

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

DEPARTMENT: PLANNING & INSPECTION, PLANNING DIVISION

AGENDA DATE: May 12, 2020

PUBLIC HEARING DATE: June 9, 2020

**CONTACT PERSON NAME AND PHONE NUMBER: Karina Brasgalla, 915-212-1604,
BrasgallaKX@elpasotexas.gov; Philip Etiwe, 915-212-1553, EtiwePF@elpasotexas.gov**

DISTRICT(S) AFFECTED: 2

STRATEGIC GOAL: 3 – PROMOTE THE VISUAL IMAGE OF EL PASO

SUBGOAL: 3.2 – IMPROVE THE VISUAL IMPRESSION OF THE COMMUNITY

SUBJECT:

An Ordinance changing the zoning of Lots 80 and 81, Sunrise Acres No. 2, 4805 Atlas Avenue & 4806 Titanic Avenue, City of El Paso, El Paso County, Texas, from RMU (Residential Mixed Use) to R-4 (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: 4805 Atlas Ave.& 4806 Titanic Ave. Owner: Adobe Haciendas, Inc. PZRZ20-00004 (District 2).

BACKGROUND / DISCUSSION:

On April 16, 2020, the CPC reviewed and recommended approval of the proposed rezoning.

PRIOR COUNCIL ACTION:

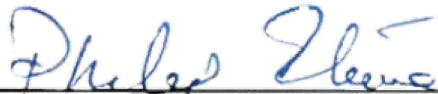
There is no prior City Council action on this proposed amendment.

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOTS 80 AND 81, SUNRISE ACRES NO. 2, 4805 ATLAS AVENUE & 4806 TITANIC AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM RMU (RESIDENTIAL MIXED USE) TO R-4 (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:

Section 1: Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of Lots 80 and 81, Sunrise Acres No. 2, 4805 Atlas Avenue & 4806 Titanic Avenue, City of El Paso, El Paso County, Texas, be changed from RMU (Residential Mixed Use)] to R-4 (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 Abeln

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Etiwe

Philip Etiwe, Director
Planning & Inspections Department

MEMORANDUM

DATE: May 5, 2020

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

FROM: Karina Bragalla, Senior Planner - Planning & Inspections

SUBJECT: PZRZ20-00004

The City Plan Commission unanimously recommended **approval** (8-0) of the proposed rezoning at its April 16, 2020 meeting.

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

As of May 5, 2020, Planning staff has received one email in support of the rezoning and one phone call and one email in opposition to the rezoning.

Property Owner: Adobe Haciendas, Inc.
Applicant: Conde, Inc.

Attachments: Staff Report

4805 Atlas and 4806 Titanic

City Plan Commission — April 16, 2020 **REVISED**

REZONING



CASE NUMBER: PZRZ20-00004
CASE MANAGER: Karina Brasgalla, (915) 212-1604, BrasgallaKX@elpasotexas.gov
PROPERTY OWNER: Adobe Haciendas, Inc.
REPRESENTATIVE: Conrad Conde; Conde, Inc.
LOCATION: 4805 Atlas Ave. and 4806 Titanic Ave. (District 2)
PROPERTY AREA: 2.0055 acres
REQUEST: Rezone from R-MU (Residential Mixed Use) to R-4 (Residential)
PUBLIC INPUT: One email in support; one call and one email in opposition

SUMMARY OF REQUEST: The applicant requests to rezone from R-MU (Residential Mixed Use) to R-4 (Residential) to allow for single family and duplex development.

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee recommends **APPROVAL** of the request. The proposed zoning district is consistent with the surrounding neighborhood. Further, the proposed development meets the intent of the G-3, Post-War land use designation of *Plan El Paso*, the City's Comprehensive Plan in the Central Plan area.

