

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

DEPARTMENT: Development Services / Planning Division
AGENDA DATE: Introduction 09/26/06; Public Hearing 10/17/06
CONTACT PERSON/PHONE: Esther Guerrero, Planner – 541-4720
DISTRICT(S) AFFECTED: # 1

SUBJECT:

An Ordinance changing the zoning of Parcel One: a portion of Tract 7, H.G. Foster Survey No. 256, El Paso, El Paso County, Texas, from A-O/sc (Apartment/Office/special contract) to C-2/sc (Commercial/special contract); and Parcel Two: a portion of Tract 7, H.G. Foster Survey No. 256, El Paso, El Paso County, Texas, from C-1 (Commercial) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso City Code.

Subject Property: Redd Road, West of Resler. Applicant: River Oaks Properties, ZON06-00027 (District 1)

BACKGROUND / DISCUSSION:

See attached report

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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Alan Shubert

APPROVED FOR AGENDA:

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF PARCEL ONE: A PORTION OF TRACT 7, H.G. FOSTER SURVEY NO. 256, EL PASO, EL PASO COUNTY, TEXAS, FROM A-O/SC (APARTMENT/OFFICE/SPECIAL CONTRACT) TO C-2/SC (COMMERCIAL/SPECIAL CONTRACT); AND PARCEL TWO: A PORTION OF TRACT 7, H.G. FOSTER SURVEY NO. 256, EL PASO, EL PASO COUNTY, TEXAS, FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL). 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 Parcel One: *a portion of Tract 7, H.G. Foster Survey No. 256, El Paso, El Paso County, Texas*, and as more particularly described by metes and bounds on Exhibit "A", attached and incorporated by reference, be changed from **A-O/sc (Apartment/Office/special contract)** to **C-2/sc (Commercial/special contract)**; and Parcel Two: *a portion of Tract 7, H.G. Foster Survey No. 256, El Paso, El Paso County Texas*, and as more particularly described by metes and bounds on Exhibit "B", attached and incorporated by reference, be changed from **C-1 (Commercial)** to **C-3 (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 _____, 2006.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

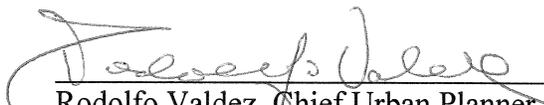
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Hillary S. McGinnes
Assistant City Attorney
Department

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Departments

PARCEL 1

Property Description: Portion of Tract 7, H.G. Foster Survey No. 256, EL Paso, EL Paso, County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 7, H.G. Foster Survey No. 256, El Paso, El Paso County, Texas and is more particularly described by metes and bounds as follows:

Commencing at a found brass cap in concrete lying on the common boundary line between Tract 3A, S.A. & M.G. Survey No. 268 and Tract 11, S.A. & M.G. Survey No. 268; Thence, South 89° 58' 57" East, along said boundary line, a distance of 47.10 feet to a point lying on the common boundary line between Tract 7, S.A. & M.G. Survey No. 256 and Tract 11, S.A. & M.G. Survey No. 268, said point being a found 2" pipe in concrete, Thence, South 00° 00' 13" East, along said boundary line, a distance of 211.21 feet to the TRUE POINT OF BEGINNING of this description;

THENCE, North 80° 29' 05" East, a distance of 393.66 feet to a point for a corner;

THENCE, North 35° 57' 12" West, a distance of 120.18 feet to a point for a corner;

THENCE, North 58° 03' 05" East, a distance of 92.09 feet to a point lying on the common boundary line between Tract 7, S.A. & M.G. Survey No. 256 and Tract 1A, S.J. Larkin Survey No. 264;

THENCE, South 89° 58' 57" East, along said boundary line, a distance of 133.71 feet to a point for a corner lying on the westerly boundary line of EL Paso Natural Gas Co. right-of-way;

THENCE, South 03° 26' 41" West, along said right-of-way line, a distance of 266.12 feet to a point for a corner;

THENCE, South 13° 36' 02" West, continuing along said right-of-way line, a distance of 446.86 feet to a point for a corner;

THENCE, North 89° 58' 57" West, a distance of 408.43 feet to a point for a corner lying on the common boundary line between Tract 7, S.A. & M.G. Survey No. 256 and Tract 11, S.A. & M.G. Survey No. 268;

THENCE, North 00° 00' 13" West, along said boundary line, a distance of 488.79 feet to the TRUE POINT OF BEGINNING of this description.

