

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

DEPARTMENT: Planning & Inspections, Planning Division

AGENDA DATE: August 4, 2020

PUBLIC HEARING DATE: September 1, 2020

CONTACT PERSON NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Adriana Martinez, (915) 212-1611

DISTRICT(S) AFFECTED: 6

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 5C, 6C, and 7C, and all of Tract 8B, Block 55, Ysleta Grant, 9050 Escobar Drive, City of El Paso, El Paso County, Texas from A-M (Apartment/Mobile Home) and C-4 (Commercial) to R-3 (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: 9050 Escobar Drive
Applicant: IDEA Public Schools PZRZ20-00007

BACKGROUND / DISCUSSION:

The property owner is to requesting rezone from A-M (Apartment/Mobile Home) and C-4 (Commercial) to R-3 (Residential) to allow the subject property to be used for a School - Elementary (Pre-K through 6). City Plan Commission recommended 5-0 to approve the proposed rezoning on July 9, 2020. As of July 28, 2020, staff has 6 calls of inquiry and one call in 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 A PORTION OF TRACT 5C, 6C, AND 7C, AND ALL OF TRACT 8B, BLOCK 55, YSLETA GRANT, 9050 ESCOBAR DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM A-M (APARTMENT/MOBILE HOME) AND C-4 (COMMERCIAL) 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, the zoning of a portion of Tract 5C, 6C, and 7C, and all of Tract 8B, Block 55, Ysleta Grant, 9050 Escobar Drive, located in the City of El Paso, El Paso County, Texas, be changed from A-M (Apartment/Mobile Home) and C-4 (Commercial) 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 _____, 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

ORDINANCE NO. _____
20-1007-2636 | 1009627
9050 Escobar Drive | RTA

PZRZ20-00007

9050 Escobar Drive

City Plan Commission — July 9, 2020

REZONING



CASE NUMBER:	PZRZ20-00007
CASE MANAGER:	Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov
PROPERTY OWNER:	IDEA Public Schools
REPRESENTATIVE:	Conde, Inc.
LOCATION:	9050 Escobar Drive (District 6)
LEGAL DESCRIPTION:	Being a portion of Tract 5C, 6C, and 7C, and all of Tract 8B, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas
PROPERTY AREA:	17.32 acres
REQUEST:	To rezone from A-M (Apartment/Mobile Home) and C-4 (Commercial) to R-3 (Residential)
RELATED APPLICATIONS:	N/A
PUBLIC INPUT:	Planning has received 6 calls of inquiry and one call in opposition to the rezoning request.

SUMMARY OF REQUEST: The property owner is requesting rezone from A-M (Apartment/Mobile Home) & C-4 (Commercial) to R-3 (Residential) to allow the subject property to be used for a School - Elementary (Pre-K through 6).

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **Approval** of the rezoning request. The proposed development is consistent with the adjacent commercial and 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* in the Mission Planning area.

