

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: February 9, 2016
Public Hearing: March 8, 2016

CONTACT PERSON/PHONE: Larry F. Nichols, (915) 212-1550, NicholsLF@elpasotexas.gov
Adriana Martinez, (915) 212-1611, MartinezAD@elpasotexas.gov

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of the following parcels: West 89.8 feet of Lot 44, Cinecue Park Subdivision, 8125 Starr Avenue, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to R-3 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 8125 Starr Avenue. Property Owners: Michelle Gicelda Zumudio Martinez.; Jorge & Ramona Mota PZRZ15-00030 (District 7). **THIS IS A 211.**

BACKGROUND / DISCUSSION:

The applicant requests a rezoning from R-F (Ranch-Farm) to R-3 (Residential) to accommodate the required set-backs for a single-family dwelling, an accessory dwelling unit, and a building storage.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission – Approval Recommendation (5-0)

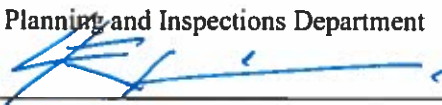
*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Larry F. Nichols
Director, Planning and Inspections Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF WEST 89.8 FEET OF LOT 44, CINECUE PARK SUBDIVISION, 8125 STARR AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO R-3 (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 WEST 89.8 FEET OF LOT 44, CINECUE PARK SUBDIVISION, 8125 STARR AVENUE, located in the 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 R-F (RANCH-FARM) to R-3 (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 _____, 2016.

THE CITY OF EL PASO

ATTEST:

Oscar Leaser
Mayor

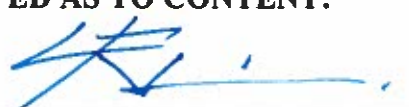
Richarda Duffy Momsen,
City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:



Larry F. Nichols, Director
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ15-00030

Exhibit "A"

The West 89.8 feet of Lot 44,
Cinecue Park Subdivision,
City of El Paso, El Paso County, Texas
September 21, 2015

METES AND BOUNDS DESCRIPTION

8125 Starr Avenue
Exhibit "A"

FIELD NOTE DESCRIPTION of the West 89.8 feet of Lot 44, Cinecue Park Subdivision, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at the common boundary line of Lots 43-A and 44, same being the northerly right-of-way line of Starr Avenue (30' R.O.W.) and the **POINT OF BEGINNING** of the herein described parcel:

THENCE, leaving said northerly right-of-way line, and along said common boundary line, North $18^{\circ}47'00''$ East, a distance of 363.80 feet to a point;

THENCE, leaving said common boundary line, South $71^{\circ}10'00''$ East, a distance of 89.80 feet to a point;

THENCE, South $18^{\circ}47'00''$ West, a distance of 363.80 feet to a point;

THENCE, North $71^{\circ}10'00''$ West, a distance of 89.80 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 32.669.25 square feet or 0.7500 acres of land more or less.

CAD Consulting Co.
1790 Lee Trevino Drive, Suite 503
El Paso, Texas 79936
(915) 633-6422
I:\M&B\2015\15-2047.wpd



MEMORANDUM

DATE: January 26, 2016

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

FROM: Adriana Martinez, City Planner

SUBJECT: PZRZ15-00030

The City Plan Commission (CPC), on January 7, 2016, voted 5-0 to recommend **approval** of rezoning the subject property from R-F (Ranch-Farm) to R-3 (Residential) to accommodate the required set-backs for a single-family dwelling, an accessory dwelling unit, and a building storage.

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 have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Planning has received 1 phone call, 1 email with petition (44 signatures), and while on-site approached by 3 neighbors which are in opposition to the rezoning request received. **THIS IS A 211.**

Property Owners/Applicant: Michelle Gicelda Zumudio Martinez
Property Owners: Jorge & Ramona Mota
Representative: Luis J. Lopez

Attachment:
Staff Report
211 Map



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ15-00030
Application Type: Rezoning
CPC Hearing Date: January 7, 2016
Staff Planner: Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov
Location: 8125 Starr Ave.
Legal Description: West 89.8 ft. of Lot 44, Cinecue Park, City of El Paso, El Paso County, Texas
Acreage: 0.75
Rep District: 7
Existing Zoning: R-F (Ranch-Farm District)
Existing Use: Residential
C/SC/SP/ZBA/LNC: N/A
Request: From R-F (Ranch-Farm District) to R-3 (Residential)
Proposed Use: Residential
Property Owner: Michelle Gicelda Zumudio Martinez
Representative: Luis J. Lopez

SURROUNDING ZONING AND LAND USE

North: R-F (Ranch-Farm District) / Single-family Dwelling
South: R-F (Ranch-Farm District) / Single-family Dwelling
East: R-F (Ranch-Farm District) / Single-family Dwelling
West: R-2 (Residential) / Single-family Dwelling

PLAN EL PASO DESIGNATION: G-3, Post-War (Mission Valley Planning Area)

NEAREST PARK: J.P. Shawver Park (3,970 feet)

NEAREST SCHOOL: Rio Bravo Middle School (2,197 feet)

NEIGHBORHOOD ASSOCIATIONS

Save the Valley 21

Mission Valley Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on December 21, 2015. Planning has received 1 phone call, 1 email with petition (44 signatures) and while on-site approached by 3 neighbors which are in opposition to the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting to rezone the subject property from R-F (Ranch-Farm) to R-3 (Residential). The property is 0.75 acres in size and the current use is residential. The proposed use for the subject property is for a 3,791 sq. ft. single-family dwelling, a 679 sq. ft. accessory dwelling unit (ADU), and a 671 sq. ft. building storage. The request is being made to accommodate the required setbacks. Code enforcement has taken action for demolition and building without a permit. Primary access is proposed from Starr Avenue.

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of rezoning the subject property from R-F (Ranch-Farm) to R-3 (Residential). The recommendation is based on the compatibility with the surrounding residentially zoned properties and in compliance with the proposed G-3, Post War land use designation in the Mission Valley 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 purpose of the R-3 (Residential) zoning district is to support a suburban urban interface that permits developments utilizing varying lot configurations, permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

COMMENTS:**Planning and Inspections Department – Planning Division - Transportation**

No objections to rezoning.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Planning and Inspections Department - Land Development

No objection.

Planning and Inspections Department – Plan Review

Applicant will need building permit application for all proposed construction.

Planning and Inspections Department - Landscaping

Landscape Review is not required.

Texas Department of Transportation (TxDOT)

Not a state roadway

Sun Metro

Sun Metro does not oppose this request.

Note:

Recommend constructions sidewalks.

El Paso Fire Department

Rezoning does not adversely affect the Fire Department.

El Paso Water Utilities

1. EPWU does not object to this request.

Water:

2. There is an existing 6-inch diameter water main that extends along Starr Ave., located approximately 5 feet north of the right-of-way centerline. This main is available for service.

3. Previous water pressure tests from fire hydrant #2313 located approximately 280 feet east of the intersection of Starr and Fresno has yielded a static pressure of 100 (psi) pounds per square inch, a residual pressure of 76 (psi) pounds per square inch, and a discharge of 1256 (gpm) gallons per minute.
4. 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. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device
5. EPWU records indicate an active 3/4-inch water meter serving the subject property. The service address for this meter is 8125 Starr Ave.

Sanitary Sewer:

6. There is an existing 24-inch diameter sanitary sewer main that extends along Starr Ave. located approximately 8 feet south of the right-of-way centerline. No direct service connections are allowed to these mains as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

General:

7. EPWU-PSB requires a new service application to provide additional services. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (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 Division

1. The above property was set up to retain its own storm sewer in addition to half of the street and should continue to do so.

Not required but recommended:

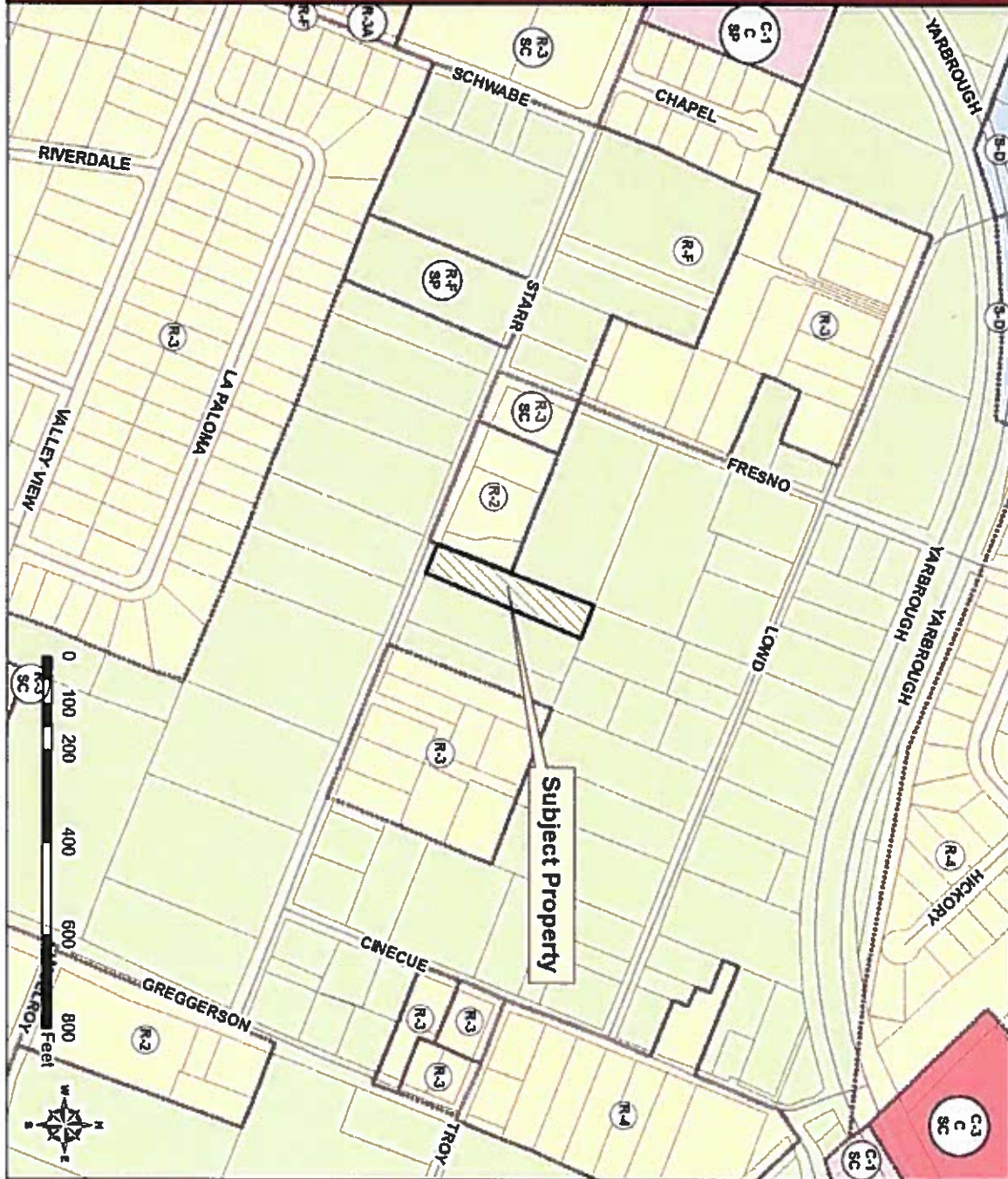
- Using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed storm sewer runoff.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Opposition Letter

