

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

**DEPARTMENT:** Planning & Inspections Department, Planning Division

**AGENDA DATE:** Introduction: February 17, 2015  
Public Hearing: March 17, 2015

**CONTACT PERSON/PHONE:** Harrison Plourde, 212-1584, [PlourdeHT@elpasotexas.gov](mailto:PlourdeHT@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An Ordinance changing the zoning of a Portion of Tract 6C, Section 16 and Portions of Tracts 1D and 1E, Section 17, Block 80, Township 1, Texas and Pacific Railway Surveys, City of El Paso, El Paso County, Texas from A-2 (Apartment) and C-1 (Commercial) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **PZRZ14-00053 (District 4)**

**BACKGROUND / DISCUSSION:**

See attached report.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (9-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DIRECTOR:** \_\_\_\_\_  
Mathew S. McElroy, City Development Director

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 6C, SECTION 16 AND PORTIONS OF TRACTS 1D AND 1E, SECTION 17, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-2 (APARTMENT) AND C-1 (COMMERCIAL) TO R-5 (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, that the zoning of a portion of Tract 6C, Section 16, and portions of Tracts 1D and 1E, Section 17, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of 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 A-2 (APARTMENT) AND C-1 (COMMERCIAL) to R-5 (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 \_\_\_\_\_, 2015.

THE CITY OF EL PASO

ATTEST:

\_\_\_\_\_  
Oscar Leeser  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Mathew S. McElroy, Director  
Planning and Inspections Department

ORDINANCE NO. \_\_\_\_\_

Zoning Case No: PZRZ14-00053

## EXHIBIT "A"

Prepared for: Southwest Land Development Services Inc.  
November 5, 2014

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land, being a portion of Tract 6C, Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tracts 1D and 1E, Section 17, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas and being more particularly described by Metes and Bounds as follows:

Commencing for reference at City of El Paso Brass disk at the point of curve centerline Mesquite Hills Drive abutting Lot 4, Block 28, Mesquite Hills Unit Four, from which a City of El Paso Brass disk monument at the centerline intersection of Mesquite Hills Drive and Copper Town Drive bears North  $00^{\circ}59'42''$  West a distance of 218.24 feet; thence leaving said centerline, South  $89^{\circ}00'18''$  West a distance of 42.00 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 on the westerly right of way line of Mesquite Hills Drive for the **"TRUE POINT OF BEGINNING"**

Thence along said right of way line 907.01 feet along the arc of a curve to the left which has a radius of 1392.00 feet a central angle of  $37^{\circ}19'59''$  a chord which bears South  $19^{\circ}39'41''$  East a distance of 891.05 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152 on the common line of sections 16 and 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys;

Thence along said line, South  $89^{\circ}53'47''$  West a distance of 245.49 feet to a found 2" pipe for the common corner of sections 16, 17, 20 and 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys;

Thence along the common line of sections 17 and 20, Block 80, Township 1, Texas and Pacific Railway Company Surveys, North  $89^{\circ}53'16''$  West a distance of 722.05 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence leaving line 453.59 feet along the arc of a curve to the left which has a radius of 2030.00 feet a central angle of  $12^{\circ}48'08''$  a chord which bears North  $22^{\circ}05'34''$  West a distance of 452.65 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, North  $63^{\circ}01'54''$  East a distance of 26.53 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, North  $26^{\circ}58'02''$  West a distance of 61.01 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

Thence, South  $63^{\circ}02'00''$  West a distance of 24.00 feet to a set  $\frac{1}{2}$ " rebar with cap marked TX 5152;

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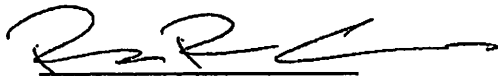
CONDE INC  
ENGINEERING / LAND SURVEYING / PLANNING  
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905  
(915) 592-0283 FAX (915) 592-0286

Thence, North 26°58'03" West a distance of 664.31 feet to a set ½" rebar with cap marked TX 5152;

Thence, North 48°31'42" East a distance of 1525.62 feet to a set ½" rebar with cap marked TX 5152 on the westerly right of way line of Mesquite Hills Drive;

Thence along said line, South 00°59'42" East a distance of 1239.42 feet to the **TRUE POINT OF BEGINNING**" and containing 1,626,454 Sq. Ft. 37.34 acres of land more or less.

Note: A drawing of even date accompanies this description.



Ron R. Conde  
R.P.L.S. No. 5152



job #1014-22

**CONDE, INC.**  
**ENGINEERING / LAND SURVEYING / PLANNING**  
**6080 SURETY DRIVE SUITE 100 / EL PASO, TEXAS 79905**  
**(915) 592-0283 FAX (915) 592-0286**

## MEMORANDUM

**DATE:** February 17, 2015

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

**FROM:** Harrison Plourde, Planner

**SUBJECT: PZRZ14-00053**

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The City Plan Commission (CPC) on January 29, 2015, voted **9-0** to recommend **APPROVAL** of rezoning the subject property from A-2 (Apartment) and C-1 (Commercial) to R-4 (Residential).

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.

No opposition.

