

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: November 7, 2006
Public Hearing: November 28, 2006

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 1

SUBJECT:

An Ordinance changing the zoning of a portion of Lot 18, Block 26, Regal Crest Unit 5, Replat A, El Paso, El Paso County, Texas from R-3 (Residential) to R-3A (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Thorn Avenue and West of Bishop Flores Drive. Applicant: Church of Grace of El Paso. ZON06-00107 (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) – Unanimous Approval Recommendation (5-0)

CITY CLERK DEPT.
06 OCT 24 AM 3:09

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Schubert

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 18, BLOCK 26, REGAL CREST UNIT 5, REPLAT A, EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) 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 *a portion of Lot 18, Block 26, Regal Crest Unit 5, Replat A, 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)**, 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.

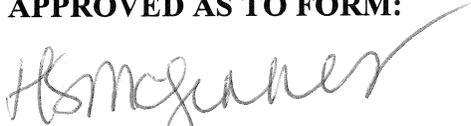
THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

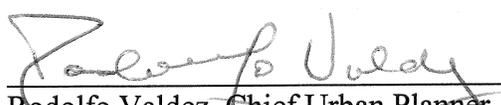
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Hillary S. McGinnes
Assistant City Attorney

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

2006 JUN 13 10:30 AM
CITY CLERK OFFICE

PROPERTY DESCRIPTION

BEING the description of a portion of Lot 18, Block 26, REGAL CREST UNIT 5, REPLAT A, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING at a found city monument at the intersection of Bishop Flore Drive and Thorn Drive, thence S 55° 00' 00" W, 54.85 feet along the center line of Thorn Drive to a point, thence N 35° 00' 00" W, 45.00 feet to a set 5/8" rebar with cap in the northwesterly right of way line of Thorn Drive, said rebar being the True Point of Beginning of the property being described;

THENCE S 55° 00' 00" W, 105.06 feet along the northwesterly right of way line of Thorn Drive to a set 5/8" rebar with cap;

THENCE N 34° 50' 00" W, 380.98 feet leaving the northwesterly right of way line of Thorn Drive to a point from whence a set nail in rock wall for witness bears S 34° 50' 00" E, 0.40 feet;

THENCE N 74° 51' 43" E, 132.77 feet to a set 5/8" rebar with cap in the southwesterly right of way line of Bishop Flores Drive;

THENCE S 34° 50' 00" E, 315.93 feet along the southwesterly right of way line of Bishop Flores Drive to a set 5/8" rebar with cap;

THENCE leaving the southwesterly right of way line of Bishop Flores Drive a distance of 31.36 feet along the arc of a curve to the right whose radius 20.00 feet, whose central angle is 89° 50' 00" and whose long chord bears S 10° 05' 00" W, 28.24 feet to the True Point of Beginning and containing 44,718 square feet or 1.0266 acres of land more or less.



Basil R. Smith, Jr.
Texas R.P.L.S. No. 4707
SECO
P.O. Box 220025
El Paso, TX
79913



EXHIBIT "A"

CITY CLERK DEPT.
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ZON06-00107

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

MEMORANDUM

DATE: October 24, 2006

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

FROM: Melissa Granado, Planner

SUBJECT: **ZON06-00107**

The City Plan Commission (CPC), on October 19, 2006, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from R-3 (Residential) to R-3A (Residential), concurring with Staff's recommendation.

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 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 opposition to this request.

Attachment: Staff Report, Location Map, Aerial Map, Site Plan

06 OCT 24 AM 3:09
CITY CLERK DEPT.

STAFF REPORT

Rezoning Case: ZON06-00107

Property Owner(s): Church of Grace of El Paso

Applicant(s): JYA Homes, LLC

Representative(s): Del Rio Engineering

Legal Description: A portion of Lot 18, Block 26, Regal Crest Unit 5, Replat A, City of El Paso, El Paso County, Texas

Location: North of Thorn Avenue, West of Bishop Flores Drive

Representative District: # 1

Area: 1.0266 acres

Present Zoning: R-3 (Residential)

Present Use: Vacant

Proposed Zoning: R-3A (Residential)

Proposed Use: Residential Subdivision

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

Surrounding Land Uses:

North -	R-3 (Residential) / Single-family Residential
South -	R-3 (Residential) / Single-family Residential
East -	A-1/sp (Apartment/special permit) / Single-family Residential
West-	R-3 (Residential) / Single-family Residential

Year 2025 Designation: Residential (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, OCTOBER 19, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00107

GENERAL INFORMATION:

The applicant is requesting a rezoning from R-3 (Residential) to R-3A (Residential) in order to permit a residential subdivision with 20 ft. front yard setbacks and minimum lot widths of 55 ft. The property is 1.0266 acres in size and is currently vacant. The proposed site plan shows a residential subdivision with six units to be located on the site. Access is proposed via Bishop Flores Drive. There are no zoning conditions currently imposed on this property.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has not received any 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 R-3 (Residential) to R-3A (Residential).

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends 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 Northwest Planning Area designates this property for Residential land uses.

R-3A (Residential) zoning permits residential subdivision and **is compatible** with adjacent development.

The Commission must determine the following:

1. Will R-3A (Residential) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will a residential subdivision 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?

