

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

DEPARTMENT: Planning and Inspection Department, Planning Division

AGENDA DATE: Introduction – February 4, 2020

PUBLIC HEARING DATE: March 3, 2020

CONTACT PERSON NAME AND PHONE NUMBER:

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

Andrew Salloum, (915) 212-1603, salloumam@elpasotexas.gov

DISTRICT(S) AFFECTED: 4

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 1A, Section 31, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) and R-3 (Residential) to P-R I (Planned Residential I). 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: South of Sean Haggerty Drive and West of Dyer Street. Property Owner: Northtowne Village Joint Venture. PZRZ19-00027 (District 4)

BACKGROUND / DISCUSSION:

On December 5, 2019, 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

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

DEPARTMENT HEAD:

Philip F. Etiwe, Director
Planning and Inspection Department

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 1A, SECTION 31, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) AND R-3 (RESIDENTIAL) TO P-R I (PLANNED RESIDENTIAL I). 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 portion of Tract 1A, Section 31, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, located in the City of El Paso, El Paso County, Texas, and as more particularly described by the metes and bounds on the attached Exhibit "A", be changed from R-F (Ranch and Farm) and R-3 (Residential) to P-R I (Planned Residential I), 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.

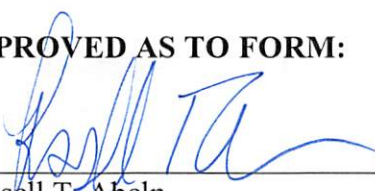
THE CITY OF EL PASO

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

(Exhibit "A" on the following page)

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 40.15 acre parcel of land, being a portion of Tract 1A, Section 31, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described as follows:

COMMENCING for reference at a found TxDOT brass cap monument (McCombs Section Corner), at the intersection of McCombs Street (F.M. Highway No. 2529) and Sean Haggerty Drive, marking the northwest corner of said section 31; **THENCE**, S 35°52'27"W, a distance of 2,701.67 feet to a point on the easterly right-of-way line of a City of El Paso drainage channel as per City ordinance # 2640, also being the southerly right-of-way line of a 50' wide access road to be reserved to El Paso Water Utilities, **WHENCE** a found 1/2" rebar with cap stamped "TX 5152" (**) on the southerly right-of-way line of a 200' wide City of El Paso drainage channel #1, as per City ordinance # 2640, bears N 20°04'56"E (N 16°58'04"E **), a distance of 52.28 feet, same point also being the **POINT OF BEGINNING** of this description:

THENCE, S 86°53'22"E (S 90°00'00"E **), along the southerly right-of-way line of said 50' wide access road, a distance of 1,107.57 feet (1,108.63' **) to a set 1/2" rebar with cap stamped "B&A INC" on a point of curvature;

THENCE, continuing along the southerly right-of-way line of said 50' wide access road, 174.78 feet along the arc of a curve to the right, with a radius of 2,643.55, an interior angle of 3°47'18", and a chord which bears S84°59'43"E (S88°06'19"E **), a distance of 174.75 feet to a point, marking the westerly line of El Paso Water Utilities Well # 529, as called for, in plat of survey performed by CONDE INC, dated 01/03/2017 (Document provided by client);

THENCE, S 08°33'16"W (S 05°26'38"W **), along the westerly line of said Well # 529, a distance of 99.98 feet to a point on the southwesterly corner of said Well # 529;

THENCE, S 81°28'28"E (S 84°35'06"E **), along the southerly line of said Well # 529, a distance of 150.00 feet to a point on the southeasterly corner of said Well # 529;

THENCE, N 08°33'16"E (N 05°26'38"E **), along the easterly line of said Well # 529, a distance of 99.98 feet to a point on the southerly line of said 50' wide access road;

THENCE, along the southerly right-of-way line of said 50' wide access road, 1,034.26 feet along the arc of a non-tangent curve to the right, with a radius of 2,643.55 feet, an interior angle of 22°24'59", and a chord which bears S68°38'30"E (S 71°45'47"E **), a distance of 1,027.67 feet to a set 1/2" rebar with cap stamped "B&A INC";

THENCE, S 57°26'01"E (S 60°34'00"E **), continuing along the southerly right-of-way line of said 50' wide access road, a distance of 49.38 feet (50.00' **) to a point on the westerly right-of-way line of Dyer Street (Old U.S. Highway 54), from **WHENCE**, a found "X" mark (**) on the southerly right-of-way line of a 200' wide City of El Paso drainage channel #1, as per City ordinance # 2640, bears, N 33°20'09"E, a distance of 50.00 feet;

THENCE, S 32°32'52"W (S 29°26'00"W), along the westerly right-of-way line of Dyer Street, a distance of 460.16 feet to a found 1/2" rebar, on the northeasterly corner of Rocket Warehouse Park Unit 3 Replat A, according to the plat thereof recorded in Instrument No. 20170033199, Plat Records of El Paso County Texas;

THENCE, N 86°53'08"W (N 90°00'00"W), along the northerly line of said Rocket Warehouse Park Unit 3 Replat A, and Hidden Village Unit One Subdivision, according to the plat thereof recorded in Instrument No. 20180094175, a distance of 2,458.35 feet to a set 1/2" rebar with cap stamped "B&A INC", **WHENCE**, a found 5/8" rebar with cap stamped "B&A INC", on the northwesterly corner of said Hidden Village Unit One Subdivision, bears N86°53'07"W, a distance of 11.37 feet;

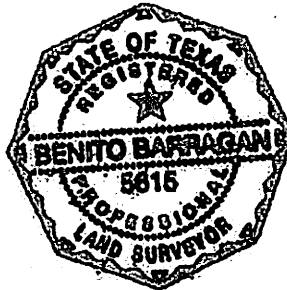
Barragan And Associates Inc.

