

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

DEPARTMENT: Planning & Inspections, Planning Division

AGENDA DATE: September 1, 2020

PUBLIC HEARING DATE: September 29, 2020

CONTACT PERSON NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Luis Zamora, (915) 212-1552

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 Tracts 55A, 52D, 54D AND 53B, Nellie D. Mundy Survey No. 241, 6391 Domingo Street, City of El Paso, El Paso County, Texas from R-3 (Residential) to R-5 (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: 6391 Domingo Street
Applicant: Enrique Escobar PZRZ20-00005

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone the subject property from R-3 (Residential) District to R-5 (Residential) District to develop the subject property into proposed duplexes. City Plan Commission recommended 8-0 to approve the proposed rezoning on April 30, 2020. As of August 20, 2020, staff has received no communication in support/opposition of the request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:


N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



Philip F. Etiwe – Planning and Inspections Director

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 55A, 52D, 54D AND 53B, NELLIE D. MUNDY SURVEY NO. 241, 6391 DOMINGO STREET, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) 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, the zoning of **Tracts 55A, 52D, 54D and 53B, Nellie D. Mundy Survey No. 241, 6391 Domingo Street**, located in the City of El Paso, El Paso County, Texas, and more particularly described in the metes and bounds attached hereto as **Exhibit "A"**, be changed from **R-3 (Residential)** 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, is hereto attached as **Exhibit "B"**.

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:

Leslie B. Jean-Pierre
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwa, Director
Planning & Inspections Department

ORDINANCE NO. _____
20-1007-2639 | 1014222
6391 Domingo Street
RTA

PZRZ20-00005

EXHIBIT "A"

Being all of Tracts 52D, 53B,
54D and 55A
Neillie D. Mundy Survey #241,
City El Paso, El Paso County, Texas
July 28, 2020

METES AND BOUNDS DESCRIPTION 6391 Domingo Street Exhibit "A"

FIELD NOTE DESCRIPTION of a parcel of land being all of Tracts 52D, 53B, 54D and 55A, Neillie D. Mundy Survey #241, City of El Paso, El Paso County, Texas, El Paso County, Texas being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found city monument located at the centerline intersection of Ignacio Street (50' R.O.W.) and Domingo Street (40' R.O.W.), THENCE, leaving said centerline intersection and along the centerline of Domingo Street, North 00°00'00" East a distance of 275.00 feet to a point; THENCE, leaving said centerline of Domingo Street, North 90°00'00" West a distance of 20.00 feet to a point for corner at the common boundary corner of Tracts 55A and 55B, same being the westerly right-of-way line of Domingo Street and the "POINT OF BEGINNING" of the herein described parcel;

THENCE, leaving said westerly right-of-way line of Domingo Street and along the common boundary line of Tracts 54C, 54D, 55A, 55D and 55E, North 90°00'00" West a distance of 164.00 feet to a point for corner at the common boundary corner of Tracts 54C and 54D, also being the Easterly right-of-way line of a 15.00 feet alley;

THENCE, leaving said common boundary corner of Tracts 54A, 54C and 54D and along the easterly right-of-way line of a 15.00 feet alley, North 00°00'00" East a distance of 175.00 feet to a found pipe for corner at the common boundary corner of Tracts 52B, 52D and 54A;

THENCE, leaving said common boundary corner of Tracts 52B, 52D and the easterly right-of-way line of a 15.00 feet alley and along the common boundary line of Tracts 52B, 52D, 55A and 55B, South 90°00'00" East a distance of 60.00 feet to a point for corner at the common boundary corner of Tracts 55A and 55B;

THENCE, leaving said common boundary corner of Tracts 55A and 55B and along the common boundary line of said Tracts 55A and 55B, North 00°00'00" East a distance of 75.00 feet to a found 1/2 inch pipe at 0.8 feet northwest from the common boundary corner of Tracts 55A and 55B, same being the southerly right-of-way line of Borderland Road (60' R.O.W.);

THENCE, leaving said common boundary corner of Tracts 55A and 55B and along the southerly right-of-way line of Borderland Road, South 90°00'00" East a distance of 104.00 feet to a point for corner at the southwest right-of-way intersection of Borderland Road and Domingo Street;

THENCE, leaving said southwest right-of-way intersection of Borderland Road and Domingo Street and along the westerly right-of-way line of Domingo Street, South 00°00'00" West, a distance of 250.00 feet to the POINT OF BEGINNING of the herein described parcel and containing 36,501.32 square feet or 0.8379 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\2020\20-2128_6391 Domingo



