

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

**DEPARTMENT:** Planning and Inspections, Planning Division

**AGENDA DATE:** Introduction: October 30, 2018  
Public Hearing: November 27, 2018

**CONTACT PERSON/PHONE:** Philip Etiwe, (915) 212-1550, [etiwepf@elpasotexas.gov](mailto:etiwepf@elpasotexas.gov)  
Anne Guayante, (915) 212-1814, [guayanteam@elpasotexas.gov](mailto:guayanteam@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** [DISTRICT NUMBER]

**SUBJECT:**

An Ordinance changing the zoning of Tract 42, S.A & M.G Railway Company Survey No. 267, 235 Hillview Avenue, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-2 (Apartment) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 235 Hillview Ave. Property Owner: Norma Yague PZRZ18-00023 (District 1)

**BACKGROUND / DISCUSSION:**

On August 23, 2018, 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

**BOARD / COMMISSION ACTION:**

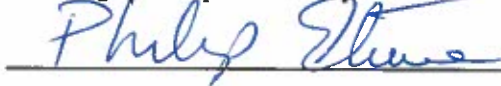
City Plan Commission (CPC) – Approval Recommendation (6-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Philip Etiwe  
Planning and Inspections Department

  
\_\_\_\_\_

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE CHANGING THE ZONING OF TRACT 42, S.A. & M.G. RAILWAY COMPANY SURVEY NO. 267, 235 HILLVIEW AVENUE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-2 (APARTMENT), AND IMPOSING A CONDITION. 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 **Tract 42, S.A. and M.G. Railway Company Survey No. 267, 235 Hillview Avenue**, located in the City of El Paso, El Paso County, Texas, is hereby attached as Exhibit "A", be changed from **R-4 (Residential)** to **A-2/c (Apartment)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso as further described as Exhibit "B", be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the potential for increased intensity of land use for the subject property generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

*That a ten (10) foot landscaped buffer with high-profile native trees of at least two (2) inch caliper and ten (10) feet in height shall be placed at fifteen (15) feet on center along the property lines adjacent to residential zoned districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.*

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 \_\_\_\_\_, 2018.


**THE CITY OF EL PASO**

**ATTEST:**

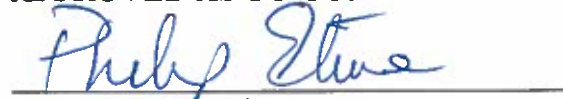
\_\_\_\_\_  
Dee Margo  
Mayor

\_\_\_\_\_  
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.** \_\_\_\_\_

18-1007-2300 | 831078  
235 Hillview Avenue  
RTA

**PZRZ18-00023**

# EXHIBIT "A"

## Calderon Engineering

3431 Trawood Drive  
El Paso, Texas 79936  
(915) 835-7533  
Fax: 835-8350  
[Calderon.Engineering@robletx.com](mailto:Calderon.Engineering@robletx.com)

235 Hill View

September 06, 2018

### METES & BOUNDS DESCRIPTION

Description of a parcel of land being Tract 42, S.A. & M.G. Railway Company Survey No. 267, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows;

Beginning at a found iron pin marking the Southeast corner of Tract 43 the Southwest corner of Tract 42 and on the North right-of-way line of Hill View Avenue in S.A. & M.G. Railway Company Survey No. 267 as described in Deed filed in Document No. 20180029926 Deed Records of El Paso County Texas.

Thence North  $18^{\circ}16'00''$  West, along the common tract line between Tracts 42 and 43 a distance of 210.00 feet to a fence post corner;

Thence North  $71^{\circ}44'00''$  East, along the North boundary of Tract 42 a distance of 104.00 feet to a found iron pin;

Thence South  $18^{\circ}16'00''$  East, along the common tract line between Tracts 42 and 41 a distance of 210.00 feet to a found iron pin;

Thence South  $71^{\circ}44'00''$  West, along the south boundary of Tract 42 and along the North right-of-way line of Hill View Avenue a distance of 104.00 feet to the "Point of Beginning" and containing in all 21,840.00 square feet or 0.501 acres of land more or less.



Manuel Calderon  
Calderon Engineering  
Registered Professional Land Surveyor No. 2564  
Texas Registered Engineering Firm No. F-3744  
Texas Licensed Surveying Firm No. 100200-00

CS-5V  
235 Hill View

(Exhibit "B" on following page)

