

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: January 10, 2017
Public Hearing: February 7, 2017

CONTACT PERSON/PHONE: Larry Nichols, (915) 212-1550, nicholslf@elpasotexas.gov
Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

DISTRICT(S) AFFECTED: 2

SUBJECT:

An Ordinance changing the zoning of East 80.5 feet of Lot 149, Sunrise Acres No.2, 4752 Atlas Avenue, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-2/c (Apartment/condition) and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 4752 Atlas Avenue. Property Owner: Porfirio Guevara. PZRZ16-00036 (District 2)

BACKGROUND / DISCUSSION:

On December 1, 2016, the CPC reviewed and recommended approval of the rezoning request.

PRIOR COUNCIL ACTION:

There is no prior City Council action on this rezoning application.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (8-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Larry F. Nichols
Director, Planning and Inspection Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF EAST 80.5 FEET OF LOT 149, SUNRISE ACRES NO.2, 4752 ATLAS AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2/C (APARTMENT/CONDITION) AND IMPOSING CONDITIONS. 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 East 80.5 feet of Lot 149, Sunrise Acres No.2, 4752 Atlas Avenue City of El Paso, El Paso County, Texas, as more particularly described by metes and bounds on the attached Exhibit "A", be changed from **R-4 (Residential)** to **A-2/c (Apartment/condition)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the property lines adjacent to Residential zoning district. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, 2017.

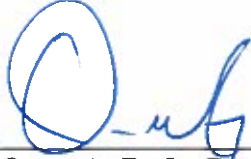
THE CITY OF EL PASO

ATTEST:

Oscar Leeser
Mayor

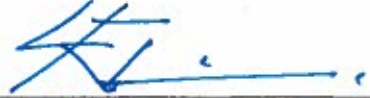
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
City Development Department

ORDINANCE NO. _____
16-1007-1867 / 609122 / 4752 Atlas Avenue / OAR

PRZ16-00036

Exhibit A

SUNRISE ACRES NO. 2

PORTION OF
LOT 151
VOL: 4837 PG: 0875
E.P.C.R.P.R.

PORTION OF
LOT 150
VOL: 0899 PG: 1028
E.P.C.R.P.R.

PORTION OF
LOT 150
VOL: 3052 PG: 0432
E.P.C.R.P.R.

FOUND 1/2" REDAR

S88°49'00"W 80.50'

FOUND 1/2" REBAR @ 5530'43"W 0.31'

BLOCK WALL

FOUND 1/2" REBAR

276.00'

PORTION OF
LOT 149
VOL: 2050 PG: 1228
E.P.C.R.P.R.

276.00'

PORTION OF
LOT 149
VOL: 4919 PG: 1758
E.P.C.R.P.R.

LOT 152
VOL: 1490 PG: 0381
E.P.C.R.P.R.

PHONE POLE

S01°11'00"E

LOT 149

FOUND "V" MARK

FOUND "NAIL"

N88°49'00"E 80.50'

LEGEND

- ROCK WALL
- CHAIN LINK FENCE
- WOOD FENCE
- WIRE FENCE
- OVERHEAD POWER LINE
- POWER POLE
- ANCHOR
- CALCULATED POINT NOT SET
- FOUND SPINDLE BOLT
- FOUND OLD 1/2" IRON

4752
ATLAS AVENUE
(60' R.O.W.)

DIANA DRIVE

HERCULES AVENUE

S01°11'00"E 30.00'

S01°11'00"E 289.23'

S88°49'00"W 3311.77' (BEARING BASIS)
S88°49'00"W 5275.95'

*E.P.C.R.P.R.- EL PASO COUNTY REAL PROPERTY RECORDS
N.O.T.E.

- PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE "C", PER F.I.R.M. COMMUNITY PANEL NUMBER 480214 0024 B. LAST REVISION DATE 10-15-82. 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.
- BEARINGS SHOWN ARE BASED ON FILED PLAT FOR SUNRISE ACRES NO. 2.
- PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT, (NOT SHOWN). NO ADDITIONAL RESEARCH WAS PERFORMED BY B2&A INC. FOR ANY RESERVATIONS, RESTRICTIONS, BUILDING LINES AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.

