

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

**DEPARTMENT:** Development Services Department

**AGENDA DATE:** Introduction: September 5, 2006  
Public Hearing: September 26, 2006

**CONTACT PERSON/PHONE:** Stephen Schlett, 541-4935

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An Ordinance changing the zoning of Lot 19, Block 2, Franklin Village Amending Plat, El Paso, El Paso County, Texas from C-4 (Commercial) to R-3A (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 6262 Woodrow Bean / Transmountain Drive. Applicant: Juan Gastelum. Zon06-00091 (District 4)

**BACKGROUND / DISCUSSION:**

See attached report.

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation (voted 5-0)

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

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

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

**DEPARTMENT HEAD:** Alan Shubert

**APPROVED FOR AGENDA:**

CITY CLERK DEPT.  
06 AUG 28 PM 3:18

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

AN ORDINANCE CHANGING THE ZONING OF LOT 19, BLOCK 2, FRANKLIN VILLAGE AMENDING PLAT, EL PASO, EL PASO COUNTY, TEXAS FROM C-4 (COMMERCIAL) TO R-3A (RESIDENTIAL). 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 *Lot 19, Block 2, Franklin Village Amending Plat, El Paso, El Paso County, Texas*, be changed from **C-4 (Commercial)** to **R-3A (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 \_\_\_\_\_, 2006.

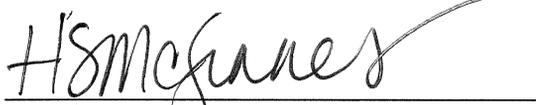
THE CITY OF EL PASO

ATTEST:

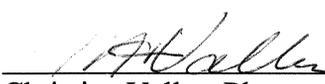
\_\_\_\_\_  
John F. Cook  
Mayor

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

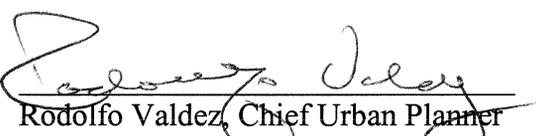
APPROVED AS TO FORM:

  
\_\_\_\_\_  
Hillary S. McGinnes  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Christina Valles, Planner II  
Development Services Department

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Rodolfo Valdez, Chief Urban Planner  
Development Services Department



**JOHN COOK**  
MAYOR

**JOYCE WILSON**  
CITY MANAGER

**R. ALAN SHUBERT**  
DIRECTOR, DEVELOPMENT SERVICES

**CITY COUNCIL**

ANN MORGAN LILLY, DISTRICT 1  
SUSANNAH M. BYRD, DISTRICT 2  
J. ALEXANDRO LOZANO, DISTRICT 3  
MELINA CASTRO, DISTRICT 4  
PRESI ORTEGA, JR., DISTRICT 5  
EDDIE HOLGUIN, JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
BETO O'ROURKE, DISTRICT 8

**DEVELOPMENT SERVICES  
PLANNING DIVISION**

August 28, 2006

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

**FROM:** Stephen Schlett, Planner

**SUBJECT: ZON06-00091**

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The City Plan Commission (CPC), on August 17, 2006, voted (**5-0**) to recommend **APPROVAL** of rezoning the subject property from C-4 (Commercial) to R-3A (Residential).

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; that the proposed use is compatible with adjacent land uses; and that the effects of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

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

**Attachment:** Location Map, Aerial Map, Site Plan

**STAFF REPORT**

**Rezoning Case:** ZON06-00091

**Property Owner(s):** Carefree Land, L.P.

**Applicant(s):** Juan Gastelum

**Representative(s):** Roe Engineering, L.C.

**Legal Description:** Lot 19, Block 2, Franklin Village Amending Plat

**Location:** 6262 Woodrow Bean Transmountain Drive

**Representative District:** # 4

**Area:** 1.1150 acres

**Present Zoning:** C-4 (Commercial)

**Present Use:** Vacant

**Proposed Zoning:** R-3A (Residential)

**Proposed Use:** Single family residential

**Recognized Neighborhood Associations Contacted:** Northeast Healthy Communities, Northeast Civic Association

**Surrounding Land Uses:**

<b>North -</b>	C-4/sc (Commercial/special contract) / Vacant
<b>South -</b>	R-5/sp (Residential/special permit) / Vacant
<b>East -</b>	M-1 (Light Manufacturing) / Vacant
<b>West-</b>	R-5/sp (Residential/special permit) / Vacant

**Year 2025 Designation:** **Residential** (Northeast Planning Area)

**CITY PLAN COMMISSION HEARING, AUGUST 17, 2006,  
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

**REZONING APPLICATION:** ZON06-00091

**GENERAL INFORMATION:**

The applicant is requesting a rezoning from C-4 (Commercial) to R-3A (residential) in order to permit Single family residential development. The property is 1.115 acres in size and is currently an existing vacant plot. 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 recommends **APPROVAL** of this request for rezoning from C-4 (Commercial) to R-3A (residential).

The recommendation is based on the following::

**The Plan for El Paso** City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”

**The Year 2025 Projected General Land Use Map** for the **Northeast** Planning Area designates this property for **Industrial** uses.

**R\_3A (Residential) zoning** permits Single family residential and **is compatible** with adjacent development.

The Commission must determine the following:

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

**Information To The Applicant:**

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

**Comments:**

*Zoning Review:*

Proposed project meets minimum R-3A (Residential) district general lot size standards.

*Landscape Review:*

This project does not require landscaping as landscaping is not required for residential use.