**Property Owner:** Newman Ranch Partners LP  
**Representative:** Conrad Conde, Conde Inc.

**Attachment:**  
Staff Report



## City of El Paso – City Plan Commission Staff Report

**REVISED**

**Case No:** PZRZ14-00053  
**Application Type:** Rezoning  
**CPC Hearing Date:** January 8, 2015  
**Staff Planner:** Harrison Plourde, 212-1584 [plourdeht@elpasotexas.gov](mailto:plourdeht@elpasotexas.gov)

**Location:** West of Mesquite Hill Drive, South of Patriot Freeway  
**Legal Description:** A Portion of Tract 6C, Section 16, and a portion of Tracts 1D and 1E, Section 17, Block 80, Township 1, Texas and Pacific Railroad Co. Surveys, City of El Paso, El Paso County, Texas

**Acreage:** 37.338 acres  
**Rep District:** 4  
**Existing Zoning:** C-1 (Commercial) / A-2 (Apartment)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** From C-1 (Commercial) and A-2 (Apartment) to R-5 (Residential)  
**Proposed Use:** Single-Family Residential  
**Property Owner:** Newman Ranch Partners, L.P.  
**Representative:** Conde, Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** C-3/c (Commercial/conditions)/Vacant  
**South:** R-F (Ranch-Farm)/Vacant  
**East:** R-5 (Residential)/Single-family residential  
**West:** A-2 (Apartment)/Vacant  
C-3/c (Commercial/conditions)/Vacant  
R-F (Ranch-Farm)/Vacant

**PLAN EL PASO DESIGNATION:** G4, Suburban (Walkable) (Northeast Planning Area)

**NEAREST PARK:** Mesquite Hills #4 (996 feet)

**NEAREST SCHOOL:** Desertaire Elementary (3.17 miles)

### **NEIGHBORHOOD ASSOCIATIONS**

No Neighborhood Associations registered in the area as verified by Community Development Neighborhood Association Registry.

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on December 18, 2014. The Planning Division has not received any letters or phone calls in support or opposition to the rezoning request.

### **APPLICATION DESCRIPTION**

The property owner is requesting a rezoning from A-2 (Apartment) and C-1 (Commercial) to R-5 (Residential) to allow for the development of single-family residential housing similar to that of the adjacent Mesquite Hills development to the east. The site plan shows that the request includes portions of three vacant parcels, the total area of which is approximately 37 acres. Access to the subject area is from Mesquite Hill Drive.

**PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from A-2 (Apartment) and C-1 (Commercial) to R-5 (Residential).

The area proposed for rezoning is in close proximity to other R-5 (Residential) zoned properties. The rezoning request is compatible with adjacent properties and is compliant with the *Plan El Paso* Land Use Designation G-4 in the Northeast Planning Area.

**Plan El Paso-Future Land Use Map Designation**

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

G-4 – Suburban (Walkable): 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.

The purpose of the R-4 (Residential) 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 district will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhoods.

**COMMENTS:**

**Planning Division – Transportation**

No objections.

General Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

**Planning & Inspections Department – Building Development & Permitting**

No comments provided.

**Planning & Inspections Department – Landscape Review**

No comments provided.

**Planning & Inspections Department – Land Development**

No comments provided.

**El Paso Fire Department**

Zoning change request does not adversely affect the fire department.

**El Paso Police Department**

There are no objections or comments to add.

**El Paso Water Utilities**

1. We have reviewed the zoning change request referenced above and provide the following comments:

2. The subject property is located within the City of El Paso Northeast Impact Fee Service Area. Impact fees will be assessed at the time of platting and collected by EPWU prior to the issuance of a Building Permit.

3. EPWU is in the construction phase of a 24-inch diameter transmission main that extends parallel to US-54 from Sean Haggerty and McCombs to a proposed elevated tank at the southeast crossing of US-54 and the gas easement. Under a different project by the year 2016 the 24-inch diameter water main will continue in a northerly direction along US-54 and will connect to a proposed elevated tank which will be located approximately 3,400-feet north from the northwestern subject property line.

### **Water**

1. There is an existing 12-inch diameter water main along Mesquite Hill Drive fronting the subject subdivision. Said main is located approximately 8-feet east from the center line of the right-of-way.

2. The subject subdivision is planned by EPWU to be ultimately serviced from the future Franklin East 1 Pressure Zone. The maximum pressures then will be approximately 90 psi. In anticipation of higher pressures in the future when serviced from Franklin East 1 Pressure Zone, the EPWU recommends the installation of private pressure regulating devices at the discharge of each water meter within the development at this time.

3. On-site water main extensions will be required along the streets within the proposed subdivision. The Developer is responsible for all water main extension costs.

### **Sanitary Sewer**

1. There is an existing 18-inch diameter sanitary sewer main along Mesquite Hill Drive fronting the subject subdivision. Said main is located approximately 6-feet west from the center line of the right-of-way.

2. On-site sanitary sewer main extensions will be required along the streets within the proposed subdivision. The Developer is responsible for all sewer main extension costs.

### **General**

EPWU requires a new service application to initialize design of the on-site water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins Drive, 3<sup>rd</sup> 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 street 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.

### **Sun Metro**

Sun metro does not oppose this request.

### **Texas Department of Transportation**

This area is not abutting TxDOT right-of-way, only Zone C-3/C to the north. Once this area is developed TxDOT will have to review development plans for area along US-54.

