

12

**CITY OF EL PASO, TEXAS  
Agenda Item Department Head's Summary Form**

**DEPARTMENT:** Development Services Department

**AGENDA DATE:** Introduction: July 10, 2007  
Public Hearing: July 31, 2007 (Postponed to August 14, 2007)  
(Postponed to August 28, 2007)

**CONTACT PERSON/PHONE:** Frank Delgado, 541-4238

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An ordinance changing the zoning of portions of Tracts 51 & 52, Cineque Park Subdivision, City Of El Paso, El Paso County, Texas from R-F (Ranch-Farm) District to R-5 (Residential) District. Applicant: Alma R. Avalos ZON07-00047 (District 7)

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

On July 31, 2007, Council remanded this rezoning case to the Development Coordinating Committee (DCC) for reconsideration, as the DCC's recommendation to deny rezoning conflicted with the City Plan Commission's (CPC) recommendation to approve rezoning..

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Denial Recommendation (May 9, 2007)  
Reconsidered by Council directive - Denial Recommendation (August 8, 2007)  
City Plan Commission (CPC) – Approval Recommendation (5-0) (June 7, 2007)

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

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

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

**DEPARTMENT HEAD:** R. Alan Shubert

**APPROVED FOR AGENDA:**

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

CITY CLERK DEPT.  
07 AUG 21 PM 12:32

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

**AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF TRACTS 51 AND 52, CINEQUE PARK SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) DISTRICT TO R-5 (RESIDENTIAL) DISTRICT. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 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 *portions of Tracts 51 and 52, Cineque Park 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) District** to **R-5 (Residential) District**, 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 \_\_\_\_\_, 2007.

**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

\_\_\_\_\_  
Kimberly Forsyth, Senior Planner  
Development Services Department

CITY CLERK DEPT.  
07 JUN 26 AM 9:03



DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION

MEMORANDUM

**DATE:** August 8, 2007

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

**FROM:** Frank Delgado, Planner

**SUBJECT:** ZON07-00047

The City Plan Commission (CPC), on June 7, 2007, voted 7-0 to recommend **APPROVAL** of rezoning the subject property to R-5 (Residential) from R-F (Ranch and Farm).

The CPC found that this 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 this rezoning protects the best interest, health, safety and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

On July 31, 2007, City Council remanded the case back to the Development Coordinating Committee (DCC), as the DCC had recommended **DENIAL** of rezoning the subject property, due to incompatibility with surrounding development. Upon reconsideration, the DCC **again** unanimously voted to recommend **DENIAL** of the proposed rezoning, as R-5 zoning is incompatible with the surrounding neighborhood, consisting of single-family residences with R-F (Ranch and Farm) zoning.

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

**Attachments:** Staff Report, Conceptual Site Plan, Application

CITY CLERK DEPT.  
07 AUG 21 PM 12:32

**STAFF REPORT**

**Rezoning Case:** ZON07-00047  
**Property Owner(s):** Alma R. Avalos  
**Applicant(s):** same  
**Representative(s):** Andres Lopez  
**Legal Description:** Cineque Park Subdivision, East 78110 ft of South 120 ft of Tract 51, and West 3986 ft of South 120 ft of 52  
**Location:** 8181 Starr Ave  
**Representative District:** 7  
**Area:** 0.3249 acres (14,152.644 sq ft)  
**Present Zoning:** R-F  
**Present Use:** Single-family residence  
**Proposed Zoning:** R-5  
**Proposed Use:** Residential—Single-family and duplex  
**Recognized Neighborhood Associations Contacted:** Save the Valley 21 and Teens in Action for a Healthy Community  
**Surrounding Land Uses:**  
North - R-F / Residential  
South - R-F / Public School (Rio Bravo Middle School—YISD)  
East - R-F / Residential  
West - R-F / Residential  
**Year 2025 Designation:** Residential (Mission Valley Planning Area)



CITY CLERK DEPT.  
07 AUG 21 PM 12:32

**GENERAL INFORMATION:**

The applicant is requesting a rezoning from R-F to R-5 in order to permit a single-family residence and a duplex. The property is 0.3249 acres in size and is currently a single-family residence. The proposed site plan shows a single-family residence and a duplex to be located on the site. Access is proposed via Starr Ave. There are no zoning conditions currently imposed on this property.

**INFORMATION TO THE COMMISSION:**

The Development Services Department – Planning Division has received no calls or letters in support or opposition to this application.

