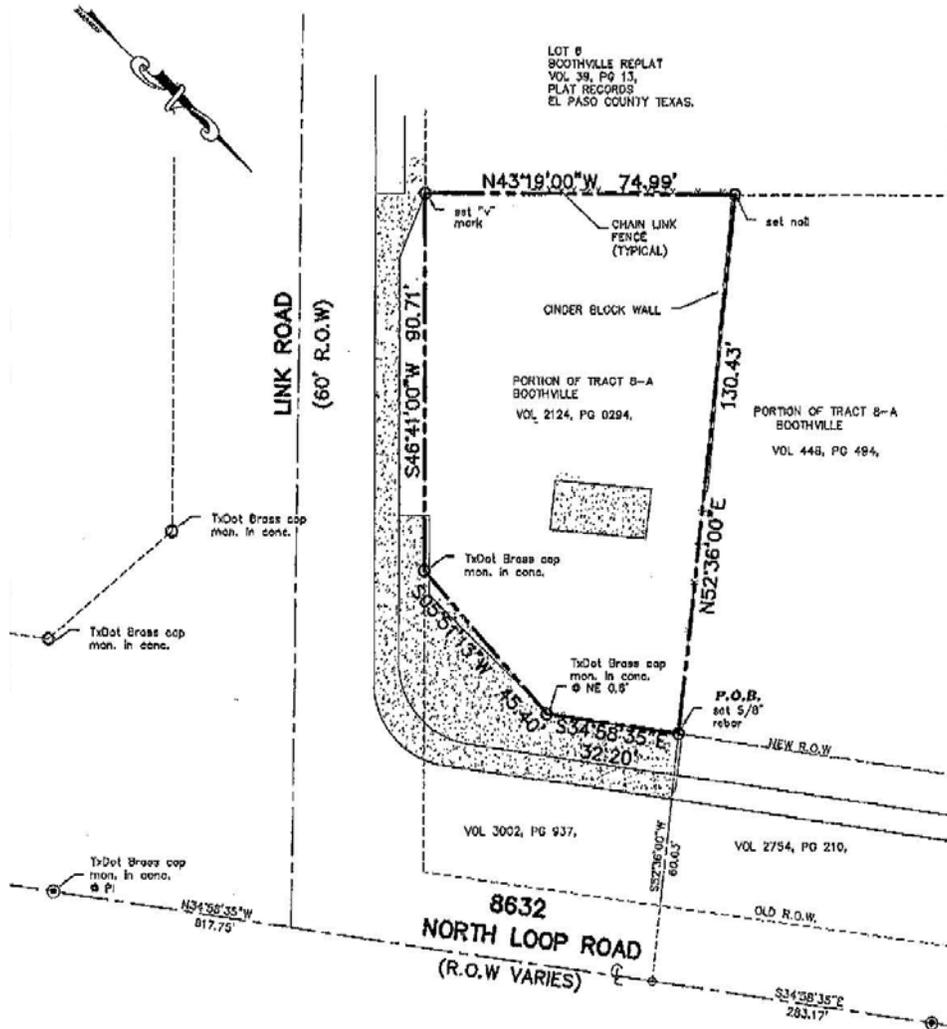
  
Benito Barragan, TX R.P.L.S. 5615, March 20, 2009  
8632 N LOOP



**EXHIBIT A**

PG. 1 of 2

ZON09-00016



- NOTE**
1. SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN FLOOD ZONE "C", AREA OF MINIMAL FLOODING, PER F.I.R.M. PANEL NUMBER 40C, LAST REVISION DATE 2/18/08. THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL F.E.M.A. AGENT SHOULD BE CONTACTED FOR VERIFICATION.
  2. BEARINGS SHOWN ARE BASED ON THE MONUMENTED CENTERLINE OF NORTH LOOP ROAD TxDOT MAP CONT 674 SEC 01 JOB C48.
  3. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT, (NOT SHOWN).
  4. THE PROPERTY OWNERS ARE SOLELY RESPONSIBLE FOR COMPLYING WITH ALL TITLE COMMITMENT PROVISIONS AND CONFIRMING THE SIZE AND USE OF ALL RECORDED EASEMENTS PERTAINING TO THIS PROPERTY, IN SPITE OF THE ACCURACY OR DEFECTS OF THIS PLAT.
  5. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
  6. THIS PLAT DOES NOT INTEND TO BE A SUBDIVISION PROCESS, FOR CLIENT PURPOSES ONLY.

**EXHIBIT A**

PG. 2 of 2

ZON09-00016

REVISED 03-20-09 TO ADD M & B

**Barragan & Associates**

LAND PLANNING & SURVEYING  
10950 Pellicano Dr. Building-F,  
El Paso, Tx 79935  
Phone (915) 591-5708 Fax (915) 591-5708

**PLAT OF SURVEY**

PORTION OF TRACT 8-A,  
BOOTHVILLE SUBDIVISION,  
AN ADDITION TO THE  
CITY OF EL PASO,  
EL PASO COUNTY, TEXAS.  
AREA 0.18 ACRES ±

Plot reference vol/bk. N-A page N-A

Scale 1"=30' Date 11/3/08 Drawn by O.B

I hereby certify that the foregoing boundary and improvement survey was made on the ground and under my supervision and to true and correct to the best of my knowledge and belief.