PZRZ20-00004

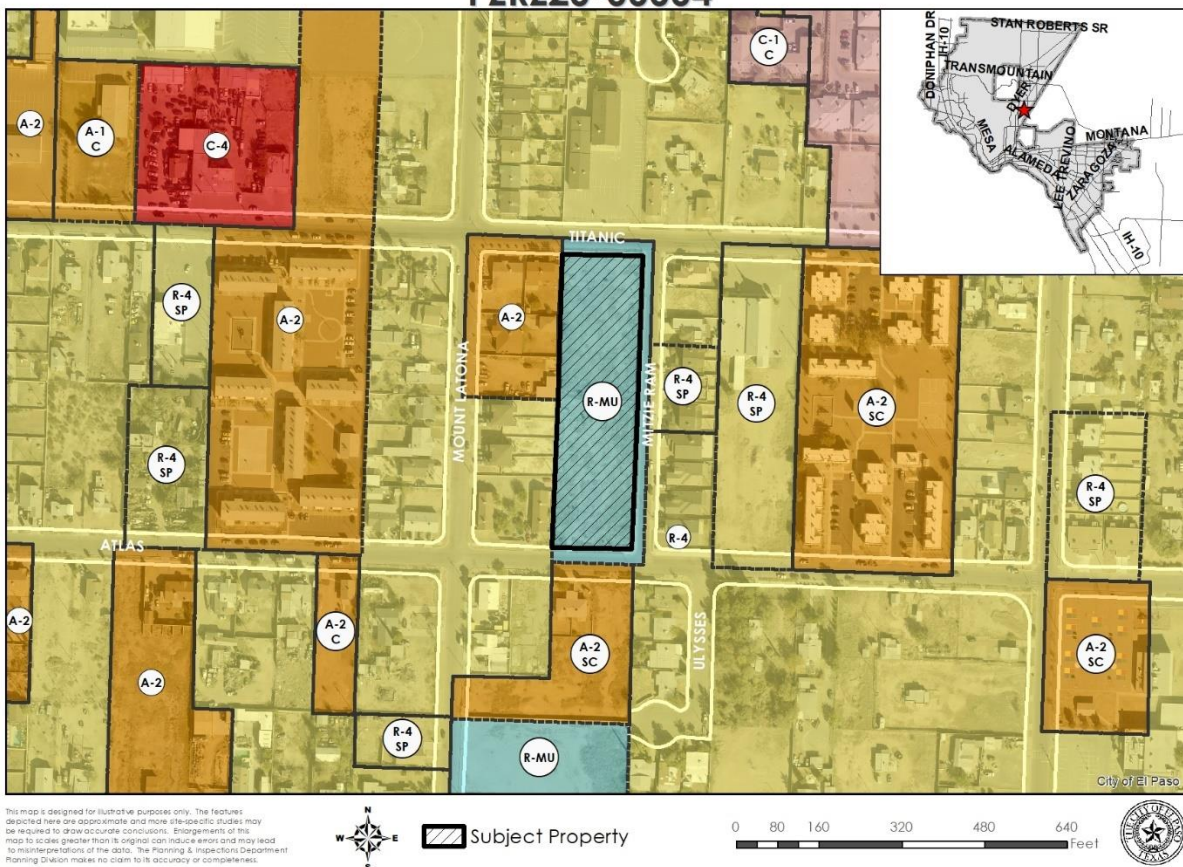


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant proposes to rezone approximately 2 acres of land from R-MU (Residential Mixed Use) to R-4 (Residential). The conceptual site plan shows 11 lots dedicated as single-family residences, although the proposed zoning would also permit duplexes. These are front-loaded lots with access proposed from Mitzie Ram Place. The proposal would mirror the existing development across the street.

PREVIOUS CASE HISTORY: The subject property was rezoned to R-MU in 2012 (PZRZ11-00039). The previously approved Master Zoning Plan was for a mixed-use development consisting of single-family, duplex, triplex, commercial storage, personal service office, and common open space uses. The non-residential land uses are no longer proposed.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The subject property is located within an established neighborhood that is mostly built out. Development includes single-family dwellings, duplexes, and church uses in R-4 (Residential) and A-2 (Apartment) zoning districts. The nearest park is Mountain View Park (0.58 miles) and the nearest school is Lee Elementary (0.22 miles).

