



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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: **Introduction: June 2, 2009**
 Public Hearing: June 23, 2009

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

DISTRICT(S) AFFECTED: 5 & 6

SUBJECT:

An Ordinance changing the zoning of a portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-5 (Residential) to A-2 (Apartment). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Pebble Hills Boulevard and East of Tim Foster Street. Applicant: Ranchos Real IV, LTD, ZON09-00014 (Adjacent to Districts 5 & 6).

BACKGROUND / DISCUSSION:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (8-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Victor Q. Torres
 Director, Development Services

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

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

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-5 (RESIDENTIAL) TO A-2 (APARTMENT). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of *a portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, 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-5 (Residential)** to **A-2 (Apartment)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 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

Parcel 2 (R-5 to A-2)

Being a portion of Section 47,
Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
April 30, 2009

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at the southeast corner of Section 47, from which the southwest corner of Section 47, bears South 89°59'32" West a distance of 5,316.18 feet;; Thence North 34°30'56" West a distance of 3784.90 feet to a point for the **"TRUE POINT OF BEGINNING"**

Thence South 89°58'33" West a distance of 495.46 feet to a point;

Thence North 00°31'57" West a distance of 982.20 feet to a point;

Thence North 89°58'35" East a distance of 495.46 feet to a point;

Thence South 00°31'57" East a distance of 982.19 feet to "TRUE POINT OF BEGINNING" and containing 11.17 acres of land more or less.

Not a ground survey.



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



job # 808-21

CONDE, INC.

ENGINEERING / LAND SURVEYING / PLANNING

1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283



MEMORANDUM

DATE: May 22, 2009

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

FROM: Andrew Salloum, Planner

SUBJECT: ZON09-00014

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

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District 8
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City Manager
Joyce A. Wilson

The City Plan Commission (CPC), on May 7, 2009, voted **8-0** to recommend **APPROVAL** of rezoning subject property from R-5 (Residential) to A-2 (Apartment).

The CPC found that the 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 the rezoning protects the best interest, health, safety and welfare of the public in general; that the proposed use is compatible with adjacent land uses; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

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

Attachment: Staff report, zoning map, aerial map, and conceptual site plan.



City of El Paso – City Plan Commission Staff Report

Case No: ZON09-00014
Application Type: Rezoning
CPC Hearing Date: May 7, 2009
Staff Planner: Andrew Salloum, 915-541-4029, salloumam@elpasotexas.gov

Location: South of Pebble Hills Boulevard and East of Tim Foster Street
Legal Description: A portion of Section 47, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas

Acreage: 11.17 acres
Rep District: Adjacent to District 5 & 6
Existing Use: Vacant
Request: From R-5 (Residential) to A-2 (Apartment)
Proposed Use: Multi-Family Development

Property Owner: Ranchos Real IV, LTD
Applicant: Ranchos Real IV, LTD
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: C-2 (Commercial) / Vacant
South: R-5 (Residential) / Vacant
East: R-F (Ranch-Farm) / Proposed School Site
West: R-5 (Residential) / Vacant

THE PLAN FOR EL PASO DESIGNATION: N/A (East Planning Area)

Nearest Park: Proposed Park (3,030 Feet)
Nearest School: Roberto Ituarte Elementary (1,803 Feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 8, 2009. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting to rezone property from R-5 (Residential) to A-2 (Apartment) in order to permit multi-family development. The property is 11.17 acres in size. Access to the property is proposed from Tim Foster Street.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

The DCC recommends **APPROVAL** of rezoning the property from R-5 (Residential) to A-2 (Apartment).

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of rezoning the property from R-5 (Residential) to A-2 (Apartment).

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

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

- a. Goal: develop a balanced and complete community which contains a mix of land uses and densities, housing types and styles, economic development, job opportunities, educational opportunities, and outlets for social and cultural expression.
- b. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- c. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- d. Goal: preserve, protect, and enhance the integrity, economic vitality, and livability of the city's neighborhoods.
- e. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character

The purpose of A-2 (Apartment) district is to promote and preserve a diversity of residential dwelling types at the highest densities within the City and to provide for the integration of compatible business and professional office uses to complement the areas. It is intended that the district regulations allow for concentrations of population through the use of multi-story facilities. The regulations of the districts will permit site diversification for high-density residential development in which adequate public facilities are available for present and future needs.

