

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

**DEPARTMENT:** City Development Department, Planning Division

**AGENDA DATE:** Introduction: July 16, 2013  
Public Hearing: August 6, 2013

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 6

**SUBJECT:**

An ordinance changing the zoning of a portion of Section 16, Block 79, Township 3, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-3A (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Vista Del Sol Drive and West of City Limit. Property Owner: Amercias Loop 375 Joint Venture. PZRZ13-00002 (District 6)

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (7-0).

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Director, City Development Department

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**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

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

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 16, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM FROM R-3 (RESIDENTIAL) TO R-3A (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:

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of a portion of Section 16, Block 79, Township 3, Texas and Pacific Railway Company Surveys, located in the 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-3 (RESIDENTIAL) to R-3A (RESIDENTIAL), as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

THE CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
Oscar Leeser  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

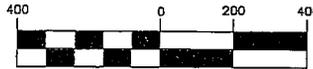
APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

\_\_\_\_\_  
Mathew S. McElroy, Director  
City Development Department

GRAPHIC SCALE

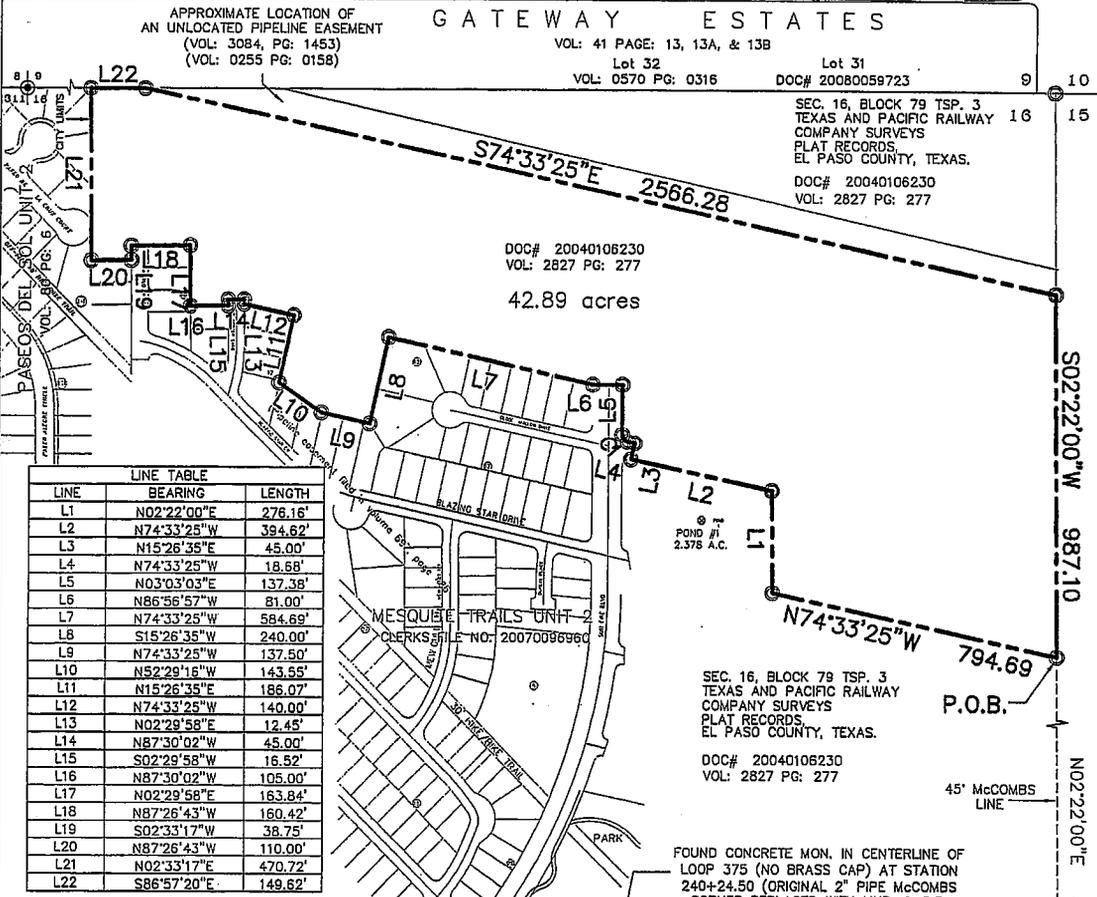


( IN FEET )  
1 inch = 400 ft.