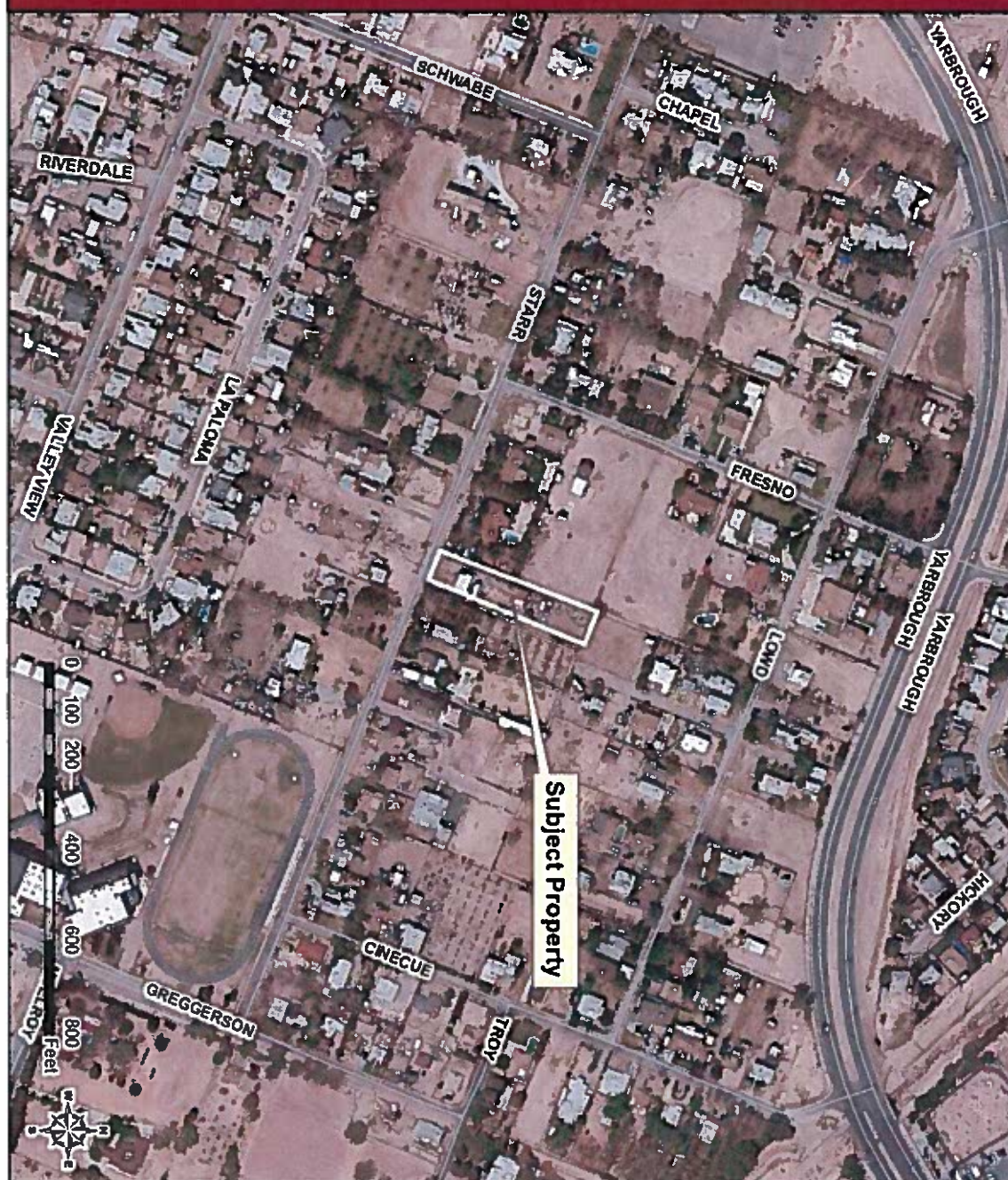
ATTACHMENT 1: ZONING MAP

PZRZ15-00030

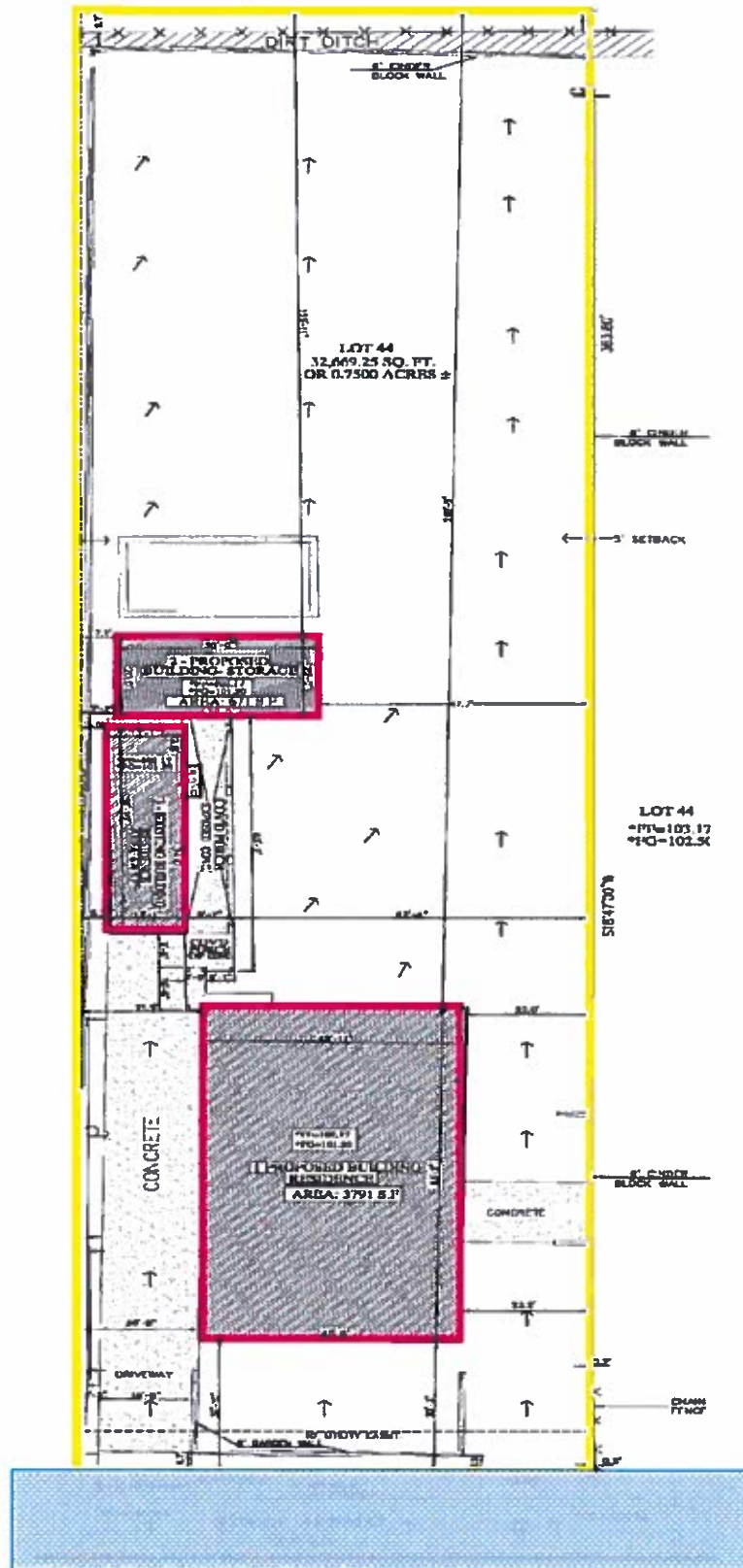


ATTACHMENT 2: AERIAL MAP

PZRZ15-00030



ATTACHMENT 3: DETAIL SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



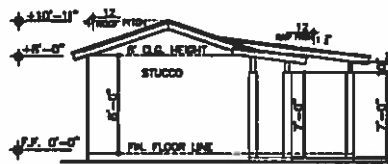
RIGHT ELEVATION

SCALE: 3/32"=1'-0"



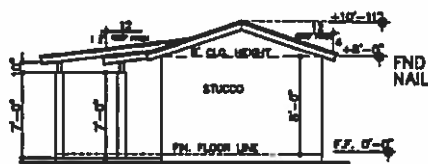
LEFT ELEVATION

SCALE: 3/32"=1'-0"




FRONT ELEVATION

SCALE: 3/32"=1'-0"



REAR ELEVATION

SCALE: 3/32"=1'-0"



 S71°10'00"
 322.75°

ATTACHMENT 5: OPPOSITION LETTER



Planning & Inspections Department

December 21, 2015

Mayor
Oscar Looser

Dear Resident of El Paso:

City Council

District 1
Peter Svarzbein

District 2
Lany Romero

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Dr. Michael R. Noe

District 6
Claudia Ordaz

District 7
Lily Limón

District 8
Coriney C. Noland

City Manager
Tommy Gonzalez

The City Plan Commission (CPC) will consider a request by Michelle Gicela Zumudio Martinez to rezone their property located at 8125 Starr from R-F (Ranch-Farm) to R-3 (Residential). The property is legally described as West 89.8 fl. of Lot 44, Cinecua Park, City of El Paso, El Paso County, Texas. The property is 0.75 acres in size. The proposed use is for residential.