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, 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 G-3 designation is compatible with the R-4 zoning district. The subject property and immediate neighborhood were platted in the mid-1950s. The area is mainly single-family residential with pockets of multi-family.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>R-4 (Residential) District: The purpose of these districts 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, properties across the street and in the immediate area are also zoned R-4. Surrounding R-4 districts have single-family homes built in a similar manner to the proposed development scheme.</p>
<p>Preferred Development Locations: Is the property in a "Compact Urban" area?</p>	<p>N/A</p>

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.	There are no adverse effects predicted from the proposed rezoning. The existing infrastructure was originally designed for the proposed district and uses.
Natural Environment: Anticipated effects on the natural environment.	No effect on the natural environment anticipated as the subject property is in an already developed area.
Stability: Whether the area is stable or in transition.	The area is stable. The most recent rezoning was for the subject property in 2012 to RMU.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The developer has been unable to market the non-residential portions of the development as approved under the Master Zoning Plan

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: All abutting streets (Titanic, Atlas, and Mitzie Ram) are classified as local, which is appropriate to serve a low-density residential development.

PUBLIC COMMENT: The subject property lies within the Mountain View and the Logan Sunrise Neighborhood Associations. Notice was provided to both neighborhood associations prior to submittal. Notice was mailed to all property owners within 300 feet of subject property on April 2, 2020. Staff received one email in support, one email in opposition, and one call in opposition (Attachment 5).

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 City Plan Commission (CPC) may take any of the following actions:

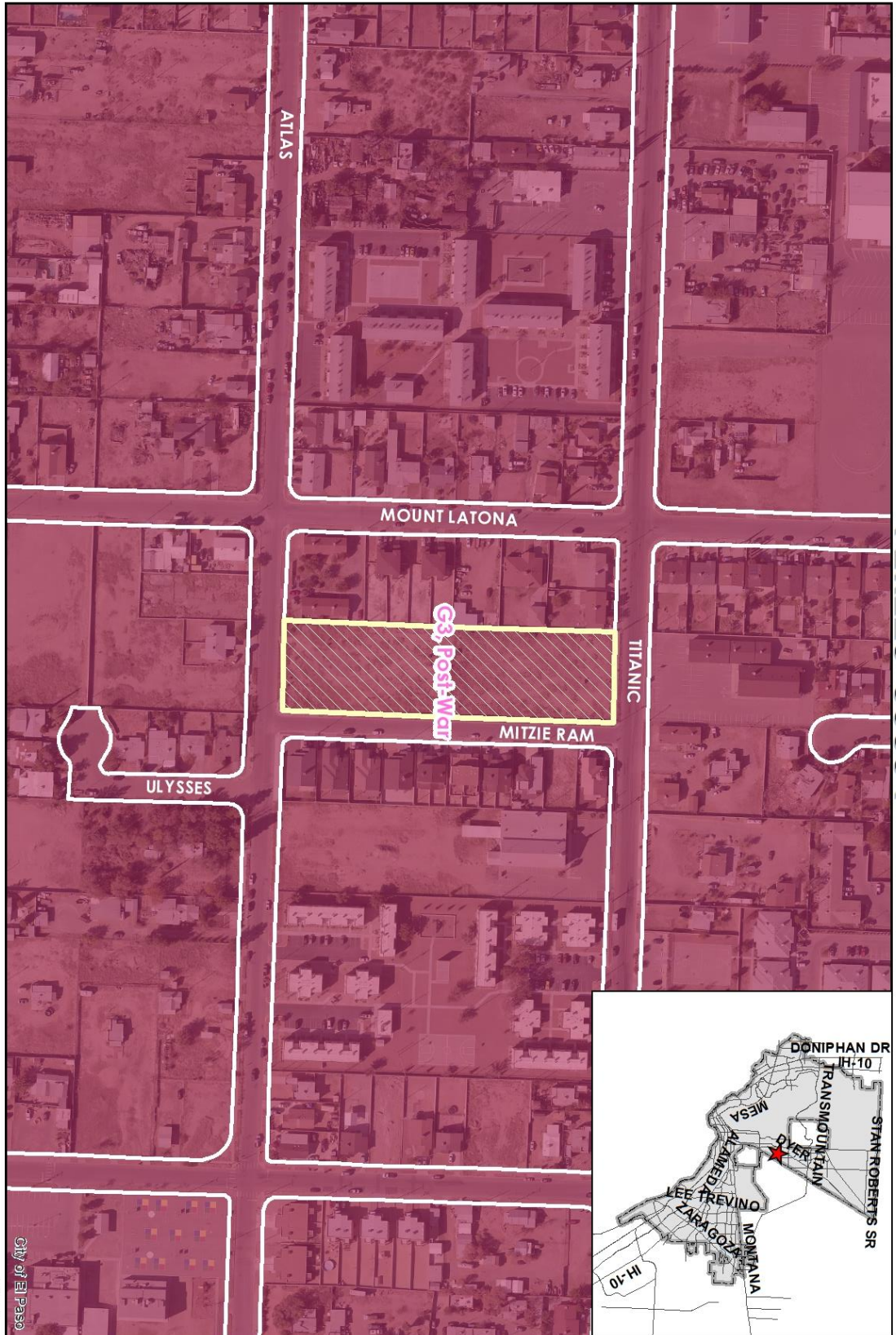
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
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. Site Plan
2. Future Land Use Map
3. Neighborhood Notification Boundary Map
4. Department Comments
5. Public Comment