EXHIBIT "A"

CURVE TABLE						
CURVE	LENGTH	RADIUS	TANGENT	DELTA	BEARING	CHORD
C1	27.09'	20.00'	16.08'	77°36'28"	N35°45'11"W	25.07'

VISTA DEL SOL DRIVE



LINE	BEARING	LENGTH
L1	N02°22'00"E	276.16'
L2	N74°33'25"W	394.62'
L3	N15°26'35"E	45.00'
L4	N74°33'25"W	18.68'
L5	N03°03'03"E	137.38'
L6	N86°56'57"W	81.00'
L7	N74°33'25"W	584.69'
L8	S15°26'35"W	240.00'
L9	N74°33'25"W	137.50'
L10	N52°29'16"W	143.55'
L11	N15°26'35"E	186.07'
L12	N74°33'25"W	140.00'
L13	N02°29'58"E	12.45'
L14	N87°30'02"W	45.00'
L15	S02°29'58"W	16.52'
L16	N87°30'02"W	105.00'
L17	N02°29'58"E	163.84'
L18	N87°26'43"W	160.42'
L19	S02°33'17"W	38.75'
L20	N87°26'43"W	110.00'
L21	N02°33'17"E	470.72'
L22	S86°57'20"E	149.62'

NOTE:

- SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE "X", PER F.I.R.M. PANEL COMMUNITY NUMBER 480212-0250B. LAST REVISION DATE 9-4-91. 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.
- BEARINGS SHOWN ARE GRID BEARINGS DERIVED FROM RTK OBSERVATIONS, REFERRED TO THE TEXAS PLANE COORDINATE SYSTEM (NAD 83) CENTRAL ZONE OF TEXAS. DISTANCES ARE GROUND DISTANCE.
- THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT, (NOT SHOWN). NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATIONS, RESTRICTIONS, BUILDING LINES AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
- 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.
- THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS ONLY TO BE USED FOR TITLE INSURANCE BY THE HEREON NAMED BORROWER, MORTGAGE COMPANY, AND/OR TITLE COMPANY.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
- THIS SURVEY DOES NOT INTEND TO BE A SUBDIVISION PROCESS WHICH MAY BE REQUIRED, AND SHALL NOT BE USED TO CONVEY PROPERTY UNLESS IS APPROVED AND ALLOWED BY THE STATE OF TEXAS. IT IS THE RESPONSIBILITY OF THE CLIENT/OWNER TO CONTACT THE CITY OF EL PASO IF THE PROCESS IS REQUIRED.
- A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
- THIS IS NOT A BOUNDARY SURVEY.

**B** Barragan Associates

LAND PLANNING & SURVEYING  
10950 Pellicano Dr. Building-F,  
El Paso, Tx 79935  
Phone (915) 591-5709 Fax (915) 591-5706

## Plat of Survey

A PORTION OF SECTION 16, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAYS COMPANY SURVEYS, IN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS. AREA 42.89 ACRES ±

Plat Reference Vol/Bk N/A Pages N/A

Scale: 1"=400' Date: 10-1-12 Drawn By: DJ

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

Benito Barragan, Registered Professional Surveyor, State of Texas, No. 5615

Job No. 120926-08 Copy Rights ©

## MEMORANDUM

**DATE:** July 8, 2013

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZRZ13-00002

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The City Plan Commission (CPC), on June 27, 2013, voted 7-0 to recommend **approval** of rezoning the subject property from R-3 (Residential) to R-3A (Residential) in order to allow for single-family dwellings.

The CPC found that the rezoning is in conformance with the Plan El Paso. 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 negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There are 8 residents opposed this request.

**Attachment:**  
Staff Report



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

**Case No:** PZRZ13-00002  
**Application Type:** Rezoning  
**CPC Hearing Date:** June 27, 2013  
**Staff Planner:** Andrew Salloum, 915-541-4633, salloumam@elpasotexas.gov

**Location:** South of Vista Del Sol Drive and West of City Limit  
**Legal Description:** A portion of Section 16, Block 79, Township 3, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas  
**Acreage:** 42.89 acres  
**Rep District:** 6  
**Existing Zoning:** R-3 (Residential)  
**Existing Use:** Vacant  
**Request:** From R-3 (Residential) to R-3A (Residential)  
**Proposed Use:** Single-family dwellings

**Property Owner:** Americas Loop 375 Joint Venture  
**Representative:** CEA Group

### **SURROUNDING ZONING AND LAND USE**

**North:** R-3 (Residential) / Vacant  
**South:** R-3A (Residential) / Single-family dwellings and vacant  
**East:** ETJ  
**West:** R-3A/sp (Residential/special permit) / Single-family dwellings

**PLAN EL PASO DESIGNATION:** G-4, Suburban (Walkable) (East Planning)

**NEAREST PARK:** Mesquite Trails #2 Park (342 feet)

**NEAREST SCHOOL:** John Drugan Elementary (3,419 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Eastside Civic Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on June 11, 2013. The Planning Division received 7 phone calls and 1 letter in opposition to the rezoning request.