If you have questions or to voice your concern, you may attend the CPC meeting, address a letter to the CPC (c/o Planning Division, PO Box 1890, El Paso, TX 79950-1890) or send an email to MartinezAD@elpasotexas.gov. The letter or email must state the case number, your name and address, and your position, and/or questions.

21 de Diciembre 2015

Estimado Residente de El Paso:

La Comisión de Planeación Urbana (CPC) considerará una solicitud de Michelle Gicela Zumudio Martínez para la re zonificación de su propiedad ubicada en 8125 Starr de RF (Ranch-Farm) a R-3 (Residencial). La propiedad se describe legalmente como West 89.8 fl. of Lot 44, Cinecua Park, City of El Paso, El Paso County, Texas. La propiedad está a 0.75 acres de tamaño. El uso propuesto es para uso residencial.

Si tiene alguna pregunta o si desea expresar su preocupación, usted puede asistir a la reunión, escribir una carta dirigida a la Comisión de Planeación Urbana de la Ciudad (c/o DIVISIÓN DE PLANIFICACIÓN, PO Box 1890, El Paso, TX 79950-1890) o puede enviarnos un correo electrónico a MartinezAD@elpasotexas.gov. Su carta o correo electrónico debe de contener el número de caso, su nombre y dirección, y un mensaje detallando cuál es su posición con respecto a la aplicación y cualquier pregunta que tenga acerca del caso.

CASE NO / NÚMERO DE CASO: PZRZ15-00030

DATE / FECHA:

January 07, 2016 / 07 de Enero 2016

TIME / HORA:

1:30 p.m.

PLACE / LUGAR:

City Council Chamber, 1st Floor, City Hall,
300 N. Campbell Street, El Paso, Texas

Cordially / Cordialmente,

A handwritten signature in blue ink, appearing to read "Adriana Martinez".

Adriana Martinez, City Planner

PLANNING AND INSPECTIONS DEPARTMENT - PLANNING DIVISION

DEPARTAMENTO DE PLANIFICACIÓN E INSPECCIONES -DIVISIÓN DE PLANIFICACIÓN

Larry F. Nichols - Director Planning and Inspections
City 3 | 801 Texas | El Paso, Texas 79901 | (915) 212-0083

"Delivering Outstanding Services"

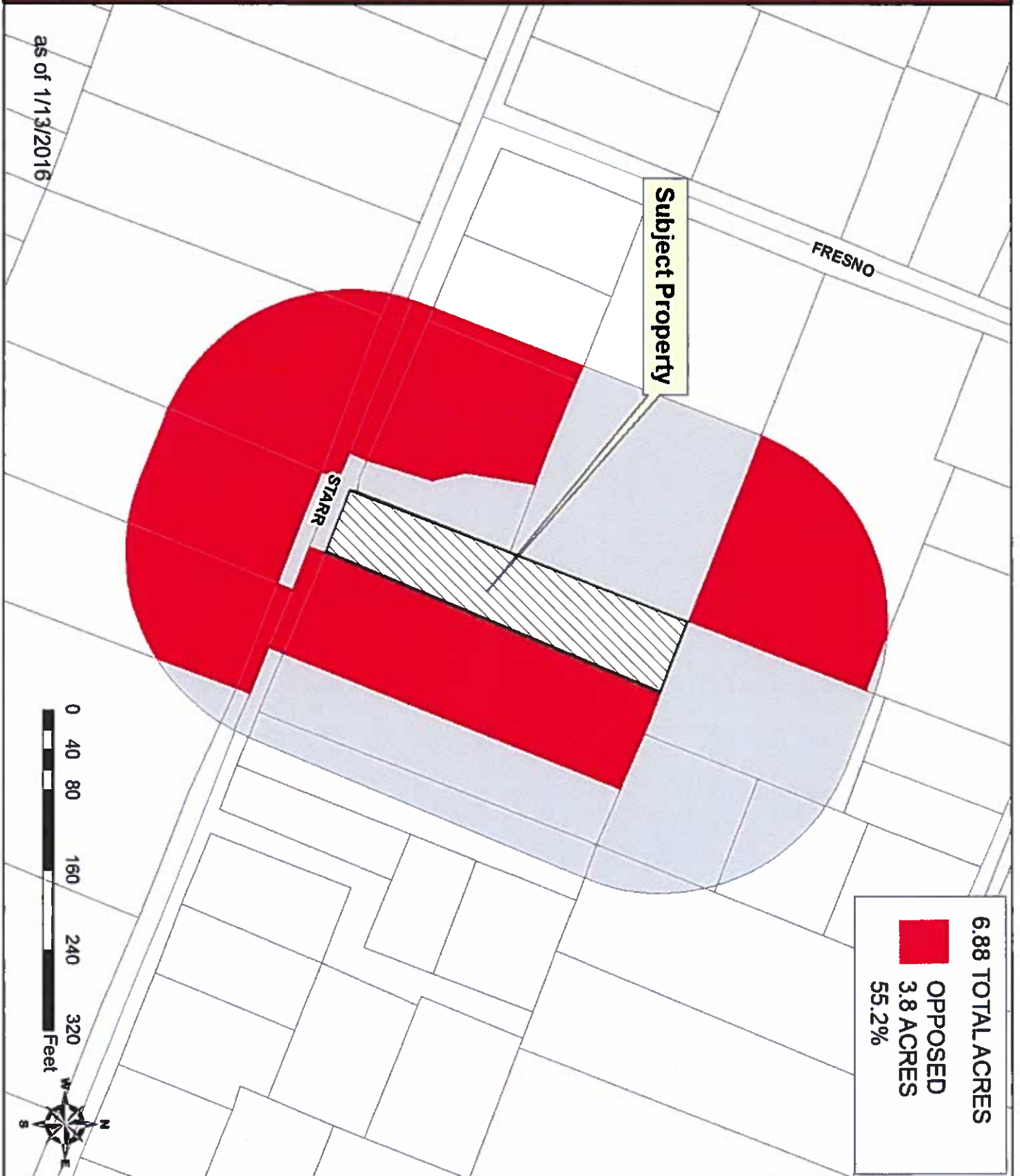
The following residents of Starr Ave. do not want to have a zoning change done at 8125 Starr ave, from Fram Land to R-3

Name	Address	Phone Number
Ramon Hernandez	8127 Starr	915-319-5084
Wm. L. Aguado	8139 Starr	915-231-4957
Wm. L. Aguado	8167 Starr	
Kinda Gonzalez	454 Harold	915-858-5442
BAER LOPEZ	8148 STARR	915-355-0578
Theresa Lopez	8148 STARR	915-412-2678
Sindia Lopez	8148 STARR	915-208-7843
Frank Lopez	8148 STARR	915-251-1501
Wm. L. Aguado	8148 STARR	915-224-9611
Wm. L. Aguado	8148 STARR	915-258-8808
Wm. L. Aguado	8148 STARR	915-258-8808
Wm. L. Aguado	8148 STARR	915-258-8808
Cecilia Garcia	438 CINECUE	915-859-8539
Alma Garcia	438 CINECUE	915-859-8539
Shirley Ortega	3205 Troy	915-332-4806
Jose C. Sanchez	8132 STARR	915-731-8137
Wm. L. Aguado	570 Rita	915-328-9182
Georgio Rodriguez	8109 STARR	915-472-5750
Wm. L. Aguado	8109 STARR	915-731-8137
Wm. L. Aguado	8109 STARR	915-773-3410
Wm. L. Aguado	8109 STARR	915-773-3410
Edmundo Valdez	8106 STARR A	915-256-7306
Wm. L. Aguado	4502 Cambridge	915-538-6490
Elizabeth Sanchez	8106 STARR AVE	915-875-9295
Wm. L. Aguado	8104 STARR AVE	
Wm. L. Aguado	8103 STARR AVE	915-858-6292
Wm. L. Aguado	8102 STARR	915-859-8201
Wm. L. Aguado	8108 STARR	8598207
Marit Lopez	8126 STARR AVE	
Wm. L. Aguado	8404 STARR	915-267-9313
Wm. L. Aguado	475 Fresno	915-503-0759
ALFREDO GARCIA	437 CINECUE	915-790-7820
Wm. L. Aguado	437 CINECUE	915-790-7820
Wm. L. Aguado	438 CINECUE	859-8339
Wm. L. Aguado	8137 CINECUE	915-790-3786
Wm. L. Aguado	437 CINECUE	915-226-4687
Wm. L. Aguado	438 CINECUE	915-206-7202
Wm. L. Aguado	8133 STARR	915-474-3301
Josue Vazquez	8153 STARR	915-6916-3454

The following residents of Starr Ave. do not want to have a zoning change done at 8125 Starr ave, from Fram Land to R-3

Name	Address	Phone Number
#16160 Lucero	8124 STARR	915/892/5272
U. V. Rodriguez	485 Fresno Dr	915-854-3041
ROBERT ROMERO	4160 Fresno	915 803-9596
LINDA ROMERO	3098 Starr	915-853-4966
U. V. Rodriguez	8124 Starr	831-7988
U. V. Rodriguez	8106 Starr	915-860-2775
Raul Alvarez	416 Fresno Dr	915-246-9119
U. V. Rodriguez	416 Fresno Dr	915-854-3041
U. V. Rodriguez	416 Fresno Dr	915-854-3041
U. V. Rodriguez	416 Fresno Dr	915-854-3041
Matthew Nguyen	8106 Starr Ave	915 841-7324
U. V. Rodriguez	8106 Starr Ave	915-854-3041
U. V. Rodriguez	244 Tulare	915-858-5310
U. V. Rodriguez	416 Fresno	915-238-9545
U. V. Rodriguez	491 Fresno	915-858-3068
Victoria Navarro	305 Fresno Dr.	(915) 497-6606
U. V. Rodriguez	416 Fresno Dr	915-854-3041
Victoria Vazquez	8084 Starr Ave.	(915) 583-9662
Gabriel Vazquez	8155 Starr Ave	915-588-9661

