

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

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: August 16, 2011
Public Hearing: September 20, 2011

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

DISTRICT(S) AFFECTED: 7

SUBJECT:

An ordinance changing the zoning of Tract 7E3, Block 34, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch & Farm) to C-1 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8400 Block of Alameda, North of Prado Road. Property Owner: Jorge M. Sanchez. PZRZ11-00020 (**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 (5-0)

*****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 TRACT 7E3, BLOCK 34, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH & FARM) TO C-1 (COMMERCIAL). 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 *Tract 7E3, Block 34, 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 C-1 (COMMERCIAL)**, 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

10950 Pellicano Drive Building "F" El Paso, Texas 79935 Ph.(915) 591-5709 Fax(915) 591-5706

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Tract 7E3, Block 34, 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 a found iron marker at the intersection of Davis Drive and Alameda Avenue; **THENCE**, North 28°29'00" West (basis of bearing) , along the centerline of Alameda Avenue, a distance of 1515.16 feet to a point; **THENCE**, North 61°31'00" East , a distance of 40.00 feet to a found ½" rebar "TX 2027" on the easterly right of way line of Alameda Avenue, marking the westerly common corner for Tracts 7B and 7B1, Block 34, Ysleta Grant; **THENCE**, North 28°29'00" West, along said right-of-way line, a distance of 68.62 feet to a found old 1- ¼" decomposing iron pipe for the easterly common corner for Tracts 7B1 and 7E1, Ysleta Grant, from whence a found 1- ½" iron pipe in concrete bears, North 28°29'00" West a distance of 0.78 feet; **THENCE**, North 28°29'00" West, along said right-of-way line, a distance of 40.78 feet (40.00' -rec), to a found 1-1/2" pipe in concrete, said also being the **POINT OF BEGINNING** of the parcel herein being described;

THENCE, North 28°29'00" West, along said right-of-way, a distance of 89.10 feet to a found 5/8" rebar with survey cap stamped "ROE ENG TX 2449";

THENCE, North 61°31'00" East, a distance of 285.05 feet to a found 5/8" rebar with survey cap stamped "ROE ENG TX 2449" on the southerly right-of-way line of Jornada Lateral;

THENCE, South 63°17'00" East, along said southerly right-of-way line of Jornada Lateral, a distance of 192.45 feet (191.53' rec) to a found 5/8" rebar with survey cap stamped "ROE ENG TX 2449";

THENCE, South 65°44'00" West, a distance of 195.55 feet (195.0' -rec) to a found 5/8" rebar with survey cap stamped "ROE ENG TX 2449";

THENCE, North 28°29'00" West, a distance of 61.05 feet to a found 5/8" rebar with survey cap stamped "ROE ENG TX 2449";

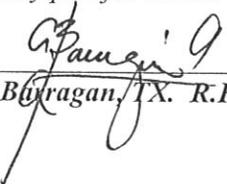
THENCE, South 65°44'00" West, a distance of 50.00' to a found 5/8" rebar with survey cap stamped "ROE ENG TX 2449";

THENCE, South 28°29'00" East, a distance of 10.18 feet to a found 5/8" rebar with survey cap stamped "ROE ENG TX 2449";

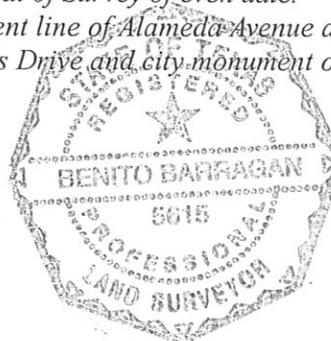
THENCE, North 61°31'00" West, a distance of 150.00 feet to the **TRUE POINT OF BEGINNING** of the herein described parcel, and containing 0.88 acre of land more or less;