### **Attachments:**

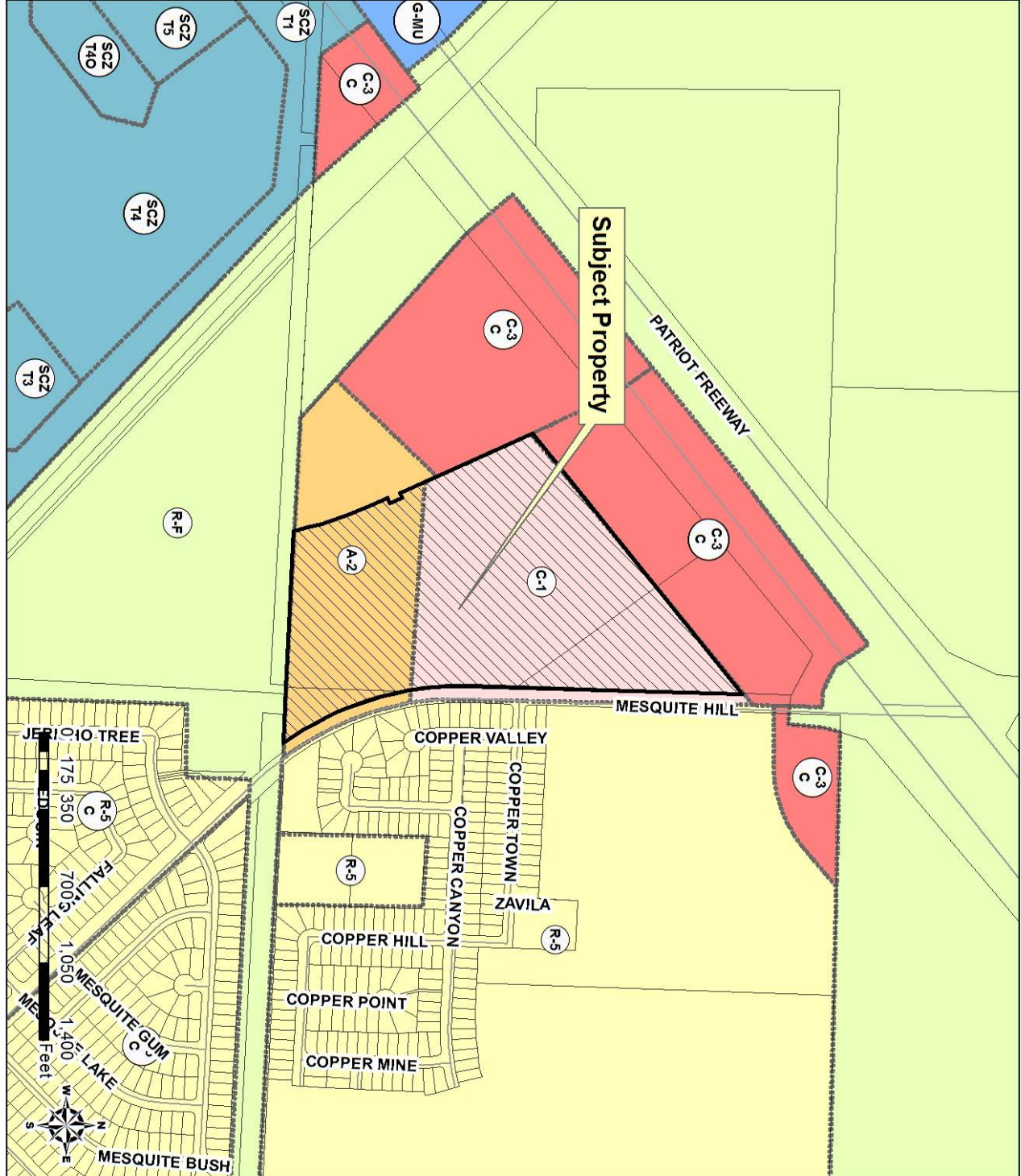
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Zoning Plan