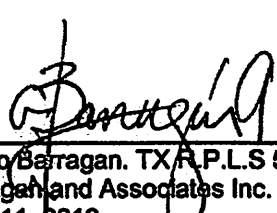
10950 Pellicano Dr., Building "F", El Paso, Texas 79935 Ph. (915) 591-5709 Fax (915) 591-5706

THENCE, N 20°04'56"E (N 16°58'04"E**), along the easterly line of a City of El Paso drainage channel as per City ordinance No. 2640 (**), a distance of 801.48 feet to the **POINT OF BEGINNING** of this description, and containing in all of 40.15 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 recited are grid bearings derived from RTK observations to the Texas CO-OP Network. Referred to the Texas Coordinate System (NAD 83) Central Zone. Distances are ground distances.
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. Bearings shown in parenthesis as per recorded information.
5. (**) As called for, in plat of survey performed by CONDE INC, dated 01/03/2017. (Document provided by client).
6. A plat of survey of even date accompanies this description.




Benito Barragan, TX R.P.L.S 5615,
Barragan and Associates Inc.
June 11, 2019.
McCombs South-40 acre parcel.

MEMORANDUM

DATE: January 24, 2020

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

FROM: Andrew Salloum, Senior Planner

SUBJECT: PZRZ19-00027

The City Plan Commission (CPC), on December 5, 2019, voted 8-0 to recommend approval of the request to rezone the property from R-F (Ranch and Farm) and R-3 (Residential) to P-R I (Planned-Residential I) to allow for single-family dwellings.

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

The Planning Division did not receive any communication in support or opposition to the rezoning request.

Property Owner: Northtowne Village Joint Venture
Representative: CEA Group.

Attachments:
Staff report

South of Sean Haggerty Drive and West of Dyer Street

City Plan Commission — December 5, 2019

PZRZ19-00027 – Rezoning

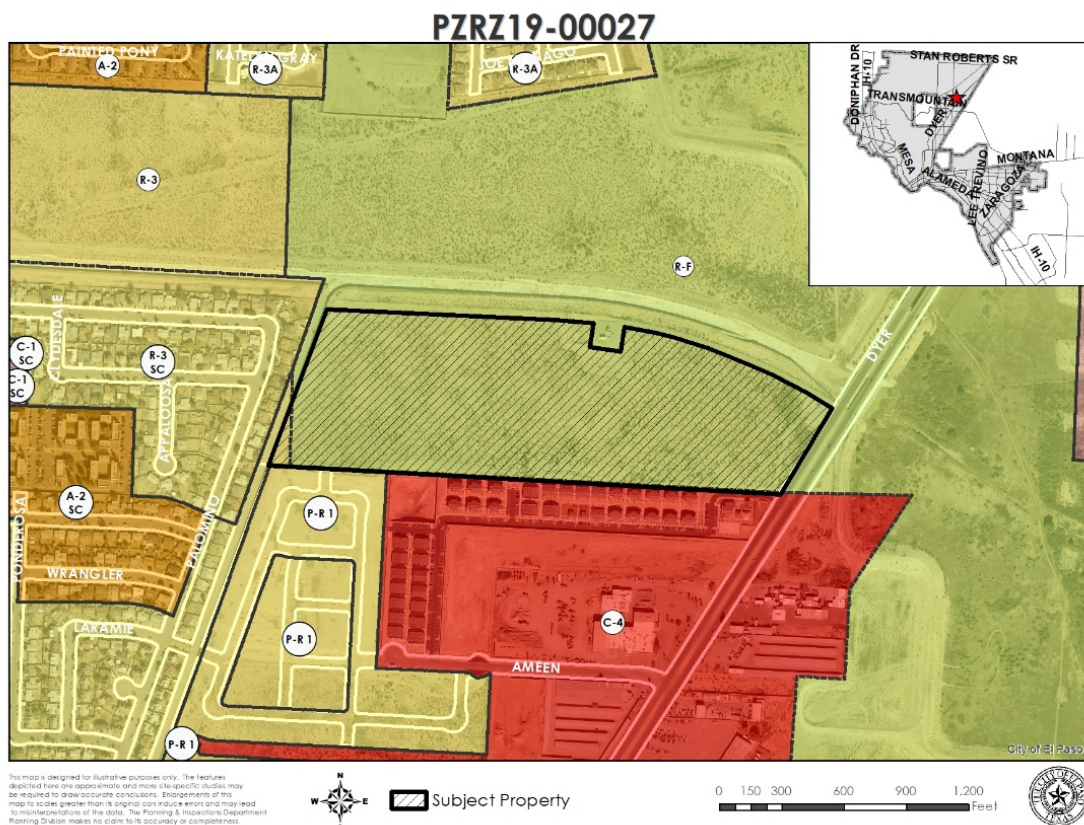
REZONING



CASE NUMBER: PZRZ19-00027
CASE MANAGER: Andrew Salloum, 915-212-1603, salloumam@elpasotexas.gov
PROPERTY OWNER: Northtowne Village Joint Venture
REPRESENTATIVE: CEA Group
LOCATION: South of Sean Haggerty Drive and West of Dyer Street, District 4
PROPERTY AREA: 40.15 acres
REQUEST: To rezone from R-F (Ranch and Farm) and R-3 (Residential) to P-R I (Planned-Residential I)
RELATED APPLICATIONS: Comprehensive Plan Amendment, PLCP19-00003
PUBLIC INPUT: None, notices sent to property owners within 300 feet on November 21, 2019.