ORDINANCE NO. _____
20-1007-2639 | 1014222
6391 Domingo Street
RTA

PZRZ20-00005

6391 Domingo Street

City Plan Commission — April 30, 2020

REZONING



CASE NUMBER:	PZRZ20-00005
CASE MANAGER:	Luis F. Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER:	Enrique Escobar
REPRESENTATIVE:	Sitework Engineering, LLC
LOCATION:	6391 Domingo Street (District 1)
LEGAL DESCRIPTION:	Being all of Tracts 52D, 53B, 54D and 55A, Nellie D. Mundy Survey No. 241, City of El Paso, El Paso County, Texas
PROPERTY AREA:	0.8379 acres
REQUEST:	Rezone from R-3 (Residential) to R-5 (Residential)
RELATED APPLICATIONS:	None
PUBLIC INPUT:	None

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from R-3 (Residential) District to R-5 (Residential) District to develop the subject property into duplexes.

SUMMARY OF STAFF RECOMMENDATION: Staff recommend **APPROVAL** of the rezoning request. The proposed development is consistent with adjacent residential developments within its vicinity and is in keeping with the policies of *Plan El Paso* for the G-3, Post-War Future Land Use Designation in the Northwest Planning Area.

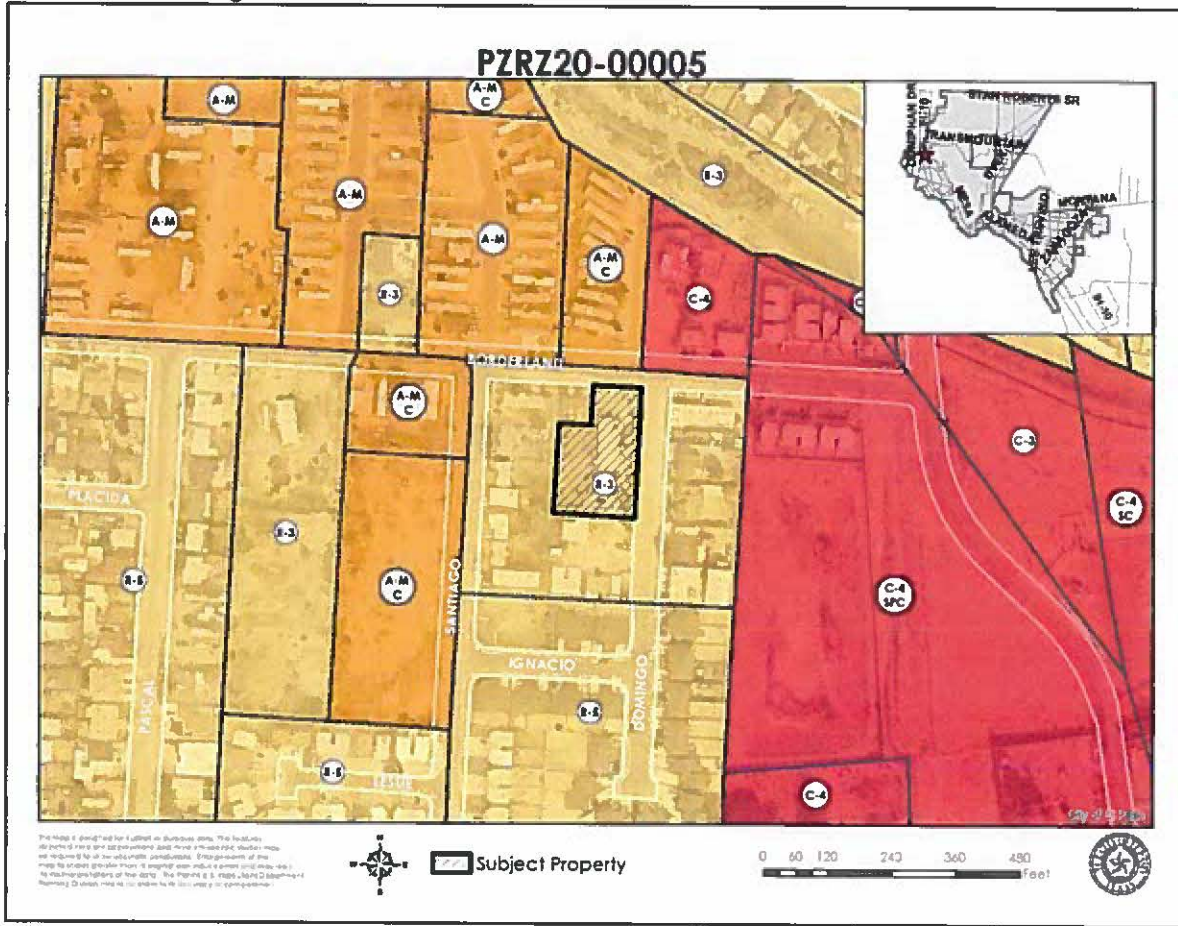


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from R-3 (Residential) District to R-5 (Residential) District to develop the subject property into duplexes. The generalized plot plan shows four (4) proposed duplex lots that include on-site parking spaces.

PREVIOUS CASE HISTORY: None.

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 abuts other single-family attached dwellings and mobile homes to the north and to the west, which are zoned R-3 (Residential) district and A-M (Apartment/Mobile Home Park) district, and it abuts single-family detached dwellings to the east and south, zoned R-3 (Residential).

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: <u>G-3 – Post-War:</u> 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 consistent with other residential uses in the neighborhood. The surrounding properties are zoned R-3 (Residential) district and A-M (Apartment/Mobile Home Park) district. The surrounding area uses are single-family detached dwellings, single-family attached dwellings, and single-family mobile homes.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site: <u>R-5 (Residential) District:</u> The purpose of this 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 development will provide residential uses compatible with existing residential properties.</p>
<p>Preferred Development Locations: Is the property in a "Compact Urban" area?</p>	<p>The property is located along a minor arterial roadway and a local street.</p>
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations</p>	<p>None</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:	
that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development, if approved, is not anticipated to cause any adverse effects on the community. It has the potential to maximize the use of an existing parcel.
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 neighborhood is stable comprising residential uses.
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 Domingo Street, classified as a local street on the City of El Paso's major thoroughfare plan. The local street classification is appropriate to serve the proposed residential development. Parking access to the property will be provided by driveways fronting Domingo Street. Existing services and infrastructure are appropriate to serve the proposed residential development.

PUBLIC COMMENT: The subject property lies within the Upper Valley Neighborhood Association and Borderland Community Improvement Association, which were notified by the applicant. Surrounding property owners within 300 feet were notified by mail on April 17, 2020. The Planning Department has not received any communication in support of or in opposition to the rezoning request.

CITY PLAN COMMISSION OPTIONS:

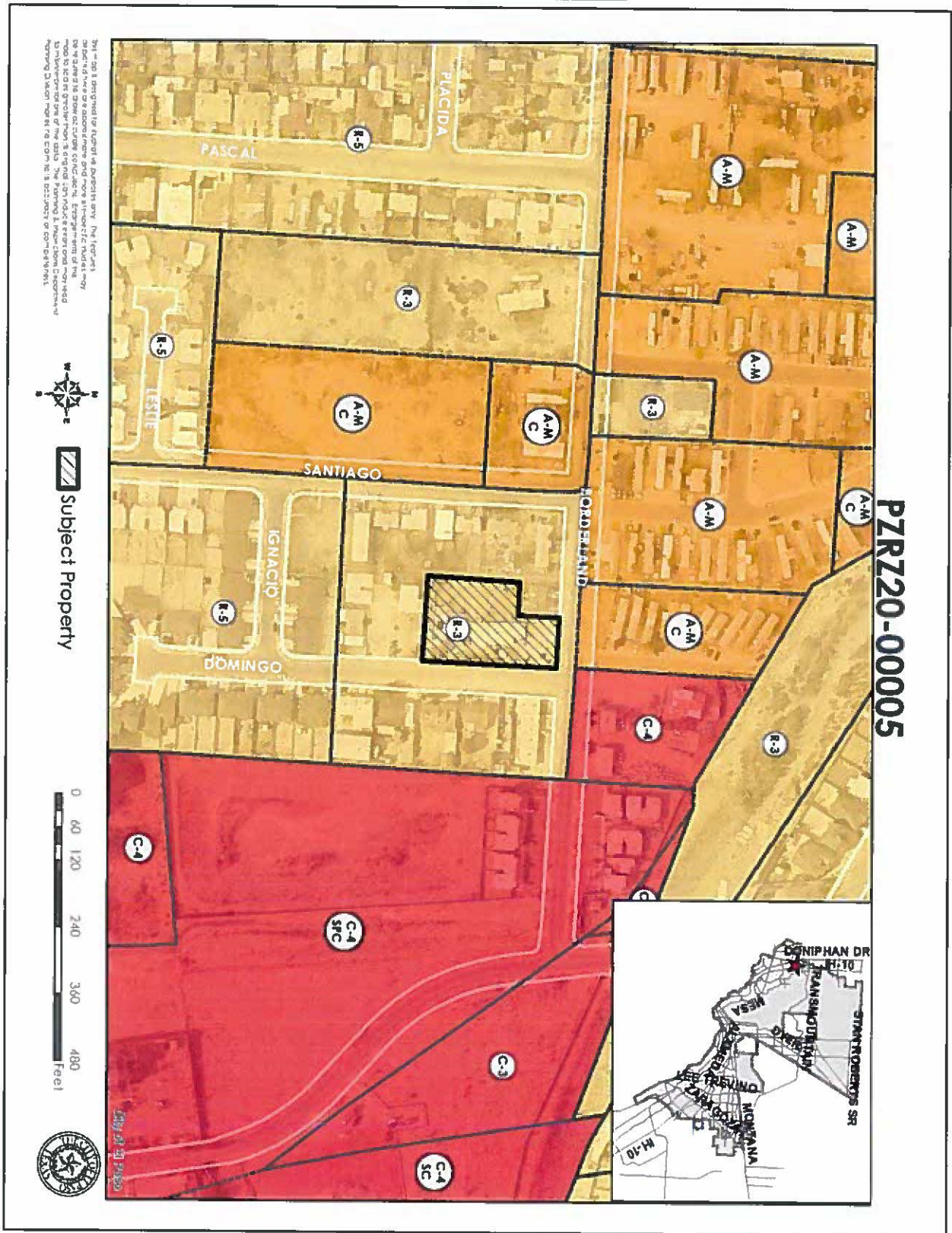
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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. Zoning Map
2. Future Land Use Map
3. Neighborhood Notification Boundary Map
4. Generalized Site Plan
5. Department Comments

ATTACHMENT 1



PZR20-00005

This map is prepared to assist in the review of the project by the public and is not intended to be used as a legal document. The information on this map is derived from the public records of the City of San Diego and is not intended to be used as a legal document. The information on this map is derived from the public records of the City of San Diego and is not intended to be used as a legal document.

ATTACHMENT 2

PZRZ20-00005



This map is designed for illustrative purposes only. The features depicted here are approximate and more detailed studies may be required to determine exact locations. Errors or omissions on this map do not constitute a warranty and may lead to misinterpretation of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.