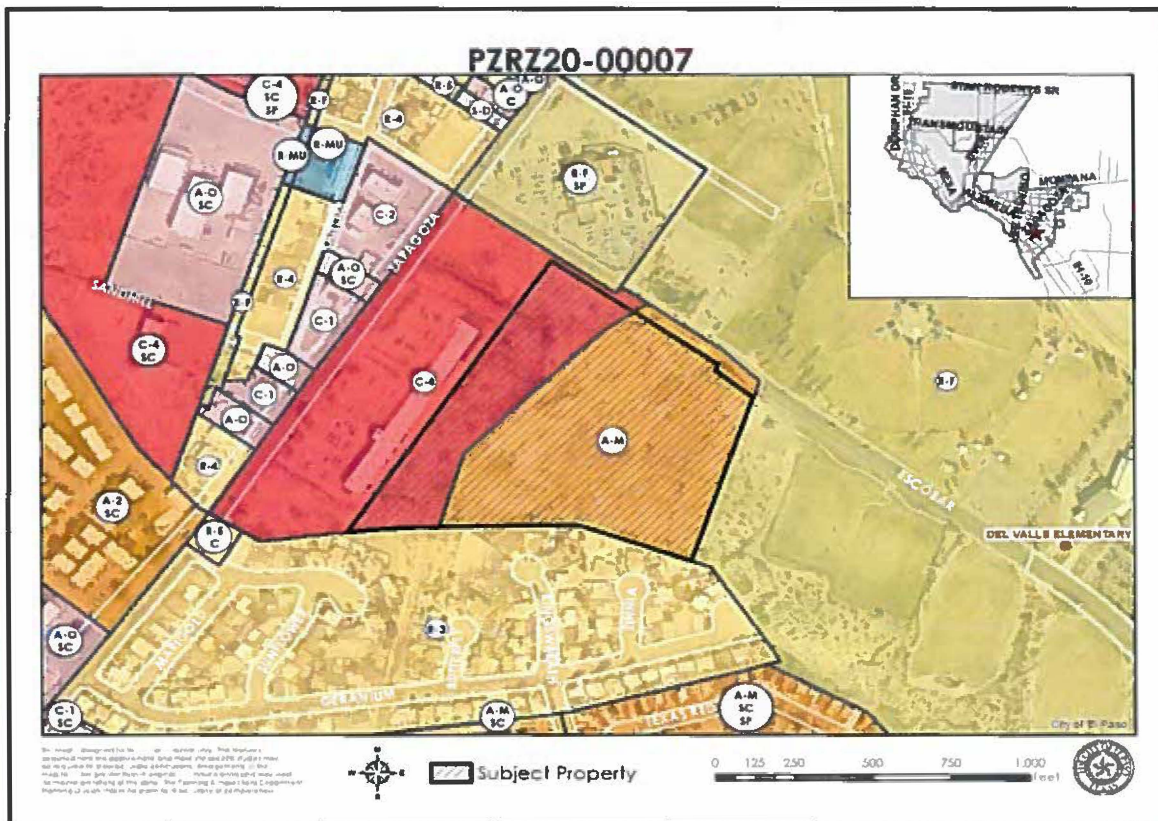


Figure A. Subject Property & Immediate Surrounding

DESCRIPTION OF REQUEST: The property owner is requesting to rezone from A-M (Apartment/Mobile Home) & C-4 (Commercial) to R-3 (Residential) to allow the subject property to be used for a School - Elementary (Pre-K through 6). The property is located at 9050 Escobar Drive within the Mission Planning Area. The area of the rezoning request is 17.32 acres in size. The conceptual site plan indicates two phases, each containing one building. Primary access to the proposed development is from Escobar Drive.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the adjacent residential and commercial 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*, in the Mission Planning area.

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><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 applicant proposes to rehabilitate a vacant property that is intended to serve the nearby neighborhood. Properties located within 300 feet of the subject property have the same or similar zoning. Surrounding zone districts consist of R-F (Ranch-farm), R-3 (Residential) and C-4 (Commercial).</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p><u>R-3 (Residential) District:</u> Low density of dwelling units supporting 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.</p>	<p>Yes, the proposed development is a permitted use in the R-3 (Residential) zone district with the approval of a Detailed Site Development Plan as required by El Paso City Code Section 20.10.145, Civic buildings, public spaces, and educational facilities. The existing development is adjacent to commercial and residential uses.</p>
<p>Preferred Development Locations: Is the subject property in a preferred development location, such as along an arterial?</p>	N/A
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 that may be applicable. Any adopted small areas plans, including land-use maps in those plans.</p>	N/A

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:	
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 an existing parcel.
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 proposed development is within an older area of the city, which represent stability within the G-3, Post-war use designation of <i>Plan El Paso</i> .
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed use is permitted in the R-3 (Residential) zone district.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: There is an existing 8-inch diameter water main that extends along Escobar Drive. This main is available for service.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to proposed rezoning. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

PUBLIC COMMENT: The subject property lies within the boundaries of the Mission Valley Civic Association and Corridor 20 Civic Association, all of which were notified prior to submittal of the Rezoning Application. Notices sent to property owners within 300 feet on June 25, 2020. Planning has received 6 calls of inquiry and one call in opposition to the rezoning request.

RELATED APPLICATIONS: N/A

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:

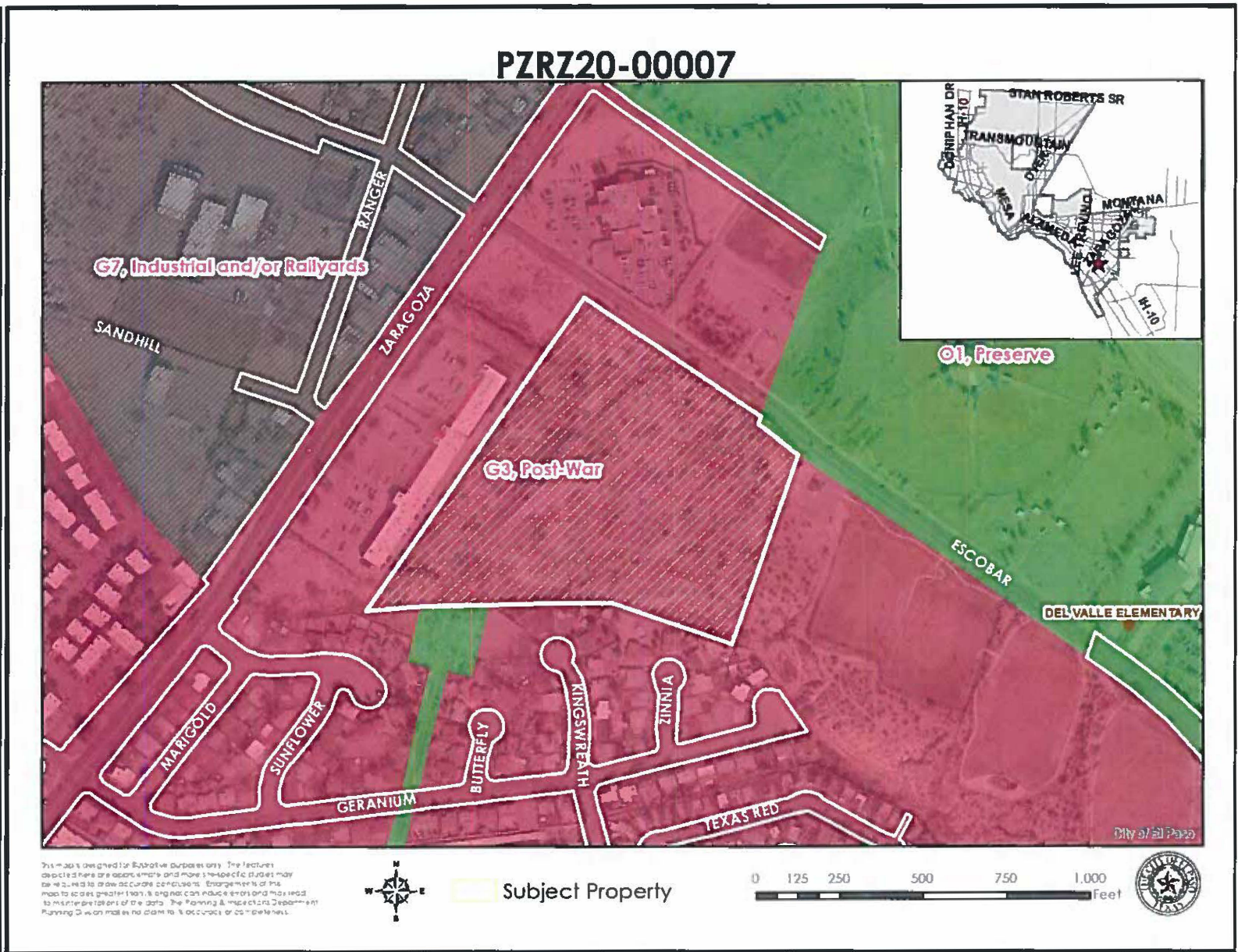
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)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

ATTACHMENT 1

Future Land Use Map



PZRZ20-00007

5

July 9, 2020

ATTACHMENT 2

Department Comments

Planning and Inspections Department

No objections to the rezoning.

Note:

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

Planning and Inspections Department – Landscaping Division

Recommended approval.

Land Development:

Recommended approval.

1. Six foot rock-walls inside property are required from high side along property boundary line abutting residential zone lots and specially along pond boundary line.
2. The code 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.

Sun Metro:

Recommended approval.

Fire Department:

Recommended approval.

TX Dot:

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

Streets and Maintenance Department

A TIA has already been submitted and accepted for this proposed development.

El Paso Water

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

Water:

There is an existing 8-inch diameter water main that extends along Escobar Drive. This main is available for service.

Previous water pressure readings from fire hydrant # 7698 located at Escobar Drive & 550-foot East of Zaragoza Road, has yielded a static pressure of 92 psi, a residual pressure of 860 psi, and a discharge of 919 gallons per minute. The owner should, for his own protection and at his own expense shall 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 water pressure regulator device.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extend along Escobar Drive. This main is available for service.

There is an existing 27-inch diameter sewer interceptor that extends along a 30-foot PSB easement that crosses the subject property. No direct service connections are allowed to this main as per The El Paso Water – Public Service Board Rules and Regulations.

There is an existing 8-inch diameter sanitary sewer along a 30-foot PSB easement. This main ends approximately 167-feet south of Escobar Drive. This main is available for service.

General:

All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWater-PSB Easement Policy. EPWater-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week. No building, reservoir, structure, parking stalls or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWater-PSB easements without the written consent of EPWater-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, curbs or any structure that will interfere with the access to the PSB easements. There shall be at least 5-foot setback from the easement line to any sign or structure.

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.