SUMMARY OF REQUEST: The property owner is requesting a rezoning from R-F (Ranch and Farm) and R-3 (Residential) to P-R I (Planned-Residential I) to allow for single-family dwellings.

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating recommended **APPROVAL** of the rezoning request on November 5, 2019. The proposed development is consistent with the adjacent residential development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-3, Post-war, use designation of *Plan El Paso*, of the City's Comprehensive Plan.



DESCRIPTION OF REQUEST: The property owner is requesting to rezone the subject property from R-F (Ranch and Farm) and R-3 (Residential) to P-R I (Planned-Residential I) to allow for single-family dwellings. The property is located in the South of Sean Haggerty Drive and West of Dyer Street within the Northeast Planning Area. The area of the rezoning request is 40.15 acres. The conceptual site plan proposes 220 single-family dwellings, a park, and a ponding area. The property is currently vacant. Access to the subject property is proposed from Dyer Street.

There is a related application, PLCP19-00003, to change the future land use map designation from O-1 Preserve to G-3 Post-War.

PREVIOUS CASE HISTORY: The Development Coordinating recommended **APPROVAL** of the rezoning request on November 5, 2019.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the adjacent residential development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-3, Post-war, use designation of *Plan El Paso*, of the City's Comprehensive Plan.

COMPLIANCE WITH PLAN EL PASO/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-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.</p>	<p>Yes. The proposed development is in conformance with the G-3, Post-war land designation of <i>Plan El Paso</i>, of the City's Comprehensive Plan and remains consistent with the established neighborhood. The proposed development is adding an additional 220 single family dwellings to and underdeveloped parcel. The surrounding zone districts are R-F (Ranch and Farm), R-3 (Residential), P-R I (Planned Residential I), and C-4 (Commercial).</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>P-R I (Planned Residential I) District: The purpose of this district is to encourage planned developments as a means of creating a superior living environment through unified planning and building operations at lower residential densities. The regulations of the district are designed to encourage variety in housing needed to meet changing housing demands and to provide adequate community facilities well-located with respect to needs; to protect the natural beauty of the landscape; to encourage preservation and more efficient use of open space; and to offer an opportunity for design flexibility and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.</p>	<p>Yes. The proposed residential development meets the intent of the P-R I District and the established character of the surrounding residential districts.</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Preferred Development Locations: Is the subject property in a preferred development location, such as along a major arterial?	Yes, the subject property is located along Dyer Street, which is classified as a major arterial road.
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.	The proposed development does not represent any adverse effects on the community. It has the potential to maximize the use of undeveloped lots.
Natural Environment: Anticipated effects on the natural environment.	Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	Yes, the areas has been stable. No rezoning has been recorded within the last ten years.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed development is within an older area of the city, which represents stability within the G-3, Post-war land designation. The proposed use is permitted in the P-R I (Planned Residential I) zone district.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is proposed from Dyer Street. There is an existing 16-inch diameter water main that extends along the east side of Dyer Street. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations. This water main is available for water main extensions. It is adequate to serve the proposed development.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to proposed rezoning. There were no adverse comments received. Applicant is responsible for obtaining all applicable permits and approvals prior to construction.

PUBLIC COMMENT: The proposed development does not lie within any neighborhood association. Public notices were sent to property owners within 300 feet on November 21, 2019. Planning has not received any input from the public.

RELATED APPLICATIONS: Comprehensive Plan Amendment, PLCP19-00003

OTHER APPLICABLE FACTORS: Approval of the rezoning by the City Plan Commission (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, Design Standards for Construction (DSC), and Drainage Design Manual (DDM). Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

CITY PLAN COMMISSION OPTIONS:

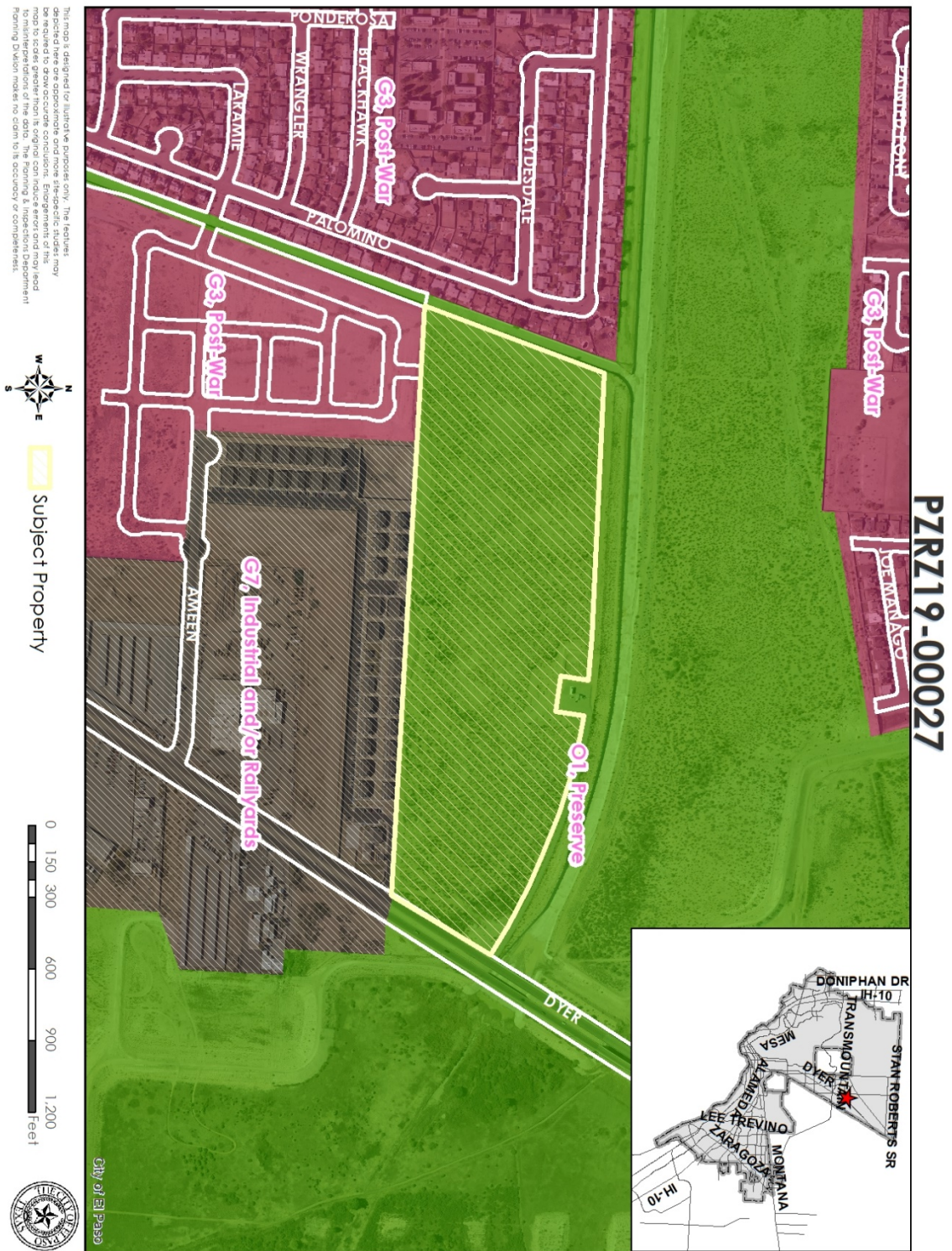
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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.
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. Department Comments
3. Neighborhood Notification Boundary Map
4. Conceptual Site Plan