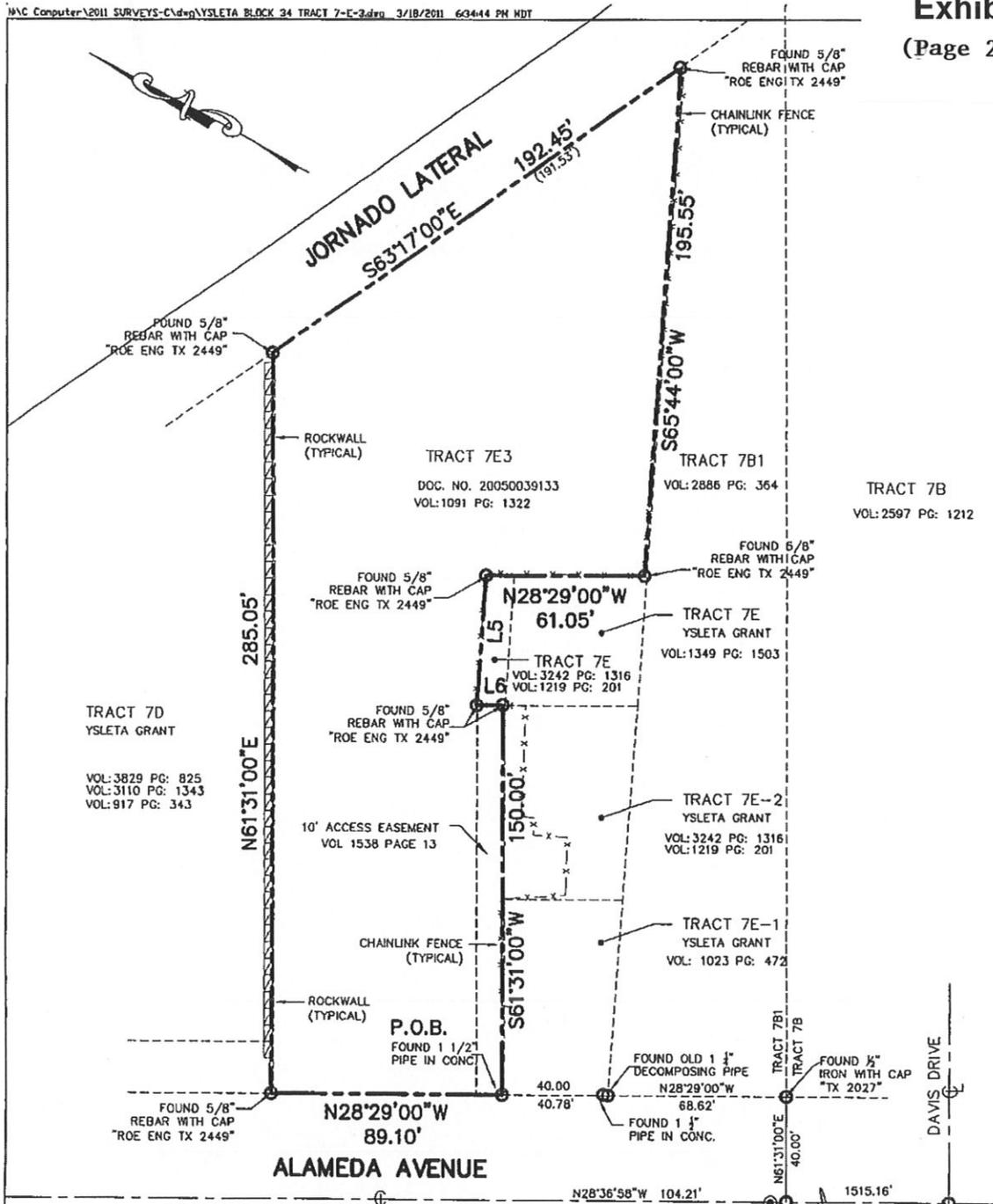
Notes:

1. This Metes and Bounds description is accompanied by a plat of Survey of even date.
2. All bearings recited hereinabove are based on the monument line of Alameda Avenue as shown on the County plat for Ysleta Grant Block 3, from marker at Davis Drive and city monument on Prado Rd.



 Benito Barragan, TX. R.P.L.S. No. 5615, 3/14/2011





- NOTES:**
1. SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE "X", PER F.I.R.M. PANEL NUMBER 48C, LAST REVISION DATE FEB. 16, 2006. 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.
 2. BEARINGS SHOWN ARE BASED ON THE FILED PLAT FOR YSLETA GRANT.
 3. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT (NOT SHOWN).
 4. 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.
 5. THIS SURVEY WAS DONE FOR TITLE INSURANCE ONLY, AND SHALL NOT BE USED FOR CONSTRUCTION OR OTHER PURPOSES.
 6. THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
 7. A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.

LINE	BEARING	LENGTH
L5	S65°44'00"W	50.00'
L6	S28°29'00"E	10.18'

B Barragan & Associates Inc.