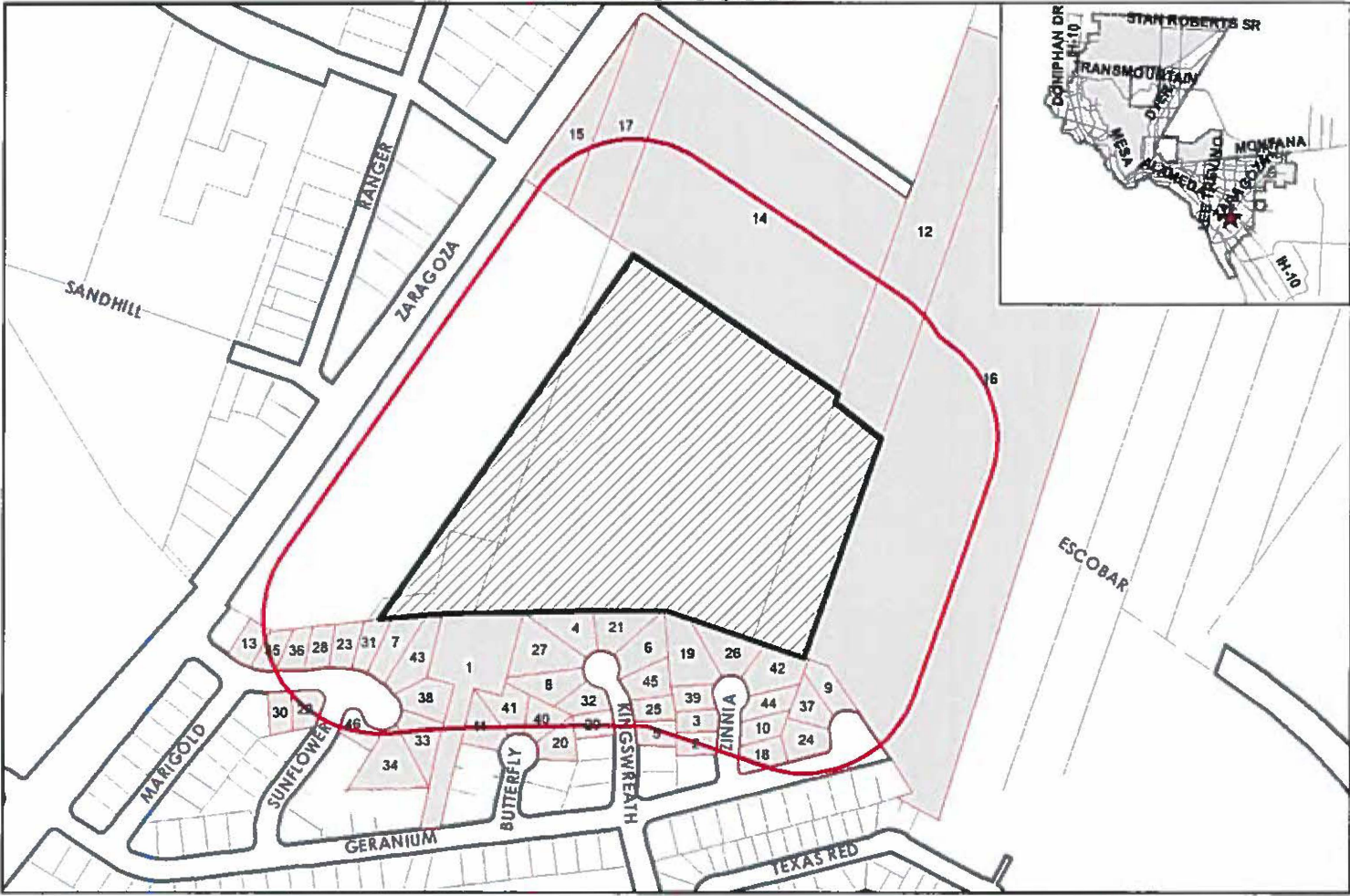
EPWater requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage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

EP Water-SW reviewed this property for CPC under Escobar Estates and provided the following comments:

- Provide a drainage easement for the proposed storm sewer pipes.
- The proposed private ponding area shall have enough capacity to hold the developed runoff for a designated 100-yr. storm event.
- According to the Stormwater Master Plan, there are issues with the Mesa Drain which will take the runoff upstream; these issues shall be addressed by others.

PZRZ20-00007



This map is designed for illustrative purposes only. The features depicted herein are approximate and more detailed studies may be required to draw accurate conclusions. Enlargements of the map to scales greater than 1:10,000 may not be used and may lead to misinterpretation of the data. The Planning & Infrastructure Department Planning Division makes no warranty.



