

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: January 21, 2020

PUBLIC HEARING DATE: February 18, 2020

CONTACT PERSON NAME AND PHONE NUMBER:

Philip F. Etiwe, (915) 212-1553, EtiwePF@elpasotexas.gov

Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov

DISTRICT(S) AFFECTED: 1

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

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

SUBJECT:

An Ordinance changing the zoning of a portion of Tract 3A2, Nellie D. Mundy Survey No.240, City of El Paso, El Paso County, Texas from A-2 (Apartments) to R-3A (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: La Puesta Dr., Owner: Tropicana Development, Inc. PZRZ19-00029 (District 1).

BACKGROUND / DISCUSSION:

On December 5, 2019, the CPC reviewed and recommended approval of the proposed rezoning.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



Philip F. Etiwe, Director
Planning and Inspections Department

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 3A2, NELLIE D. MUNDY SURVEY NO. 240, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) TO R-3A (RESIDENTIAL). 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:

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of a portion of Tract 3A2, Nellie D. Mundy Survey No. 240, located in the City of El Paso, El Paso County, Texas, be changed from **A-2 (Apartment)** to **R-3A (Residential)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

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 _____, 2020.

THE CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____
20-1007-2561 / 961099
West End of La Puesta Drive
RTA

Zoning Case No: PZRZ19-00029

EXHIBIT "A"

Barragan And Associates Inc.

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

DESCRIPTION

Description of a portion Tract 3A2, (Doc. No. 20070072034) Nellie D. Mundy Survey No. 240, City of El Paso, El Paso County, Texas, and being more particularly described as follows:

COMMENCING at a previously found 1" pipe in concrete marked "240-241" (now obliterated) for the southwesterly corner of said Survey No. 240; THENCE, S86°47'15"W (S89°59'19"E-Record), along the southerly line of Nellie D. Survey No. 240, a distance of 1203.11 feet to a point; THENCE, N03°12'45"E, a distance of 547.52 feet to the southwesterly corner of a 15.232 acre parcel, described by Ordinance No. 016864 filed for record in Doc. No. 20080024778, Real Property Records of El Paso County, Texas, said point also being the POINT OF BEGINNING of this description;

THENCE, N03°19'51"E (N00°07'47"E-Record), along the westerly line of said 15.232 acre parcel, a distance of 353.48 feet to the northwesterly corner of said northwesterly corner of said 15.232 acre parcel;

THENCE, S 86°47'00" E, (S89°59'04" E-Record), along the northerly line of said 15.232 acre parcel, a distance of 254.93 feet to the northwesterly corner of a 20' Public Drainage Right-of-Way in La Puesta Del Sol Unit One Subdivision, filed for record in Clerk's File No. 20110085975, Real Property Records of El Paso County, Texas;

THENCE, along the westerly line of said 20' Public Drainage Right-of-Way, the next two calls;

S 43°52'28" E, (S 47°03'34" E), a distance of 29.38 feet to a point;

S 66°48'59" E, a distance of 12.69 feet to a point;

THENCE, S 03°16'34" W, a distance of 329.12 feet to a point on the southerly line of said 15.232 acre parcel also the southwesterly corner of Tract 3A2B, Nellie D. Survey No. 240, City of El Paso, EL Paso County, Texas;

THENCE, N 86°47'15" W (N89°59'19"W), along the southerly line of said 15.232 acre parcel, a distance of 288.74 feet to the POINT OF BEGINNING of this description, and containing in all of 2.33 acres of land more or less.

NOTES:

1. This property may be subject to easements whether of record or not. No Additional Research was performed by B&A Inc. for any reservations, restrictions, building lines, and or easements which may or may not affect this parcel.
2. Bearings shown are grid derived from RTK Observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground and may be converted to grid by dividing by 1.000231.
3. This description does not intend to be a subdivision process which may be required by the City of El Paso ordinance, and it is the client's/owner responsibility to comply with this ordinance if it is required.
4. A Plat of Survey of even date accompanies this description.