ATTACHMENT 1: ZONING MAP

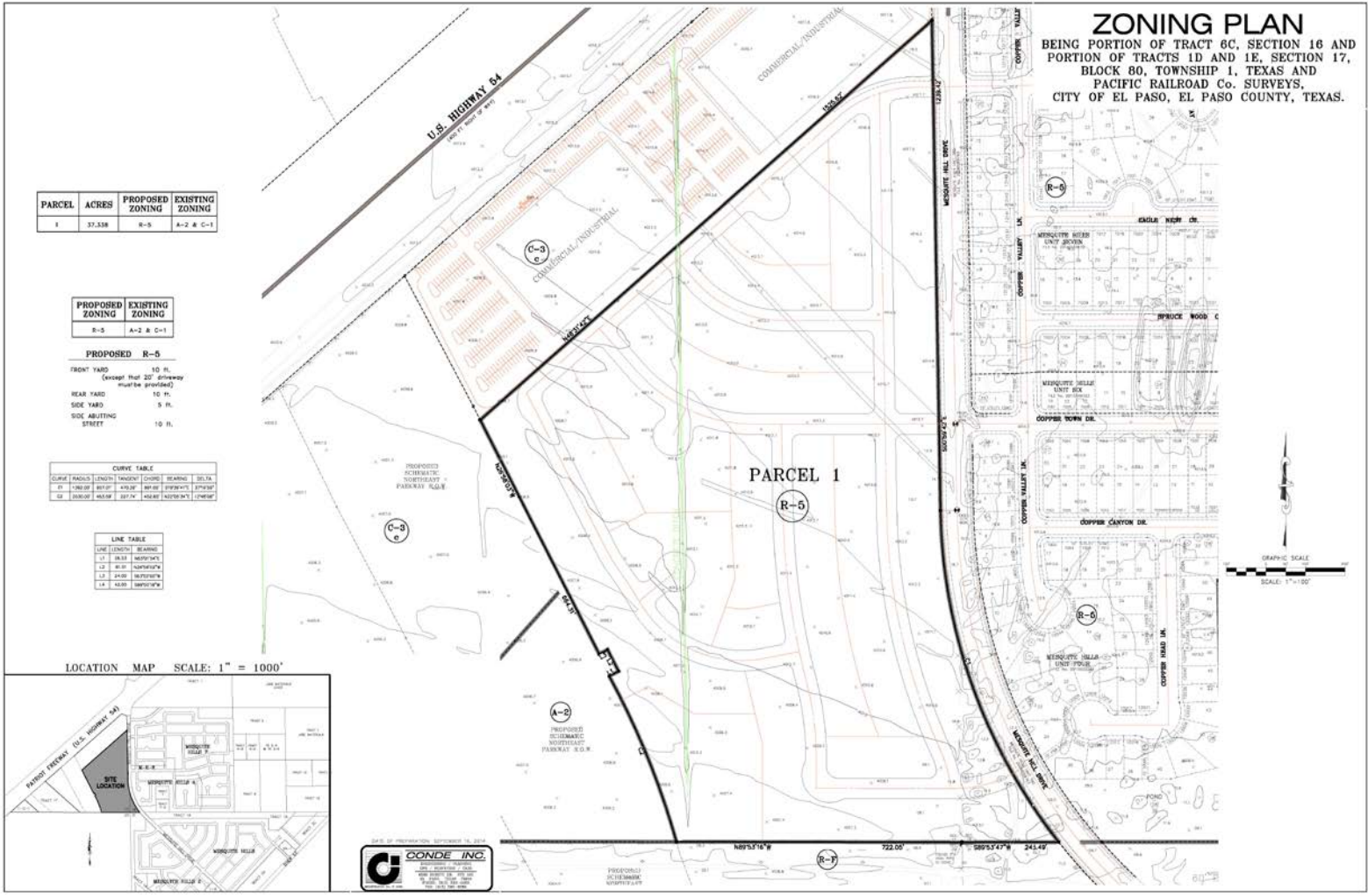
PZRZ14-00053



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ATTACHMENT 3: ZONING PLAN

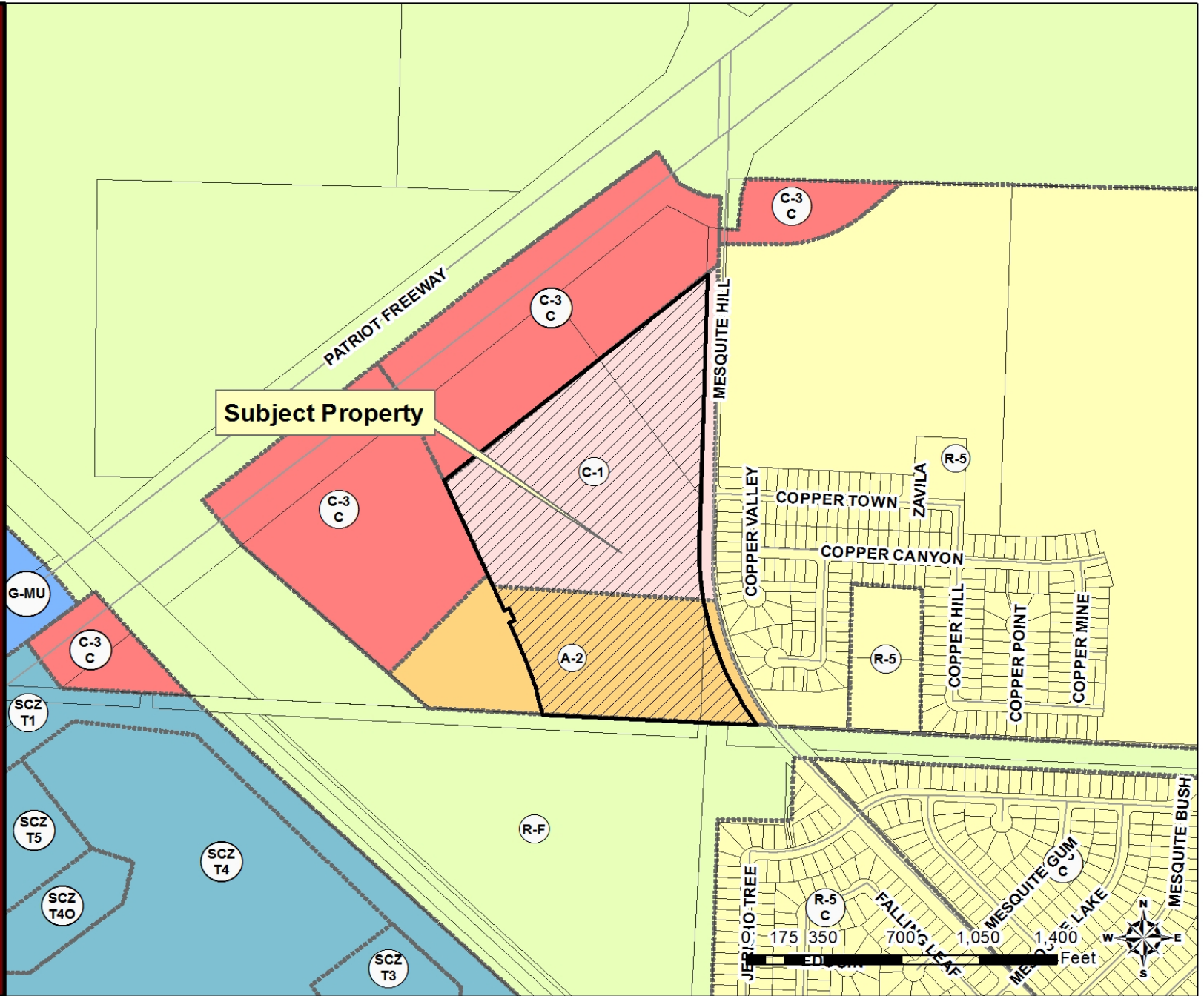




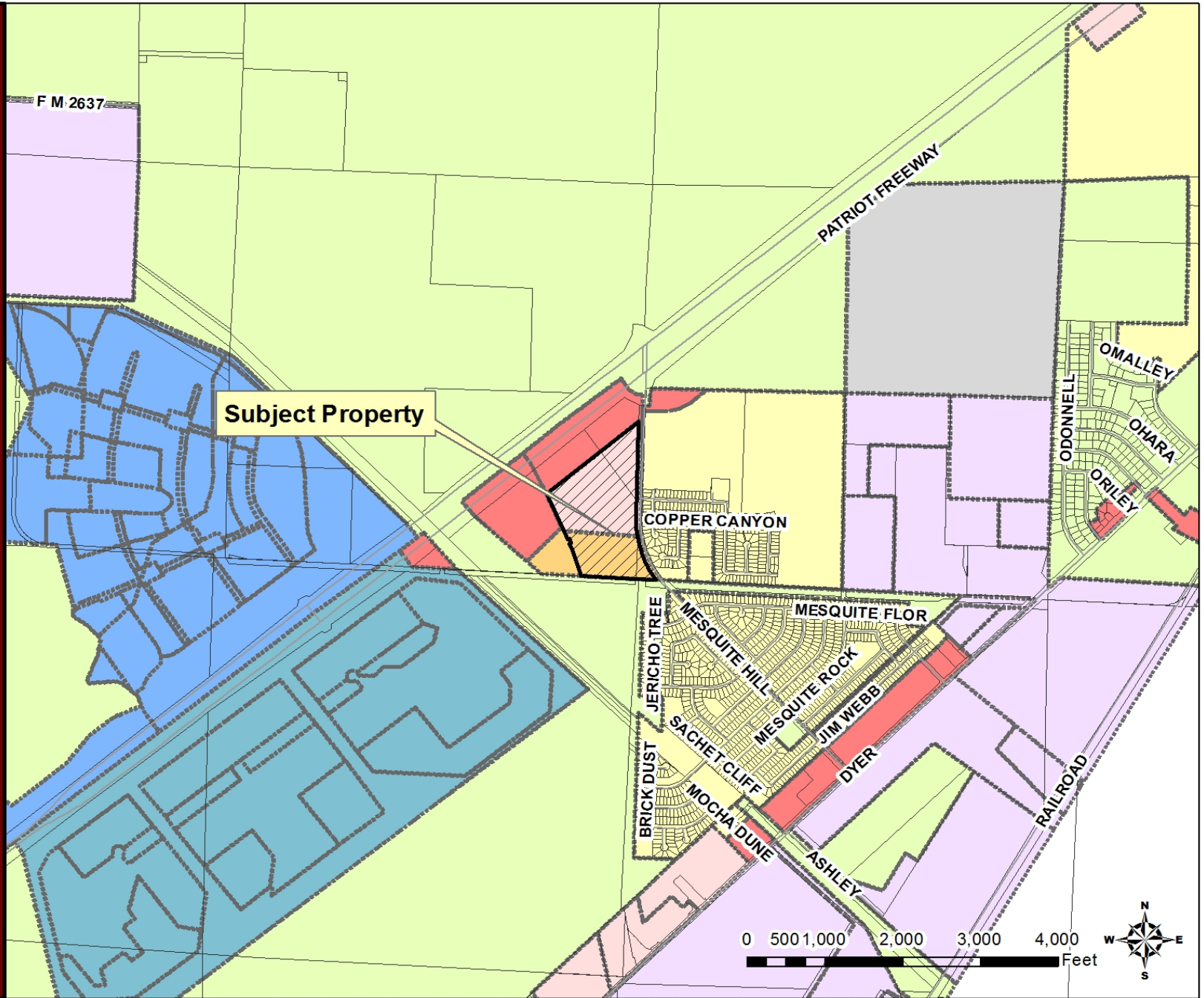
## Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** 6-0
- **Public Input:** No communication received from the public in support or opposition to the rezoning request.
- **Strategic Plan Goal 3:**
  - 3.1 – Provide business-friendly permitting and inspection processes
  - 3.2 – Improve the visual impression of the community