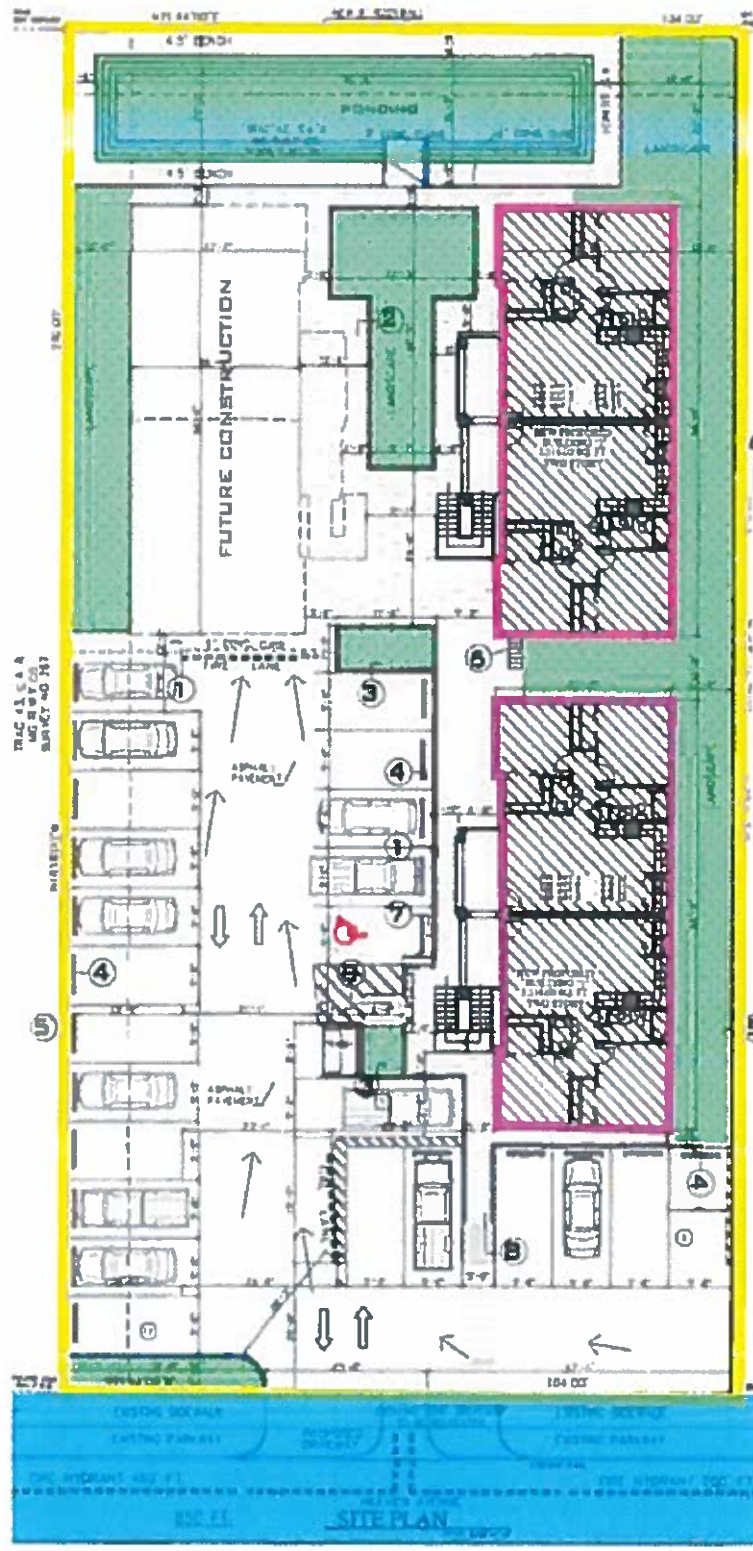
ORDINANCE NO. \_\_\_\_\_

18-1007-2300 | 831078  
235 Hillview Avenue  
RTA

PZRZ18-00023

# EXHIBIT "B"

## ATTACHMENT 1 Conceptual Site Plan



## MEMORANDUM

**DATE:** October 22, 2018  
**TO:** The Honorable Mayor and City Council  
Tomàs Gonzalez, City Manager  
**FROM:** Anne Guayante - Planning & Inspections  
**SUBJECT:** PZRZ18-00023

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The City Plan Commission unanimously recommended **approval** (8-0) of the proposed rezoning at its August 23, 2018 meeting, and imposing one condition.

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the proposed 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, 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 October 22, 2018, Planning staff has not received any opposition to the rezoning request.

**Property Owner:** Norma Yague  
**Applicant:** Vista del Sol Architectural Design

**Attachments:** Staff Report

# 235 Hillview Avenue

City of El Paso — Plan Commission — 8/23/2018



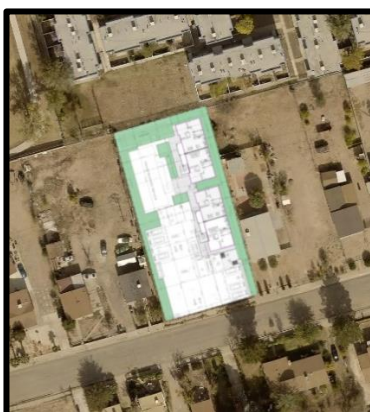
**PZRZ18-00023**

**Rezoning**

<b>STAFF CONTACT:</b>	Rick Venegas, 915-212-1552, <a href="mailto:venegasrm@elpasotexas.gov">venegasrm@elpasotexas.gov</a>
<b>OWNER:</b>	Norma Yague
<b>REPRESENTATIVE:</b>	Luis Javier Lopez
<b>LOCATION:</b>	235 Hillview Avenue
<b>LEGAL DESCRIPTION:</b>	Tract 42, S.A. & M.G. Railway Survey No. 267, City of El Paso, El Paso County, Texas
<b>EXISTING ZONING:</b>	R-4(Residential)
<b>REQUEST:</b>	To rezone from R-4 (Residential) to A-2 (Apartment) to construct apartments
<b>RELATED APPLICATIONS:</b>	N/A
<b>PUBLIC INPUT</b>	Planning has not received any communication in support or opposition to the rezoning request; Notices dated August 9, 2018 were sent to property owners within 300 feet of the subject property.
<b>STAFF RECOMMENDATION:</b>	<b>Approval</b> (see pages 2—4 for basis for recommendation)

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the property at 235 Hillview Avenue from R-4 (Residential) to A-2 (Apartment) to allow construction of two 3,516 sq. ft. quadraplexes with a third quadraplex to be built in the future, as shown on the conceptual plan. The subject property is 0.5 acres in size and is currently vacant. Access will be from Hillview Avenue at the south of the property.

**SUMMARY OF RECOMMENDATION:** The Planning Division recommends **APPROVAL** of rezoning the subject property from R-4 (Residential) to A-2 (Apartment) with the following condition: *that a ten-foot (10') landscaped buffer with high-profile native trees, at least ten feet (10') in height and two-inch (2") caliper, be placed at fifteen-foot (15') intervals on center along property lines adjacent to residential districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to issuance of any certificates of occupancy.* The recommendation is based on compatibility with the surrounding properties and uses within the area of the subject property, in compliance with Plan El Paso land use designation G-3, Post-War in the Northwest Planning Area.