**STAFF RECOMMENDATION:**

The Development Coordinating Committee (DCC) unanimously recommended **DENIAL** of this request for rezoning from R-F to R-5, as R-5 zoning is incompatible with the single-family residences in the surrounding neighborhood.

Upon reconsideration of this item at the DCC meeting of August 8, 2007, the DCC unanimously recommends **DENIAL** of this request for rezoning from R-F to R-5, as R-5 zoning is incompatible with the single-family residences in the surrounding neighborhood.

The recommendation is based on the following:

- *The Plan for El Paso Citywide Land-use Goals* recommend that El Paso “provide designated locations for commercial development that do not adversely affect the health, safety and welfare of the community and where essential infrastructure is available to serve the development.”
- **The Year 2025 Projected General Land Use Map** for the Mission Valley Planning Area designates this property for **RESIDENTIAL** land uses.
- **R-5 zoning** permits residential single family and duplexes and **is not compatible** with adjacent development.

The Commission must determine the following:

1. Will the zoning protect the best interest, health, safety and welfare of the public in general?
2. Will residential single family & duplex be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city’s Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

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

*Zoning Review*

No comments received.

*Landscape Review*

No comments received.

**Development Services Department - Planning Division Comments:**

*Current Planning:*

Planning recommends denial. R-5 (Residential) zoning is incompatible with the single-family residences in the surrounding neighborhoods zoned R-F (Ranch and Farm).

CITY CLERK DEPT.  
AUG 21 PM 12:32

*Subdivision Review:*  
No comments received.

**Engineering Department - Traffic Division Comments:**  
No apparent traffic concerns.

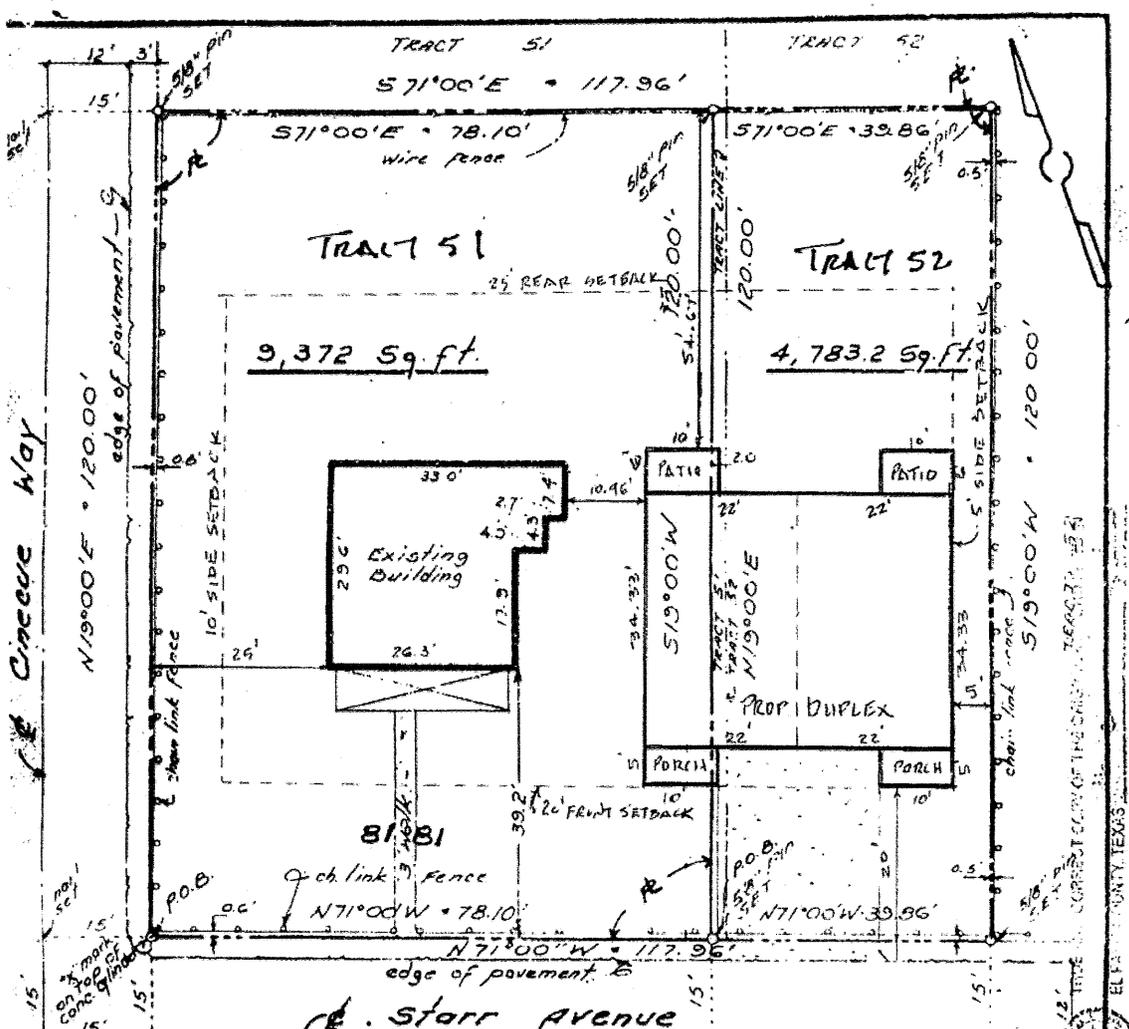
**El Paso Water Utilities Comments:**  
No objections.