LAND PLANNING & SURVEYING
10950 Pellicano Dr. Building-F,
El Paso, Tx 79935
Phone (915) 591-5709 Fax (915) 591-5708

Plat Of Survey

TRACT 7E3, BLOCK 34,
YSLETA GRANT,
AN ADDITION TO THE
CITY OF EL PASO
EL PASO COUNTY, TEXAS.
AREA 0.88 ACRES ±

Plot reference vol/bk file no: _____ page: _____
Scale 1"=40' Date 3/14/2011 Drawn by S.V.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECTION AND SUPERVISION AND THAT THIS MAP CORRECTLY SHOWS HEREON THE FACTS FOUND ON THE GROUND AT THE TIME OF THE SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF.

[Signature]
Barragan & Associates, Inc. P.L.S. No. 5615
Job No. 110221-18 Copy Rights ©



Date: August 8, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: **PZRZ11-00020 Rezoning**

The City Plan Commission (CPC) on July 28, 2011, voted **5-0** to recommend **approval** of this rezoning. The request is to change the zoning from R-F (Ranch & Farm) to C-1 (Commercial) to allow proposed apartment development.

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
Susie Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michiel R. Noe

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Cortney Carlisle Niland

City Manager
Joyce A. Wilson





City of El Paso – City Plan Commission Staff Report

Case No: PZRZ11-00020
Application Type: Rezoning
CPC Hearing Date: July 28, 2011
Staff Planner: Esther Guerrero, 915-541-4720, guerreroex@elpasotexas.gov

Location: 8400 Block of Alameda Avenue, North of Prado Road
Legal Description: Tract 7E3, Block 34, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 0.884 acres
Rep District: 7
Zoning: R-F (Ranch & Farm)
Existing Use: Vacant
Request: C-1 (Commercial)
Proposed Use: Multi-family (Apartments)
Property Owner: Jorge M. Sanchez
Representative: Daniel Castaneda

SURROUNDING ZONING AND LAND USE

North: C-3/sc (Commercial/special contract) / automotive repair
South: R-F (Ranch & Farm) / single-family, retail shop
East: R-F (Ranch & Farm) / mobile homes
West: C-3/sc (Commercial/special contract) / gas station/convenience store

The Plan for El Paso Designation: Mixed-Use, Residential (Mission Valley Planning Area)
Nearest Park: Pueblo Viejo Park (4,486 feet)
Nearest School: Plato Academy Special Campus (1,596 feet)

NEIGHBORHOOD ASSOCIATIONS

Save the Valley 21

NEIGHBORHOOD INPUT

Notices of the June 30, 2011 public hearing were mailed to all property owners within 300 feet of the subject property on June 8, 2011 (meeting was cancelled due to no quorum). Re-notifications were mailed out to all property owners within 300 feet of the subject property on June 30, 2011 (item postponed to the July 28, 2011 meeting at the applicant's request). Planning Division has not received any phone calls or letters in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The request is to change the zoning from R-F (Ranch & Farm) to C-1 (Commercial). The conceptual site plan proposes three (3) apartment buildings with 20 apartment units and access via Alameda Avenue.

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.
- d. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses.

The purpose of the C-1 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

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.
- Parking aisle on conceptual plan appears to be too narrow at some areas.

Note:

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 comments received.

Land Development

No objections.

Fire Department

No objections to rezoning.

El Paso Water Utilities

EPWU does not object to this request.

Water:

Along Alameda Avenue fronting the subject Property there is an existing twelve (12) inch diameter water main. This main is located along the westernmost portion of Alameda Avenue.

Previous water pressure readings conducted on fire hydrant number 103 located along Alameda Avenue, at approximately 150 feet north of Prado Avenue have yielded a static pressure of 98 pounds per square inch (psi), residual pressure of 80 psi, discharge of 1,233 gallons per minute (gpm).

Private water pressure regulating devices will be required at the discharge side of each water meter. The Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. Additionally, the lot buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

Sanitary Sewer:

Along Alameda Avenue fronting the subject Property there is an existing eight (8) inch diameter sanitary sewer main. This main is located along the westernmost portion of Alameda Avenue.

Along Alameda Avenue fronting the subject Property there is an existing ten (10) inch diameter sanitary

sewer main. This main is located along the easternmost portion of Alameda Avenue.

General:

Water and sanitary sewer service is available from the above described mains.

Frontage fees may be due from the Owner/Developer for the existing water and sanitary sewer mains described above. The El Paso Water Utilities (EPWU) will determine the amount due after the Owner/Developer completes a new service application with EPWU for service. The Owner/Developer is responsible for all frontage fees, as well as all water and sanitary sewer service installation costs.