ATTACHMENT 1



ATTACHMENT 2

Planning and Inspections Department - Planning

No objection to the rezoning request.

Planning and Inspections Department – Plan Review & Landscaping Division

Screening requirements shall be met per municipal code 20.16.

At the time of submittal for building permits, the project will need to comply with all applicable provisions of the IBC, Municipal Code, and TAS.

Planning and Inspections Department – Land Development

1. The Proposed ponding area(s) shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.
2. 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.

TxDOT

Once these areas plan to be developed, plans will need to be submitted to TxDOT for review and an access permit request has to be submitted to TxDOT for approval. Have Requestor coordinate with TxDOT for this request.

Sun Metro

No objections.

Fire Department

Recommended approval.

EPWater

El Paso Water (EPWater) does not object this request.

Dyer Street and McCombs Street are Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Dyer Street and McCombs Street right-of-way require written permission from TxDOT.

Water:

EPWater operates an existing 12-inch flow line that discharges from well 529. This main extends along an existing 20-foot easement from the well to an existing 30-inch flow line along McCombs Street. The main is contained within the limits of the well site.

There is an existing 16-inch diameter water main that extends along the east side of Dyer Street. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations. This water main is available for water main extensions.

There is an existing 8-inch diameter water main that extends along a PSB easement with in Rocket Warehouse Park Unit 3 Replat A Subdivision. This water main is available for service and water main extensions.

There is an 8-inch diameter water main that extends along Hidden Links within Hidden Village Subdivision. This water main is available for extension.

Previous water pressure from fire hydrant #829 located on Dyer Street at the intersection of Dyer and Ameen Drive, has yielded a static pressure of 98 psi, a residual pressure of 92 psi, and a discharge of 1,404 gallons per minute. The owner should, for his own protection and at his own expense, 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. Owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer:

There is an existing 12-inch diameter sanitary sewer main located along a 20-foot PSB easement west of and parallel to Dyer Street. This sanitary sewer main is available for service and main extension. This main dead-ends at the south property line of the subject property. On-site easements are anticipated.

There is an existing 8-inch diameter water main that extends along Hidden Link within Hidden Village Subdivision. This sanitary sewer main is available for extension.

The owner shall grade the property to allow sanitary sewer by gravity to the above described mains during any development of the site.

General:

All costs associated with the extensions of water and sanitary sewer mains are the responsibility of the Owner/Developer. Water mains are to be extended creating a looped system.

The El Paso Water – Public Service Board (EPWater-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 20-ft wide PSB easement is located.

During the site improvement work, the Owner/Developer shall safeguard the existing water/sanitary sewer mains and appurtenant structures located within the subdivision. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities and is responsible for the costs of setting appurtenant structures to final grade.