PZRZ15-00030 211 MAP



as of 1/13/2016



Recommendation/Public Input

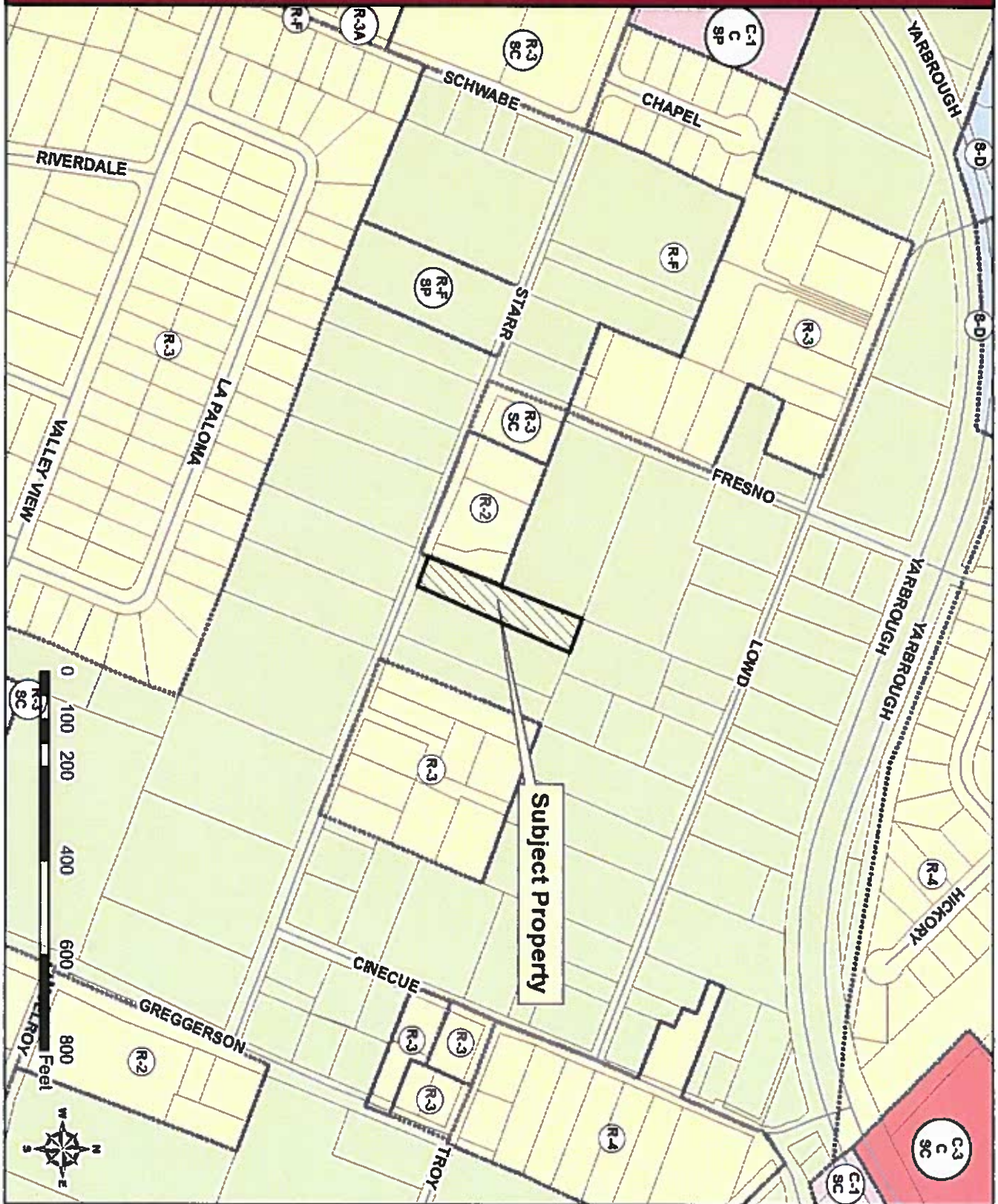
- Planning Division recommendation: Approval
- CPC Approved Recommendation on a Vote: 5-0

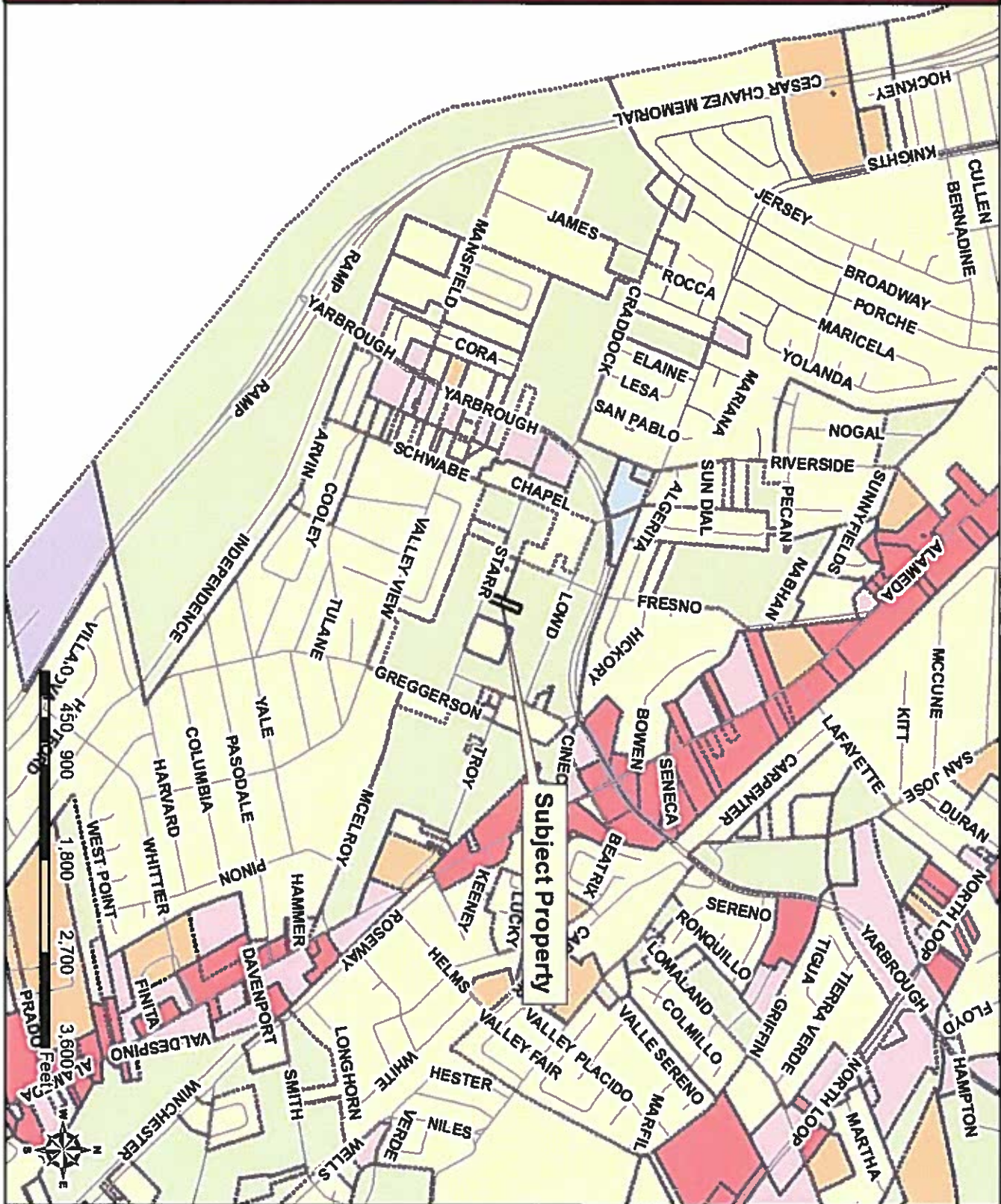
Public Input: Planning has received 1 phone call, 1 email with petition (44 signatures), and while on-site approached by 3 neighbors which are in opposition to the rezoning request. **This is a 211 per Texas Local Government Code.**

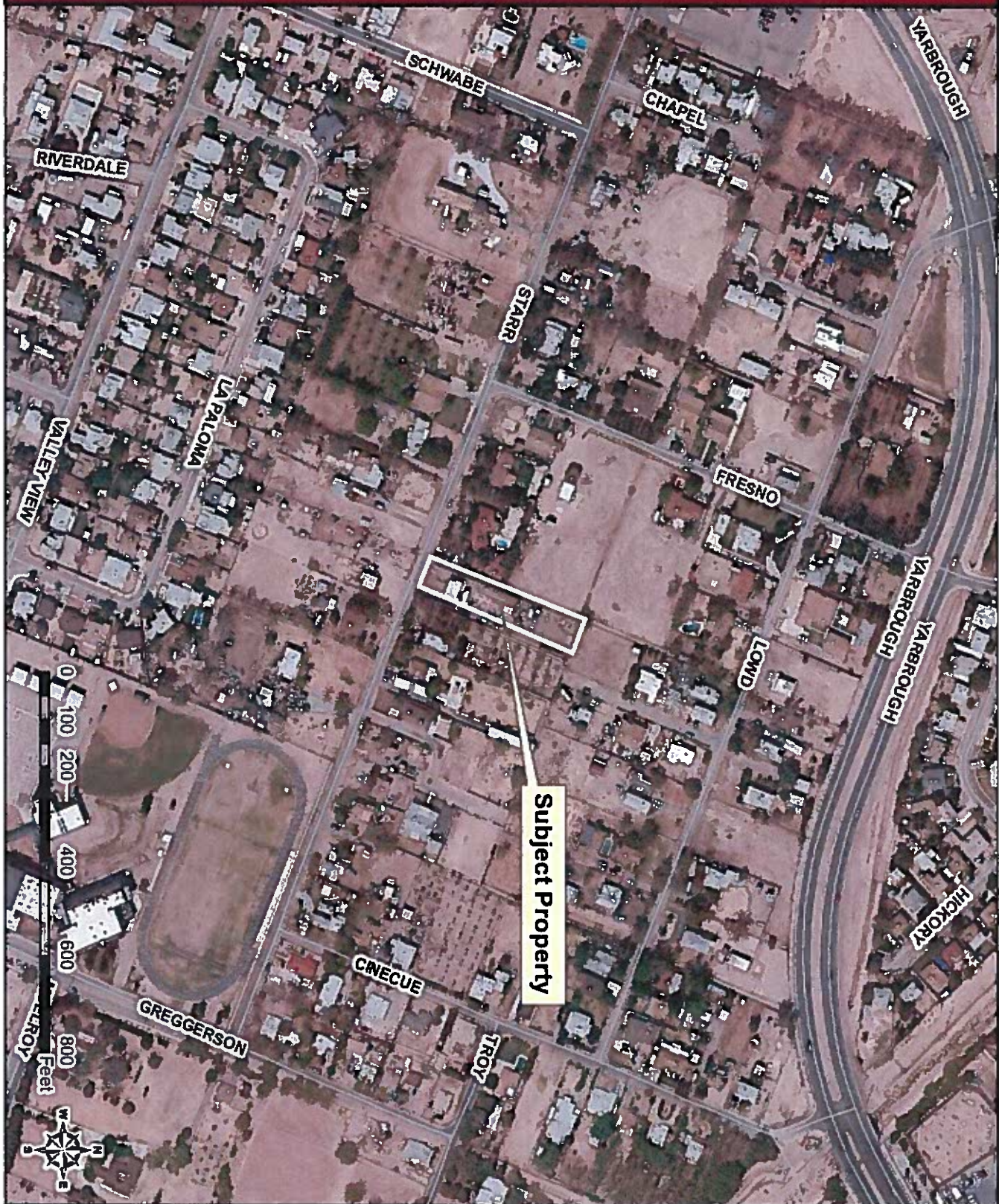
Strategic Goal #3 Promote the Visual Image of El Paso