- 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.
- THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS ONLY TO BE USED FOR TITLE INSURANCE BY THE HEREON NAMED BORROWER, MORTGAGE COMPANY, AND/OR TITLE COMPANY.
- TITLE COMMITMENT PROVIDED BY STEWART TITLE GUARANTY COMPANY, GF OR FILE NO. 01004-17294, DATED 09-01-16.

GUEVARA
ENGINEERING
P.O. BOX 961514
EL PASO, TEXAS 79904
(915)203-5826

STATE FIRM # 12421

PLAT of SURVEY

The EAST 80.5 FEET of LOT 149
SUNRISE ACRES NO. 2
AN ADDITION TO THE
CITY OF EL PASO,
EL PASO COUNTY, TEXAS
AREA 0.51 ACRES

Scale: 1"=50' Date: 10-03-16 Drawn By: DM

I hereby certify that the foregoing survey was made on the ground and under my supervision and I am not correct to the best of my knowledge and belief.



MEMORANDUM

DATE: December 22, 2016

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Jeff Howell, Senior Planner

SUBJECT: PZRZ16-00036

The City Plan Commission (CPC) on December 1, 2016, voted 8-0 to recommend **approval** of rezoning the subject property from R-4 (Residential) to A-2/c (Apartment/condition) to allow for a quadraplex and imposing a condition. The condition is as follows:

A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the property lines adjacent to Residential zoning district. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the 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 rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Property Owner: Porfirio Guevara
Applicant: Porfirio Guevara
Representative: Porfirio Guevara

Attachments:
Staff Report



City of El Paso – City Plan Commission Staff Report

REVISED

Case No: PZRZ16-00036
Application Type Rezoning
CPC Hearing Date December 1, 2016
Staff Planner Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov

Location 4752 Atlas Avenue
Legal Description East 80.5 feet of Lot 149, Sunrise Acres No.2, City of El Paso, El Paso County, Texas
Acreage 0.51 acres
Rep District 2
Existing Zoning: R-4 (Residential)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: N/A
Request: From R-4 (Residential) to A-2 (Apartment)
Proposed Use: Quadraplex

Property Owner Porfirio Guevara
Representative Porfirio Guevara

SURROUNDING ZONING AND LAND USE

North: A-2 (Apartments) / Apartments
South: R-4 (Residential)/ Single-family dwellings
East: R-4 (Residential)/ Single-family dwellings
West: R-4 (Residential)/ Single-family dwellings

THE PLAN FOR EL PASO DESIGNATION: G-3, Post-War (Northeast Planning Area)

NEAREST PARK: Mountain View Park (4,224 feet)

NEAREST SCHOOL: Lee Elementary School (1,694 feet)

NEIGHBORHOOD ASSOCIATIONS

Mountain View Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on November 15, 2016. Planning has not received any communication in support or opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting a rezoning from R-4 (Residential) to A-2 (Apartment). The property is 0.51 acres in size and is currently vacant. The proposed use is for a quadraplex and the conceptual site plan shows one 2,000 sq. ft., four-unit building. Access to the property is proposed from Atlas Avenue.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of rezoning the subject property from R-4 (Residential) to A-2 (Apartment) with the following condition:

A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the property lines adjacent to Residential zoning

Planning and Inspections Department - Landscaping

No objections to proposed rezoning.

The submitted plan was not reviewed for conformance with any applicable codes or ordinances due to conceptual nature of submittal. At the time of submittal for building permits the project will need to comply with any applicable provisions of IBC, TAS and local municipal code.

El Paso Fire Department

Rezoning does not adversely affect the Fire Department.

TXDOT

Not on State right-of-way.

El Paso Water Utilities

1. EPWater does not object to this request.

Water:

2. There is an existing 6-inch diameter water main extending along Atlas Avenue. This water main is available for service.
3. Previous water pressure from fire hydrant #0204 located at NE corner of Atlas Avenue and MT Latona Drive, has yielded a static pressure of 110 psi, a residual pressure of 90psi, and a discharge of 1,244 gallons per minute.
4. The owner should, for his own protection and at his own expense shall install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The lot owner shall be responsible for the operation and maintenance of the water pressure regulator device.