Said parcel of land contains 6.299 acres (274,394 sq. ft.) of land more or less.

AN EXHIBIT PLAT OF EVEN DATE ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION; NOT AN ACTUAL FIELD SURVEY.


August 25, 2006
Job Number 06-05-2314
M&B/1310



WEST HILLS UNIT SEVENTEEN

TRACT 3A,
S.A. & M.G.
SURVEY
NO. 268.

FOUND
BRASS
CAP IN
CONCRETE

FOUND 2"
PIPE IN
CONCRETE

PARCEL 1
POINT OF
BEGINNING

TRACT 7,
S. A. & M. G.
SURVEY NO. 256

PARCEL 1
AREA
6.299 ACRES
274,394 SQ. FT.

TRACT 11,
S. A. & M. G.
SURVEY NO. 268

A METES AND
BOUNDS
DESCRIPTION
OF EVEN DATE
ACCOMPANIES
THIS EXHIBIT.

TRACT 8A,
S. A. & M. G.
SURVEY NO. 268

TRACT 7,
S. A. & M. G.
SURVEY NO. 268

TRACT 1A,
S. J. LARKIN SURVEY NO. 264

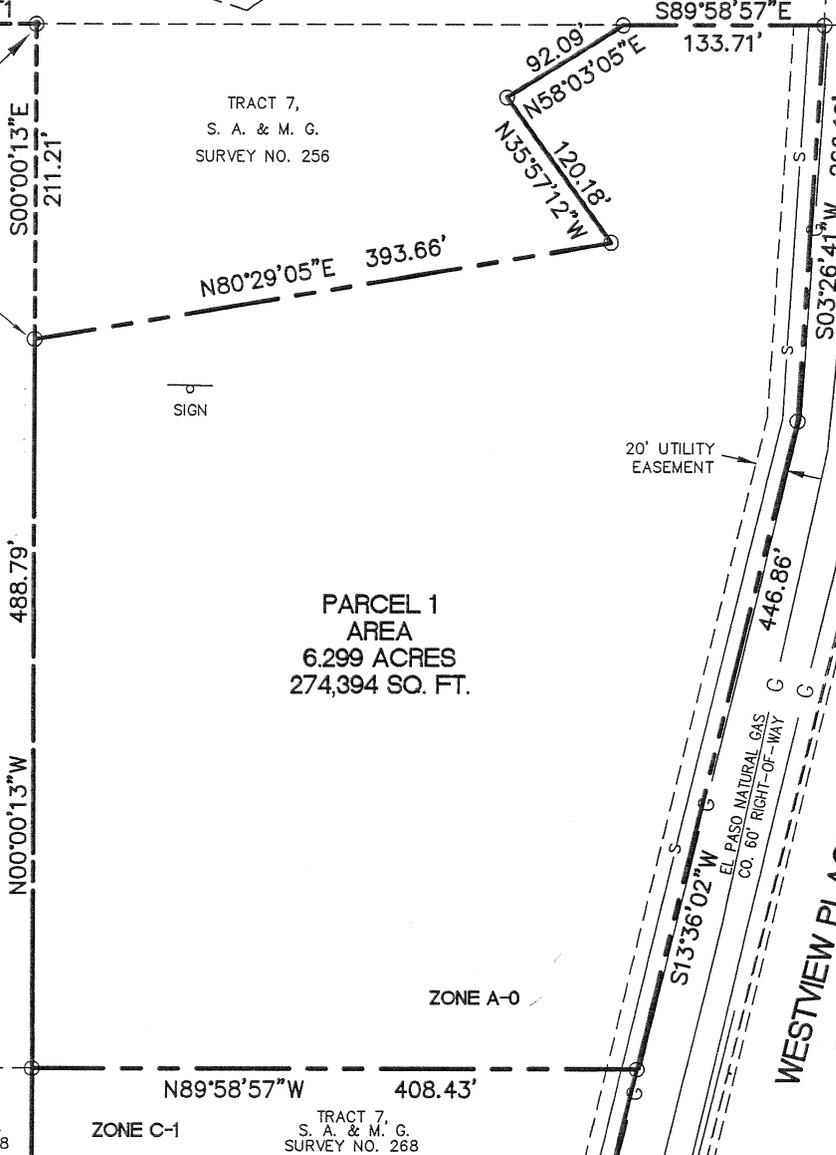
EL PASO NATURAL GAS
CO. RIGHT-OF-WAY

20' UTILITY
EASEMENT

EL PASO NATURAL GAS
CO. 60' RIGHT-OF-WAY

WESTVIEW PLACE

LOT 3
BLOCK 1



NOTE: NOT A FIELD SURVEY.