-  Subject Property
-  Parcels within 300 feet

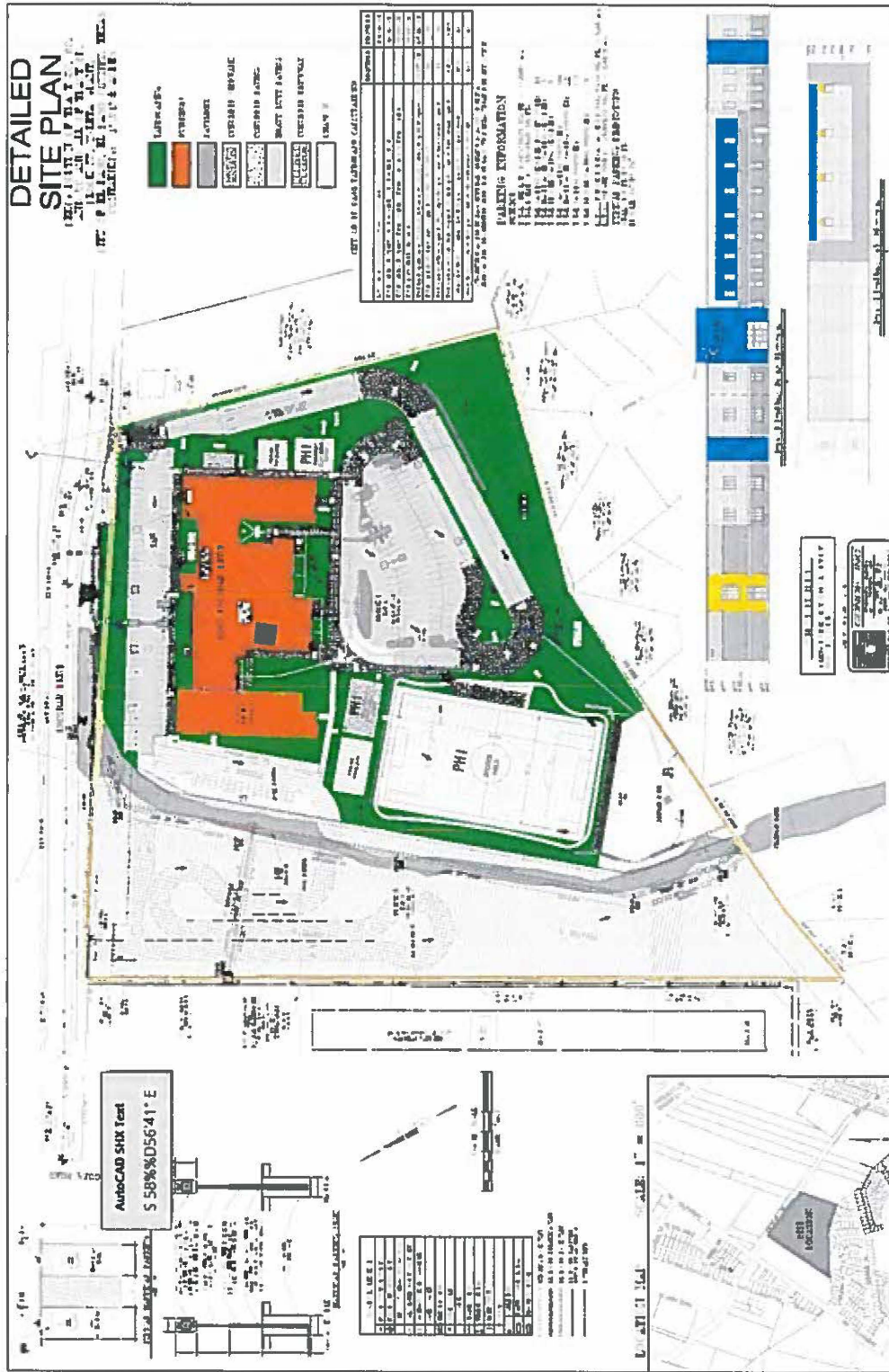


ATTACHMENT 3

Notification Map

ATTACHMENT 4

Conceptual Site Plan





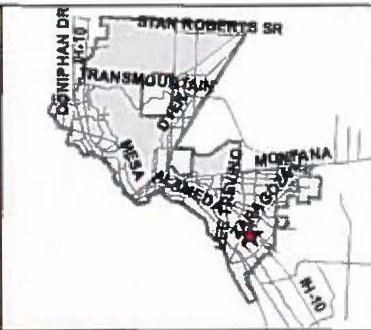
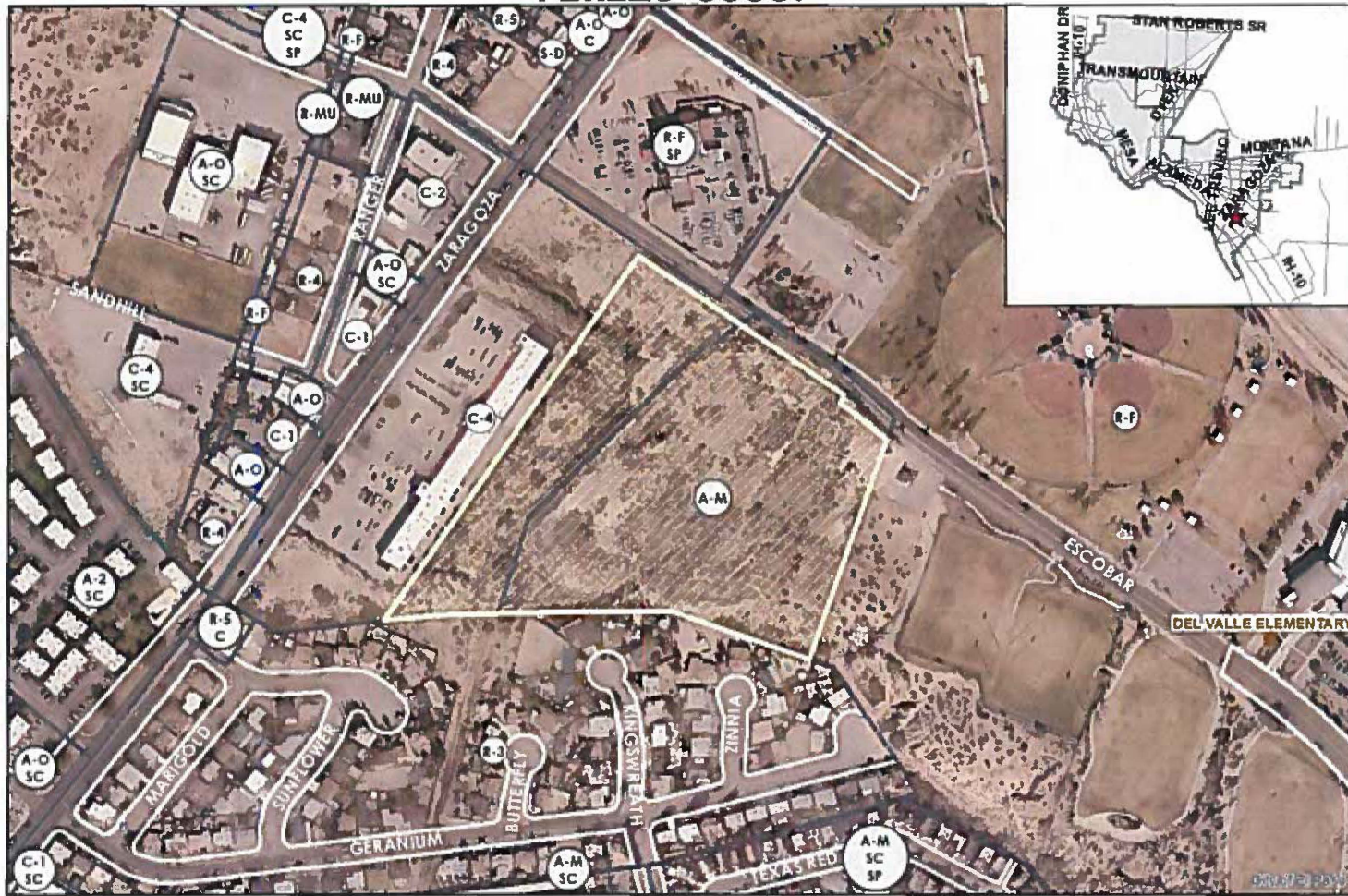