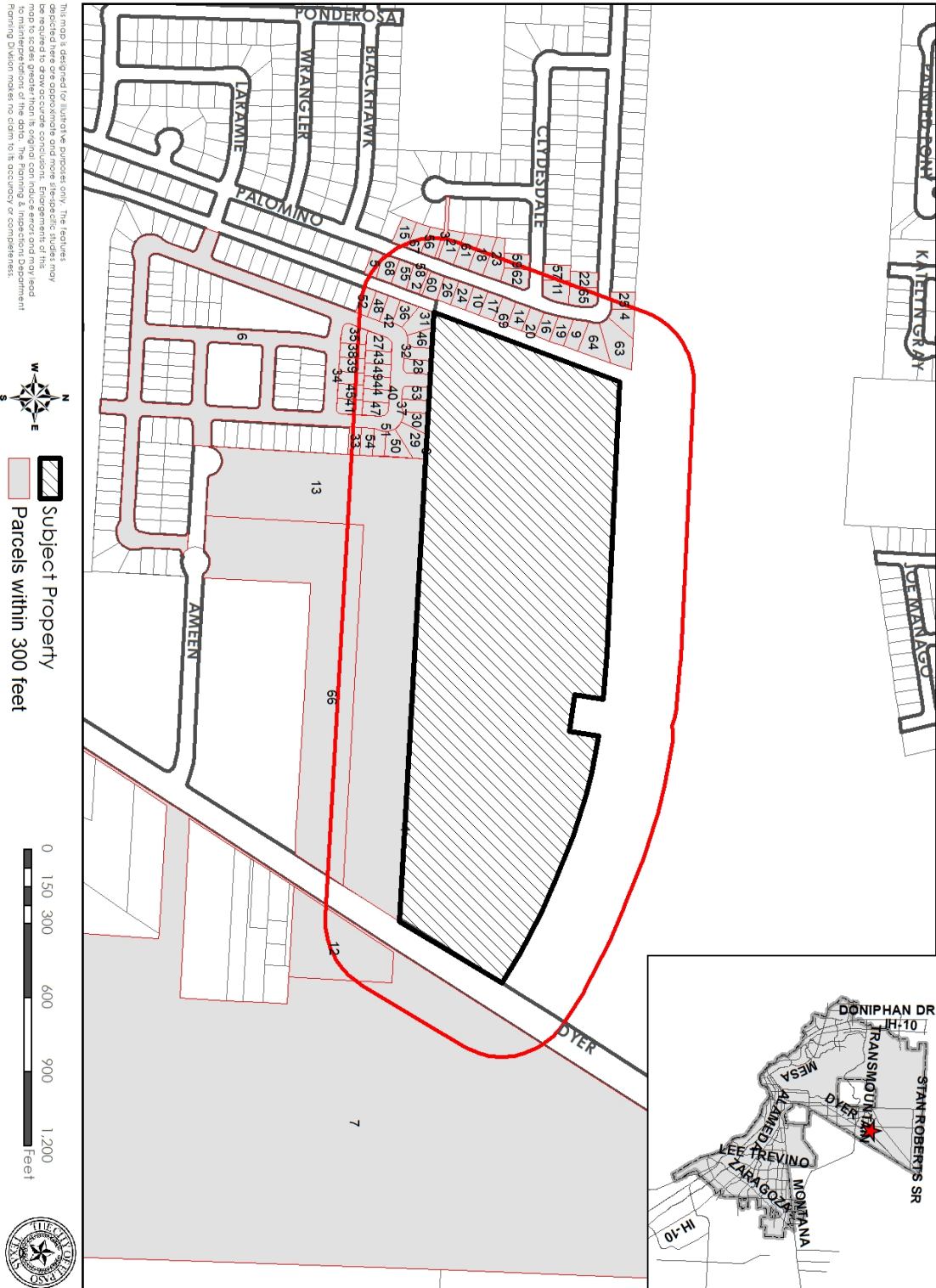
EPWater requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping 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 EPWU – PSB 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.

EPWater – Stormwater Engineering

The Proposed ponding area shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.

ATTACHMENT 3

PZR19-00027



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I T E M

South of Sean Haggerty Drive and West of Dyer Street

Rezoning

PZRZ19-00027





Recommendation | Public Input

2

Planning Division and DCC recommendation:

Approval

CPC Vote:

Recommended Approval (8-0)

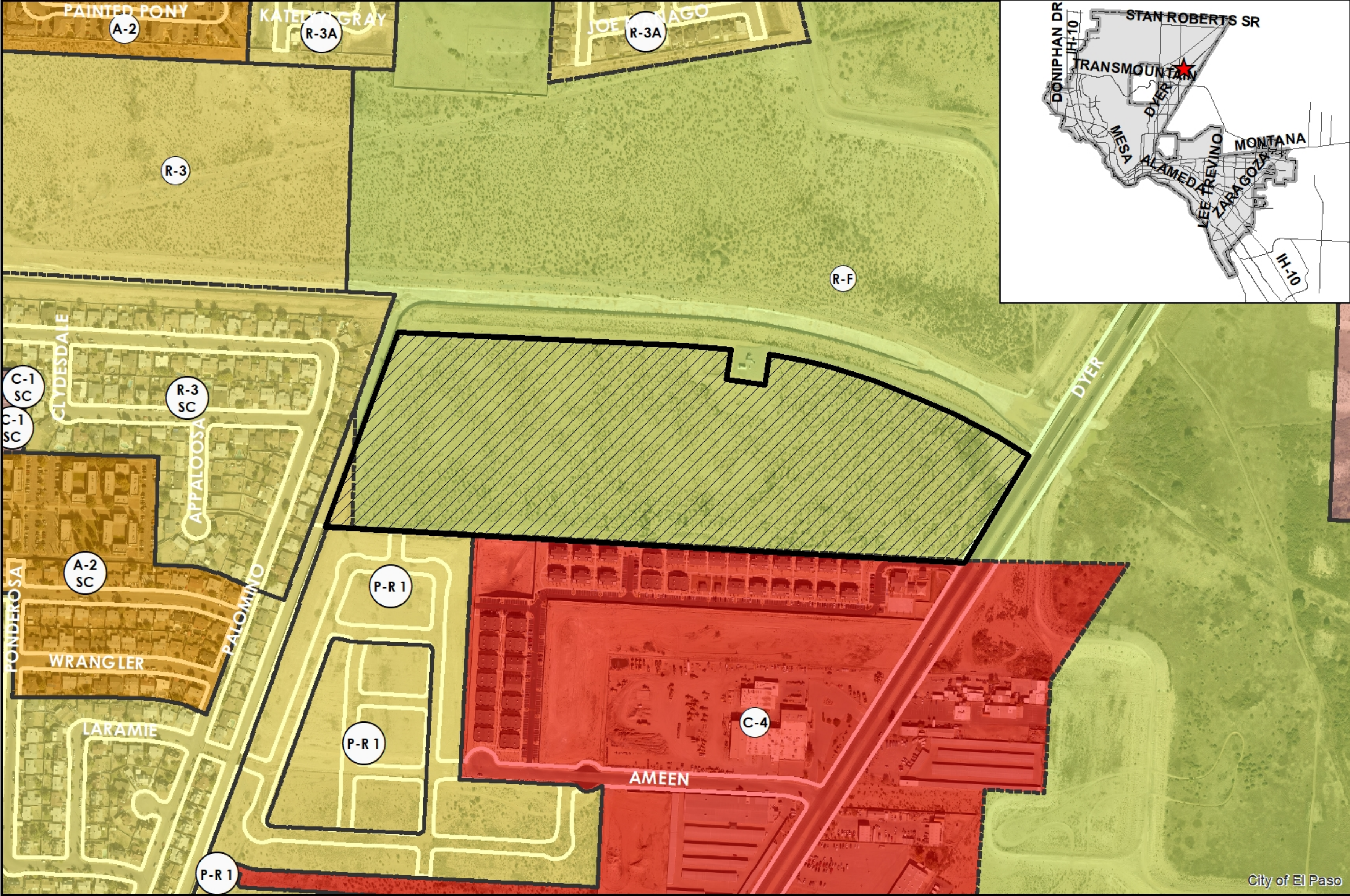
Public Input:

- The Planning Division has not received communication 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

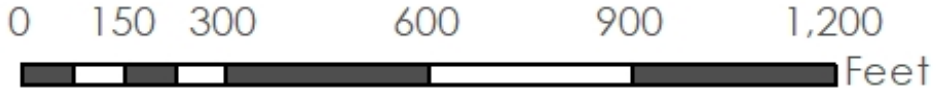
3.2 Improve the visual impression of the community

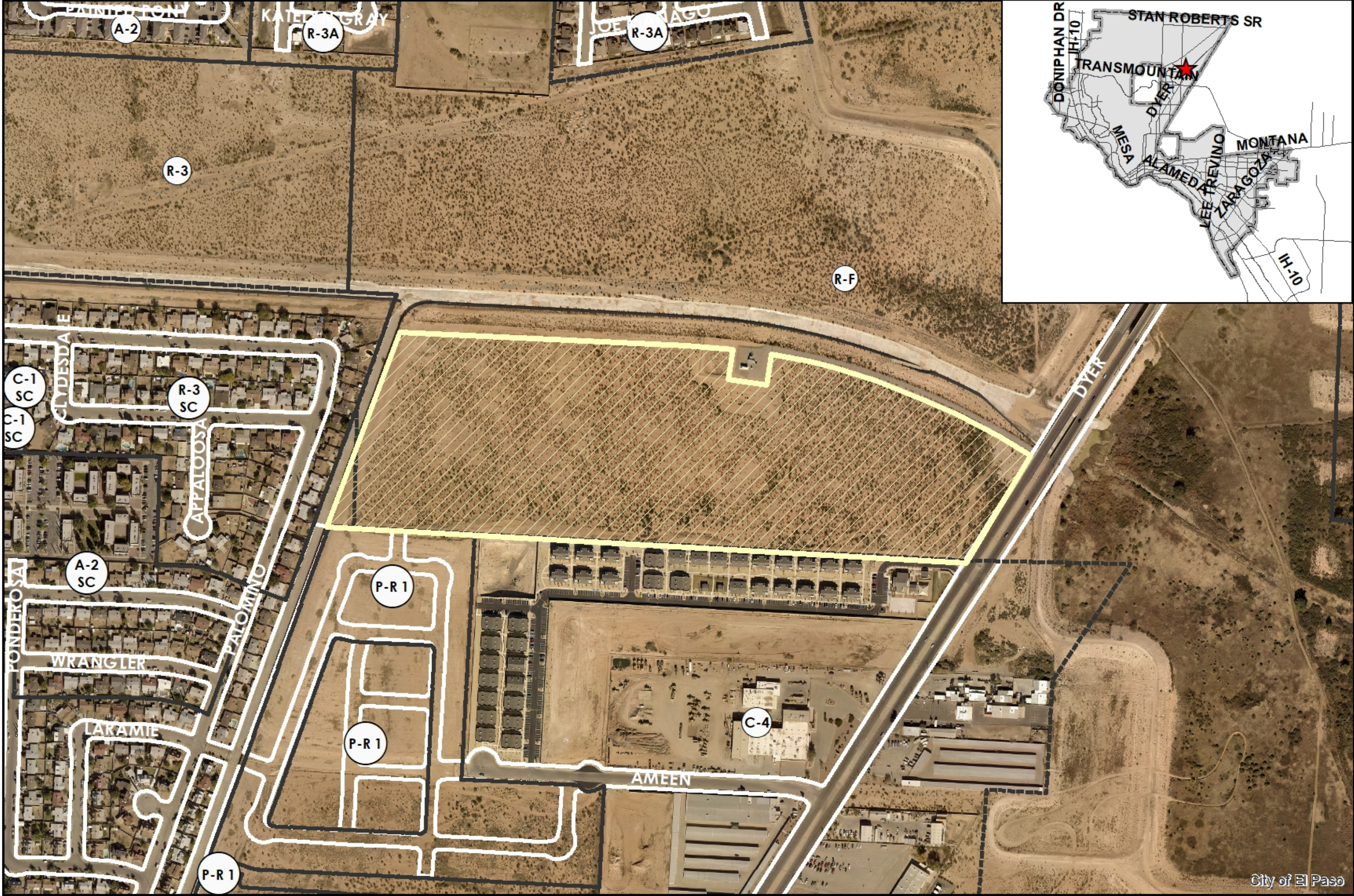