Information To The Applicant:

Development Services Department - Building Permits and Inspections Division Comments:

Zoning Review: No comments received.

Landscape Review: Landscaping not required for residential use.

Development Services Department - Planning Division Comments:

Current Planning: Planning Division recommends approval of the request for rezoning.

Subdivision Review: No comments received.

Engineering Department - Traffic Division Comments:

No apparent traffic concerns with the proposed zoning.

Note: Sidewalks shall be provided.

Fire Department Comments:

No comments received.

El Paso Water Utilities Comments:

Water:

There is an existing 8-inch diameter water main along Bishop Flores Drive fronting the subject property. Also, there is an existing 12-inch diameter water main along Thorn Avenue.

Private water pressure regulating devices will be required at every lot within the proposed development. The Owner/Developer shall include in the sale of contract documents that the lot/home buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters. The lot/home buyer shall be responsible for the operation and maintenance of the above-described water pressure regulating devices.

Sanitary Sewer:

There are existing 8-inch diameter sanitary sewer mains along Bishop Flores Drive and Thorn Avenue fronting the subject property.

General:

Application for water and sanitary sewer services should be made 6 to 8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading and drainage plans, landscaping plan (if applicable), 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.

EPWU-PSB does not object to this request.

EPWU does not object to this request.

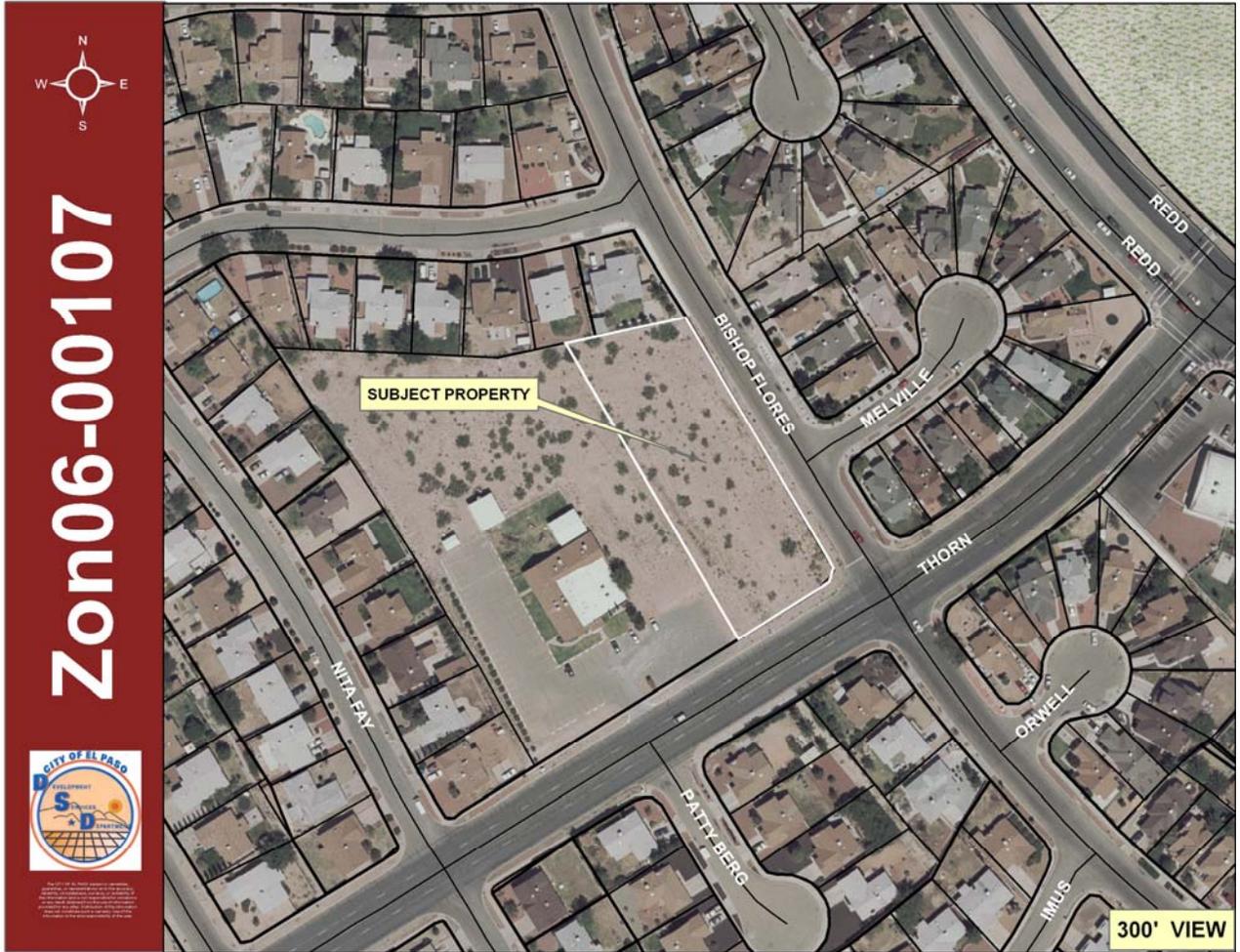
ATTACHMENT: Location Map, Aerial Map, Site Plan

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 DIVISION AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



SITE PLAN