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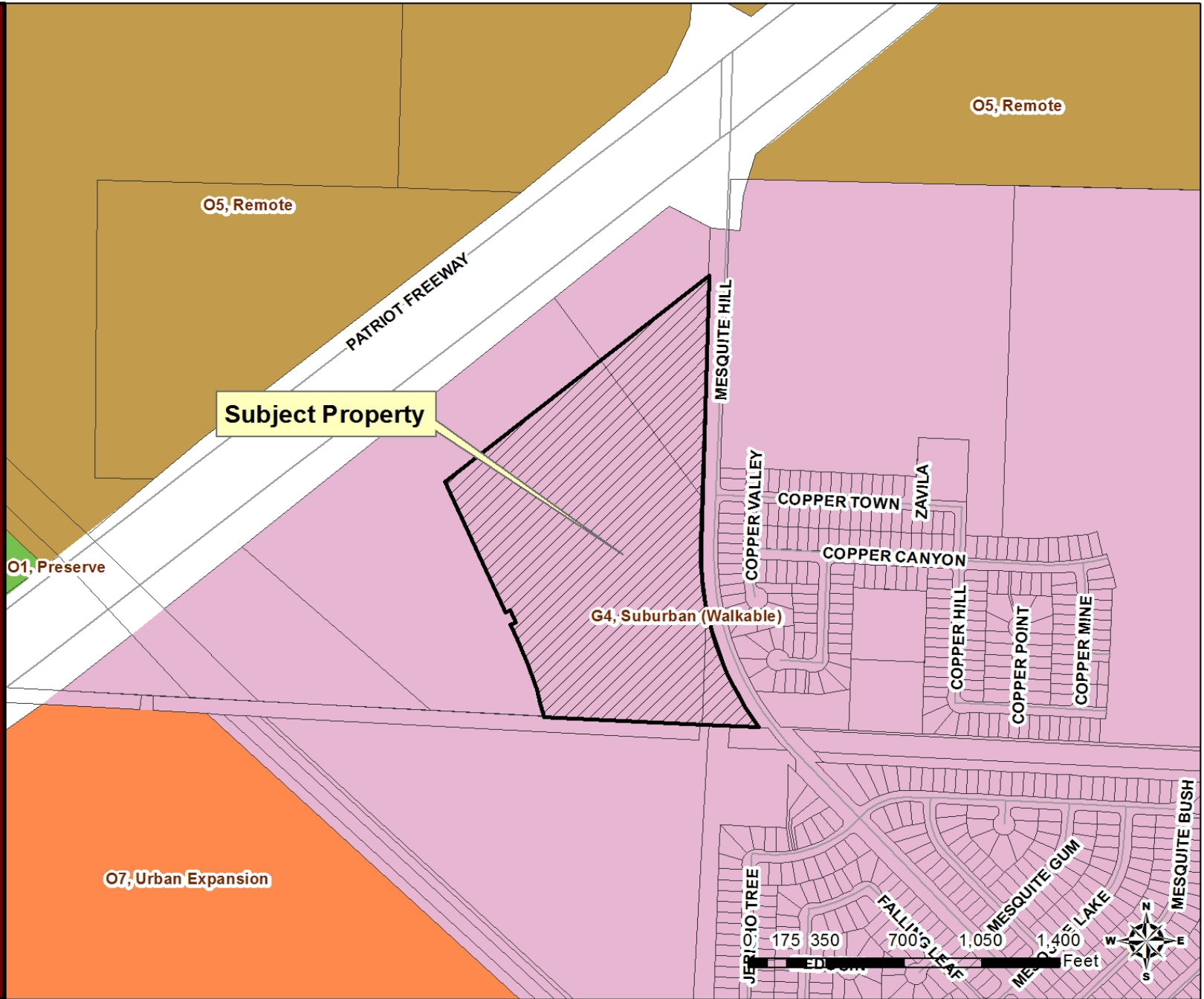
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O5, Remote

O5, Remote

Subject Property

O1, Preserve

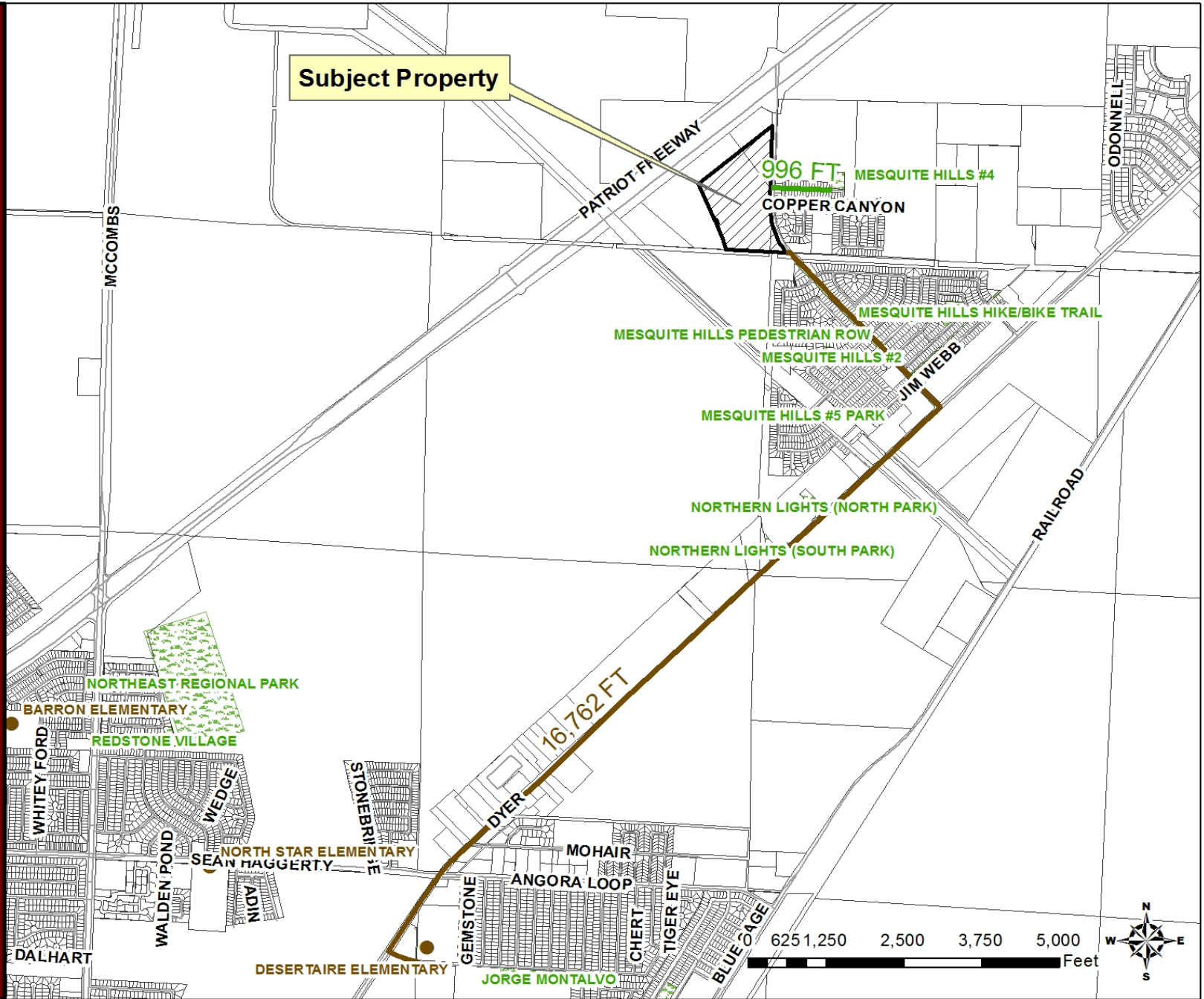
G4, Suburban (Walkable)