Sanitary Sewer:

5. There is an existing 8-inch diameter sanitary sewer main extending along Atlas Avenue. This main is available for service.

General:

6. EPWater requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, 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. Service will be provided in accordance with the current EPWater Rules and Regulations. The applicant 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.

El Paso Water Utilities-Stormwater Division

- EPW-Stormwater Engineering has reviewed the property described above and has no objections to the request. But recommends using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

Sun Metro

No objections.

Attachments

1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Conceptual Site Plan

district. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.

The recommendation is based on compatibility with the surrounding properties zoned for apartments and existing multi-family uses within the area of the subject property, and in compliance with the Plan El Paso land use designation G-3, Post-War in the Northeast Planning Area.

Plan El Paso-Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-3 – Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The Planning Division recommendation is based on the compatibility with the G-3, Post-War land use designation through the proposed addition of more housing to supplement the area.

The purpose of the A-2 (Apartment) district is to provide for medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. It also is to permit building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities.

The Planning Division recommendation is based on the compliance with the definition for Medium Density Residential Districts in which the proposed multi-family development is toward the edge of an existing single-family neighborhood, which also has existing apartment zoning districts and multi-family uses in the area.

Plan El Paso - Goals & Policies

This application addresses policy 2.2.2. “The design of new neighborhoods and additions to existing neighborhoods should strive for a mix of housing types to create neighborhoods that accommodate diverse ages and incomes and allow residents to trade up, downsize, or create multi-generational households without being forced to leave the neighborhood. Housing types include both small and large single-family detached homes, duplexes, townhouses, multi-family buildings, live-work units, and accessory dwelling units, and include both rental apartments and units that can be owned by their occupants.”

The Planning Division recommendation is based on the proposed addition of a mix of housing types to the existing area.

COMMENTS:

Planning and Inspections Department - Land Development

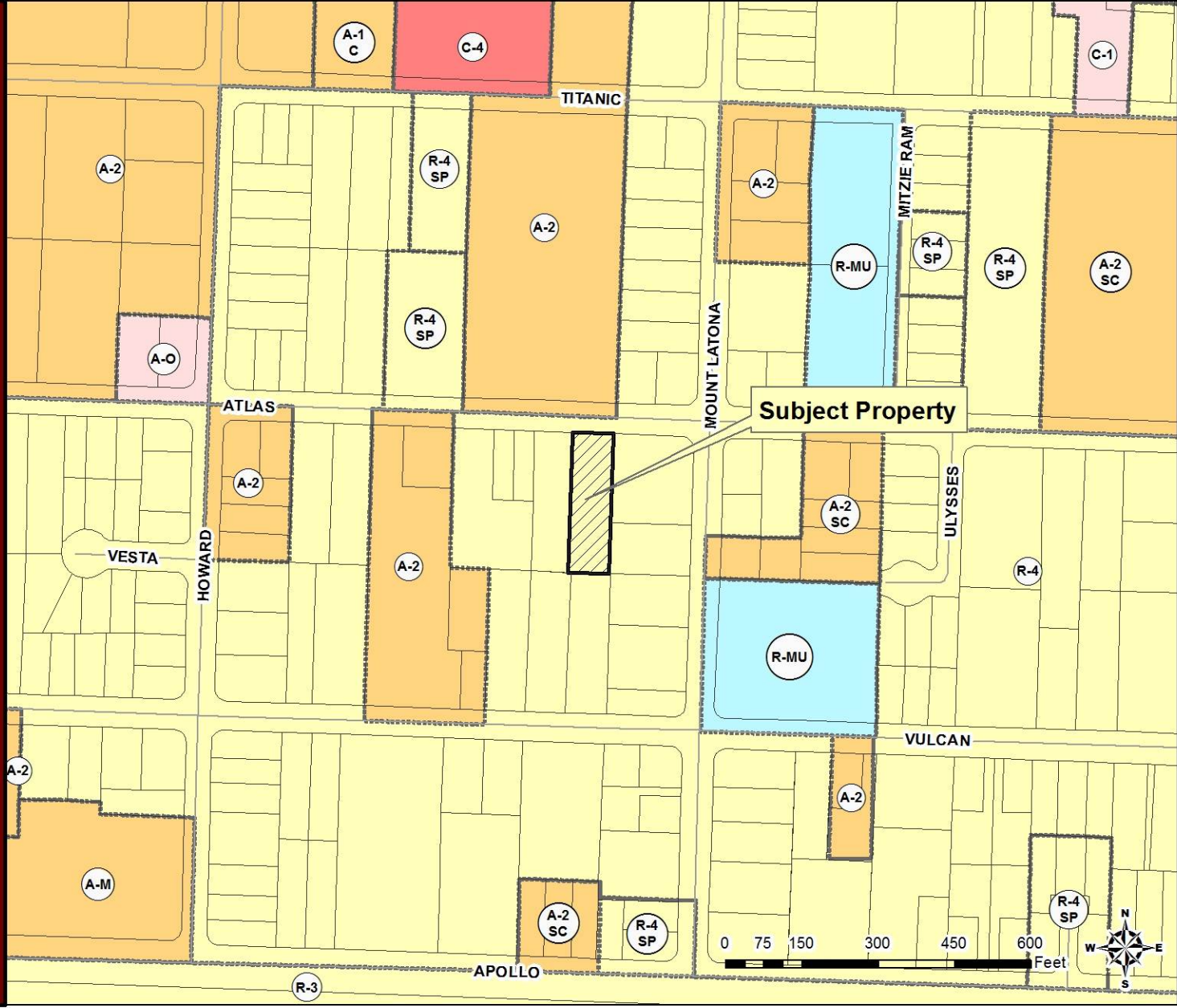
1. On site ponding of stormwater is required. Show runoff arrows accordingly.
2. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Planning and Inspections Department – Plan Review

No objections to proposed rezoning.

The submitted plan was not reviewed for conformance with any applicable codes or ordinances due to conceptual nature of submittal. At the time of submittal for building permits the project will need to comply with any applicable provisions of IBC, TAS and local municipal code.

