

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

DEPARTMENT: Planning and Inspections Department

AGENDA DATE: September 17, 2019

PUBLIC HEARING DATE: October 15, 2019

CONTACT PERSON NAME AND PHONE NUMBER: Philip Etiwe, 915-212-1553, EtiwePF@elpasotexas.gov
Harrison Plourde, 915-212-1584, PlourdeHT@elpasotexas.gov

DISTRICT(S) AFFECTED: 6

STRATEGIC GOAL: 3

SUBGOAL: 3.1

SUBJECT:

APPROVE an Ordinance changing the zoning of Section 15, Block 79, Township 3, Texas and Pacific Railway Company Surveys, City Of El Paso, El Paso County, Texas from R-F to R-3A. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.
PZRZ19-00017 (District 6)

BACKGROUND / DISCUSSION:

City Plan Commission (CPC) heard the case on September 12, 2019. The CPC staff report is attached.

PRIOR COUNCIL ACTION:

On August 20, 2019, City Council approved the Ordinance annexing the Cuesta del Sol development area (SUAX17-00001).

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 SECTION 15, BLOCK 79, TOWNSHIP 3, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F TO R-3A. 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 **Section 15, Block 79, Township 3, Texas and Pacific Railway Company Surveys**, located in the City of El Paso, El Paso County, Texas, and more particularly described by the metes and bounds attached as Exhibit "A", be changed from **R-F (Ranch Farm)** to **R-3A (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 _____, 2019.

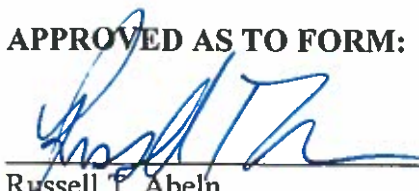
THE CITY OF EL PASO

Dee Margo
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Russell P. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibit "A" on the following page)

ORDINANCE NO. _____
19-1007-2500 / 925417
Cuesta Del Sol
RTA

PZRZ19-00017

Being a Portion of Section 15,
Block 79, Township 3,
Texas and Pacific Railway Company Surveys
El Paso County, Texas

April 03, 2019

METES AND BOUNDS DESCRIPTION
Exhibit "A"

FIELD NOTE DESCRIPTION of a Portion of Section 15, Block 79, Township 3, Texas and Pacific Railway Company Surveys, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found nail and shiner at the common Section Corner of Sections 15, 16, 17 and 18. **THENCE**, leaving said common Section Corner and along the common section line of Sections 15 and 16, North 02° 22' 00" East, a distance of 1964.36 feet to a set nail for corner at the **POINT OF BEGINNING** of the herein described parcel;

THENCE, continuing along said common Section line of Sections 15 and 16, North 02° 22' 00" East, a distance of 1309.58 feet to a set iron rod for corner;

THENCE, leaving said common Section line, South 86° 55' 53" East, a distance of 669.65 feet to a set iron rod for corner;

THENCE, South 02° 27' 34" West, a distance of 654.80 feet to a set iron rod for corner;

THENCE, South 86° 55' 44" East, a distance of 332.20 feet to a set iron rod for corner;

THENCE, South 02° 27' 36" West, a distance of 654.82 feet to a set iron rod for corner;


THENCE, North 86° 55' 35" West, a distance of 332.19 feet to a set iron rod for corner;

THENCE, North 02° 27' 34" East, a distance of 327.40 feet to a set iron rod for corner;

THENCE, North 86° 55' 39" West, a distance of 332.20 feet to a set iron rod for corner;

THENCE, South 02° 27' 32" West, a distance of 327.40 feet to a set iron rod for corner;

THENCE, North 86° 55' 35" West, a distance of 335.34 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 984,285.12 square feet or 22.5960 Acres of land more or less.


Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950



CAD CONSULTING COMPANY.
1790 Lee Trevino Suite #503
El Paso, Texas 79936
(915) 633-6422
J:\M&B\2016\16-2384.wpd

MEMORANDUM

DATE: September 10, 2019

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

FROM: Harrison Plourde, Long Range Lead Planner

SUBJECT: PZRZ19-00017

The City Plan Commission (CPC), on September 12, 2019, heard the request to rezone property described as Section 15, Block 79, Township 3, Texas and Pacific Railway Company Surveys, City Of El Paso, El Paso County, Texas from R-F to R-3A. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

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 not have negative effects on the natural environment, social economic conditions, property values in the vicinity, and the city as a whole.

There was no communication from the public for or against the amendment request.