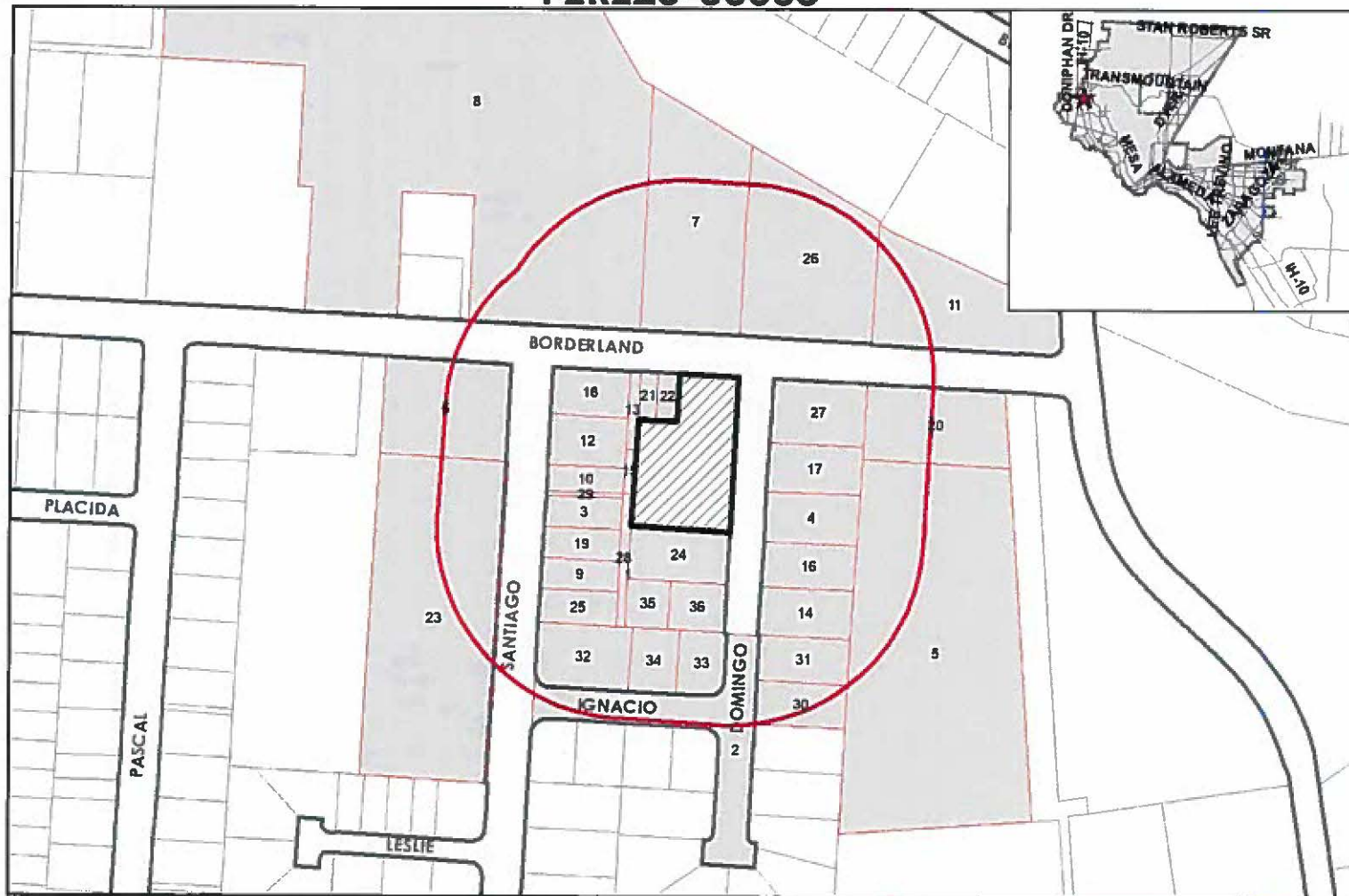


Subject Property





ATTACHEMENT 3

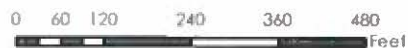
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