9050 Escobar Drive Rezoning

PZRZ20-00007

Strategic Goal 3.
Promote the Visual Image of
El Paso



PZRZ20-00007



Aerial

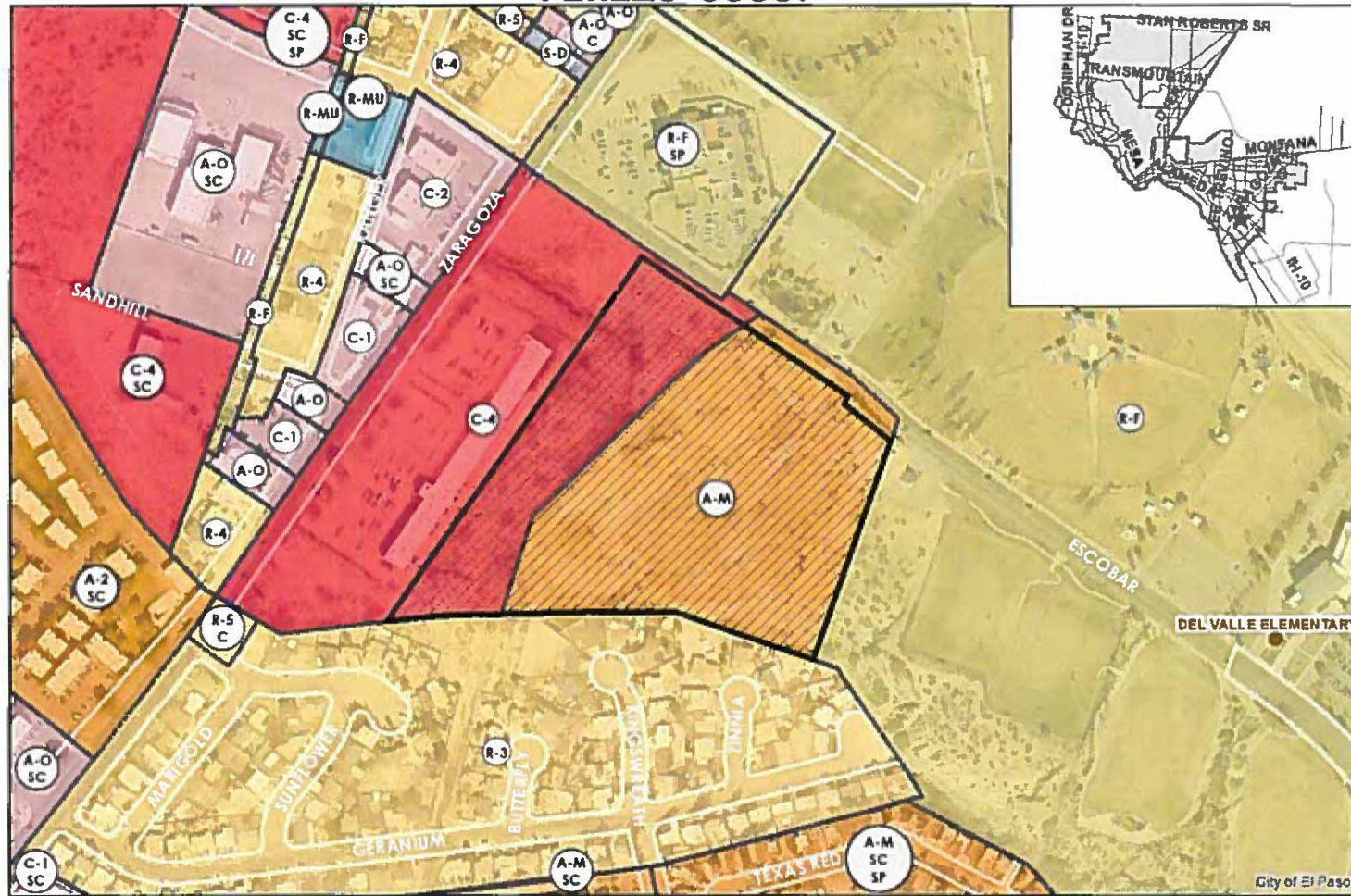
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Subject Property