Development Services Department - Building Permits and Inspections Division

Zoning Review: no comments received.

Landscape Review: Is the rezoned area being used for apartments or duplexes? Landscape required for A-2 zone unless it is a duplex on a single lot.

Development Services Department - Planning Division

The Planning Division recommends **APPROVAL** of rezoning the property from R-5 (Residential) to A-2 (Apartment).

Engineering Department - Traffic Division

No objections to proposed rezoning.

Fire Department

We have no opposition 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.

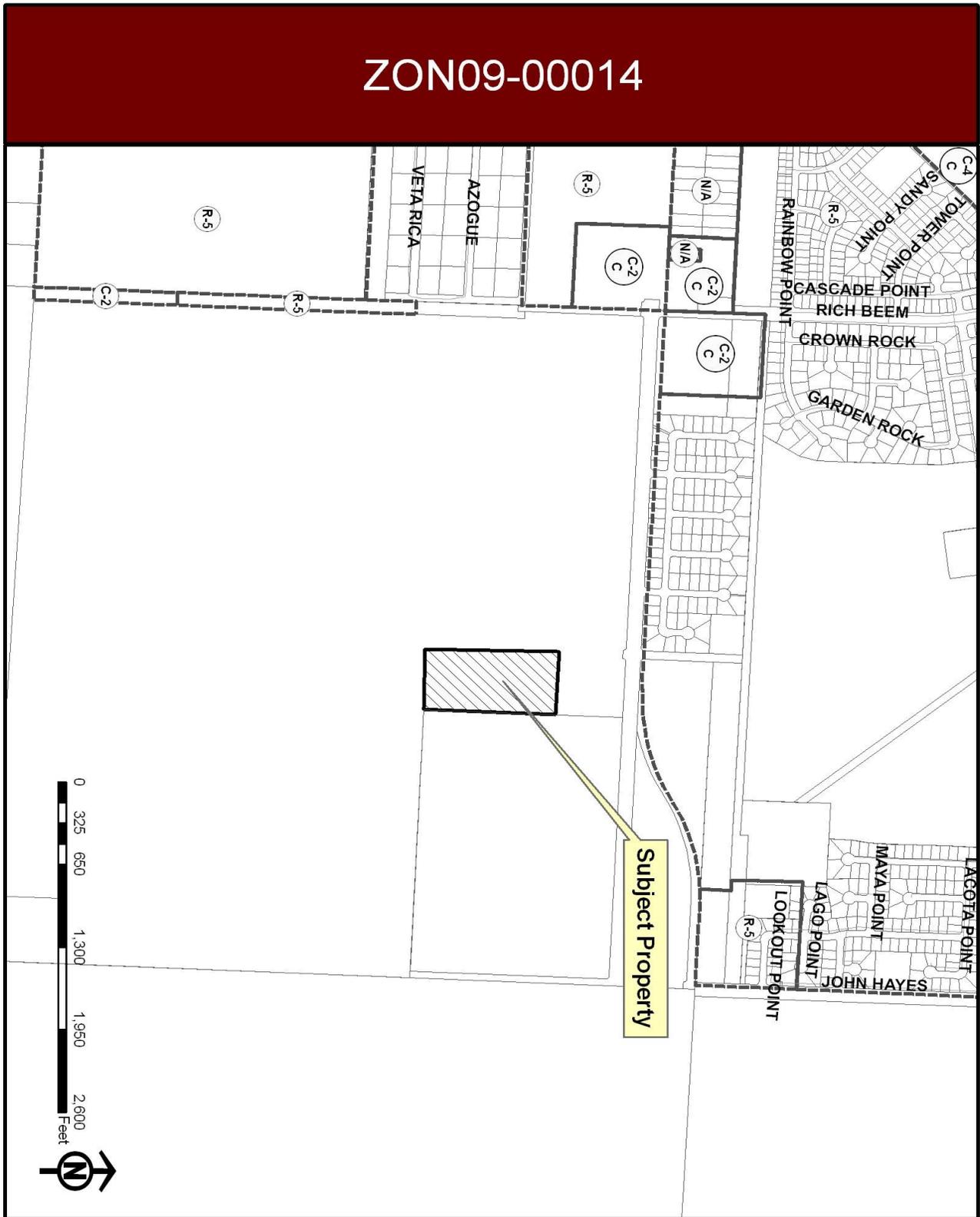
Attachments:

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ZON09-00014