Property Owner: Cuesta Del Sol, Inc.
Representative: CEA Group

Attachment:
Staff Report

Cuesta Del Sol

City Plan Commission — September 12, 2019

REZONING



CASE NUMBER: PZRZ19-00017
CASE MANAGER: Harrison Plourde, 212-1584, PlourdeHT@elpasotexas.gov
PROPERTY OWNER: Cuesta del Sol, Inc.
REPRESENTATIVE: CEA Group
LOCATION: North of Pellicano Drive and East of Dominic Anakin Drive (District 6)
PROPERTY AREA: 22.596 acres
REQUEST: Rezone from R-F (Ranch-Farm) to R-3A (Residential)
PUBLIC INPUT: None

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-F (Ranch-Farm) to R-3A (Residential) in order to permit a single-family residential development.

SUMMARY OF DCC RECOMMENDATION: The Development Coordinating Committee recommends **APPROVAL** of the request. The proposed development is in keeping with the character of the adjacent residential development and the policies of *Plan El Paso* for the G-4 Suburban Future Land Use Designation.

PZRZ19-00017

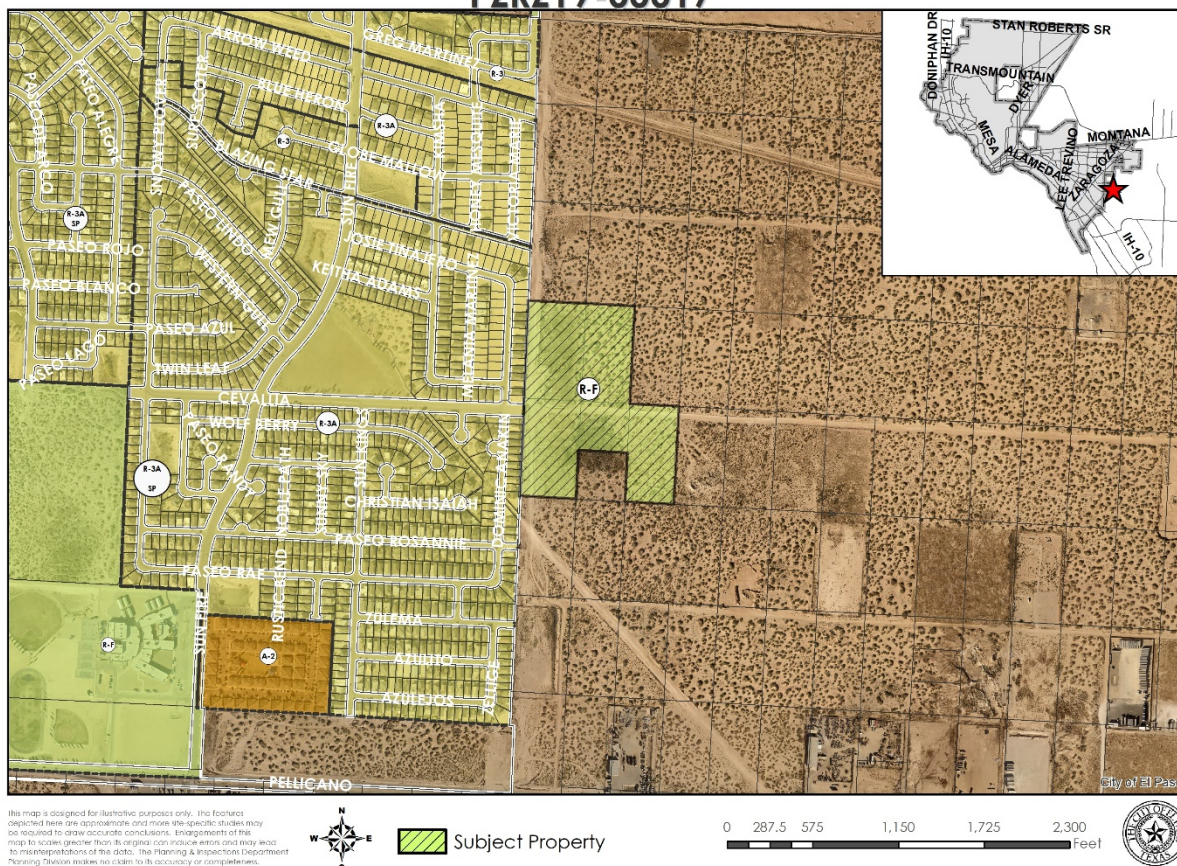


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is proposing to rezone a 22.5 acre property in order to allow for single-family residential development. The subject property was annexed into the City of El Paso on August 20, 2019; as per City policy, properties newly annexed are automatically assigned the R-F (Ranch Farm) zoning district. A conceptual site plan was submitted with the rezoning application depicting 86 single-family residential units, one 0.89 acre park site, and a 1.07 acre ponding area.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: Properties in the City limits to the west of the subject property are zoned R-3A and predominantly single-family residential uses. To the north, south, and east, all properties are vacant and outside of the City limits. The proposed development will act as an extension of the existing development pattern to the west.