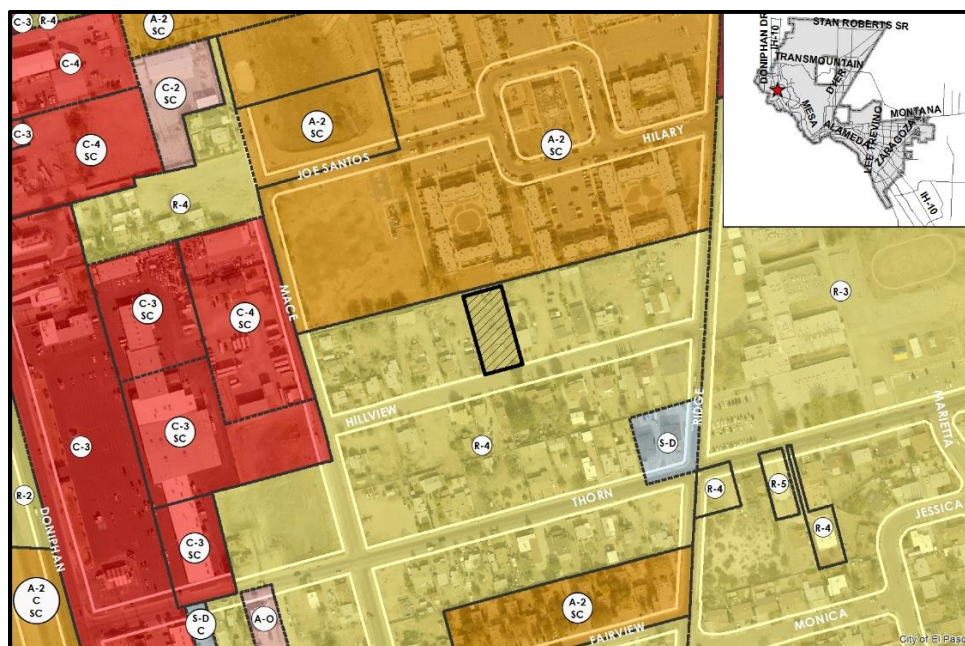
## DESCRIPTION OF REQUEST

The property owner is requesting a rezoning from R-4 to A-2 to accommodate two proposed quadraplexes. The current use of the property is vacant. The conceptual plan shows a two proposed 3,516 sq. ft. quadraplexes that meet the dimensional requirements of the proposed A-2 (Apartments) zoning district. A third quadraplex for future construction is also shown on the conceptual plan.

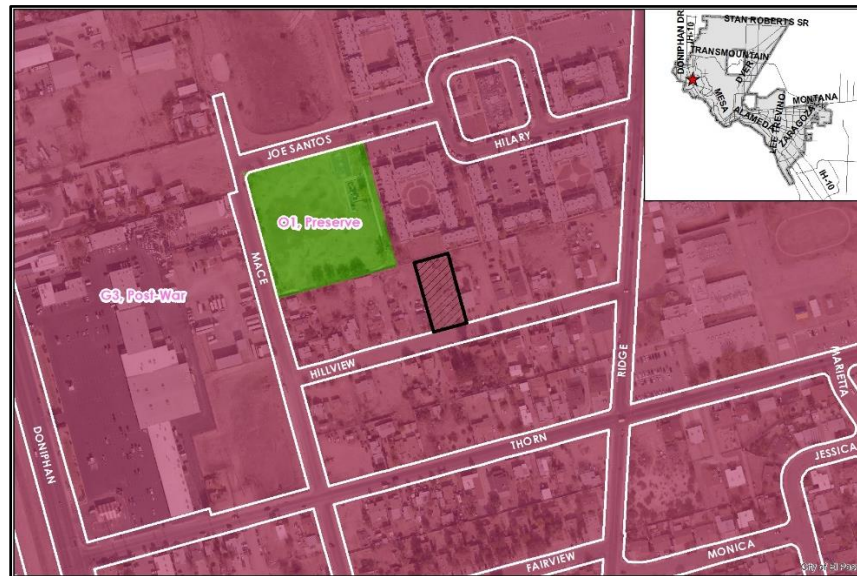
## REZONING POLICY

POLICY	DOES IT COMPLY?
<b><u>Compatibility</u></b> Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.	Yes, there are apartments within 300 ft. of proposed development, including large apartment complexes to the north and two multi-family dwellings to the southeast in addition to several multi-family dwellings along Hillview Avenue. The proposed lot is vacant.
<b><u>Plan El Paso</u></b> The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.	Yes, rezoning will permit development of a vacant lot in an area that was annexed in 1972.

**NEIGHBORHOOD CHARACTER AND COMPATIBILITY:** The subject property is located on Tract 42 of the S.A & M.G Railway Survey No. 267. The site is currently zoned R-4 (Residential) and is currently vacant. There are apartment complexes within 300 ft of the proposed development with the A-2 zoning district. The nearest park is Thorn Park (744 feet) and the nearest school is Roberts Elementary (779 feet).



**COMPLIANCE WITH PLAN EL PASO:** The purpose of the application is to continue development of vacant lots that would benefit from strategic suburban retrofits to supplement the limited housing stock in the G-3 Post-War land use designation.



## RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE PLAN

<p><b>CONSISTENCY WITH PLAN EL PASO</b></p> <p><b><u>G-3 – Post War</u></b></p> <p>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><b>DOES IT COMPLY?</b></p> <p>Yes, this area is vacant. This development will add multi-family dwellings to supplement housing stock in the neighborhood.</p>
<p><b>ZONING DISTRICT</b></p> <p>A-2 (Apartment) zoning district is intended to provide medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. It also permits building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities.</p>	<p><b>DOES IT COMPLY?</b></p> <p>Yes, a quadruplex is a permitted use in an A-2 zoning district.</p>

<b>POLICY</b>	<b>DOES IT COMPLY?</b>
<p><b>1.2.3:</b> Vacant and underutilized parcels in and around the City's traditional neighborhoods can be excellent locations for redevelopment that adds housing, shopping, employment, entertainment, and recreational options for nearby residents and transit patrons. Redevelopment of such sites should mesh with the scale and character of these existing neighborhoods rather than imposing a suburban or high-rise model on traditional neighborhoods. The City's zoning and development regulations should be modified accordingly. Additional infill incentives should be considered by the City.</p>	<p>Yes, this lot is vacant and its development adds another housing option that will mesh with the scale and character of the surrounding neighborhood.</p>

**SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING:** The lot is 21,780 sf (0.5 acres). The current R-4 zoning allows for development of single- or two-family residential uses if so desired by the property owner. The proposed quadraplex is not a permitted use in an R-4 residential district.

**SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING:** The subject site is 0.5 acres in size (21,780 sq. ft.) and is located on the southern periphery of the Sandoval Apartments, a large apartment complex to the north of the subject property. Additionally, there are several multi-family dwellings along Hillview Avenue as well as multi-family dwellings in the S-D zoning district to the southeast of the subject property.

**CONSISTENCY WITH INTENT AND PURPOSE OF THE ZONING ORDINANCE:** The intent of the Zoning Ordinance is to protect the public health, safety, and general welfare; to regulate the use of land and buildings within zoning districts to ensure compatibility, and to protect property values. The intent of the A-2 (Apartments) District is to provide medium densities of dwelling units supported by higher intensity land uses located at the periphery of single-family neighborhoods providing that the overall character and architectural integrity of the neighborhood is preserved. It also permits building types designed for transition from areas of low density residential neighborhoods to other residential areas, and certain non-residential uses and support facilities. The proposed zoning and the proposed use meet the intent of the zoning ordinance.

**ADEQUACY OF PUBLIC FACILITIES AND SERVICES:** There is an existing 6-inch diameter water main extending along the north side of Hillview Avenue, approximately 20-feet south of and parallel to the northern right-of-way line of Hillview Ave. This water main is available for services.

**EFFECT UPON THE NATURAL ENVIRONMENT:** Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.

**COMMENT FROM THE PUBLIC:** The subject property is within the boundaries of the Upper Valley Neighborhood Association. Notice of a Public Hearing, dated August 9, 2018, was mailed to all property owners within 300 feet of the subject property. Planning has not received any communication in support or opposition to the rezoning request.

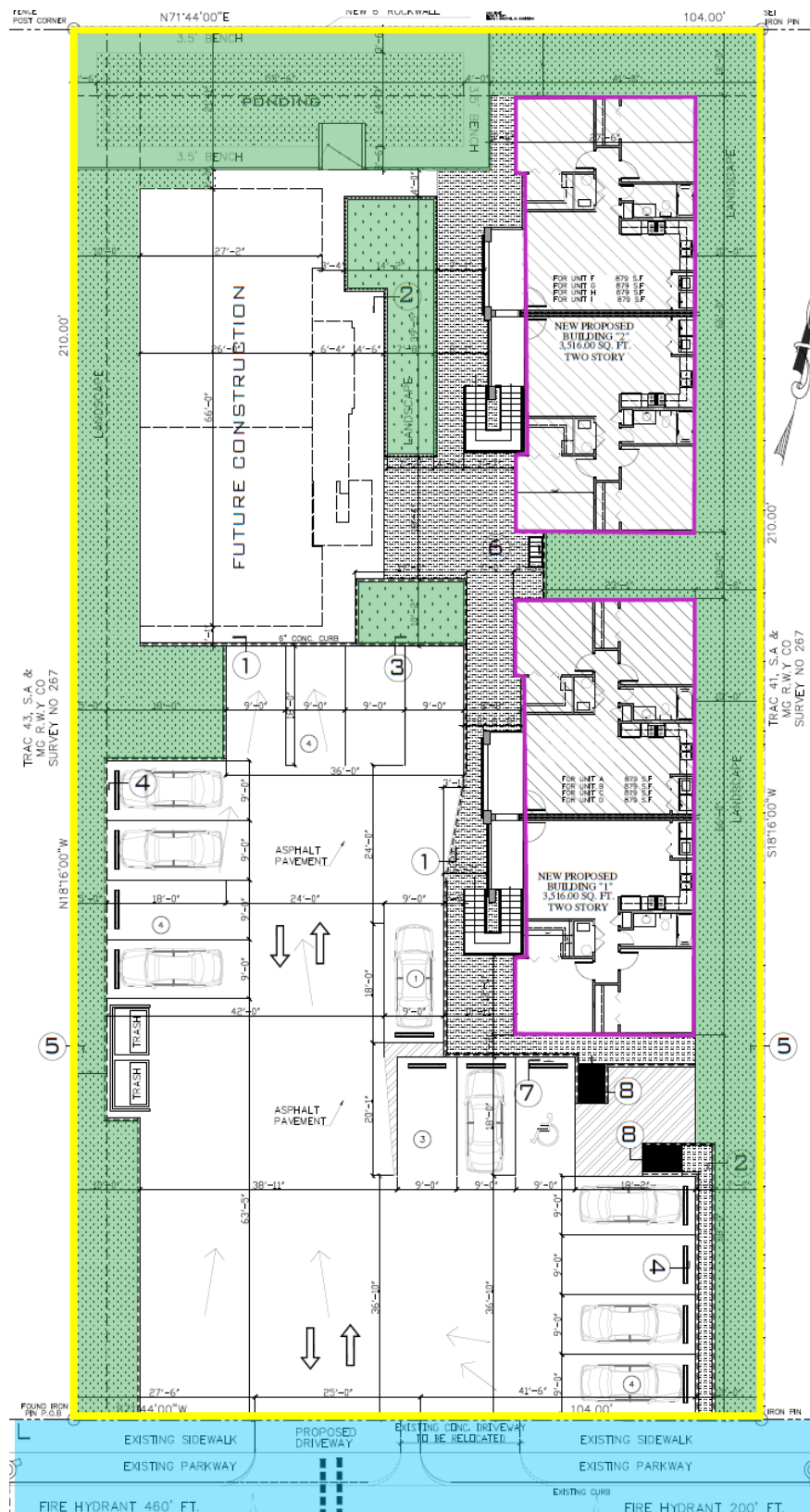
**STAFF COMMENTS:** No objections to proposed rezoning. No other departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