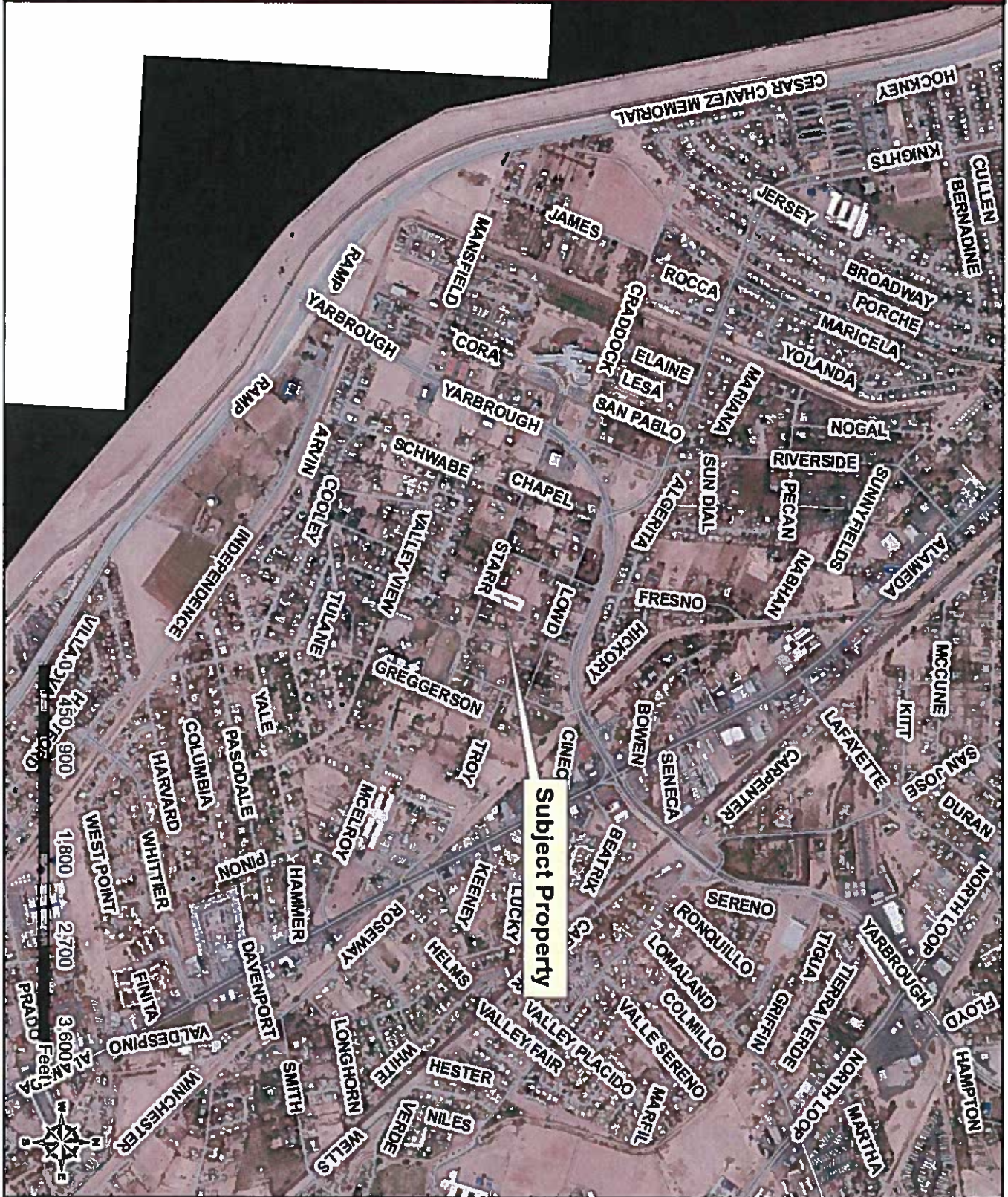
3.1 Provide business friendly permitting and inspection processes

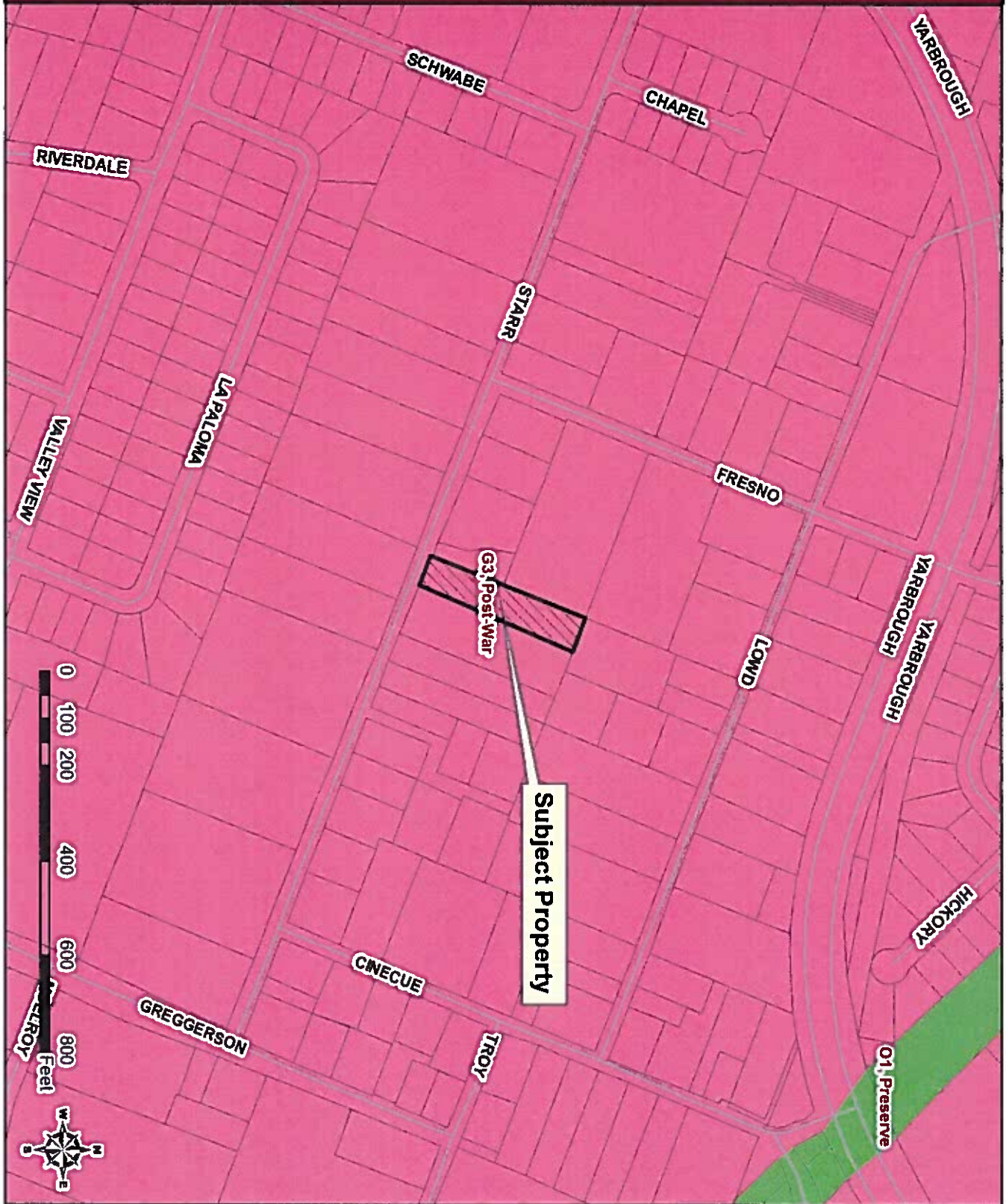
3.2 Improve the visual impression of the community

