

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: June 28, 2011
Public Hearing: July 19, 2011

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

DISTRICT(S) AFFECTED: 7

SUBJECT:

An ordinance changing the zoning of a parcel of land out of Tract 1, Block 6, Christy Tract, City of El Paso, El Paso County, Texas from R-F (Ranch & Farm) to R-3 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 577 Schawbe Street. Property Owner: Gilbert Melendez and Jasmin Marquez. PZRZ11-00016 (**District 7**)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (6-0)

*****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 A PARCEL OF LAND OUT OF TRACT 1, BLOCK 6, CHRISTY TRACT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH & 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 parcel of land out of Tract 1, Block 6, Christy Tract, 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 & 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 _____, 2011.

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

Calderon Engineering

3031 Trawood Drive
El Paso, Texas 79936
(915) 855-7552
Fax: 855-8350

April 4, 2011

METES AND BOUNDS DESCRIPTION

Description of a 0.500 acre parcel of land out of Tract 1, Block 6, Map of Christy Tract, City of El Paso, El Paso County, Texas, as filed and recorded in Book 6, Page 48, Deed Records of El Paso County, Texas, and being more particularly described by metes and bounds as follows;

Commencing at a concrete nail located at the intersection of Schwabe Street and Valley View Drive; Thence South 18°47'00" West along the centerline of Schwabe Street a distance of 540.51 feet to a found concrete nail; Thence North 71°10'00" West a distance of 20.00 feet to a set chiseled cross marking the "Point of Beginning";

Thence South 18°47'00" West along the west right-of-way line of Schwabe Street a distance of 70.34 feet to a found iron pin;

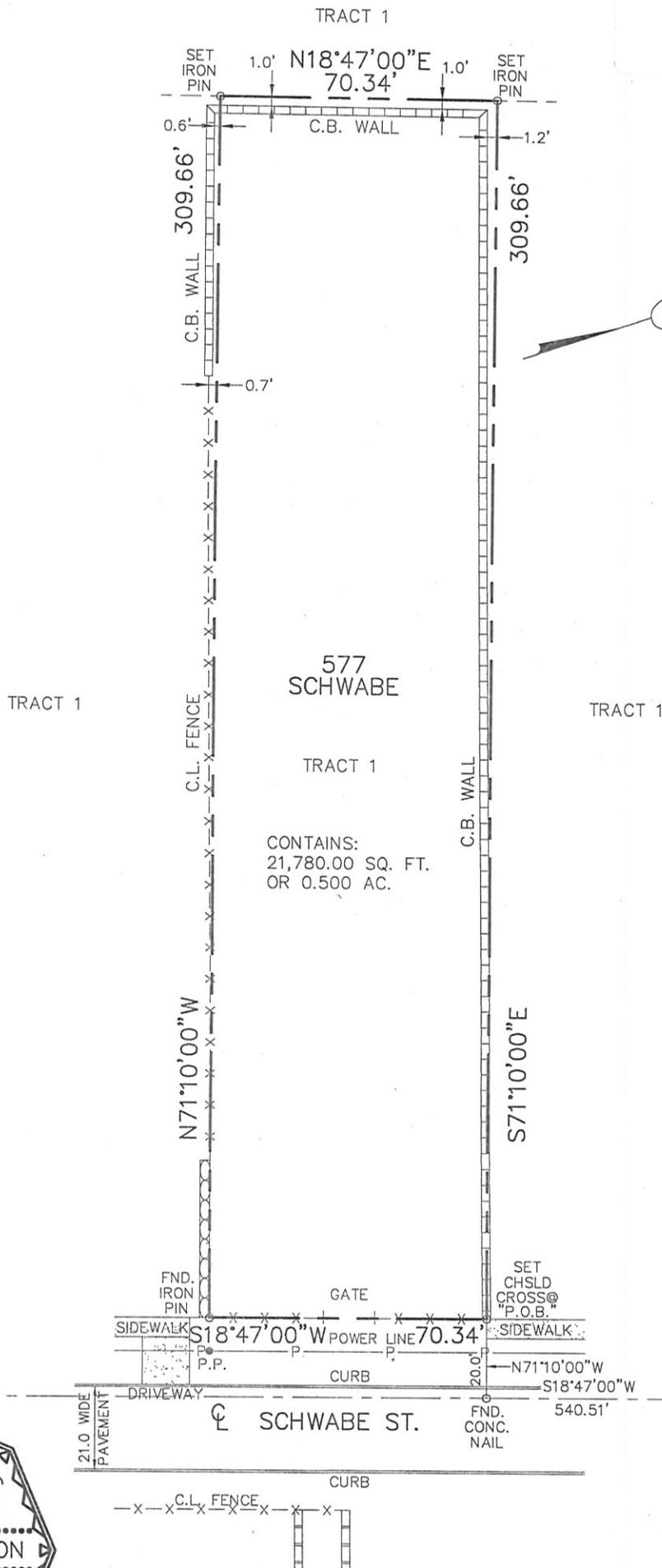
Thence North 71°10'00" West a distance of 309.66 feet to a set iron pin;

Thence North 18°47'00" East a distance of 70.34 feet to a set iron pin;

Thence South 71°10'00" East a distance of 309.66 feet to the "Point of Beginning" and containing in all 21,780.00 square feet or 0.500 acres of land more or less. A plat of survey dated April 4, 2011 is a part of this description and is attached hereto.