LINE TABLE		
TANGENT	BEARING	DISTANCE
T1	S89°58'57"E	47.10'

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This exhibit is being provided solely for the use of River Oaks Properties and their assigns and no license has been created, expressed or implied, to copy the surveys and/or map(s) except as necessary in conjunction with the original transaction. This transaction shall be effective within six (6) months from the date hereon August 25, 2006.

EXHIBIT

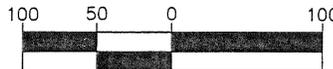
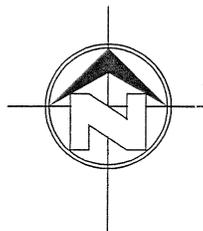


SLI ENGINEERING, INC.
CIVIL ENGINEERS
LAND SURVEYORS
LAND PLANNERS
6600 WESTWIND DRIVE
EL PASO, TEXAS 79912
915-584-4457

PORTION OF TRACT 7,
H.G. FOSTER SURVEY No. 256,
EL PASO, EL PASO COUNTY,
TEXAS.

JOB # 06-05-2314 DR. BY: MN
SCALE: 1"=100' F.B. # 2000
DATE: 08/24/2006 DWG.: HGF256-7-rot(p1-p2)

PLAT REFERENCE
VOLUME 3841 PAGE 0376



SCALE: 1"=100'

PARCEL 2

Property Description: Portion of Tract 7, H.G. Foster Survey No. 256, EL Paso, EL Paso, County, Texas.

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a portion of Tract 7, H.G. Foster Survey No. 256, El Paso, El Paso County, Texas and is more particularly described by metes and bounds as follows:

Commencing at a found brass cap in concrete lying on the common boundary line between Tract 3A, S.A. & M.G. Survey No. 268 and Tract 11, S.A. & M.G. Survey No. 268; Thence, South 89° 58' 57" East, along said boundary line, a distance of 47.10 feet to a point lying on the common boundary line between Tract 7, S.A. & M.G. Survey No. 256 and Tract 11, S.A. & M.G. Survey No. 268, said point being a found 2" pipe in concrete, Thence, South 00° 00' 13" East, along said boundary line, a distance of 700.00 feet to the TRUE POINT OF BEGINNING of this description;

THENCE, South 89° 58' 57" East, a distance of 408.43 feet to a point for a corner lying on the westerly boundary line of EL Paso Natural Gas Co. right-of-way;

THENCE, South 13° 36' 02" West, along said right-of-way line, a distance of 611.60 feet to a point for a corner;

THENCE, South 21° 00' 00" West, continuing along said right-of-way line, a distance of 155.36 feet to a point lying on the northerly right-of-way line of Redd Road;

THENCE, along said right-of-way line, the following courses:

North 89° 57' 56" West, along said right-of-way line, a distance of 2.96 feet to a point for a curve;

184.99 feet along the arc of a curve to the right, having a radius of 2190.00 feet, a central angle of 04° 50' 23" and a chord which bears North 87° 32' 44" West, a distance of 184.93 feet to a point for a corner;

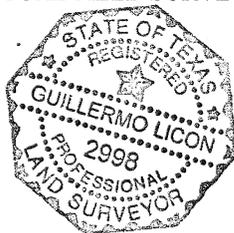
North 85° 07' 33" West, a distance of 21.24 feet to a point for a corner lying on the common boundary line between Tract 7, S.A. & M.G. Survey No. 256 and Tract 8A, S.A. & M.G. Survey No. 268;

THENCE, North 00° 00' 13" West, along said boundary line, a distance of 729.89 feet to the TRUE POINT OF BEGINNING of this description.