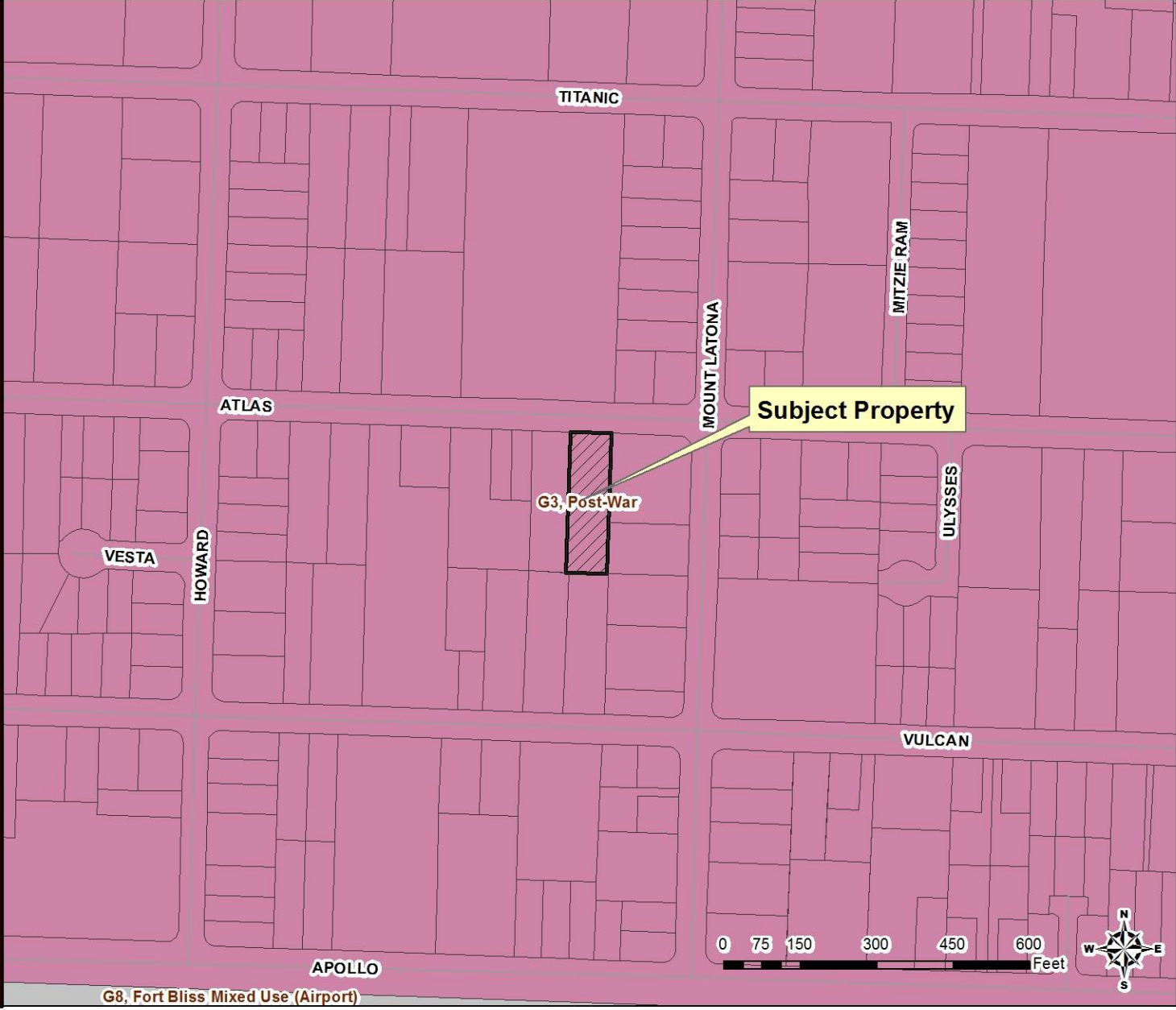
PZRZ16-00036



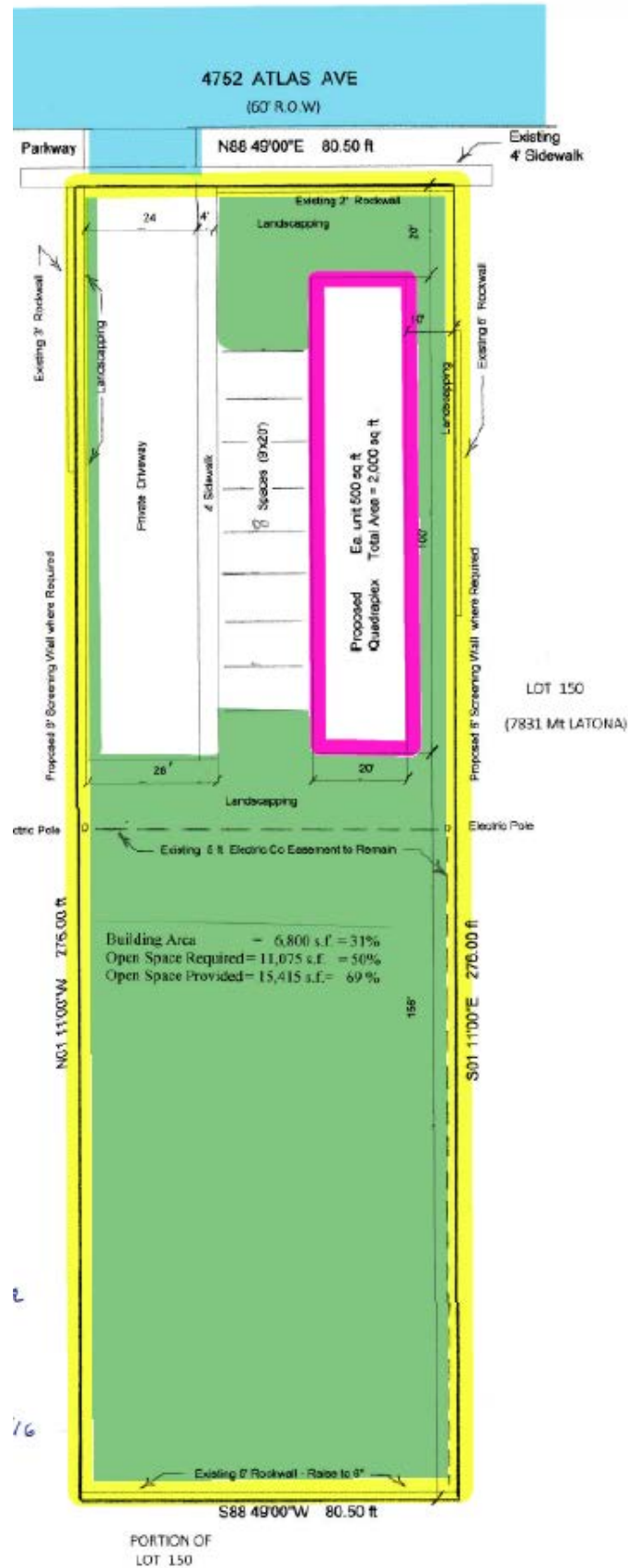
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PZRZ16-00036