O7, Urban Expansion

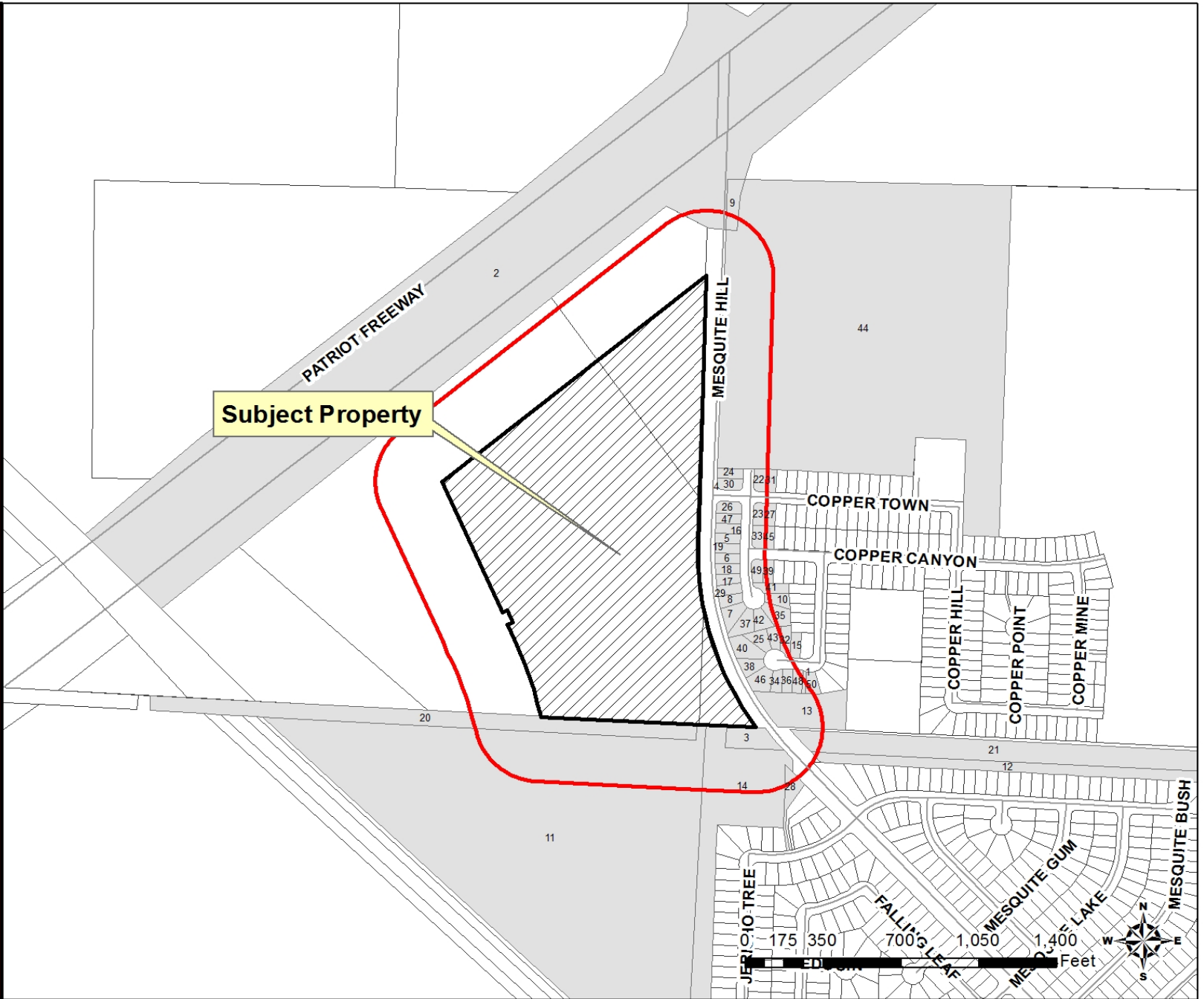
175 350 700 1,050 1,400 Feet



PZRZ14-00053



PZRZ14-00053





10/8/14

PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
1	37.338	R-5	A-2, C-1 R 6-C

PROPOSED ZONING	EXISTING ZONING
R-5	A-2, C-1 R 6-C

**PROPOSED R-5**

- FRONT YARD 10 ft.  
(except that 30' driveway  
multiple provided)
- REAR YARD 10 ft.
- SIDE YARD 5 ft.
- SIDE ABUTTING  
STREETS 10 ft.