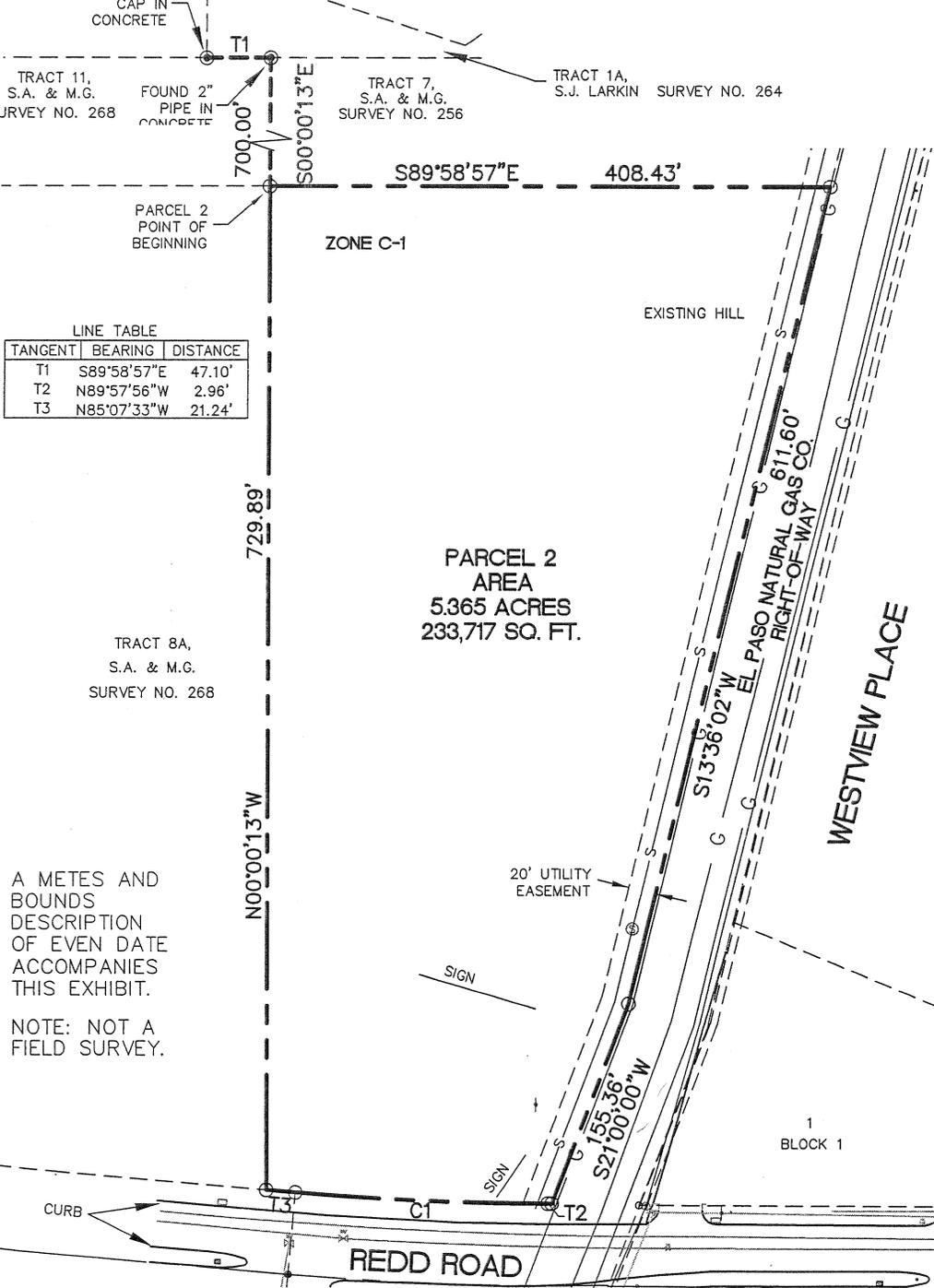
Said parcel of land contains 5.365 acres (233,717 sq. ft.) of land more or less.

AN EXHIBIT PLAT OF EVEN DATE ACCOMPANIES THIS METES AND BOUNDS DESCRIPTION; NOT AN ACTUAL FIELD SURVEY.


August 25, 2006
Job Number 06-05-2314
M&B/1311



TRACT 3A, S.A. & M.G. SURVEY NO. 268. BLOCK 48 WEST HILLS UNIT SEVENTEEN



LINE TABLE

TANGENT	BEARING	DISTANCE
T1	S89°58'57\"E	47.10'
T2	N89°57'56\"W	2.96'
T3	N85°07'33\"W	21.24'

A METES AND BOUNDS DESCRIPTION OF EVEN DATE ACCOMPANIES THIS EXHIBIT.
NOTE: NOT A FIELD SURVEY.