ATTACHMENT 4: CONCEPTUAL SITE PLAN





Recommendation/Public Input

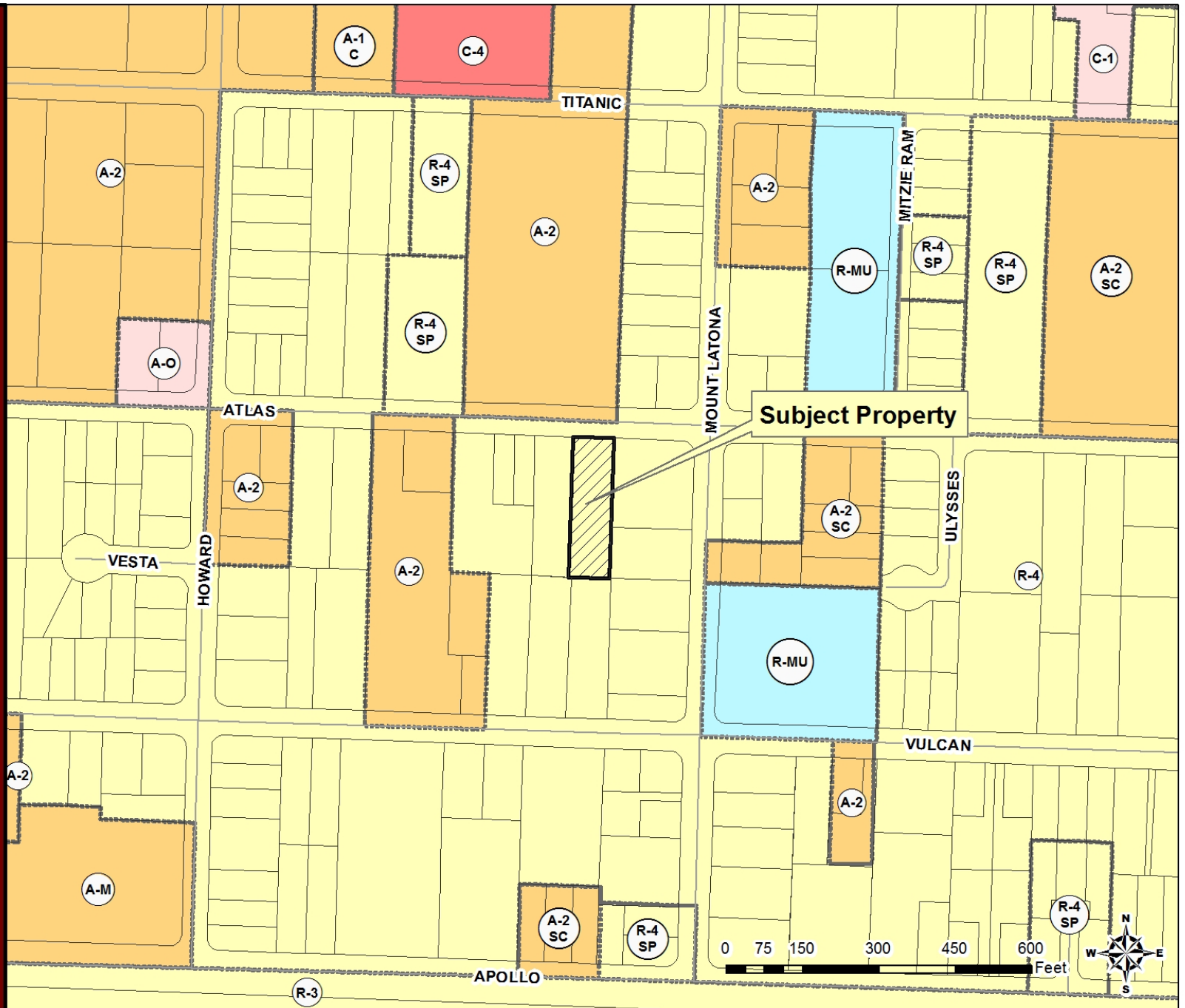
- Planning Division recommendation: Approval
- CPC Vote: Approval Recommendation (8-0)
- Public Input: No communication in support or opposition to the rezoning request.