If the City of El Paso Fire Department requires additional fire hydrants on public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Alameda Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Alameda Avenue right-of-way requires written permission from TxDOT.

Easements inside the Property will be required if the development requires extensions of water and sanitary sewer mains within the subject Property.

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

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

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:

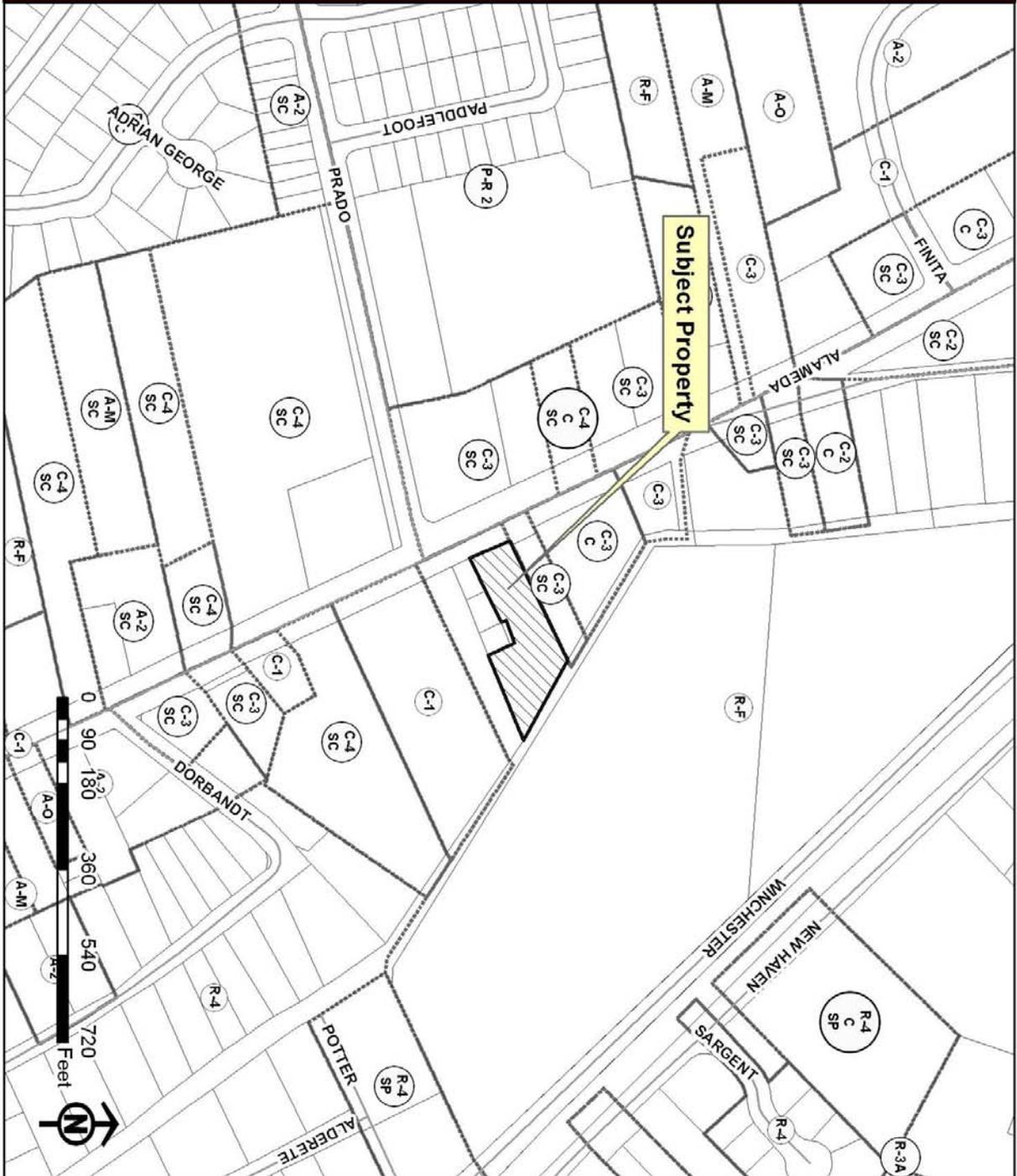
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.
2. Recommend approval of the application with modifications to bring the rezoning into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

PZRZ11-00020



ATTACHMENT 2: AERIAL MAP

PZRZ11-00020



ATTACHMENT 3: SITE PLAN