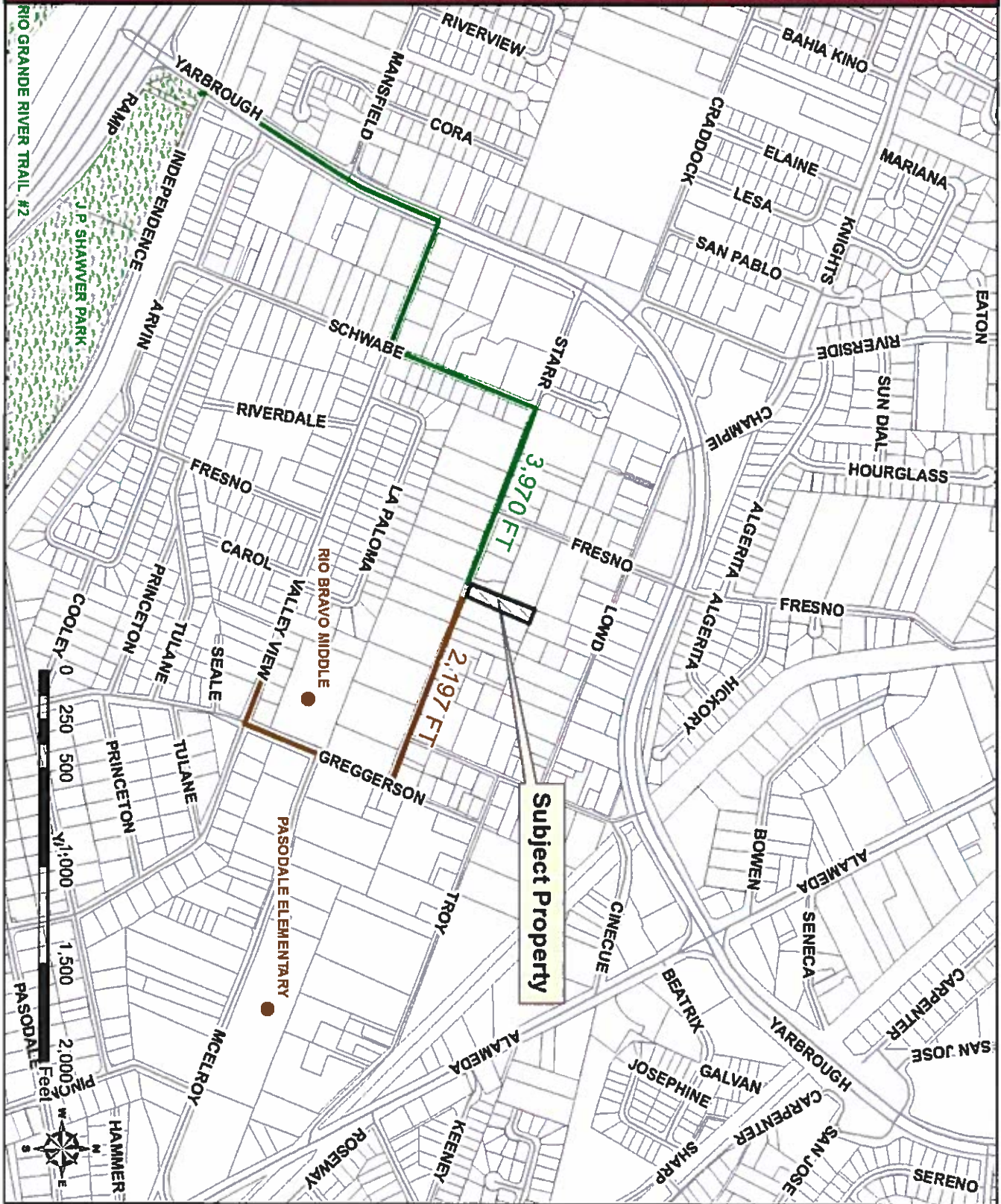


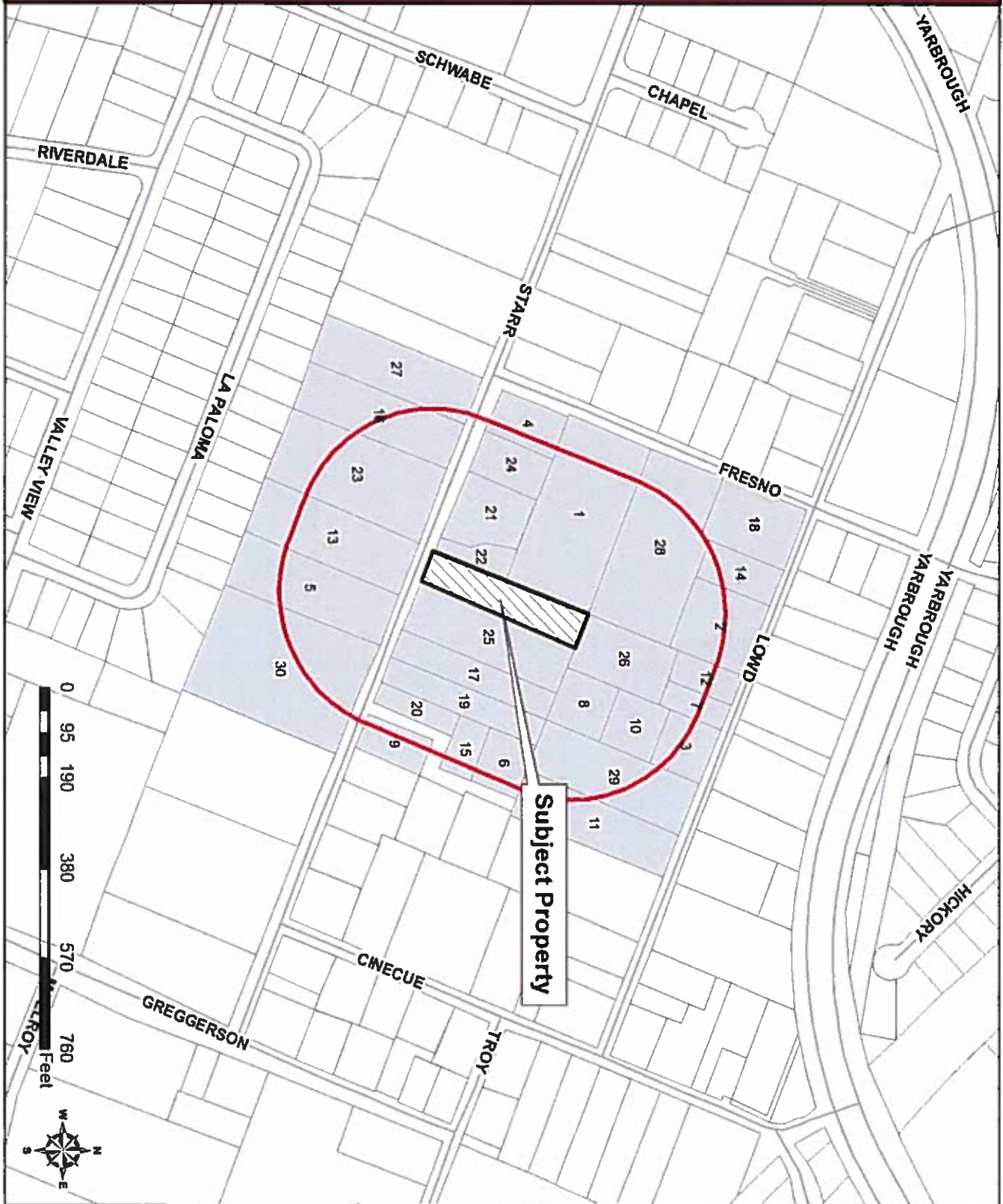






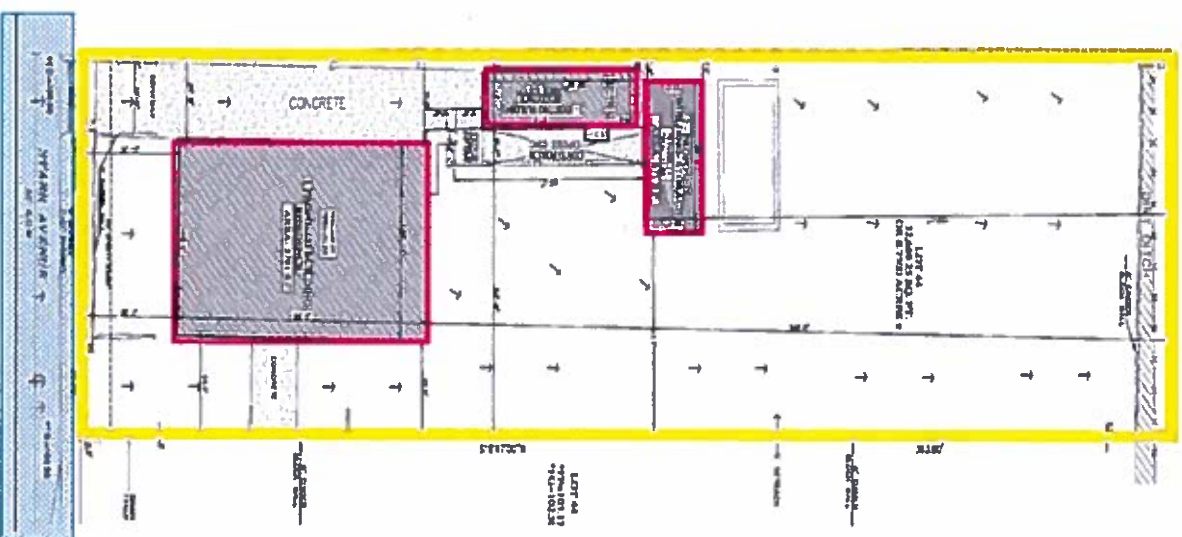








Detailed Site Development Plan



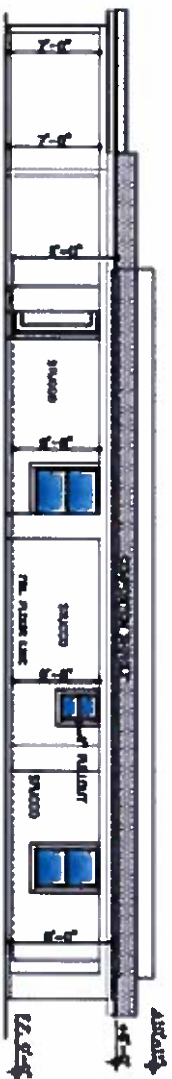


Required and Proposed Set Backs

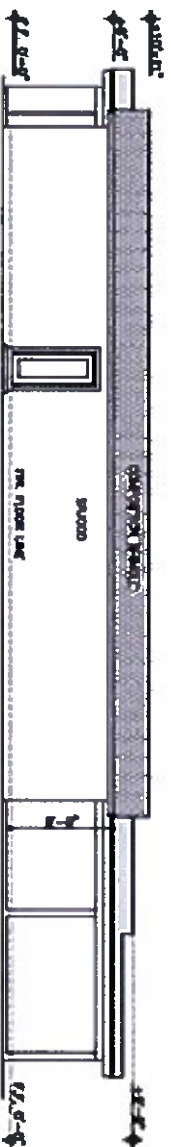
Set Backs	RF	R3	Proposed
Average Lot Size	1 Acre	6,000	0.75 (actual)
Lot Width	125	60	89.80
Lot Depth	200	90	363.80
Front	50	20	32.3
Rear	50	20 = cumulative	155.11
Side	20	5	5
Height	35	35	16