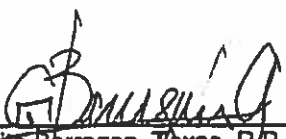
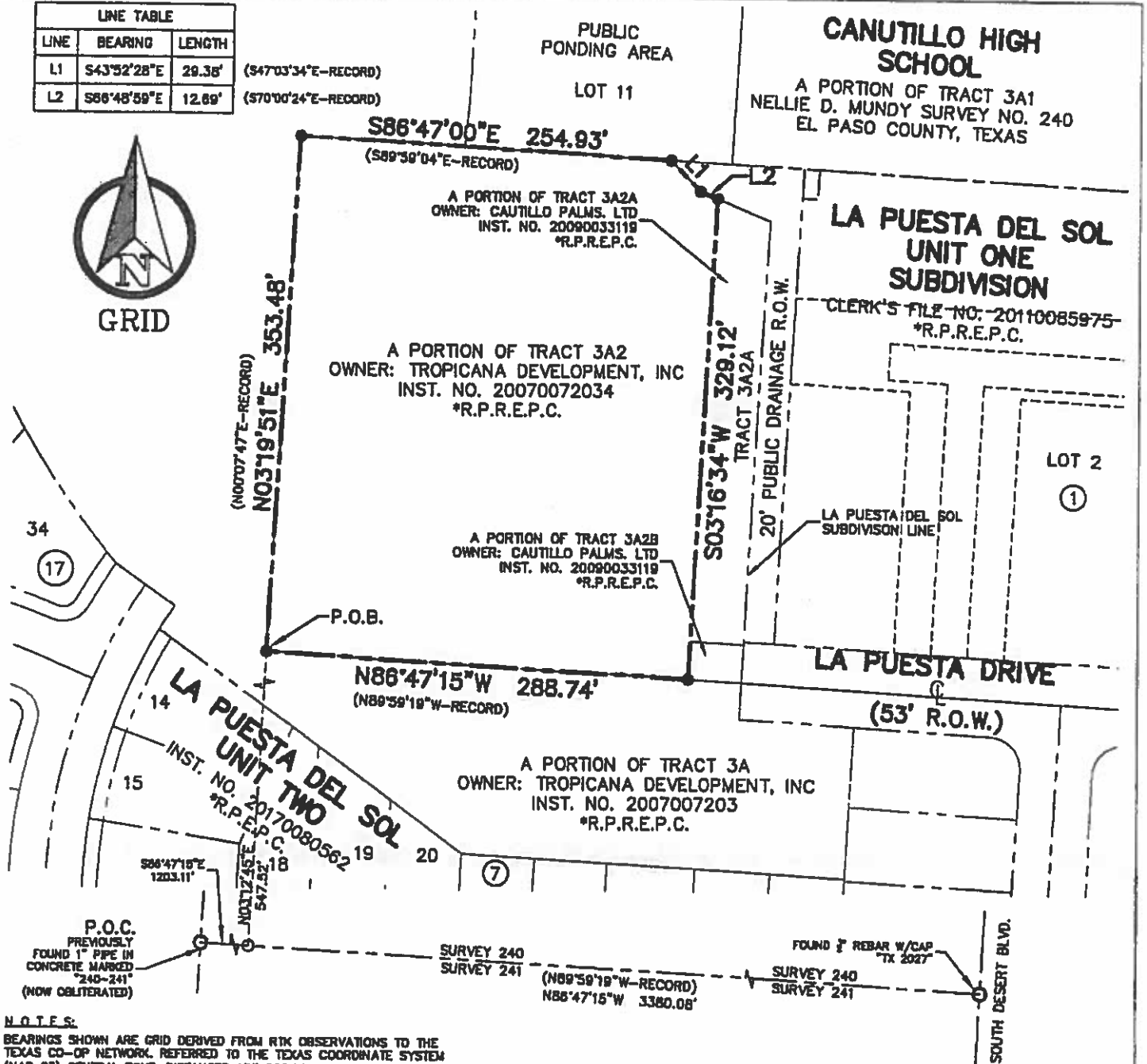

Benito Barragan, Texas, R.P.L.S. 5615
Barragan and Associates Inc.
TBPLS FIRM # 10151200
September 12, 2019
La Puesta Del Sol Plat of Survey 1



EXHIBIT "B"

N V Computo/LA PUESTA DEL SOL U3-PLAT OF SURVEY/DWONLA PUESTA DEL SOL U3 PLAT OF SURVEY 1.dwg

LINE TABLE		
LINE	BEARING	LENGTH
L1	S43°52'28"E	29.38'
L2	S88°48'59"E	12.89'



NOTES:

- BEARINGS SHOWN ARE GRID DERIVED FROM RTK OBSERVATIONS TO THE TEXAS CO-OP NETWORK, REFERRED TO THE TEXAS COORDINATE SYSTEM (NAD 83) CENTRAL ZONE. DISTANCES ARE GROUND DISTANCE.
- THIS PROPERTY MAY BE SUBJECT TO EASEMENTS WHETHER OF RECORD OR NOT. NO ADDITIONAL RESEARCH WAS PERFORMED BY B&A INC. FOR ANY RESERVATION, BUILDING LINE, AND OR EASEMENTS WHICH MAY OR MAY NOT AFFECT SUBJECT PARCEL.
- 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 SURVEY.
- 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.
- A WRITTEN DESCRIPTION OF EVEN DATE ACCOMPANIES THIS PLAT.
- THIS SURVEY WAS DONE WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

B Barragan & Associates Inc.