### **APPLICATION DESCRIPTION**

The applicant is requesting to rezone the subject property from R-3 (Residential) to R-3A (Residential) in order to allow 242 single-family residential lots. The subject property is 42.89 acres in size and is currently vacant. The R-3 (Residential) requires a minimum of lot size: 6,000 sq. ft., lot width: 60 ft., rear yard setback: 20 ft., and cumulative front and rear yard setback: 50 ft. Alternatively, R-3A (Residential) requires a minimum of lot size: 5,000 sq. ft., lot width: 50 ft., rear yard setback: 15 ft., and cumulative front and rear yard setback: 45 ft.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject R-3 (Residential) to R-3A (Residential). The recommendation is based on the surrounding currently R-3A (Residential) immediately adjacent to the subject property, in support of the Plan El Paso land use designation is G-4, Suburban, and transition to higher density.

### **Plan El Paso- Future Land Use Map Designation**

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

G-4 – Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the R-3A 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.

**COMMENTS:**

**Planning Division - Transportation**

The proposed rezoning will increase the density of the Mesquite Trails Development that is surrounded by substandard arterial streets. Vista Del Sol and Pellicano are county roadways that are not suitable for the residential development as it is currently constructed let alone the proposed increase in density.

The existing development has limited cross-streets and the majority of the vehicular traffic is funneled through local residential streets creating multiple requests for Neighborhood Traffic Management Programs within the Mesquite Trails Development.

It is recommended approval the rezoning request subject to the Cherrington Subdivision Replat A and Mesquite Unit 8 be recorded prior to the recording of the accompanying subdivision plat for the property.

**City Development Department – Plan Review**

No objections.

**City Development Department - Land Development**

No Objection.

- Grading plan and permit shall be required.\*
- Storm Water Pollution Prevention Plan and/or permit required.\*
- Drainage plans must be approved by the City Development Dept. Land Development Section.\*

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

**Fire Department**

Recommend approval of the rezoning.

\*NOTE: In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi- family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. “When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments”. The Fire Planning Division has reviewed the submitted “Detailed Site Plan” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

**Sun Metro**

Sun Metro does not oppose this request. We recommend the construction of sidewalks to permit pedestrian

access to mass transit opportunities. We recommend that the travel lanes along Sun Fire be no less than 11' in width.

### **El Paso Water Utilities**

1. EPWU does not object to this request.

#### **EPWU-PSB Comments**

##### **Water:**

2. There are existing 8-inch diameter water mains along the existing Snowy Plover Street, Surf Scoter Place, and Blazing Star Drive. Also, there is an existing 16-inch diameter water main along Sun Fire Boulevard that dead-ends at the south property line of the subject property. A 16-inch diameter water main extension is required along the proposed extension of Sun Fire Boulevard.

##### **Sewer:**

3. There are existing 8-inch diameter sewer mains along the existing Snowy Plover Street and Surf Scoter Place. Also, there is an existing 12-inch diameter sewer main along Sun Fire Boulevard that dead-ends at the south property line of the subject property.

4. There is an existing 42-inch diameter sewer interceptor located approximately 5-feet east of the eastern boundary line of the property. No direct service connections are allowed to this sewer main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

5. A 12-inch diameter sanitary sewer main is required along the proposed extension of Sun Fire Boulevard. Also, an 18-inch diameter sewer main is required along the proposed extension of Blazing Star Drive to connect to the above described 42-inch diameter sewer interceptor.

##### **General**

6. EPWU requires a new service application 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.

### **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 Plan 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 Plan 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 Plan El Paso as reflected in CPC report or other criteria identified in the Plan by the CPC.

#### **Attachments:**

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

Attachment 4: Opposition Letter

ATTACHMENT 1: ZONING MAP

PZRZ13-00002







**ATTACHMENT 4: OPPOSITION LETTER**

06/18/2013 11:51

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ECS87

PAGE 01/02

**EQUIPMENT CONCENTRATION SITE ( ECS 87 )**



11701 MONTANA AVENUE  
EL PASO, TEXAS 79936  
915-569-6708 FAX  
915-569-6881/6883 - Phone

Email : JOSE.COBIAN@UC.ARMY.MIL

**Fax Transmittal Form**

To: <u>Planning Division</u>	From: <u>JOSE COBIAN</u>
Name: <u>ANDREW SALLOUM</u>	Date Sent: <u>18 JUN 2013</u>
CC:	Number of Pages: <u>2</u>
Phone:	
Fax: <u>915-541-4814</u>	

**Message:**

I OPPOSE TO CASE #  
PZRZ13-00002  
SEE ATTACH M&MD

June 17, 2013

From: Jose M Cobian  
1532 Snowy Plover St.  
El Paso, TX 79928

To: City Development Department  
Planning Division

Subject: Case No PZRZ13-00002

I'm opposing to the request to change the zoning from R-3 (Residential) to R-3A (Residential) to allow for single-family dwellings case No: PZRZ13-00002.

Sincerely

Jose M Cobian