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>O-6, Potential Annexation: Potentially developable land that is not needed for urban expansion at this time but is available if expansion is needed. Land can be redesignated from O-6 to a growth sector through a formal amendment to the Future Land Use Map.</p>	<p>The applicant has requested an amendment to the Future Land Use Map to change the applicable designation on the property from O-6 to G-4, Suburban. This designation matches the already developed areas within City limits to the west of the subject property.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>R-3A (Residential) District: The purpose of the 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 neighborhood.</p>	<p>Adjacent properties in the City to the west of the subject property carry the R-3A designation; the proposed development is of a similar scale and character to these properties.</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.	Development of the subject property will result in the further expansion of the developed footprint of the City and will result in an increase of local and regional vehicular traffic, as well as the expansion of occupied land needed to be served by emergency services and other City resources.
Natural Environment: Anticipated effects on the natural environment.	The subject property is currently undeveloped land. No arroyos or sensitive environments are included in the subject property.
Stability: Whether the area is stable or in transition.	The area within City limits to the west was annexed in 2006 and developed in a manner similar to the proposed development. It is anticipated that this development pattern will continue in the immediate area.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The subject property was annexed this year with the intent of developing for single-family residential use. The purpose of the rezoning request is to allow for the proposed development to occur, and to remove the default R-F zoning placed on the property upon rezoning.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:

Access is proposed from Cevalia Avenue, which is classified as a Minor Arterial, and the street will be extended through the proposed development in accordance with the Major Thoroughfare Plan. A subdivision plat must be approved prior to the commencement of proposed development; through this plat the property owner will dedicate multiple additional streets to provide access to the subject property.

PUBLIC COMMENT: Surrounding property owners within 300 feet were notified by mail on August 29, 2019. The Planning Department has not received any communication in support of or in opposition to the rezoning request.

CITY PLAN COMMISSION OPTIONS:

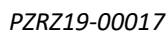
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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. Conceptual Site Plan
2. DCC Comments
3. Neighborhood Notification Boundary Map

PZRZ19-00017



ATTACHMENT 2

Planning and Inspections Department – Planning

Recommend approval.

Planning and Inspections Department – Building Plan Review

Recommend approval.

Planning and Inspections Department – Land Development

No comments received

Fire Department

No comments received

Sun Metro

No objections.

El Paso County Water Improvement District No. 1

The item is not within EPCWID No. 1's district.

El Paso Water – Stormwater Engineering

EPW-Stormwater Engineering has reviewed the above-mentioned development and has no objections to proposed rezoning once the subdivision is annexed.

The proposed ponding area shall have enough capacity to hold the developed runoff for a designated 100-year storm event.

El Paso Water

EPWater does not object to this request.

The subject property is located within the Eastside Impact Fee Service Area. Impact fees will be assessed and collected at the time the El Paso Water receives an application for water and sanitary sewer services.

Water:

There is an existing 12-inch diameter water main along the north side of Cevalia Avenue approximately 20 feet south of and parallel to the northern right-of-way line of Cevalia Avenue. A 12-inch diameter water main extension will be required along the future extension of Cevalia Avenue. The Owner/Developer is responsible for the cost of extension.

The only main available to direct water extension is along Cevalia Avenue. If the subject property is further subdivided, water main extensions creating a looped system will be required depending on the proposed site layout of the parcels.

There is an existing 42-inch diameter sewer interceptor within a 25 foot PSB easement, located approximately 5 feet east of the eastern boundary line of the property. No direct service connections are allowed to this sewer main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

Sanitary Sewer:

There is an existing 12-inch diameter sanitary sewer main along the south side of Cevalia Avenue approximately 30 feet north of and parallel to the southern right-of-way line of Cevalia Avenue. A 12-inch diameter sewer main extension will be required along the future extension of Cevalia Avenue to the subject property. The Owner/Developer is responsible for the cost of the extension.

General:

No building, reservoir, structure, parking stalls, or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWU-PSB easement without the written consent of EPWU-PSB. The Owner 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 building, sign or structure. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWU-PSB Easement Policy. The PSB easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU-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.

During the site improvement work, the Owner/Developer shall safeguard the existing 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 service 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 – PSB 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 3