LAND PLANNING & SURVEYING
TBPLS FIRM # 10151200
10950 Pelicano Dr. Building-F,
El Paso, Tx 79935
Phone (915) 591-5709 Fax (915) 591-5708

Plat of Survey

A PORTION IN TRACT 3A2,
NELLIE D. MUNDY SURVEY NO. 240,
CITY OF EL PASO,
EL PASO COUNTY, TEXAS
2.33 ACRES ±

Plat Reference Vol/Bk N/A Pages N/A
Scale: 1"=100' Date: 09-12-19 Drawn By: IB

PREPARED BY AND UNDER THE SUPERVISION OF:



BENITO BARRAGAN TX R.P.L.S. NO. 5615

Job No. 190426-01 Copy Rights ©

MEMORANDUM

DATE: January 13, 2020

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

FROM: Luis Zamora, Planner

SUBJECT: PZRZ19-00029

The City Plan Commission (CPC), on December 5, 2019 voted 8-0 to recommend **Approval** to the rezoning of the property described as a portion of Tract 3A2, Nellie D. Mundy Survey No. 240, City of El Paso, El Paso County, Texas from A-2 (Apartment) to R-3A (Residential) pursuant to Section 20.04.360 of the El Paso City Code.

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 the rezoning will not have negative effects on the natural environment, social economic conditions, property values in the vicinity, and the city as a whole.

Planning receive no calls in support of or in opposition to the rezoning request.

Property Owner: Tropicana Development, Inc.
Applicant: Tropicana Development, Inc.
Representative: CEA Group

Attachments:
Staff Report

West End of La Puesta Drive

City Plan Commission — December 5, 2019

REZONING



CASE NUMBER: PZRZ19-00029
CASE MANAGER: Luis F. Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: Tropicana Development, Inc.
REPRESENTATIVE: CEA Group
LOCATION: La Puesta Drive (District 1)
PROPERTY AREA: 2.33 acres
REQUEST: Rezone from A-2 (Apartment) to R-3A (Residential)
RELATED APPLICATIONS: SUSU19-00049 (Major Combination)
PUBLIC INPUT: None.

SUMMARY OF REQUEST: The applicant is requesting to rezone from the A-2 (Apartment) District to the R-3A (Residential) District to remove a split zone from the subject property and accommodate a single-family residential development.

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee recommends **APPROVAL** of the request. The proposed district is in keeping with the adjacent residential development and the policies of *Plan El Paso* for the G-4 (Suburban) Future Land Use Designation in the Northwest Plan Area.

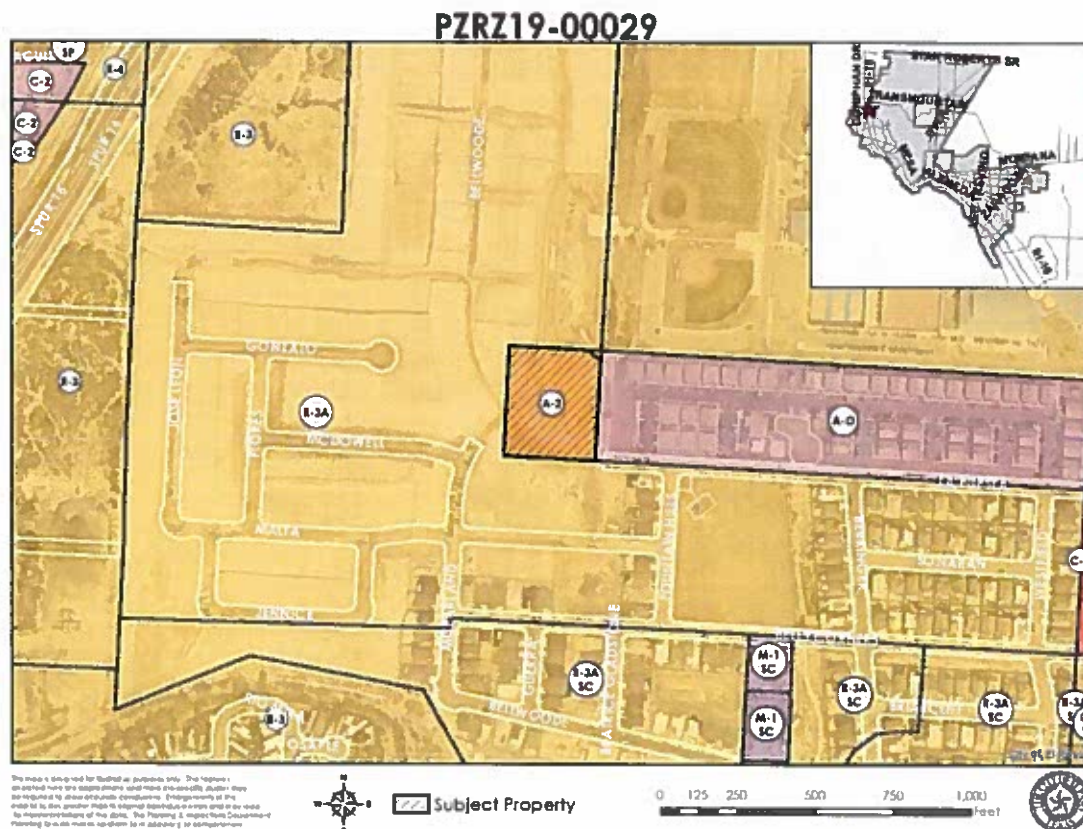


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from the A-2 (Apartment) District to the R-3A (Residential) District to remove a split zone from the subject property and accommodate a single-family residential development. The generalized plot plan shows seven single-family residential lots with a typical lot width and depth of 50 feet by 105 feet.