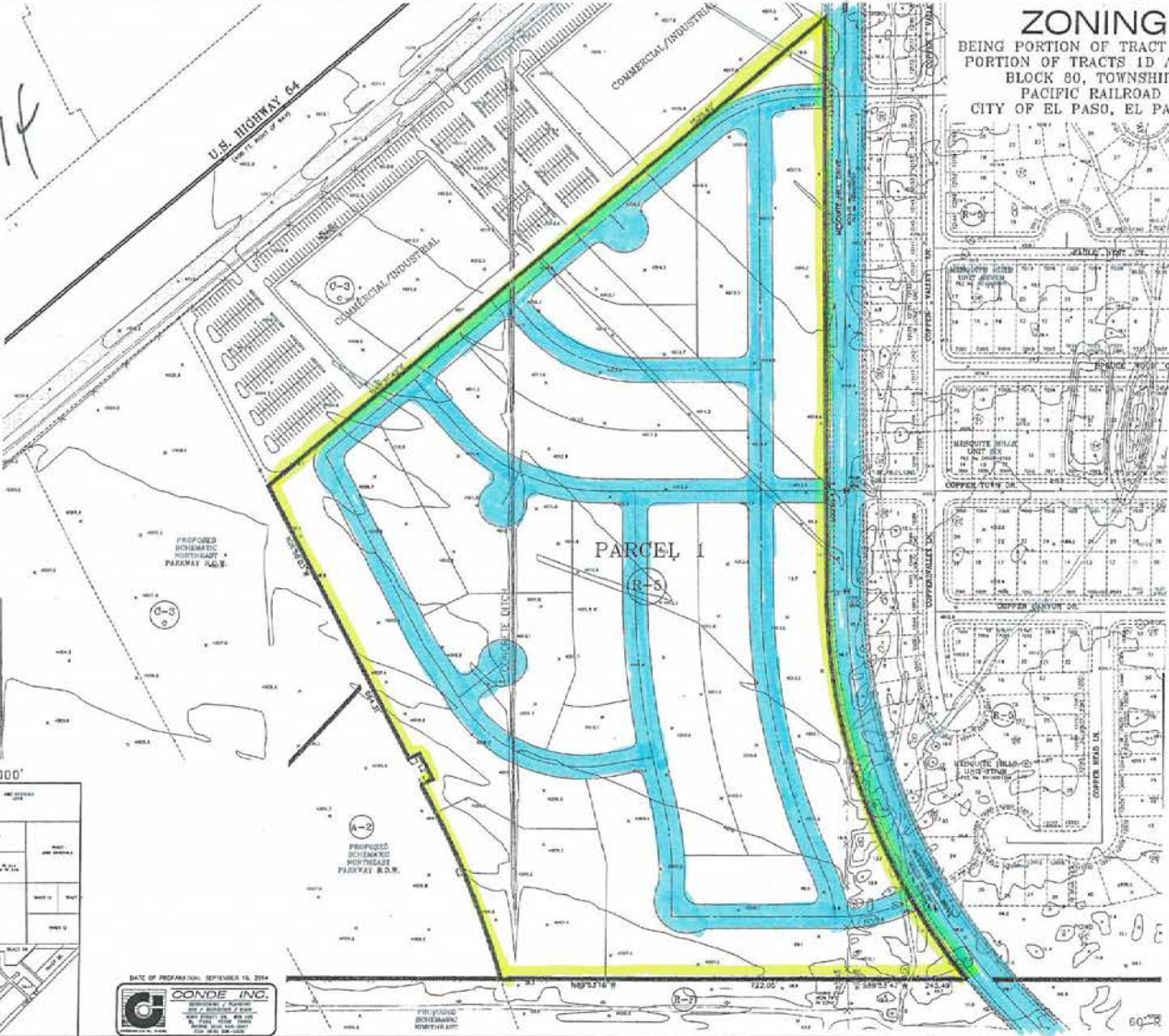
**CURVE TABLE**

CURVE	BEARING	CHORD	BEARING	DELTA
1	S 89° 52' 00" W	100.00	N 89° 52' 00" E	90° 00' 00"
2	S 89° 52' 00" W	100.00	N 89° 52' 00" E	90° 00' 00"

**LINE TABLE**

LINE	LENGTH	BEARING
L1	100.00	N 89° 52' 00" E
L2	100.00	S 89° 52' 00" W
L3	100.00	S 89° 52' 00" W
L4	100.00	N 89° 52' 00" E

LOCATION MAP SCALE: 1" = 1000'



# ZONING PLAN

BEING PORTION OF TRACT 6C, SECTION 16 AND  
PORTION OF TRACTS 1D AND 1E, SECTION 17,  
BLOCK 80, TOWNSHIP 1, TEXAS AND  
PACIFIC RAILROAD Co. SURVEYS,  
CITY OF EL PASO, EL PASO COUNTY, TEXAS.



DATE OF PREPARATION: SEPTEMBER 16, 2014



East



West



North



South

ACCE  
HOME  
MODE  
HOME  
8474-376

**REZONING**



**REZONIFICACIÓN**

Location of Proposed  
Rezoning. Public  
Hearings are scheduled.  
For additional  
information,  
Please Call: 212-1569

Sitio de Propuesta  
Rezonicación.  
Audiencias Públicas  
están programadas  
Para más información  
Llamar al: 212-1569



PZRZ14-00053