CURVE	RADIUS	LENGTH	TANGENT	CHORD	BEARING	DELTA
C1	2190.00'	184.99'	92.55'	184.93'	N87°32'44\"W	4°50'23\"

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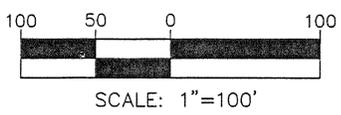
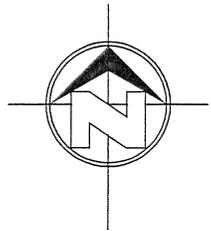
EXHIBIT



PORTION OF TRACT 7, H.G. FOSTER SURVEY No. 256, 10, 11 AND 13, BLOCK 43, EL PASO, EL PASO COUNTY, TEXAS

JOB #: 06-05-2314 DR. BY: MN
SCALE: 1"=100' F.B. #: 2000
DATE: 08/24/2006 DWG.: HGF256-7-rot(p1-p2)

PLAT REFERENCE VOLUME 3841 PAGE 0376



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER



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 DEPARTMENT
PLANNING DIVISION**

September 15, 2006

TO: The Honorable Mayor and City Council
Ms. Joyce A. Wilson

FROM: Esther Guerrero, Planner

SUBJECT: ZON06-00027

The City Plan Commission (CPC), on July 6, 2006, voted **(5-0)** to recommend **approval** of the rezoning from A-O/sc (Apartment/Office/special contract) to C-2/sc (Commercial/special contract) on Parcel 1 to permit offices; and from C-1 (Commercial) to C-3 (Commercial) on Parcel 2 to permit self-storage warehouses, concurring with staff's recommendation.

There is a zoning condition imposed on Parcel 1 that will require the applicant to submit a subdivision plat prior to the issuance of any building permits.

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, which designates the subject property for residential, commercial, and parks and open space land uses. 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 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.

There was no one in opposition to this application present at the meeting.

STAFF REPORT

Rezoning Case: ZON06-00027

Property Owner(s): River Oaks Properties, LTD

Applicant(s): River Oaks Properties, LTD

Representative(s): SLI Engineering, Inc.

Legal Description: A portion of Tract 7D, H. G. Foster No. 256

Location: Redd Road, West of Resler Drive

Representative District: # 1

Area: 11.65 Acres

Present Zoning: Parcel 1: A-O/sc (Apartment/Office/special contract)
Parcel 2: C-1 (Commercial)

Present Use: Vacant

Proposed Zoning: Parcel 1: C-2/sc (Commercial/special contract)
Parcel 2: C-3 (Commercial)

Proposed Use: Parcel 1: Offices
Parcel 2: Self-storage Warehouses

Recognized Neighborhood Associations Contacted: Save the Valley, Coronado Neighborhood Association, Upper Mesa Hills Neighborhood Association, Texas Apache Nations, Inc.

Surrounding Land Uses:

North -	R-3 (Residential), R-5 (Residential) / Single-family Residential
South -	A-2 (Apartment) / Single-family Residential
East -	C-3 (Commercial), C-1/sc (Commercial/special contract) / Retail
West-	R-3 (Residential), A-O (Apartment/Office) / Vacant

Year 2025 Designation: Residential, Commercial, Parks and Open Space (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, JULY 6, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ZONING CASE: ZON06-00027

GENERAL INFORMATION:

The applicant is requesting a rezoning on Parcel 2 from C-1 (Commercial) to C-3 (Commercial) to permit offices and Parcel 1 from A-O/sc (Apartment/Office/special contract) to C-2/sc (Commercial/special contract) to permit self-storage warehouses. The combined parcels total 11.65 acres in size and are currently vacant. Access is proposed via Redd Road. There is a zoning condition imposed on Parcel 1 zoned A-O/sc (Apartment/Office/special contract) that will require the applicant to submit a subdivision plat prior to the issuance of any building permits.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has received one call in opposition to this request.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) unanimously recommends **approval** of this request for rezoning from C-1 (Commercial) to C-3 (Commercial) on Parcel 1 and from A-O/sc (Apartment/Office/special contract) to C-2/sc (Commercial/special contract) on Parcel 2.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses” and “encourage development that retains the natural terrain features and preserve the valuable natural resources of the mountain and hillside areas and minimize the exposure of potential environmental hazards associated with their development”.