PZR20-00007



Existing Zoning

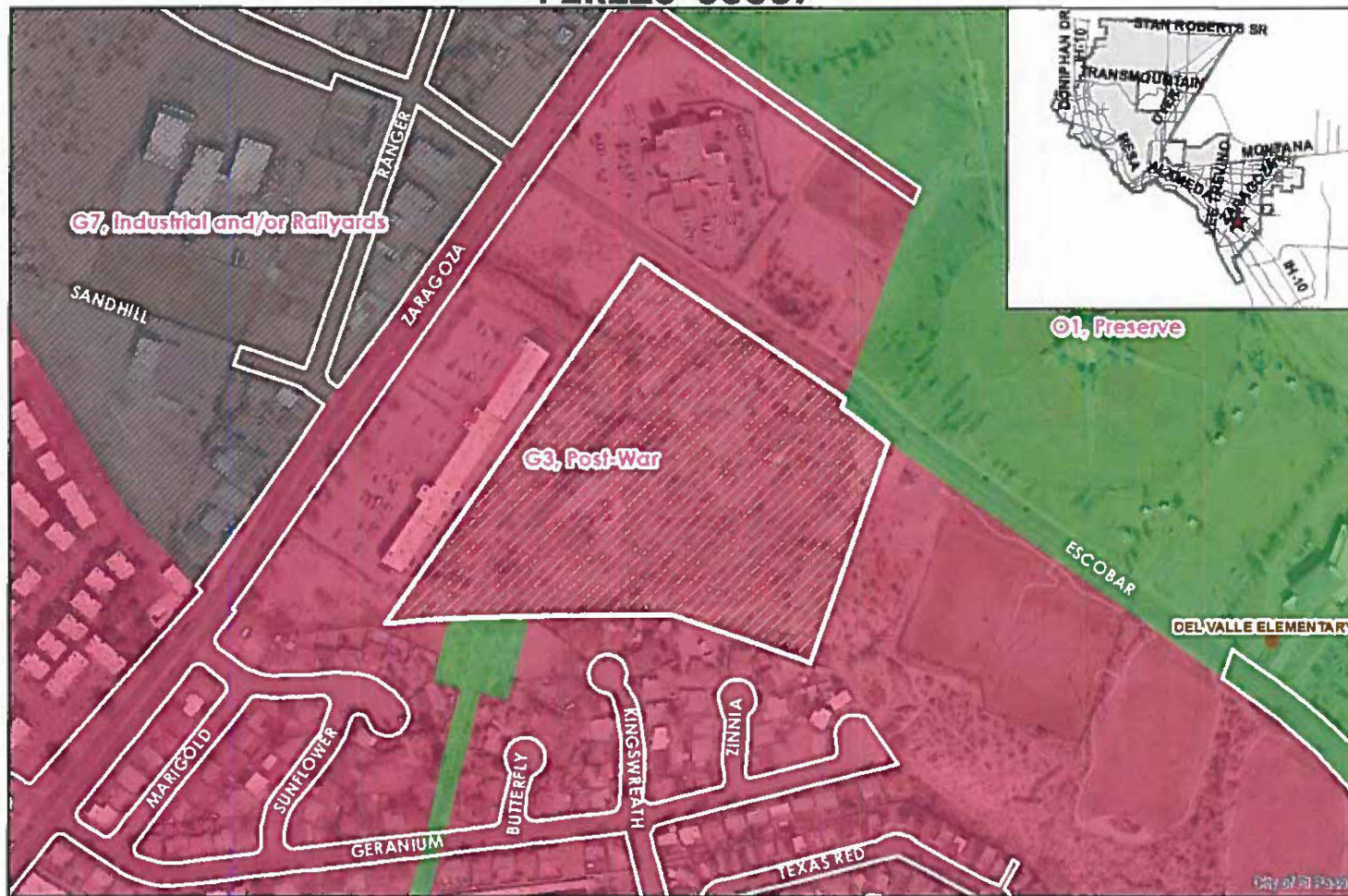
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 Subject Property