Manuel Calderon
Calderon Engineering
Registered Professional Land Surveyor No. 2564
Texas Registered Engineering Firm No. F-3788



This house is not located in a flood hazard area as determined by the FIRM by U.S. Federal Emergency Management Agency National Federal flood Insurance Program.

CERTIFICATION

I hereby certify that the foregoing Boundary and Improvement Survey was made by me or under my supervision and that there are no encroachments except as shown. Only platted easements are shown.

Manuel Calderon
Manuel Calderon
Registered Professional Land Surveyor No. 2564

BEARING ORIENTATION AS PER PLAT OF
MAP OF THE CHRISTY TRACT

Book 6 Page 48 Job No. 311-113A

577 SCHWABE ST., BEING A 0.500 ACRE PARCEL OF LAND OUT OF TRACT 1, BLOCK 6, MAP OF CHRISTY TRACT, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO.

Field JM Office BD-C5 Date 4-4-11 Scale 1"=40'

CALDERON ENGINEERING

CIVIL - STRUCTURAL

3031 TRAWOOD DR.

EL PASO, TEXAS 79936 (915) 855-7552



Date: June 20, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZRZ11-00016**

The City Plan Commission (CPC) on June 2, 2011, voted **6-0** to recommend **approval** of this rezoning. The request is to change the zoning on from R-F (Ranch & Farm)) to R-3 (Residential) to allow a single-family residential structure. A single family residential home is permitted in the R-F (Ranch & Farm) zoning district but one (1) acre or more of land is required.

This recommendation is in agreement with the recommendation from staff and the Development Coordinating Committee (DCC).

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 CPC also determined that the rezoning protects 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.

There was no one present at the meeting to speak in favor or in opposition to this request.

Attachment: Staff Report

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00016
Application Type: Rezoning
CPC Hearing Date: June 02, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 577 Schwabe Street
Legal Description: Tract 1, Block 6, Christy Tract, City of El Paso, El Paso County, Texas
Acreage: 0.5 acres
Rep District: 7
Zoning: R-F (Ranch & Farm)
Existing Use: Vacant
Request: R-3 (Residential)
Proposed Use: Single-family home
Property Owner: Gilbert Melendez and Jazmin Marquez
Representative: Gilbert Melendez

SURROUNDING ZONING AND LAND USE

North: R-3/c (Residential/condition) / Single-family home
South: R-3/c (Residential/condition) / Single-family home
East: R-3 (Residential) / Single-family home
West: C-1 (Commercial) / Vacant

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

Nearest Park: J. P. Shawver Park (2,702 feet)

Nearest School: Rio Bravo Middle (2,143 feet)

NEIGHBORHOOD ASSOCIATIONS

Save the Valley 21

NEIGHBORHOOD INPUT

Notices of the June 02, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on May 12, 2011.

APPLICATION DESCRIPTION

The request is to change the zoning from R-F (Ranch & Farm) to R-3 (Residential) to allow a single-family structure. The R-F (Ranch & Farm) zoning district requires a minimum lot area of one acre for a single-family dwelling. The conceptual site plan shows a proposed 2,400 sq. ft. dwelling with access via Schwabe Street.

PLANNING AND ECONOMIC DEVELOPMENT-PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning request.

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

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

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

The purpose of the R-3 (Residential) Light Residential Districts is to promote and preserve residential development within the City to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

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

-No objection to rezoning.

Notes:

-All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public right-of-ways shall be in compliance with current ADA /TAS rules and regulations and Current City of El Paso Design Standards for Construction.

Engineering – Construction Management Division-Plan Review

Plan Review

No objections.

Land Development

-No Objections.

-The property is within Flood Zone X -“Areas determined to be outside the 0.2% annual flood” Panel # 480214 0044C, dated February 16, 2006.

Fire Department

No objections to rezoning.

El Paso Water Utilities

1. EPWU does not object to this request.

Comments

Water:

2. There is an existing 6-inch diameter water main extending along Schwabe St. that is available for service, the water main is located approximately 11.5-feet east from the center right of way line.

3. Previous water pressure from fire hydrant #2241 located on the northeast intersection of Schwabe St. and Valley View Dr. has yield a static pressure of 86 (psi), a residual pressure of 80 (psi), and a discharge of 1,300 (gpm).

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

Sewer:

5. There is an existing 8-inch diameter sanitary sewer main extending along Schwabe St. that is available for service, the sanitary sewer main is located approximately 6-feet west from the center right of way line.

General:

6. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to

ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU-PSB Rules and Regulations. The applicant 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. Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

PZRZ11-00016



ATTACHMENT 2: AERIAL MAP

PZRZ11-00016



ATTACHMENT 3: SITE PLAN