The Year 2025 Projected General Land Use Map for the **Northwest** Planning Area designates this property for **Residential, Commercial and Parks and Open Space** land uses.

C-3 (Commercial) and C-2/sc (Commercial/special contract) zoning permit offices and self-storage warehouses and **is compatible** with the adjacent surrounding land uses.

The Commission must determine the following:

- A. Will the C-3 (Commercial) and C-2/sc (Commercial/special contract) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will offices and self-storage warehouses be compatible with adjacent land uses?
- C. What effects will the rezoning have on the natural environment, social and economic conditions, and property values in the vicinity and the city as a whole?
- D. What is the relation of the proposed rezoning to the City’s Comprehensive Plan?

INFORMATION TO THE APPLICANT:

Development Services / Planning Division Notes:

- A. The Year 2025 Projected General Land Use Map for the Northwest Planning Area designates this property as Residential, Commercial and Parks and Open Space.
- B. C-2/sc (Commercial/special contract) and C-3 (Commercial) zoning permit offices and self-storage warehouses and is not compatible with surrounding land uses.
- C. The subject property was rezoned from C-1 (Commercial) and A-2 (Apartment) to A-O (Apartment/Office) in 1985 in order to maintain a buffer between the City Park and the C-3 (Commercial) located at the intersection of Redd Road and Resler Drive. In 2001 the south portion of the property was rezoned from A-O (Apartment/Office) to C-1 (Commercial) to allow a church and daycare.
- D. Since 1985, the intent has been to maintain a buffer between the C-3 (Commercial) along Resler Drive and the Westside Community Park.

Development Services / Building Permits and Inspections Notes:

- A. This project will not meet the landscape ordinance as submitted.
- B. No landscape calculations provided for review, landscape required under 20.65.

Development Services / Plan Review Notes:

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
- B. Grading plan and permit shall/may be required.*
- C. Storm Water Pollution Prevention plan and/or permit shall/may be required.*
- D. Drainage plans must be approved by the City Engineer.*
- E. Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone(s) C, Panel 480214 0022 E.
* This requirement will be applied at the time of development.

Engineering Department / Traffic Division Notes:

- A. No apparent traffic concerns.
- B. No median opening shall be allowed.
- C. Sidewalks shall be provided.

Fire Department Notes:

No comments received.

El Paso Water Utilities Notes:

Water

- A. Along Redd Road between Thorn Avenue and Resler Drive, there is an existing sixteen (16) inch diameter water main.
- B. Along Redd Road between Thorn Avenue and Resler Drive, there is an existing twenty-four (24) inch diameter water transmission main. No service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
- C. Within West Hills Unit Twenty One there is an existing eight (8) inch diameter water main. This main is located within an easement. The portion of this 8-inch diameter

water main located within the northernmost portion of West Hills Unit Twenty One (21) is aligned in a north to south direction. This 8-inch diameter water main dead ends at approximately 40 feet south of the northernmost boundary line of West Hills Unit Twenty One.

- D. Previous water pressure readings conducted on a fire hydrant located at the corner of Redd Road and Derrickson Drive have yielded a static pressure of 92 pounds per square inch (psi), residual pressure of 88 psi, discharge of 1,321 gallons per minute (gpm).

Sanitary Sewer

- A. Along Redd Road between Derrickson Drive and Resler Drive there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 90 feet west of Resler Drive.
- B. Within the subject Property, there is an existing eight (8) inch diameter sanitary sewer main. This main is located within an easement. This main is located north of the intersection of Redd Road and Arredondo Drive, west of the El Paso Natural Gas Company (EPNG) right-of-way. The 8-inch diameter sanitary sewer main is aligned parallel to the easternmost boundary line of the subject Property.
- C. Within West Hills Unit Twenty One (21) there is an existing eight (8) inch diameter sanitary sewer main. This sanitary sewer main is located within an easement. The portion of this 8-inch diameter sanitary sewer main located within the northernmost portion of West Hills Unit Twenty One (21) is aligned in a north to south direction. This 8-inch diameter sanitary sewer main dead ends at approximately 40 feet south of the northernmost boundary line of West Hills Unit Twenty One (21).