PREVIOUS CASE HISTORY: The City Plan Commission approved case SUSU19-00049 (Major Combination) on September 12, 2019 with a condition that requires that prior to recording of the plat, a rezoning application shall be submitted to the City in order to not create split-zoned lots.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the residential uses of the surrounding properties, and meets the established character of its surrounding neighborhood. The property is a part of a single-family subdivision in an R-3A (Residential) district. It abuts single-family lots in development to the North, West, and South in an R-3A (Residential) district; abuts a pond to the north in an R-3A (Residential) district, and abuts an apartment complex to the east in an A-O (Apartment/Office) district.

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>G-4, Suburban: This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. 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.</p>	<p>Yes, the proposed single-family development is part of a proposed single-family subdivision.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>R-3A (Residential) District: The purpose of the district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.</p>	<p>Yes, the proposed single-family development will provide a transition from multi-family and similar single-family developments, and it is part of a proposed single-family subdivision.</p>
<p>Preferred Development Locations: Is the property in a "Compact Urban" area?</p>	<p>The property is located along a local roadway that provides direct access to a Major Arterial roadway.</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	N/A
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	If the request is denied, the approved subdivision could not be recorded due to the approval condition.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not lie within an arroyo or other sensitive environment. No negative environmental impacts are anticipated if the rezoning request is approved.
Stability: Whether the area is stable or in transition.	The area surrounding the subject property is under development with single-family subdivisions and associated infrastructure.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Main access is proposed through La Puesta Drive and McFarland Street, both classified as local streets. The local street classification is appropriate to serve the proposed single-family development. The La Puesta del Sol Unit Three subdivision will provide adequate infrastructure to support the development of the property.

PUBLIC COMMENT: The subject property lies within the Upper Valley Neighborhood Association, who were notified prior to the application submittal. Surrounding property owners within 300 feet were notified by mail on November 19, 2019. The Planning Department has not received any communication in support of or in opposition to the rezoning request.

CITY PLAN COMMISSION OPTIONS:

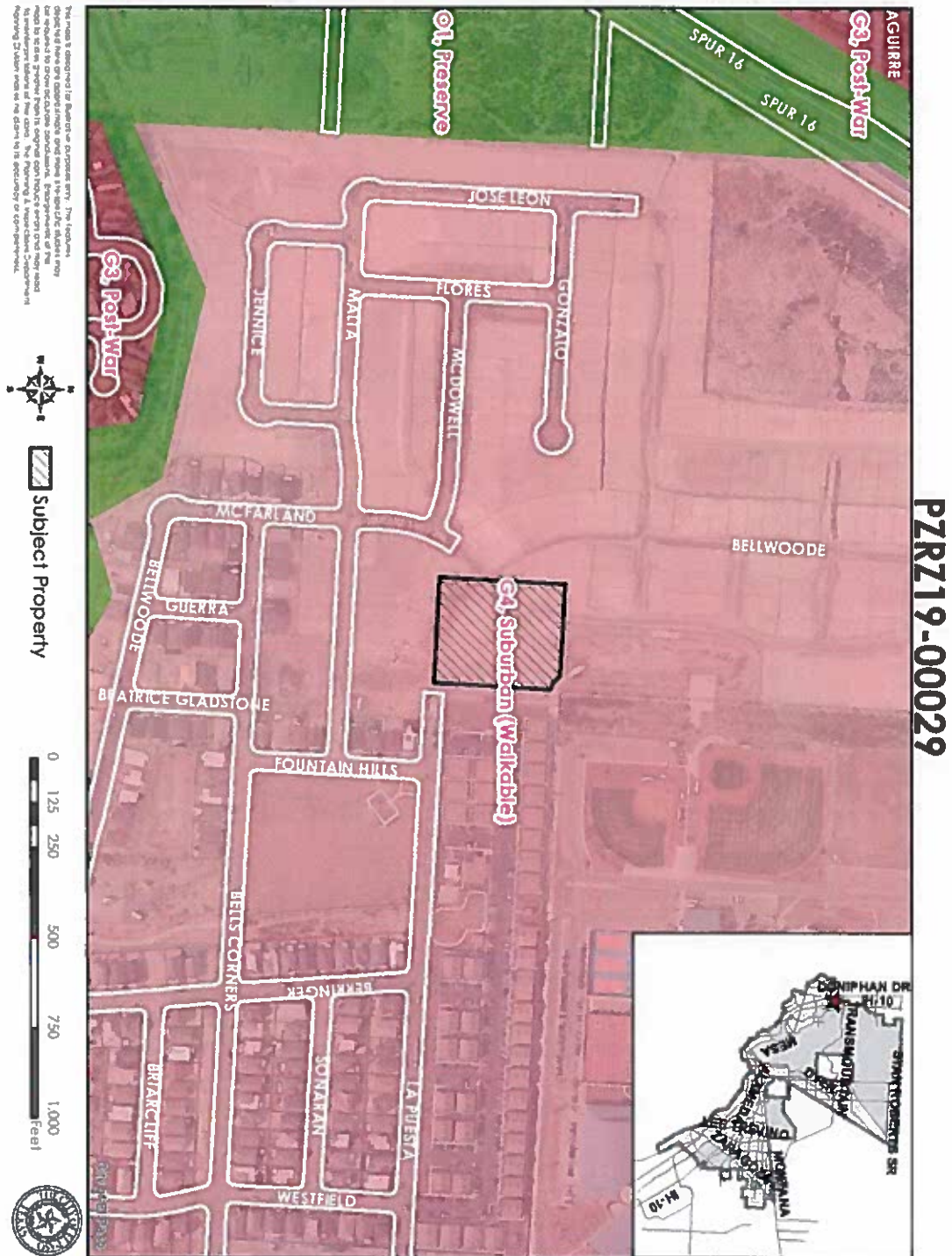
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