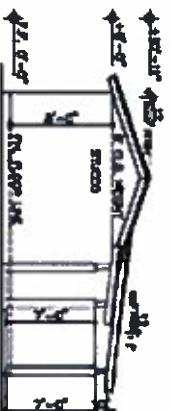
Elevations



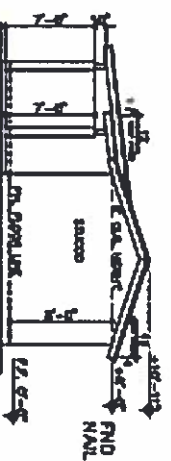
RIGHT ELEVATION
SCALE 3/8"=1'-0"



LEFT ELEVATION
SCALE 3/8"=1'-0"

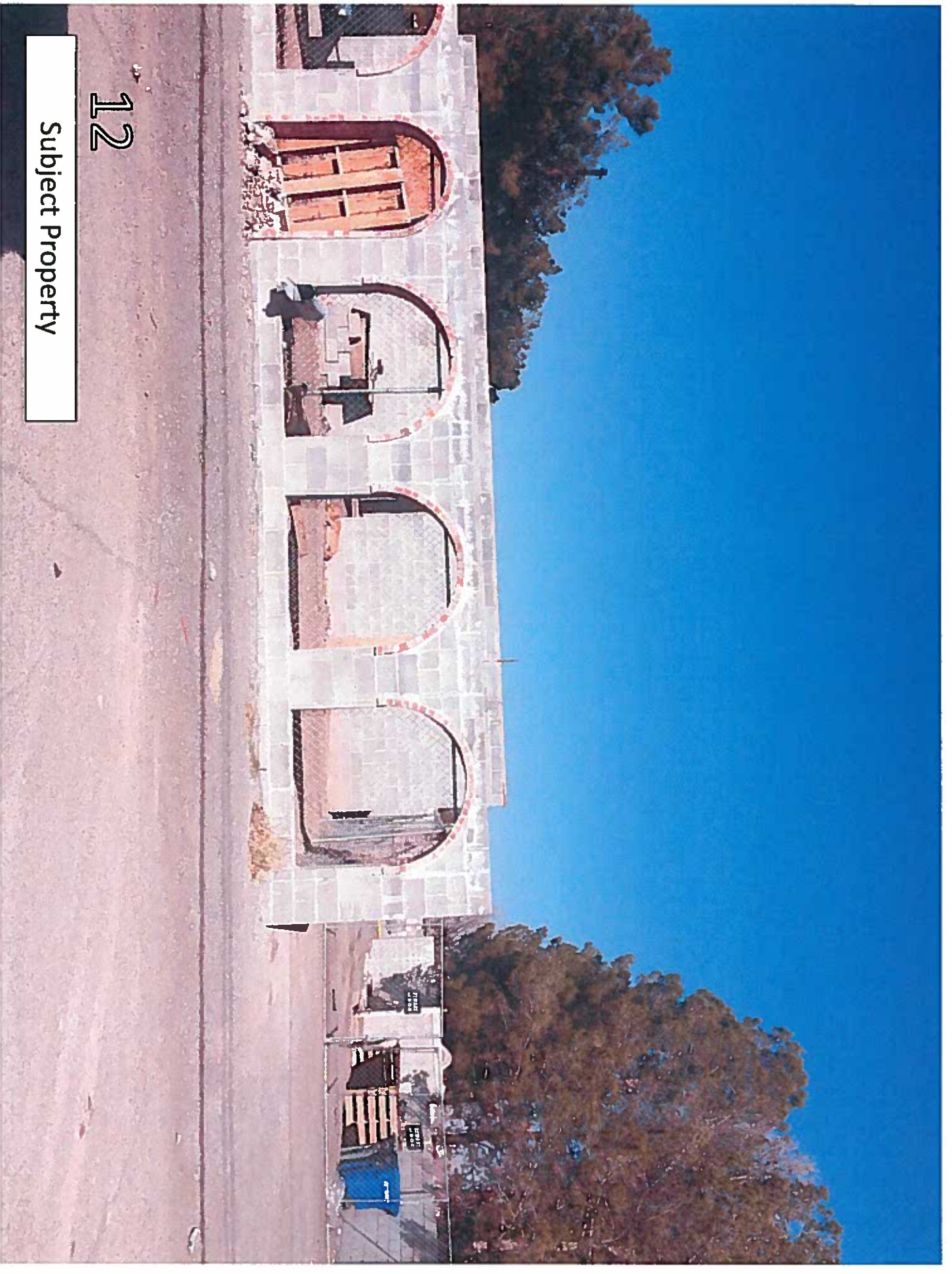


FRONT ELEVATION
SCALE 3/8"=1'-0"



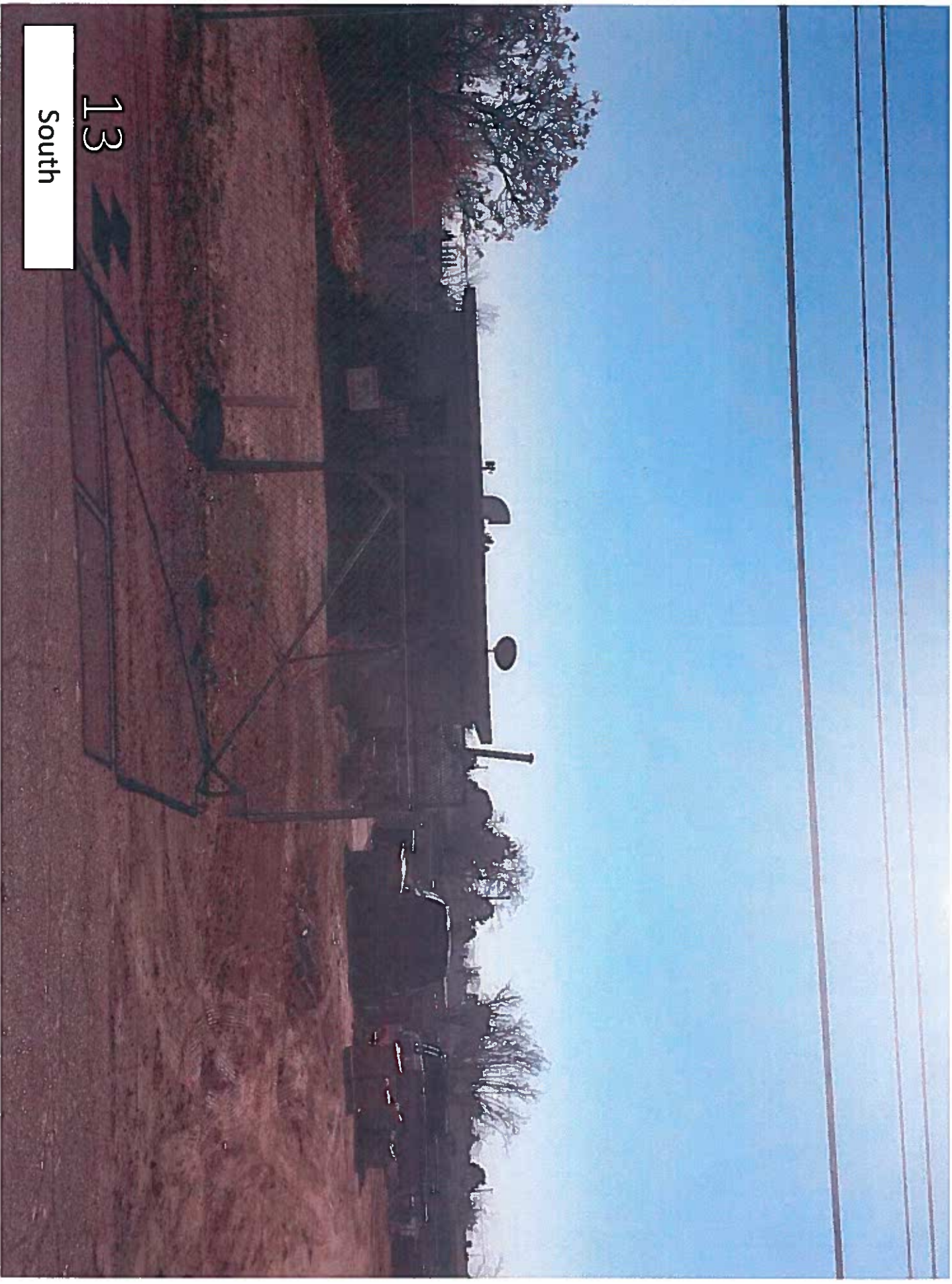
REAR ELEVATION
SCALE 3/8"=1'-0"