General

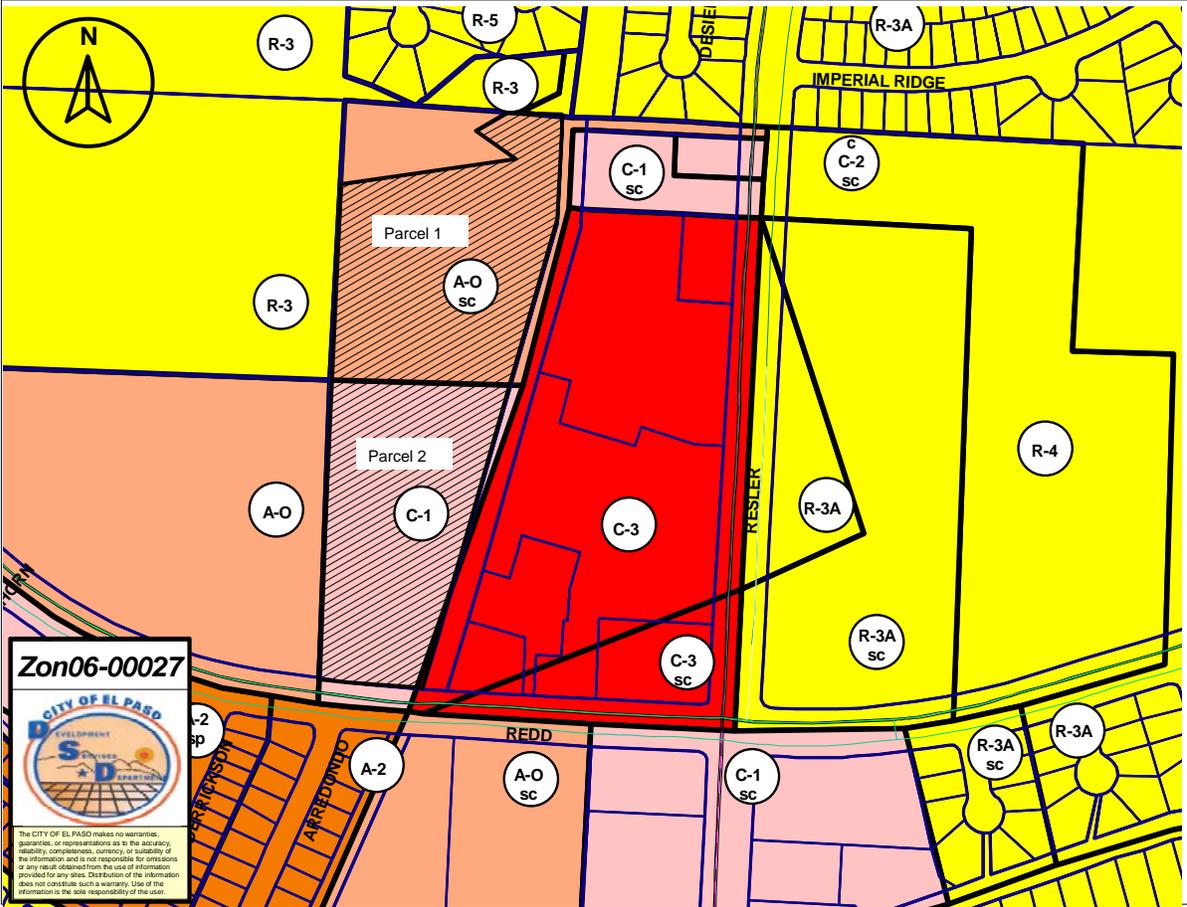
- A. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.
- B. The EPWU-PSB easement shall be improved to allow the operation of EPWU-PSB maintenance vehicles.
- C. EPWU-PSB requires access to the existing sanitary sewer facilities located within the easement 24 hours a day, seven (7) days a week.
- D. No building, reservoir, structure or other improvement, other than asphalt paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.
- E. The El Paso Water Utilities – Public Service Board (EPWU-PSB) requires a complete set of improvement plans, and grading plans for review and approval prior to any work pertaining to the portion of the Property where the existing easement is located. This is required in order to ascertain that the proposed improvements and/or grading will not adversely affect the described existing eight (8) inch diameter sanitary sewer main located within the easement.
- F. In the event that the City of El Paso Fire Department requires additional fire hydrants 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.