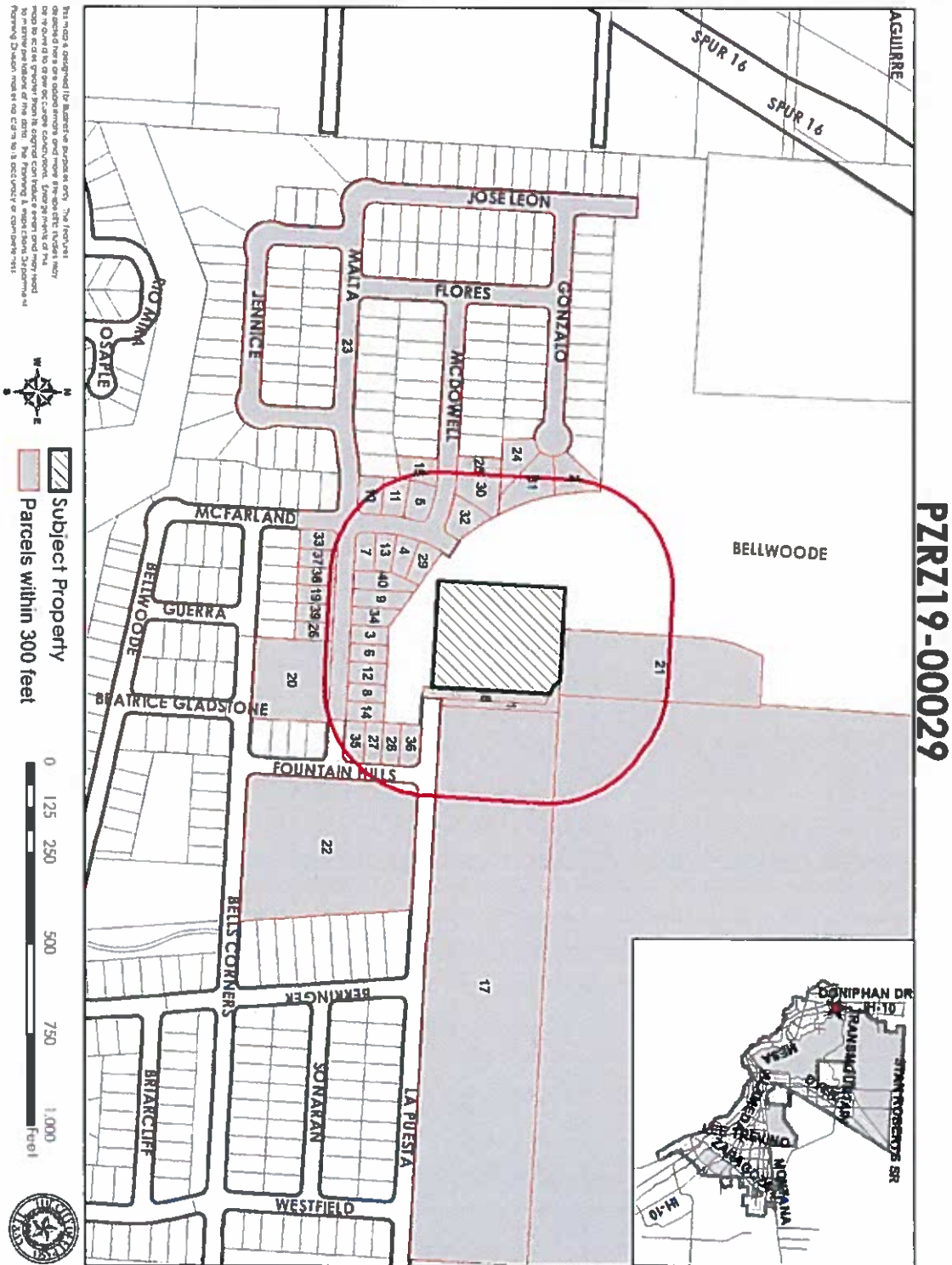
ATTACHMENTS:

1. Future Land Use Map
2. Neighborhood Notification Boundary Map
3. Detailed Site Plan
4. Department Comments

ATTACHMENT 1



ATTACHMENT 2



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ATTACHMENT 4

Planning and Inspections Department - Planning Division

Recommend approval.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections or comments to rezoning request.