ATTACHMENT 2

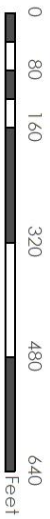
PZR220-00004



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. Statements of this nature are not intended to constitute a warranty or lead to misinterpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.

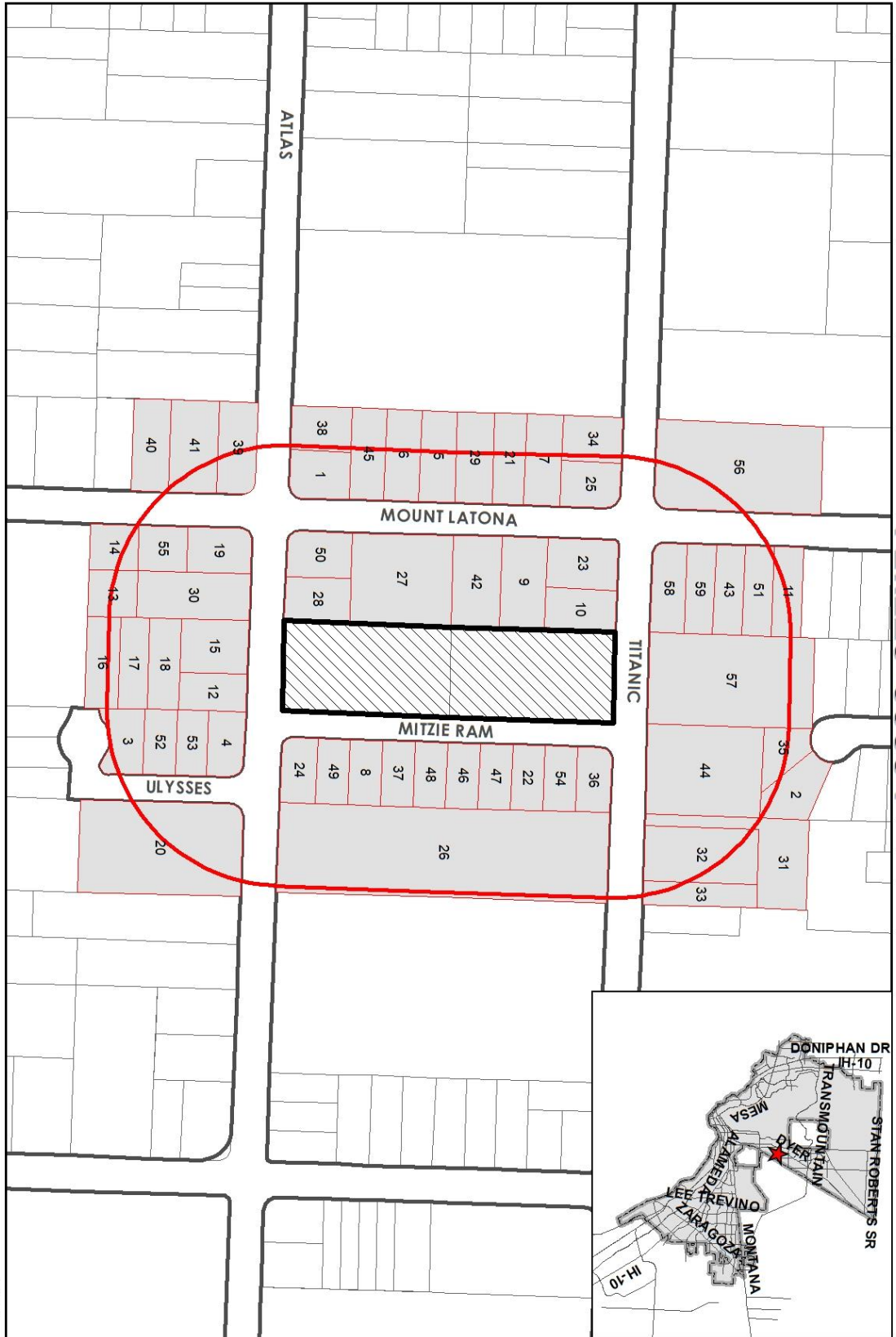


Subject Property



ATTACHMENT 3

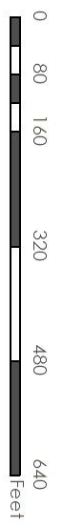
PZR220-00004



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 Subject Property
 Parcels within 300 feet



ATTACHMENT 4

Planning and Inspections Department – Planning

Recommend approval.

Planning and Inspections Department – Land Development

No objections.

Fire Department

No adverse comments. Recommend approval.

Police Department

No objections.

Texas Department of Transportation

Proposed development is not abutting TxDOT right of way. No comment.

Sun Metro

No objections.

El Paso County Water Irrigation District #1

Not within the boundaries of EPCWID.

El Paso Water - Stormwater Engineering

No objections to the proposal.

El Paso Water – Engineering

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

Water:

There is an existing 8-inch diameter water main that extends along Titanic Avenue, approximately 42-feet north of the property. This main is available for service.

There is an existing 6-inch diameter water main that extends along Atlas Avenue, approximately 20-feet south of the property. This main is available for service.

There is an existing 6/8-inch diameter water main that extends along Mitzie Ram Place, approximately 29-feet east of the property. This main is available for service.

EPWater records indicate one (1) inactive ¾-inch water meter serving the subject property. The service address for this meter is 4805 Atlas Avenue.