- G. The El Paso Water Utilities requires a set of city-approved improvement plans, including drainage and grading plans to initialize the design of the water and sanitary sewer main extensions to serve subject property. 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. Furthermore, application for services for subject subdivision must be made in conjunction with the request for water and sanitary sewer main extensions. The improvement plans should include a site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance which are required at the time of application.
- H. EPWU does not object to this request.

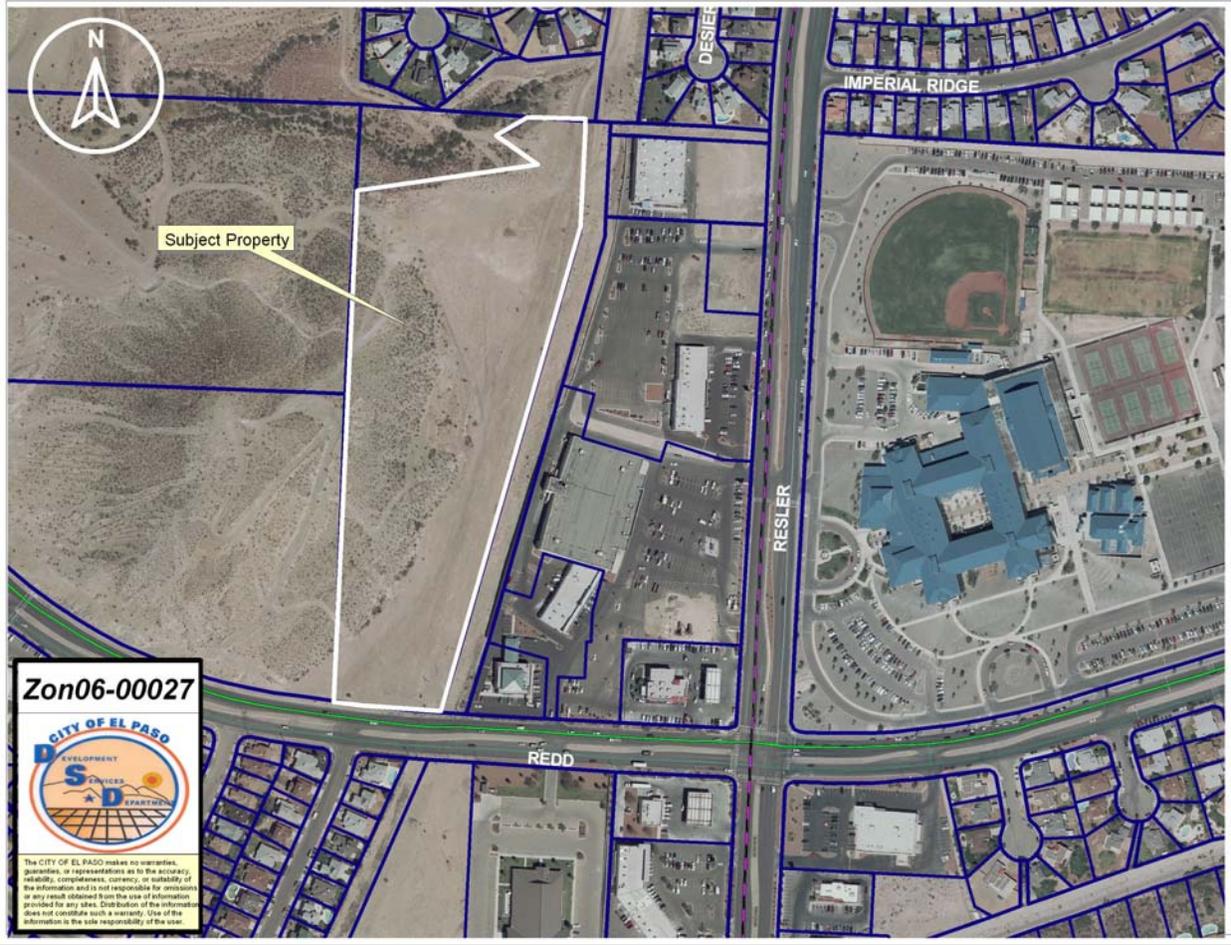
ATTACHMENT: Site Plan

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



SITE PLAN