- List of Attachments**  
**Attachment 1: Conceptual Site Plan**  
**Attachment 2: Application**

CITY CLERK DEPT.  
07 AUG 21 PM 12:32

Attachment1: Conceptual Site Plan



Volume 7 Page 21  
 Plat Records, El Paso County, Texas

I hereby certify that the foregoing survey was made under my supervision and that the improvements shown thereon are in accordance with the plat and that there are no encroachments except as shown on the plat.

**NIGOLAS P. PUGH**  
 1355  
 PUBLIC SURVEYOR

MINIMAL FLOODING - ZONE C - FLOOD INSURANCE RATE MAP  
 R44 8181 Starr Avenue

Portions out of Tract 51 and Tract 52	
Caneque Park Subdivision	
City of El Paso, El Paso County, Texas	
El Paso, Texas	Scale: 1" = 20'
PUGH & ASSOCIATE Surveyors	

WILLIAM H. DUBO REGISTERED PUBLIC SURVEYOR NO. 1355  
 COPY FOR CITY CLERK  
 BEST COPY AVAILABLE FOR FILM PRINT

2011 0014

CITY CLERK DEPT.  
 07 AUG 21 PM 12:32

CITY CLERK DEPT.  
07 AUG 21 PM 12:32



**REZONING APPLICATION  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

City of El Paso, Texas  
2 Civic Center Plaza  
El Paso, TX 79901-1196  
915-541-4024

**1. CONTACT INFORMATION**

PROPERTY OWNER(S): Alma B. Avalos

REPRESENTATIVE(S): ANDRES LOPEZ

**2. PARCEL ONE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: C572-999-0010-0601 & C572-999-0010-0608

LEGAL DESCRIPTION: PORTIONS OUT OF TR. 51 & TR. 52 CINQUE PARK SUBDIVISION

STREET ADDRESS OR LOCATION: 8181 STARR AVE REP DISTRICT: #7

ACREAGE: 14155 S.F. .325 PRESENT ZONING: R-F PRESENT LAND USE: SINGLE FAM/VACANT

PROPOSED ZONING: R-S PROPOSED LAND USE: RESIDENTIAL SINGLE FAMILY / DUPLEX

**3. PARCEL TWO INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_

ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_

PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**4. PARCEL THREE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_

ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_

PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**5. ADDITIONAL INFORMATION**

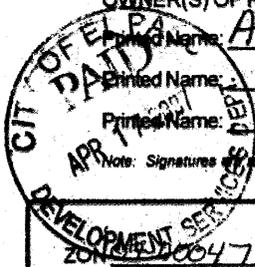
OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):

Printed Name: Alma B. Avalos Signature: Alma B. Avalos

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Signature: \_\_\_\_\_

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.



**\*\*OFFICE USE ONLY\*\***

ZONING: 00647 RECEIVED DATE: 4/17/07 APPLICATION FEE: \$ 715.00

DCC REVIEW DATE: 5/09/07 (8:30 am, Conference Room, 2<sup>nd</sup> Floor, City Hall Building)

CPC REVIEW DATE: 6/07/07 (1:30 pm, City Council Chambers, 2<sup>nd</sup> Floor, City Hall Building)

ACCEPTED BY: [Signature]