Planning and Inspections Department – Land Development

1. Show proposed drainage flow patterns on the preliminary plat and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision limits.

Capital Improvement Department – Parks:

No comments received.

Texas Department of Transportation

Proposed development is not abutting TxDOT right of way.

Fire Department

Recommend approval.

Police Department

No comments received.

Sun Metro

No objections.

El Paso Water Utilities

No within the boundaries of EPCWID.

EPWU-PSB Comments

EPWU does not object to this request.

Water service for property is anticipated to be provided from mains that operate within the Valley Pressure Zone.

The subject property is located within the Westside Impact Fee Service Area. Impact fees will be assessed at the time of plat and collected at the time the El Paso Water Utilities receives an application for water and sanitary sewer services.

Water:

There is an existing 8-inch diameter water main along McFarland Ave. approximately 15 feet west of the right of way centerline. This main is available for water main extension. (Valley Pressure Zone)

There is an existing 8-inch diameter water main along McFarland Ave. approximately 8 feet east of the right of way centerline. (Sunset Terrace Intermediate Pressure Zone)

There is an existing 8-inch diameter water main along La Puesta Dr. approximately 8 feet north of the right of way centerline. (Sunset Terrace Intermediate Pressure Zone)

Sanitary Sewer:

There is an existing 8-inch diameter sewer main along La Puesta Dr. approximately 10 feet south of the right of way center line. This sanitary sewer main is available for main extension.

General:

Water and sanitary sewer main extensions are required from the above described mains. The Owner/Developer is responsible for the main extension costs.

EPWU requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. 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.

Stormwater:

No objections.

PZRZ19-00029

West End of La Puesta Drive





Recommendation | Public Input

2

Planning/DCC recommendation:

Approval of the rezoning request.

CPC Vote:

Approval Recommendation (8-0).

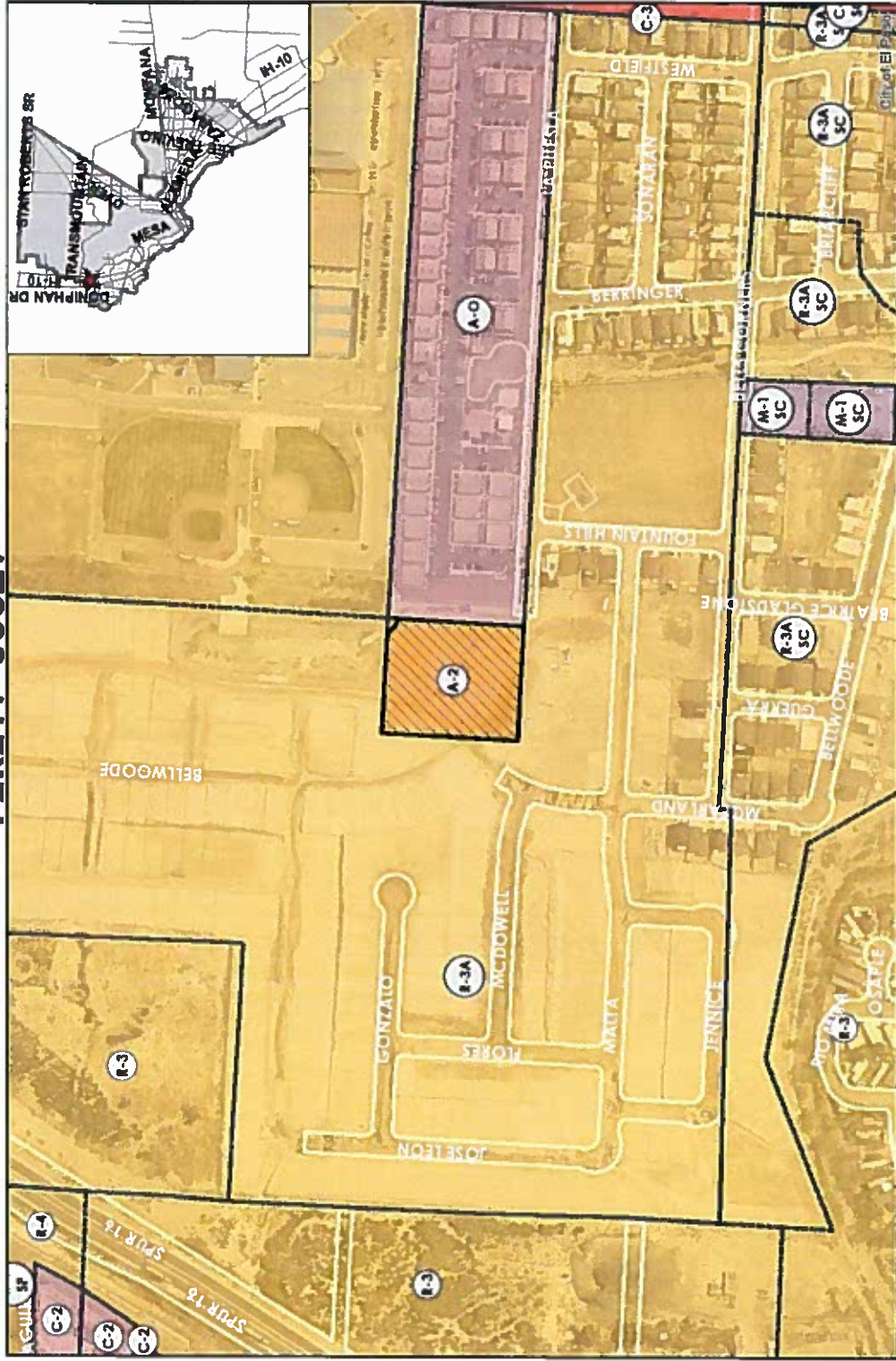
Public Input:

- The Planning Division has received no calls in support of or in 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

PZRZ19-00029



Subject Property



This map was prepared by the Planning Division of the City of El Paso, Texas, for the purpose of providing information to the public. It is not intended to be used as a legal document. The City of El Paso does not warrant the accuracy or completeness of the information contained herein. The Planning Division makes no claim to the accuracy or completeness of the information contained herein.

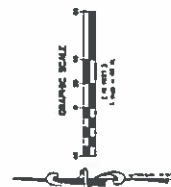


Figure 1 is a schematic diagram of the experimental setup. It shows a rectangular container with a central rectangular region shaded with diagonal lines. The diagram is labeled with dimensions: 'Depth of liquid' (vertical), 'Width of container' (horizontal), 'Width of central region' (horizontal), and 'Height of central region' (vertical). The central region is defined by two vertical lines and two horizontal lines, with the shaded area between them.

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100
1990	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100

THE CHURCH OF THE HOLY TRINITY
1011 WILSON AVENUE
CHICAGO, ILL. 60642

GENERALIZED PLOT PLAN

LA PUESTA DEL SOL DEVELOPMENT

A PORTION OF TRACT 241, BELLE IS. MAP 97, COUNTY OF LOS ANGELES, CALIF. IS BEING
OFFERED FOR SALE BY THE
COUNTY OF LOS ANGELES



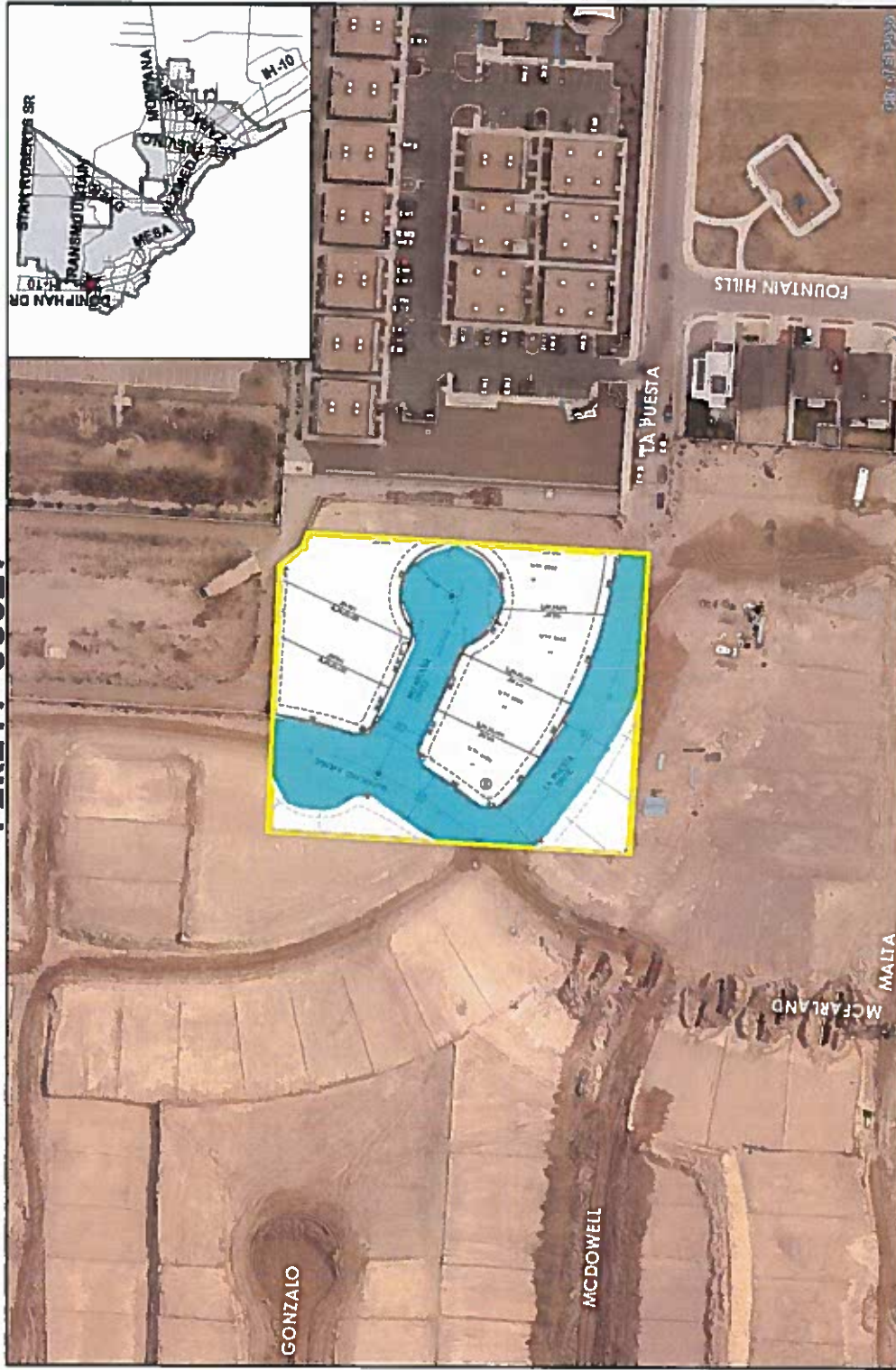
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E72-0607	96 ACP	81/10/71	Q100	4/10 - shipping delay
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RECEIVED BY 44-A, 3000 W. 17th St. ALA, 1000 W. 17th St. ALA.