Previous water pressure readings conducted on fire hydrant number 204 located at the northeast corner of Mt. Latona Drive and Atlas Avenue, have yielded a static pressure of 100 psi, residual pressure of 90 psi, discharge of 1,353 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. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

Sanitary Sewer

There is an existing 8-inch diameter sanitary sewer main that extends along Titanic Avenue. This sanitary sewer main is available service.

There is an existing 12-inch diameter sanitary sewer main that extends along Atlas Avenue. This sanitary sewer main is available service.

There is an existing 8-inch diameter sanitary sewer main that extends along Mitzie Ram Place, located approximately 18-feet east of the property line. This sanitary sewer main is available for service.

General

EPWater requires a new service application to provide services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

ATTACHMENT 5

Brasgalla, Karina

From: PORFIRIO GUEVARA <pgr8buy@msn.com>
Sent: Thursday, April 9, 2020 4:22 PM
To: Brasgalla, Karina
Subject: PZRZ20--00004

Case # PZRZ20-00004

Hi,
I am for it, I approve, no objection,
for the rezoning of the property at 4805 Atlas Ave & 4806 Titanic Ave.

Thank you,
Porfirio Guevara
4752 Atlas Ave
El Paso, Texas 79904

Brasgalla, Karina

From: Rosey Dutton <rosiedutton@elp.rr.com>
Sent: Tuesday, April 14, 2020 4:40 PM
To: Brasgalla, Karina
Subject: Re: Rezoning - Atlas/Mitzie Ram

Good day Ms. Karina Brasgalla,
Thank you kindly for the call with Rose. Your help is much appreciated re: Adobe Hacienda's hearing to return to R-4 zone. The allowance for duplexes raises concern and secondly our neighborhood IS NOT "pandemic ready" for participation should be postponed until July. Best regards,