**ATTACHMENTS:**

1. Conceptual Site Plan
2. Zoning Map
3. Future Land Use Map
4. Department Comments
5. Public Notification Boundary Map

# ATTACHMENT 1

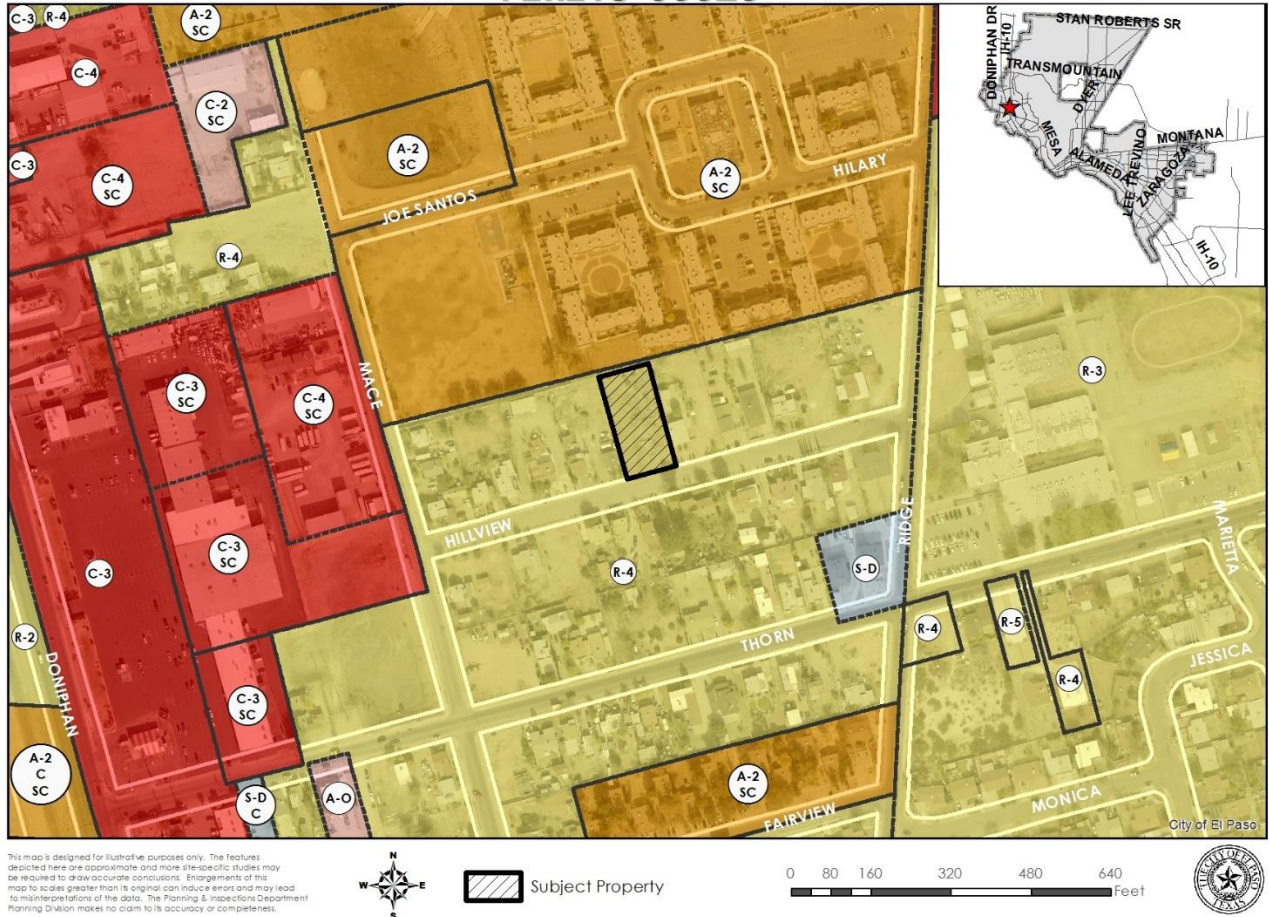
## Conceptual Site Plan



# ATTACHMENT 2

## Zoning Map

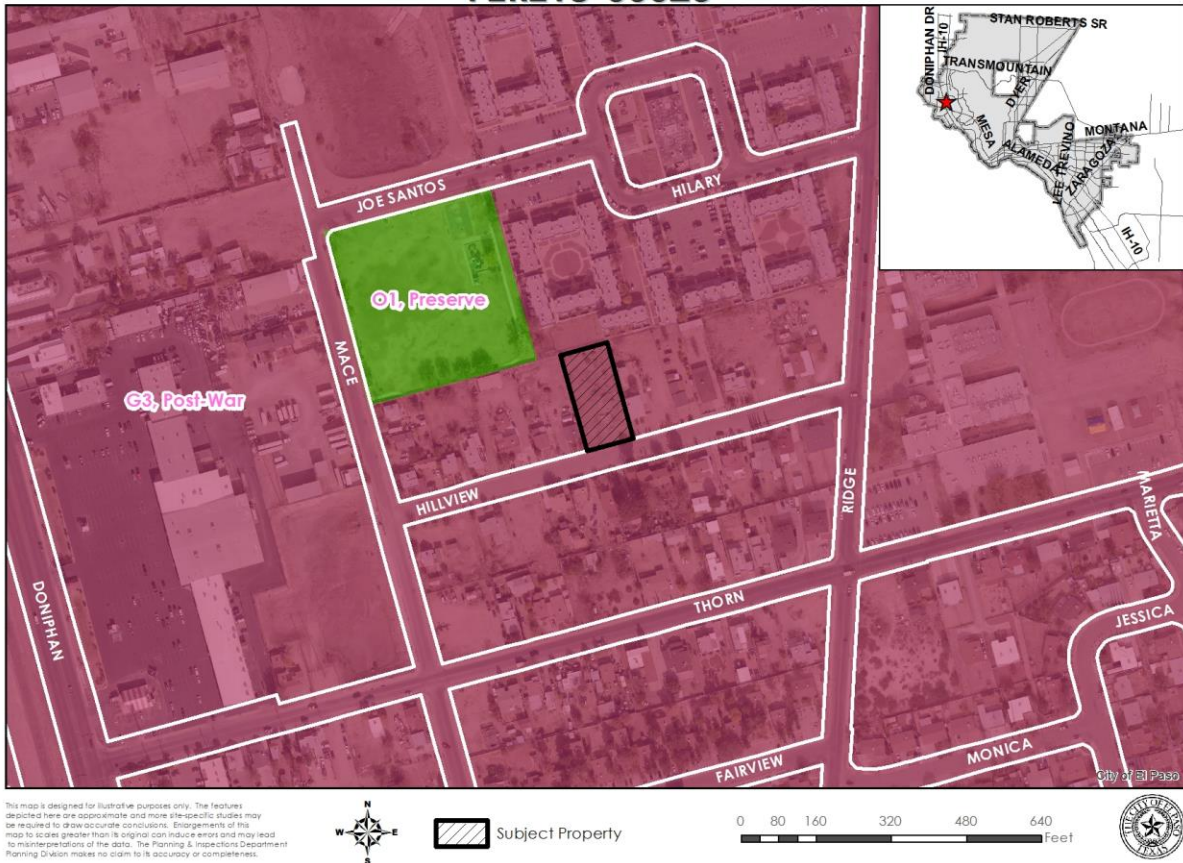
PZRZ18-00023



# ATTACHMENT 3

## Future Land Use Map

PZRZ18-00023



# **ATTACHMENT 4**

## Department Comments

### **Planning and Inspections Department - Zoning**

Provide metes and bounds survey of property.

Provide open space calculations in accordance with Appendix B – Table of Density and Dimensional Standards.

Provide certification that taxes are current on the subject property.

### **TXDOT**

Site is are not abutting TxDOT Right of Way.

### **Planning and Inspections Department - Land Development**

Add current FEMA FIRM flood zone information to general notes.

### **Environmental Services Department**

- Since this appears to have more than four dwelling units, private waste collection will be required
- An area for dumpster storage, with applicable screening per the zoning code, will be required, with consideration given to collection truck being able to navigate the property for collection
- Consideration should be given to surrounding occupants regarding noise generated when waste is collected; it appears a suitable location may be on the south side of the ponding area

### **Texas Gas Service**

Texas Gas Service does not object to the DCC Cases listed above, only for applicant to contact Texas811 for line locates of existing underground utilities within vicinities of the applications...Please let us know if there are any questions or if additional information is required.

### **El Paso Water – Stormwater Engineering**

We have reviewed the property described above and provide the following comments:

1. The proposed ponding area at the rear of the property shall have enough capacity to hold the developed runoff for a designed 100-yr. storm event.
2. EPW - Stormwater Engineering recommends using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed stormwater runoff.

### **El Paso Water**

We have reviewed the request described above and provide the following comments:

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

Water:

There is an existing 6-inch diameter water main extending along the north side of Hillview Ave., approximately 20-feet south of and parallel to the northern right-of-way line of Hillview Ave. This water main is available for services.

Previous water pressure from fire hydrant #5524 located on Hillview Ave. approximately 300-feet west of Ridge St. has yield a static pressure of 70 (psi), a residual pressure of 68 (psi), and a discharge of 715 gallons per minute.

#### Sanitary Sewer:

There is an existing 12-inch diameter sanitary sewer main extending along the south side of Hillview Ave., approximately 25-feet north of and parallel to the southern right-of-way line of Hillview Ave. This sanitary sewer is available for services.

#### General:

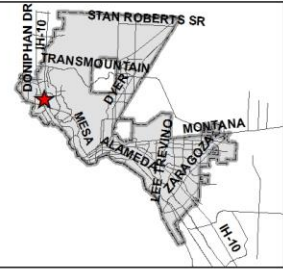
EPWater - PSB requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans,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

EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within utility and PSB easements 24 hours a day, seven (7) days a week.

# ATTACHMENT 5

## Notification Map

PZRZ18-00023



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. Enlargements of this map to scales greater than its original can induce error and may lead to misinterpretations of the data. The Planning & Inspection Department Planning Division makes no claim to its accuracy or completeness.