NAME	ADDRESS	CITY	STATE	ZIP
JOHN J. HARRIS	1000 N. 10th St.	Minneapolis	MN	55412

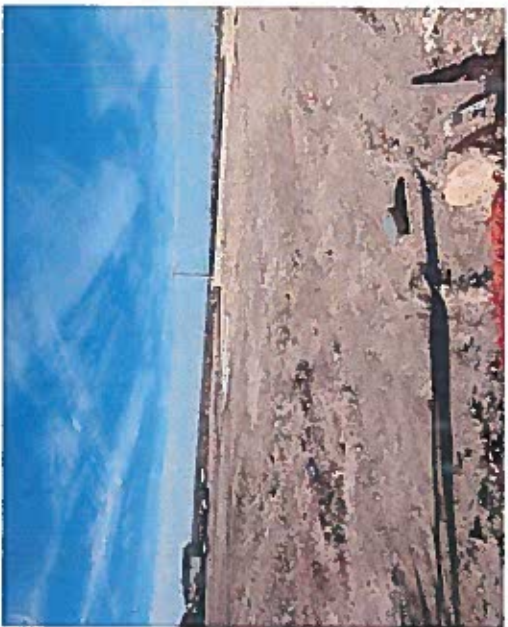
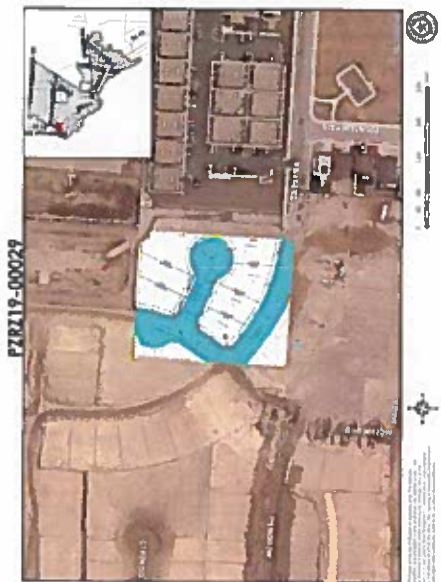
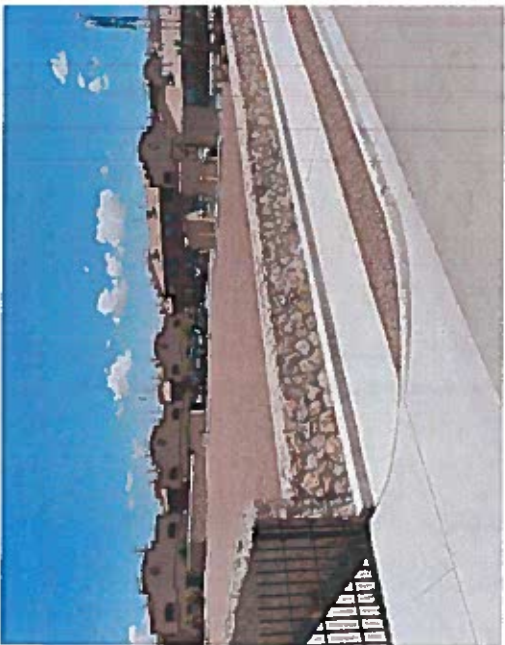
PZRZ19-00029



This map is designed for illustrative purposes only. The features shown are based on the best available information and may not be accurate. The user should verify the information shown on this map with the Planning & Inspection Department. Planning & Inspection may not be responsible for any errors or omissions.







THANK YOU