Benjamin Barragan, Surveyor No. 5615

Job No. 081625-09 Copy Rights ©

MEMORANDUM



**DATE:** June 3, 2009  
**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager  
**FROM:** Mirian Spencer, Planner  
**SUBJECT:** **ZON09-00016**

---

The City Plan Commission (CPC) on May 21, 2009 voted **5-0** to recommend **APPROVAL** of the rezoning request from R-F (Ranch and Farm) to R-3 (Residential) in agreement with the recommendation from the DCC and staff. The proposed R-3 (Residential) zoning district is in conformance with the 2025 Projected General Land Use Map for the area which designates the property for residential land uses. The proposed R-3 (Residential) is compatible with the adjacent zoning and land uses.

The property owner is requesting to change the zoning from R-F (Ranch and Farm) to R-3 (Residential) to permit a single-family residence. The property does not meet the density and dimensional standards for a single-family residence in an R-F (Ranch and Farm) zone. Access is proposed via Link Drive. There are no zoning conditions on the property.

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 Mission Valley Planning Area. The proposed development is compatible with adjacent land uses. The CPC also determined that the rezoning protects the best interest, health, safety, and welfare of the public in general; 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 were no public comments in support or in opposition to this request.

**Attachment:** Staff Report, Zoning Map, Aerial Map, Conceptual Site Plan

Mayor  
John F. Cook

City Council

*District 1*  
Ann Morgan Lilly

*District 2*  
Susannah M. Byrd

*District 3*  
Emma Acosta

*District 4*  
Melina Castro

*District 5*  
Rachel Quintana

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Beto O'Rourke

City Manager  
Joyce A. Wilson

**Development Services Department**

Victor Q. Torres - Director

2 Civic Center Plaza - 5<sup>th</sup> Floor · El Paso, Texas 79901 · (915) 541-4622 · Fax  
(915) 541-4799



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

**Case No:** ZON09-00016  
**Application Type:** Rezoning  
**CPC Hearing Date:** May 21, 2009  
**Staff Planner:** Mirian Spencer, (915) 541-4192, spencermd2@elpasotexas.gov

**Location:** 8634 North Loop Drive  
**Legal Description:** A portion of Tract 8A, Boothville Subdivision, City of El Paso, El Paso County, Texas  
**Acreage:** 0.19 acres  
**Rep District:** 7  
**Existing Use:** Vacant  
**Request:** From R-F (Ranch and Farm) to R-3 (Residential)  
**Proposed Use:** Single-family Residential

**Property Owner:** Gustavo A. Rodriguez  
**Representative:** Gustavo A. Rodriguez

**SURROUNDING ZONING AND LAND USE**

**North:** R-F (Ranch and Farm) / Single-family Residential  
**South:** C-3 (Commercial) / Vacant  
**East:** R-4 (Residential) / Single-family Residential  
**West:** R-3 (Residential) / Single-family Residential

**THE PLAN FOR EL PASO DESIGNATION:** Mixed-Use (Mission Valley Planning Area)  
**NEAREST PARK:** Pueblo Viejo Park (3,625 Feet)  
**NEAREST SCHOOL:** Valley View Middle School (850 Feet)

**NEIGHBORHOOD ASSOCIATIONS**

Save the Valley 21, Teens in Action for a Healthy Community

**NEIGHBORHOOD INPUT**

Notices of the May 21, 2009 public meeting were mailed out to property owners within 300 feet of the subject property on May 6, 2009. The Planning Division has received no public response to the rezoning application.

**APPLICATION DESCRIPTION**

The property owner is requesting to change the zoning from R-F (Ranch and Farm) to R-3 (Residential) to permit a single-family residence. The property does not meet the density and dimensional standards for a single-family residence in an R-F (Ranch and Farm) zone. Access is proposed via Link Drive. There are no zoning conditions on the property.

**DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

The Development Coordinating Committee provides the following comments:  
The DCC recommends **APPROVAL** of the rezoning request from R-F (Ranch and Farm) to R-3 (Residential).

**PLANNING DIVISION RECOMMENDATION**

Planning recommends **APPROVAL** of the rezoning request from R-F (Ranch and Farm) to R-3 (Residential).

**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: provide and enforce standards for providing decent, safe, and sanitary housing for all El Pasoans in accordance with Federal, State, and Local regulations.

- c. Goal: provide a wide range of housing types that respond to the needs of all economic segments of the community.
- d. Goal: protect residential areas from incompatible land uses and encroachments which may have a negative impact on the residential living environment.

The application is compatible with the adjacent R-3 (Residential), R-4 (Residential), and R-F (Ranch and Farm) development. The proposed R-3 (Residential) district is in conformance with the 2025 Projected General Land Use Map for the Mission Valley Planning Area which designates the property for mixed-use land uses. The proposed single-family residential lot will complement the existing ranch land to the west, the single-family residential to the south and north, and the commercially zoned property to the east.