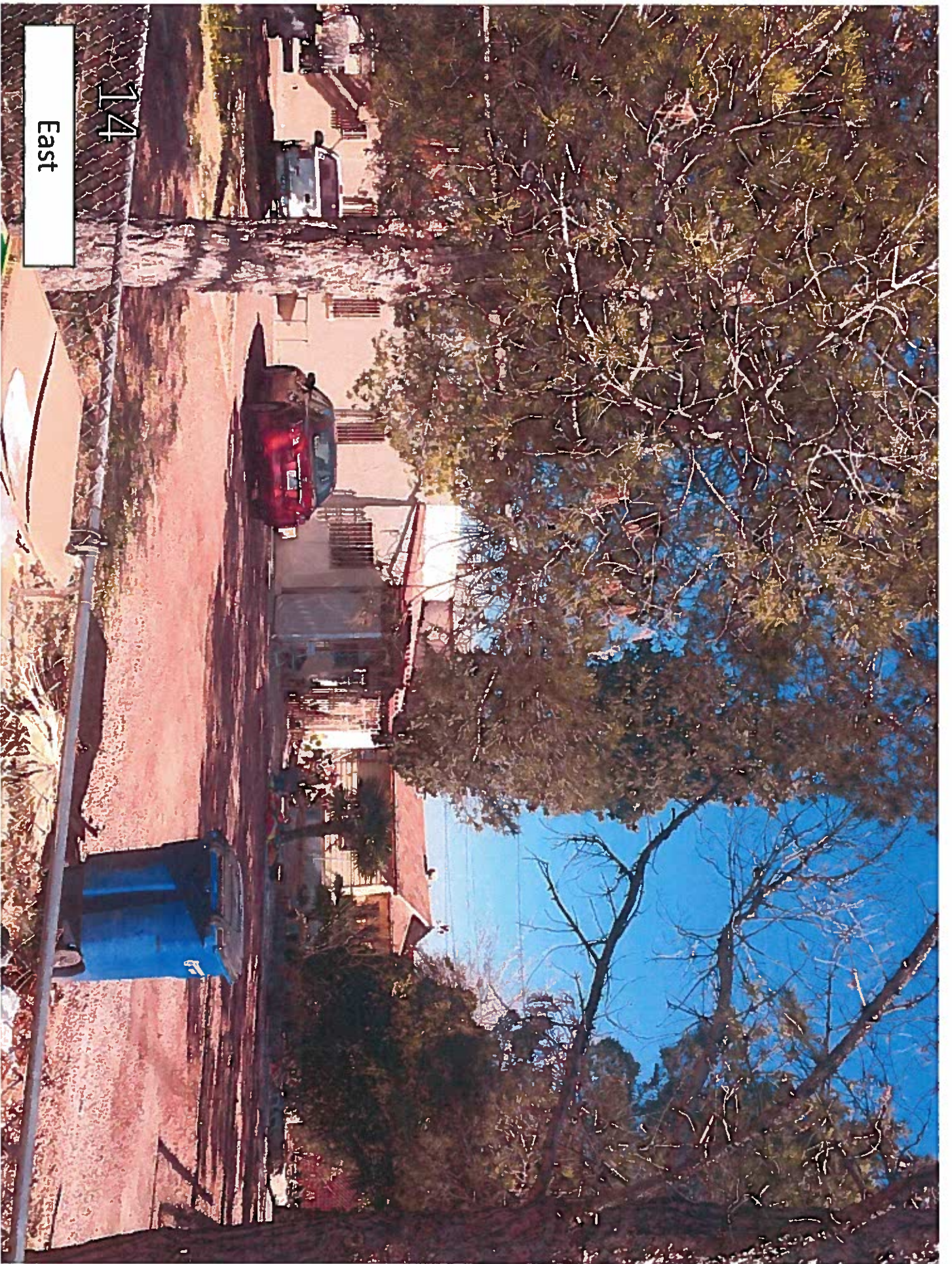
12

Subject Property



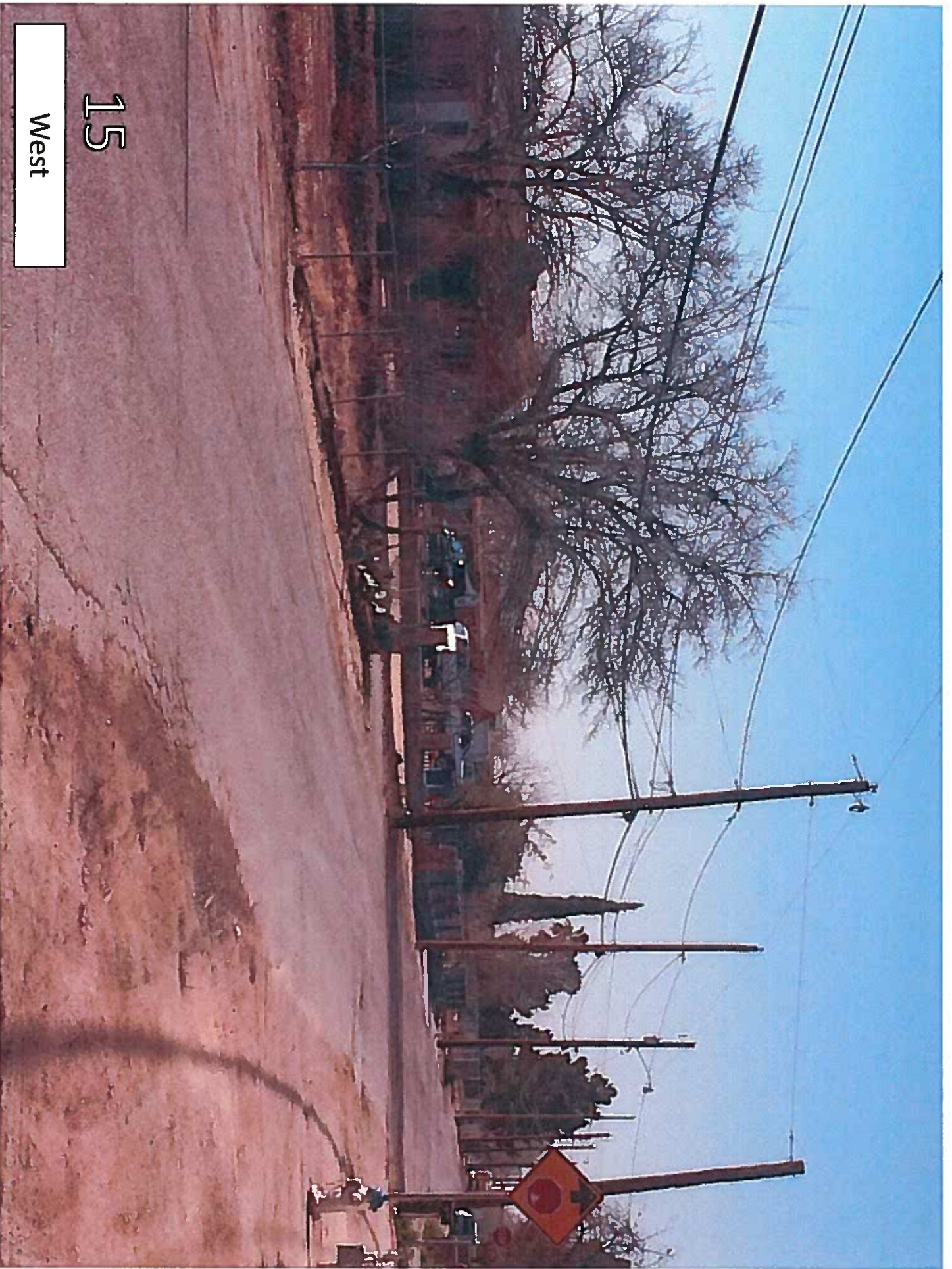
13

South



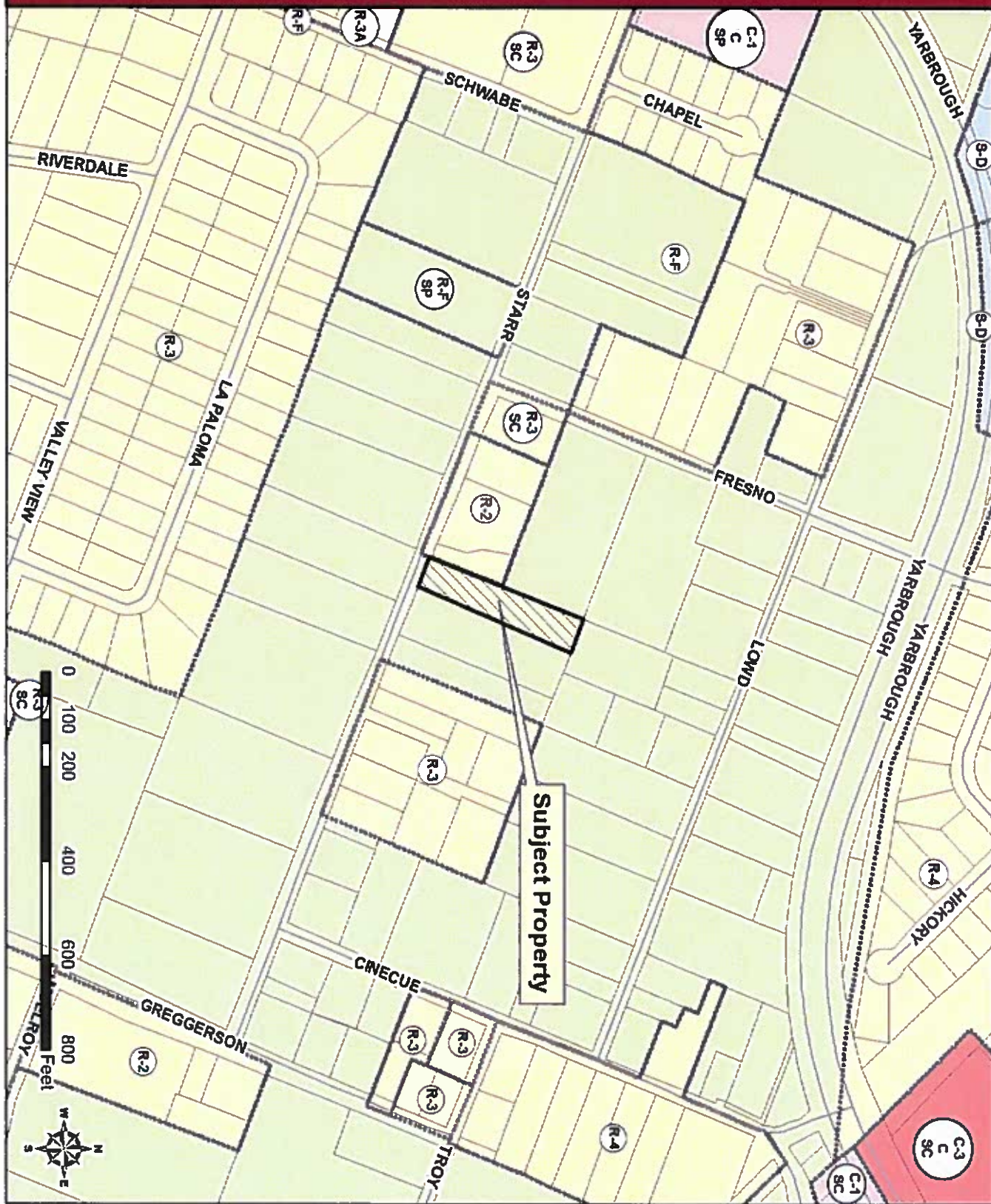
14

East



15

West



PZRZ15-00030
211 MAP

17



as of 1/13/2016