Strategic Goal #3 Promote the Visual Image of El Paso

- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community

PZRZ16-00036

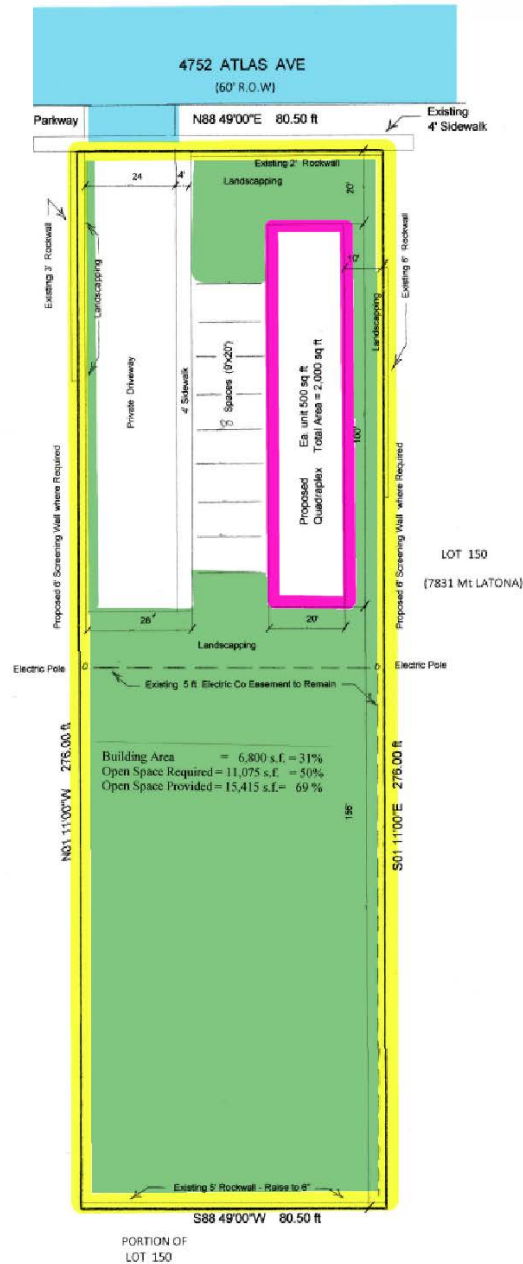
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Conceptual Site Plan





Subject Property





The Planning Division recommends approval of rezoning the subject property from R-4 (Residential) to A-2 (Apartment) with the following condition:

A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the property lines adjacent to Residential zoning district. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.

PZRZ16-00036

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