**Development Services Department - Building Permits and Inspections Division**

Zoning: No comments received.

Landscaping: Landscaping is not required for residential development.

**Development Services Department - Planning Division**

Current Planning: Recommends **APPROVAL** of the rezoning request from R-F (Ranch and Farm) to R-3 (Residential).

Engineering: The following will be required at the time of development:

1. ADA accessible sidewalks, wheel-chair ramp(s), and driveway(s).
2. Grading plan and permit will be required at the time of development.
3. Storm water pollution prevention plan and/or permit required at the time of development.
4. Drainage plans must be approved by the Development Services Department, Engineering section at the time of development.
5. No water runoff allowed outside the development boundaries (on-site ponding required).

**Engineering Department - Traffic Division**

The Engineering Department – Traffic Division has no objections to the rezoning request.

**Fire Department**

No opposition to the request at this time.

**El Paso Water Utilities**

EPWU does not object to this request.

**CITY PLAN COMMISSION OPTIONS**

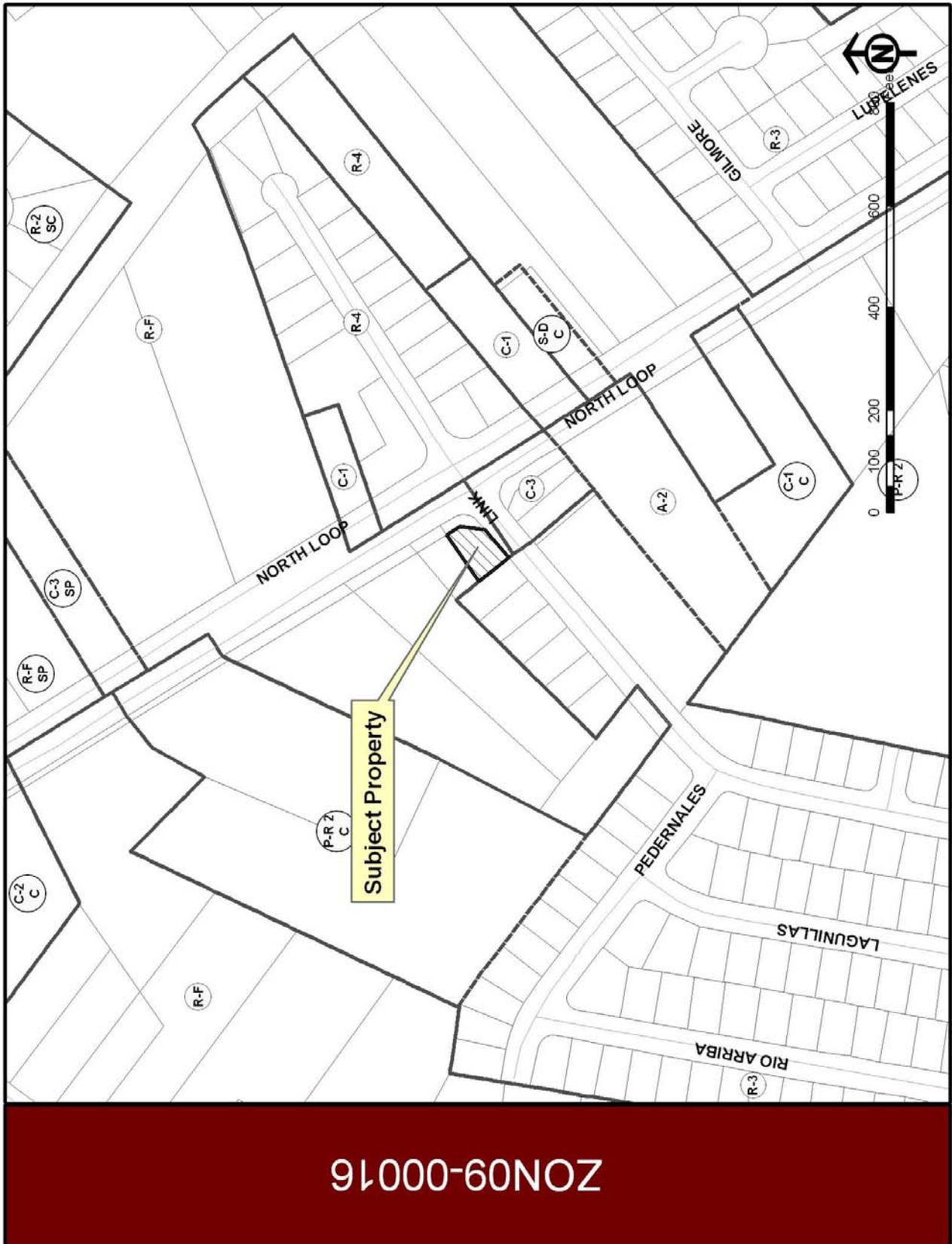
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

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 from the Plan by the CPC.

**Attachments**

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

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP



ATTACHMENT 3: CONCEPTUAL SITE PLAN