PZR20-00007



Future Land Use

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 Subject Property





Subject Property



Surrounding Development



W



N



S



E



Public Input

- Notices sent to property owners within 300 feet on June 25, 2020.
- Planning has received 6 calls of inquiry and one call in opposition to the rezoning request.

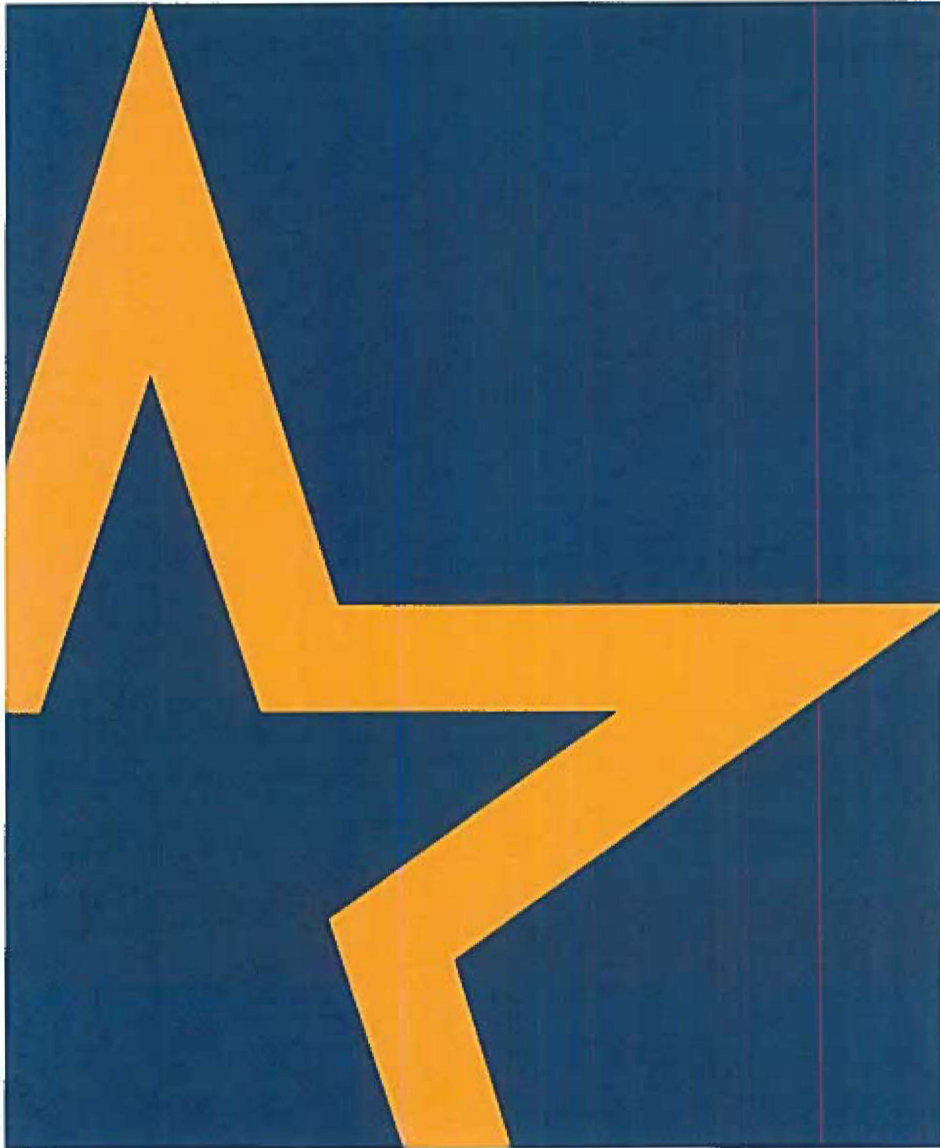




Recommendation

- Staff recommends Approval of the rezoning request.





Mission

Deliver exceptional services to support a high quality of life and place for our community

Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government

Values

Integrity, Respect, Excellence, Accountability, People