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

*Current Planning:*

Recommend approval of the proposed zoning

*Subdivision Review:*

No comments.

**Engineering Department - Traffic Division Comments:**

No apparent traffic concerns.

**Fire Department Comments:**

No comments received.

**El Paso Water Utilities Comments:**

**Water:**

There is an existing 8-inch diameter water main along a 25-foot wide El Paso Water Utilities - Public Service Board (EPWU-PSB) easement located south of the southern property line.

The existing fire hydrant within Lot 4 shall be relocated by the developer at a site yet to be determined by EPWU-PSB. An easement with dimensions of 10-feet by 10-feet shall be dedicated at the new fire hydrant location.

Private water pressure regulating devices may be required at the discharge side of the water meter(s). The owner shall be responsible for the operation/maintenance of the water pressure regulating devices.

**Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main along the above mentioned 25-foot wide easement.

**General:**

A 25-foot wide easement needs to be dedicated within Lots 1 and 4 in order to accommodate the water and sewer main extensions to serve the property. The access driveway to the property shall be designated as full width utility easement.

EPWU-PSB requires access to the water facilities and sanitary sewer mains located within the easements 24 hours a day, seven (7) days a week.

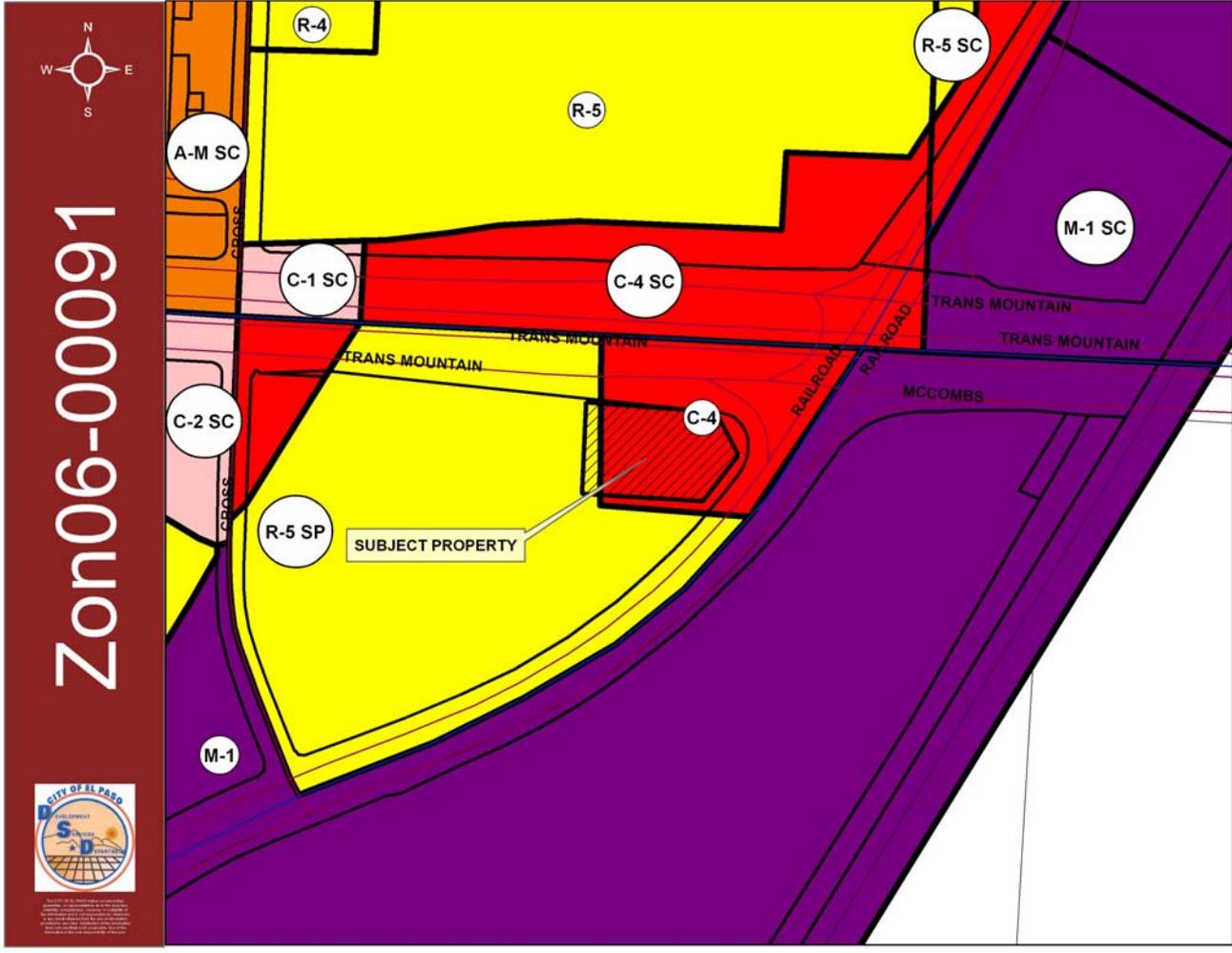
No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWU-PSB easements without the written consent of EPWU-PSB.

Easement grantor shall indemnify, defend, and hold harmless the EPWU-PSB from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the EPWU-PSB which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

EPWU does not object to this request. Application for water and sanitary sewer services should be made 6 to 8 weeks in advance of construction. A site plan, a 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. 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.

**NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.**

LOCATION MAP



AERIAL