This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



 Subject Property

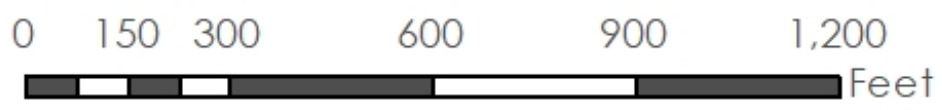


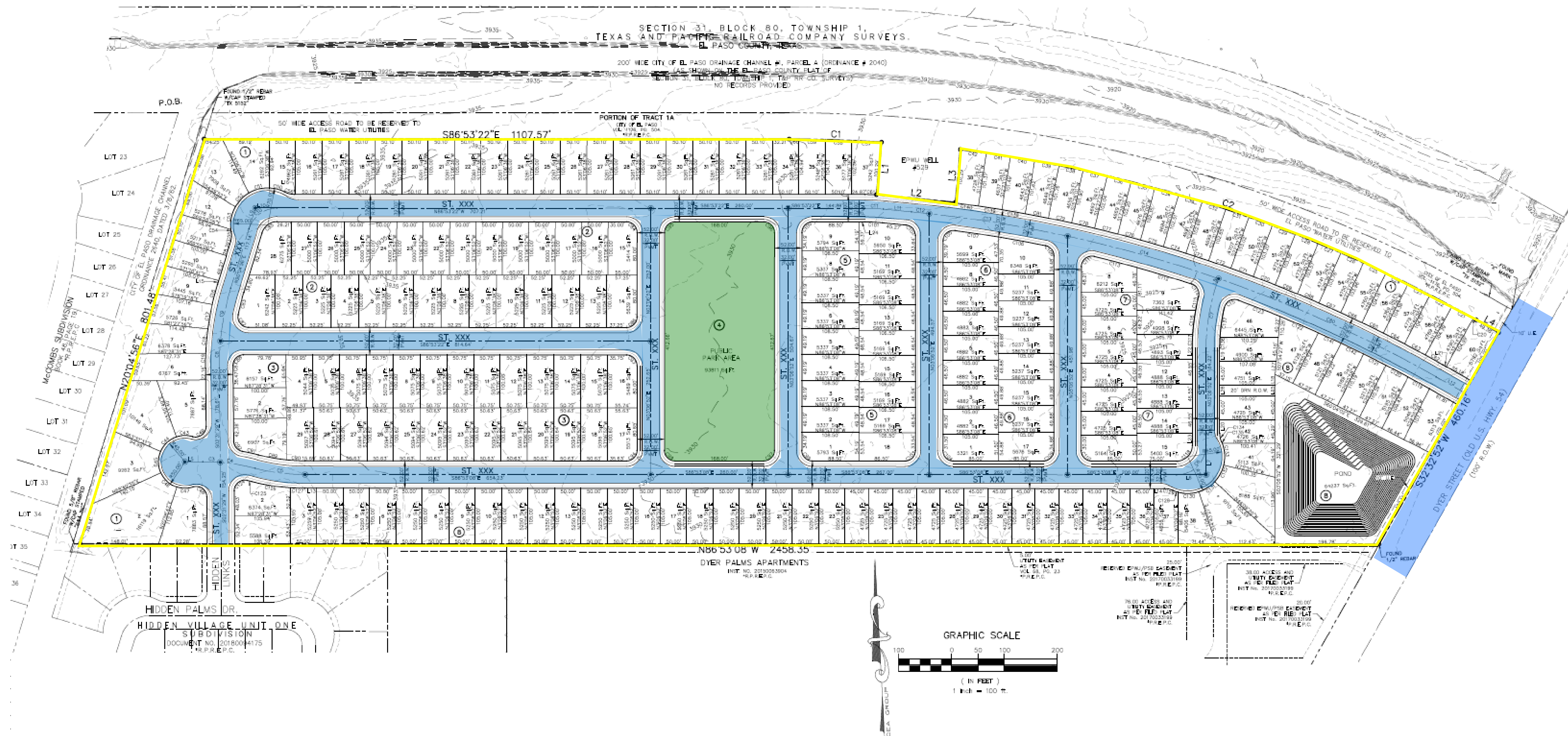


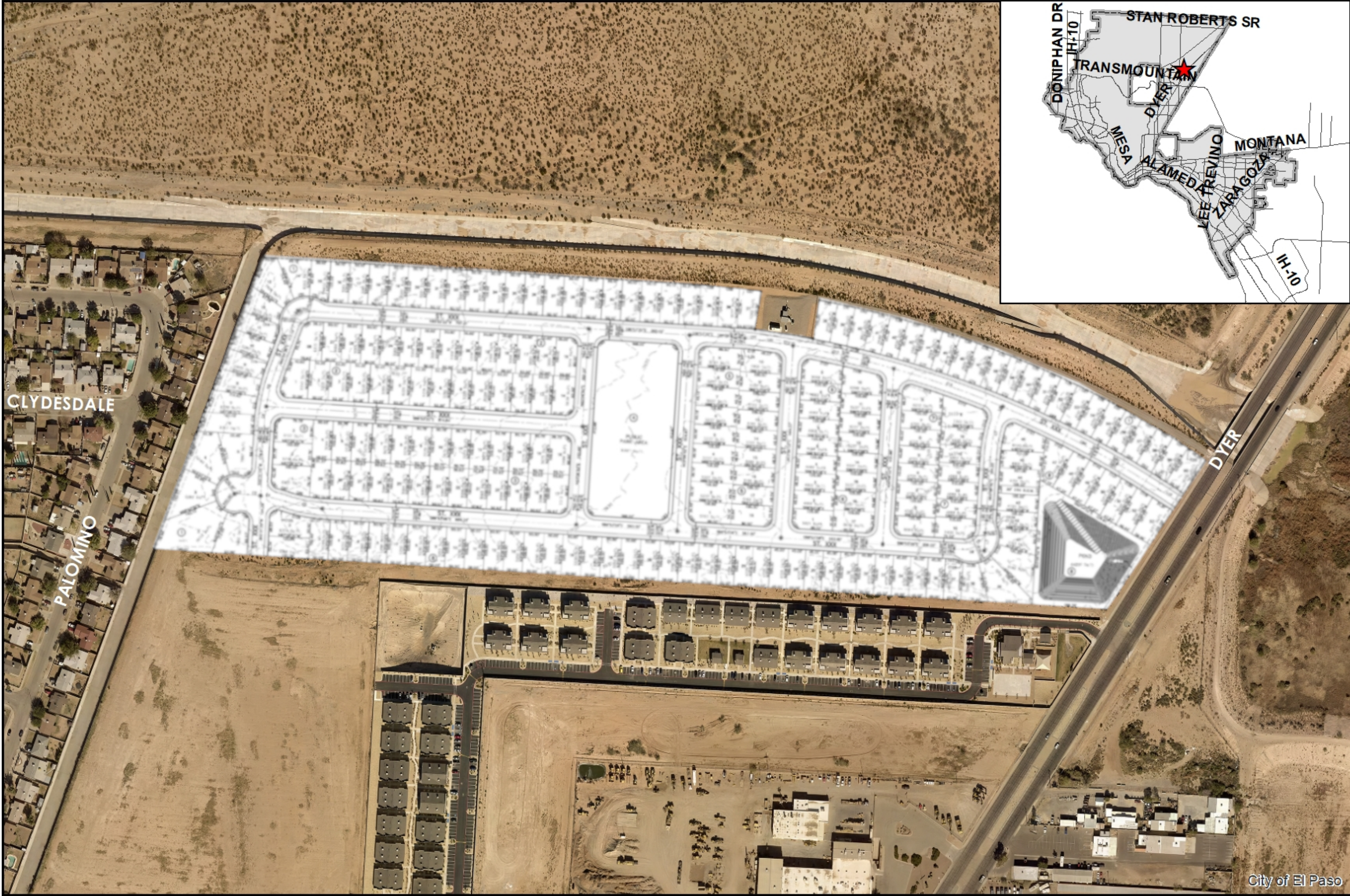
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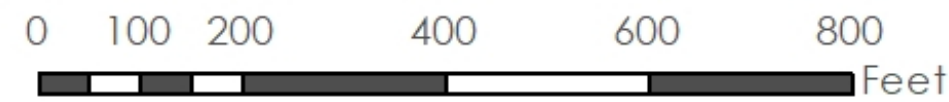