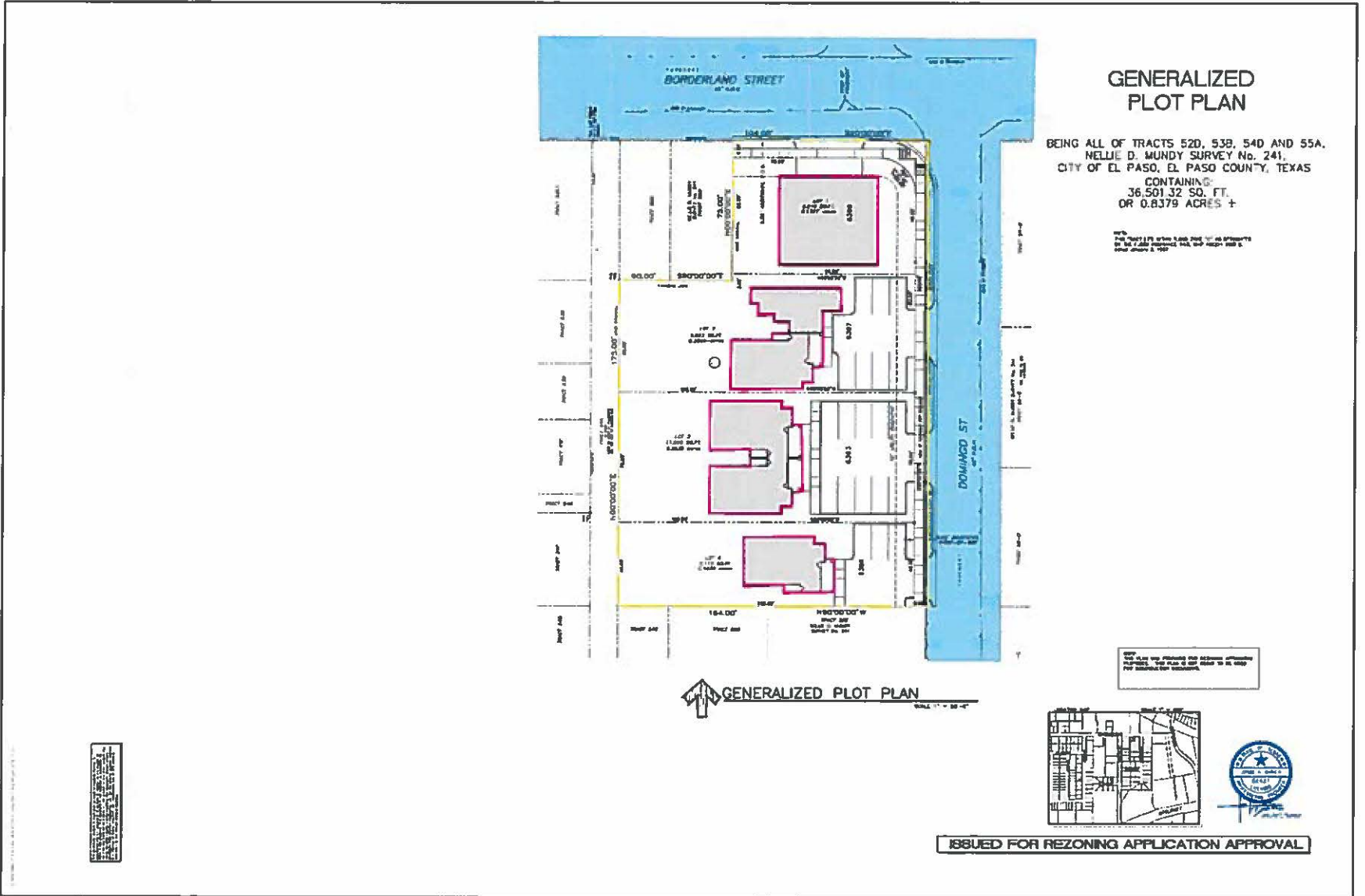
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 Subject Property
 Parcels within 300 feet