 Subject Property

0 80 160 320 480 640 Feet





## 235 HILLVIEW - PZRZ18-00023



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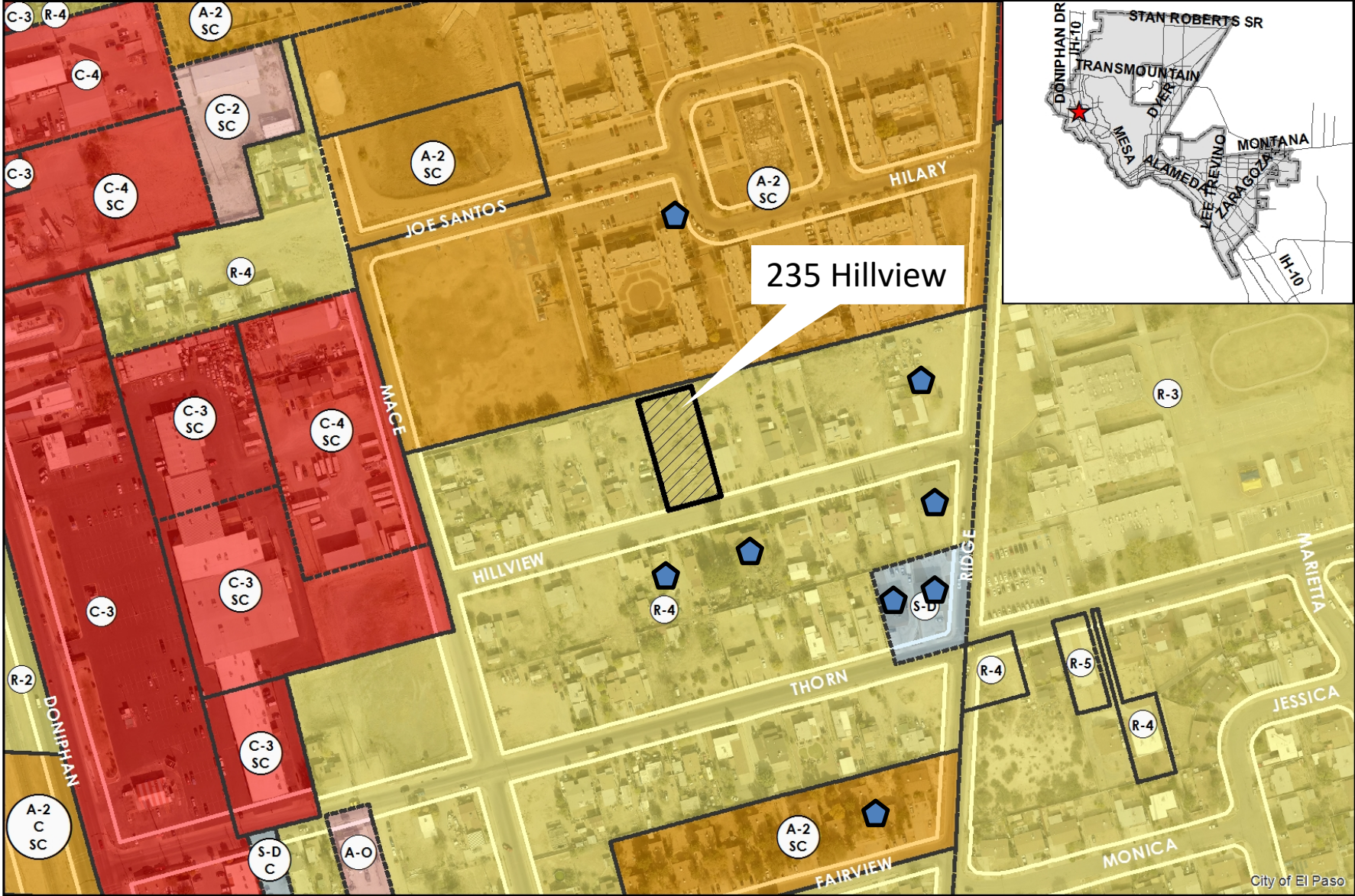


0 90 180 360 540 720 Feet





PZRZ18-00023



Multi-family residence

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Subject Property

0 80 160 320 480 640 Feet

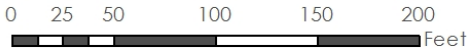




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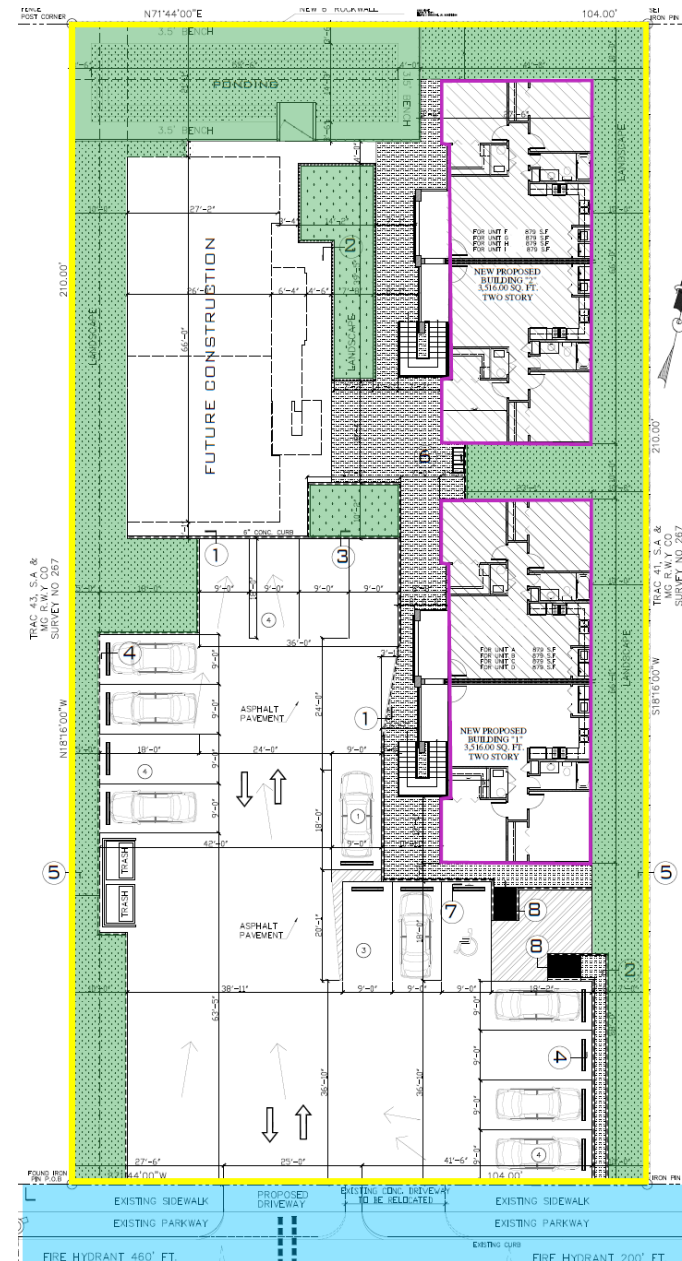