Subject Property







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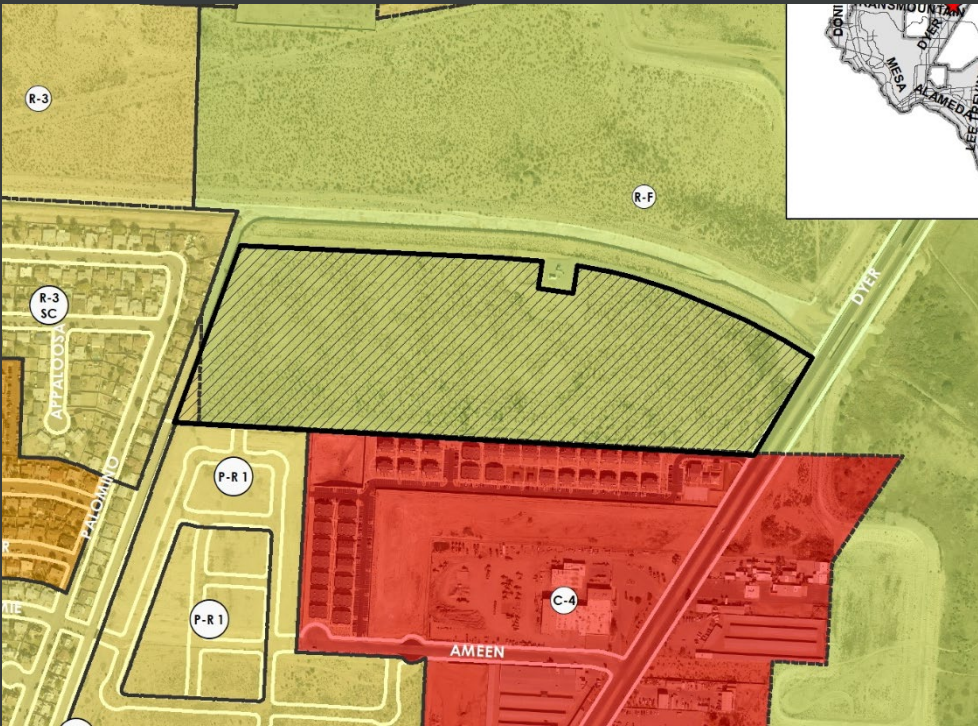




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E



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THANK YOU

