

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: June 29, 2010
Public Hearing: July 20, 2010

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

DISTRICT(S) AFFECTED: 6

SUBJECT:

An ordinance changing the zoning of a Tracts 11B1, 11B3B, and 11B5, Block 5, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch & Farm) to R-2 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 847 Le Barron Road. Property Owner: Catholic Diocese of El Paso. ZON10-00018 (**District 6**)

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 (4-1)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning, Development Services Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 11B1, 11B3B, AND 11B5, BLOCK 5, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH & FARM) TO R-2 (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 *Tracts 11B1, 11B3B, and 11B5, Block 5, Ysleta Grant, 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-2 (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 _____, 2010.

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 McElroy, Deputy Director-Planning
Development Services Department

BEING ALL OF TRACTS 11B1, 11B3B, AND 11B5,
BLOCK 5, YSLETA GRANT,
CITY OF EL PASO, EL PASO COUNTY, TEXAS
March 22, 2010

RF TO R2

**EXHIBIT A
METES AND BOUNDS DESCRIPTION**

Metes and Bounds description of a parcel of land that is all of Tracts 11B1, 11B3B, and 11B5, Block 5, Ysleta Grant, City Of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING for reference at the most southerly corner of Tract 11B1, said point being the common corner of Tracts 11B1 and 11B3A and lying on the northerly right-of-way line of Le Barron Road (60' R.O.W.) and being the **POINT OF BEGINNING** of the herein described parcel:

THENCE, leaving said right-of-way line and along the common boundary line of Tracts 11B1 and 11B3A, North 37° 00' 00" East, a distance of 268.44 feet to a set rebar;

THENCE, South 25° 02' 00" West, a distance of 86.60 feet to a point;

THENCE, North 36° 45' 00" West, a distance of 4.00 feet to a point;

THENCE, North 25° 02' 00" East, a distance of 412.57 feet to a point;

THENCE, South 37° 00' 00" East, a distance of 4.00 feet to a point;

THENCE, South 25° 02' 00" West, a distance of 130.09 feet to a point;

THENCE, South 37° 00' 00" East, a distance of 110.12 feet to a point;

THENCE North 53° 00' 00" West, a distance of 2.00 feet to a point;

THENCE, South 37° 00' 00" East, a distance of 250.18 feet to a point that lies on the intersection with the northerly right-of-way line of Le Barron Road;

THENCE, along said right-of-way line, South 53° 00' 00" West, a distance of 171.00 feet to the **POINT OF BEGINNING** of the herein described parcel of land and containing 55,344 square feet or 1.2705 acres of land more or less.

Enrique Rey

ENRIQUE A. REY
R.P.L.S.
TX. 3505





MEMORANDUM

DATE: June 22, 2010
TO: Honorable Mayor and City Council
Joyce Wilson, City Manager
FROM: Esther Guerrero, Planner
SUBJECT: ZON10-00018

The City Plan Commission (CPC) on May 20, 2010, voted **4-1** to recommend **APPROVAL** of rezoning the subject property from R-F (Residential) to R-2 (Residential), in agreement with the recommendation from the DCC and staff.

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 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 one present 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
Susie 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: ZON10-00018
Application Type: Rezoning
CPC Hearing Date: May 20, 2010
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 847 Le Barron Road
Legal Description: Tracts 11B1, 11B3B, and 11B5, Block 5, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 1.2705 acres
Rep District: 6
Existing Use: Youth Hall

Request: R-F (Ranch & Farm) to R-2 (Residential)
Proposed Use: Youth Hall with storage building
Property Owner: Catholic Diocese of El Paso
Representative: Jesus Jaime

SURROUNDING ZONING AND LAND USE

North: R-3(Residential) / single-family
South: R-3(Residential) / single-family
East: R-F (Ranch & Farm) / vacant horse stables
West: R-2 (Residential) / single-family

Plan for El Paso Designation: Residential (Mission Valley Planning Area)
Nearest Park: Lancaster (965 Feet)
Nearest School: Lancaster Elementary (1,265 Feet)

NEIGHBORHOOD ASSOCIATIONS

N/A

NEIGHBORHOOD INPUT

Notices of the May 20, 2010 City Plan Commission hearing were mailed out to property owners within 300 feet of the subject property on May 5, 2010.

APPLICATION DESCRIPTION

The request is to change the zoning from R-F (Ranch & Farm) to R-2 (Residential) in order to allow the R-2 (Residential) yard setbacks for a proposed new storage building. The property currently has an existing 4,000 sq. ft. building that is being used as a youth hall and that will remain on-site. The church youth hall is a permitted use in the R-F (Ranch & Farm) district. The existing building has a five-foot side yard setback on the west side of the property, but the applicant was granted an exception by the Zoning Board of Adjustment (ZBA) from the 20-foot required side yard setback in the R-F (Ranch & Farm) district.

DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION

Recommend **approval** of rezoning the subject property from R-F (Ranch & Farm) to R-2 (Residential).

DEVELOPMENT SERVICES DEPARTMENT-PLANNING DIVISION RECOMMENDATION

Recommend **approval** of rezoning the subject property from R-F (Ranch & Farm) to R-2 (Residential). Applicant will be required to obtain a certificate of occupancy and provide required number of parking stalls and landscaping. The applicant must comply with all applicable City Code requirements.

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: 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-2 (Residential) district 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.