ATTACHMENT 4



ATTACHMENT 5

Planning and Inspections Department - Planning Division

1. Please note that the minimum lot size for a duplex on R-5 (Residential) district is 50' by 90' and for single family detached is 45' by 90'
2. The property on Lot 1 would need to have the driveway fronting Domingo Street with a 20' deep driveway.

Planning and Inspections Department – Plan Review & Landscaping Division

Approved for rezoning only

Planning and Inspections Department – Land Development

1. Label width, radius, and location spacing dimensions of proposed driveways.
2. The proposed driveway via Borderland may be too close to the intersection. It must be at least 20' to the radius tangents as per (DSC Sections 6-15A & 6-16). It also cannot exceed 25' if it is a duplex as per (DSC Sections 6-15 & 6-16).

Fire Department

No adverse comments.

Police Department

No comments received.

Sun Metro

No objections.

Streets and Maintenance

No comments received.

El Paso Water Utilities

EPWater does not object to this request.

Water:

There is an existing 6-inch diameter water main along the north side of Borderland Rd. This main is available for service.

There is an existing 24-inch diameter water transmission main along the north side of Borderland Rd. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

There is an existing 6-inch diameter water main along the north side of Domingo St., approximately 30 feet east of the property. This main is available for service.

EPWater records indicate one (1) vacant 1-inch water meter serving the subject property. The service addresses for this meter is 6391 Domingo St.

Previous water pressure readings from fire hydrant #4109 on Borderland Rd. fronting the property has yielded a static pressure of 50 psi, a residual pressure of 40 psi, and a discharge flow of 1,186 gallons per minute.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main along Borderland Rd., approximately 18-feet north of the property. This main is available for service.

There is an existing 8-inch diameter sanitary sewer main along Domingo St., approximately 18-feet east of the property. This main is available for service.

General:

Each lot shall have a water and sewer connection fronting the limits of each lot.

EPWater requires a new service application to provide additional 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.

Stormwater:

1. As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.
2. All properties in this area are subject to on-site ponding. Property owners are responsible for maintaining adequate provisions to accommodate all stormwater runoff generated from their respective lot plus one-half the runoff generated from all abutting street right-of-ways directly fronting the lot. The pond depth and lot grading requirements are as per approved Grading and Drainage plan for the Subdivision Ordinance.

EPCWID

Not within the boundaries of EPCWID.

Texas Department of Transportation

Proposed development is not abutting TxDOT right of way. Therefore, TxDOT has no comment.