Engineering Department - Traffic Division

No objections.

Street Department

No comments received.

Development Services-Building Permits and Inspections

Plan Review

No objections to rezoning, however it should be noted that the site plan indicates a proposed storage structure over 50% larger than the main building that is 24 feet in height. With zoning change to R-2, the use can return to residential in the future which will result in a non-conforming condition for accessory structures.

Landscape

This project does not meet code as submitted. This is a church in a residential zone. Proposed structure requires landscaping per Chapter 18.46 expansion formula. No landscape calculations provided. Four trees required for this project.

Development Services Department – Land Development

-ADA accessible sidewalks, wheel-chair ramp(s), and driveway(s) will be required.*

-Grading plan and permit shall be required.*

-Storm Water Pollution Prevention Plan and/or permit required.*

-Drainage plans must be approved by the Development Services Department, Engineering Section.*

-No water runoff allowed outside the proposed development boundaries, (on-site ponding required)

* This requirement will be applied at the time of development.

-The Subdivision is within Flood Zone X – “Areas of 0.2% annual chance flood, areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. – Panel # 480214 0048C, dated February 16, 2006.

Fire Department

No objections.

Sun Metro

No comments received.

El Paso Water Utilities

No objections.

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:

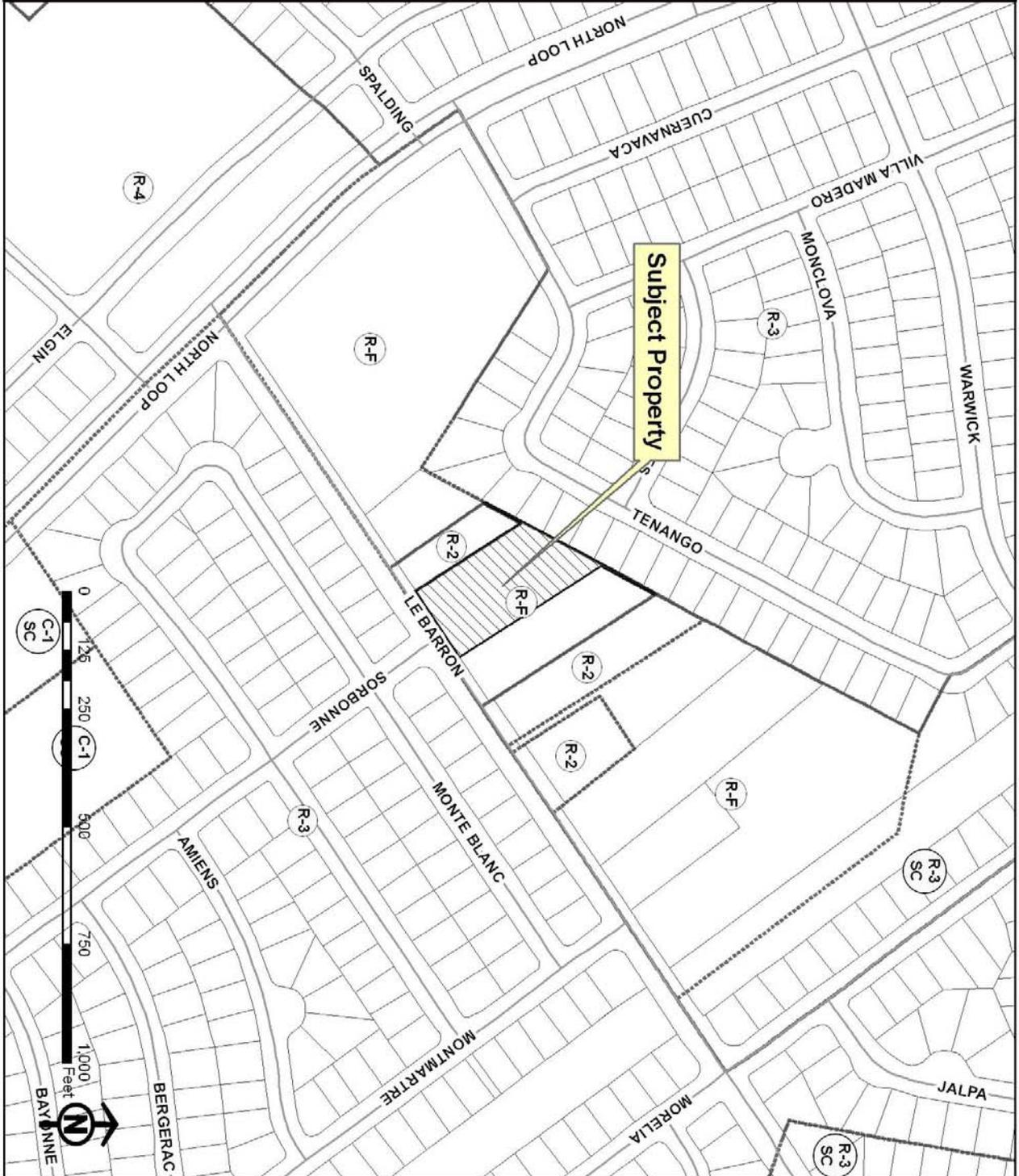
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into 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. Site Plan

ATTACHMENT 1: ZONING MAP

ZON10-00018



ATTACHMENT 2: AERIAL MAP

ZON10-00018



ATTACHMENT 3: SITE PLAN