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# CONCEPTUAL SITE PLAN – 235 Hillview



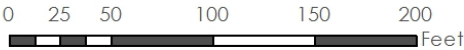
*"Delivering Outstanding Services"*



PZRZ18-00023



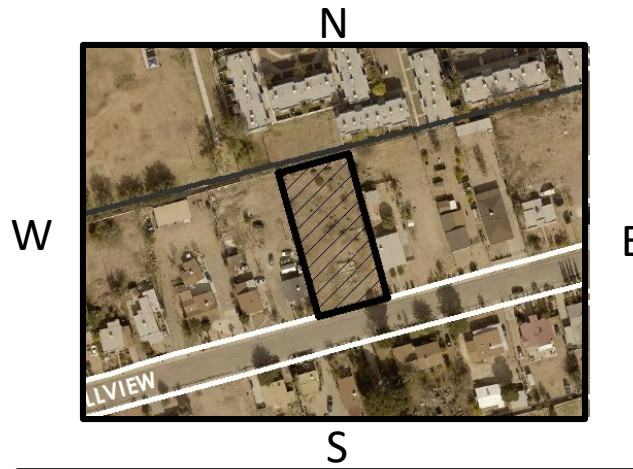
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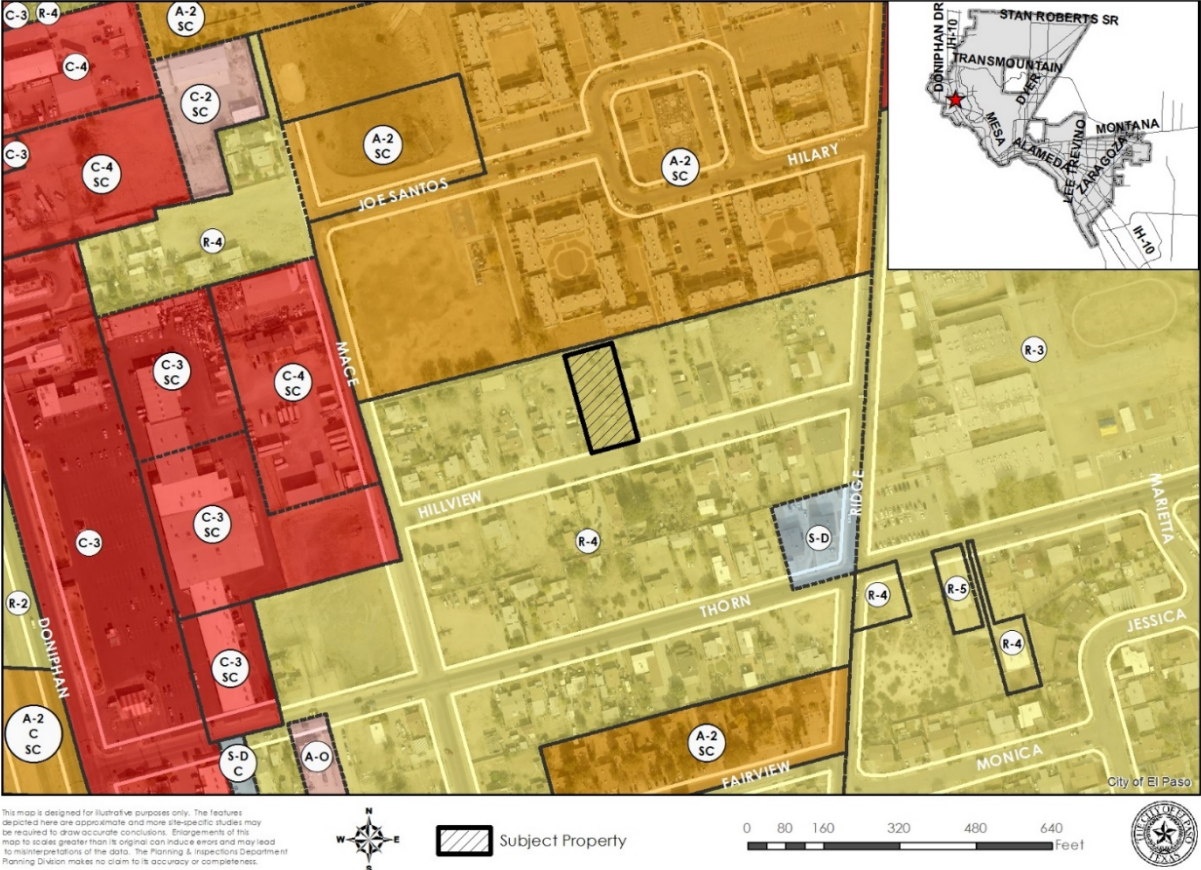
## 235 Hillview



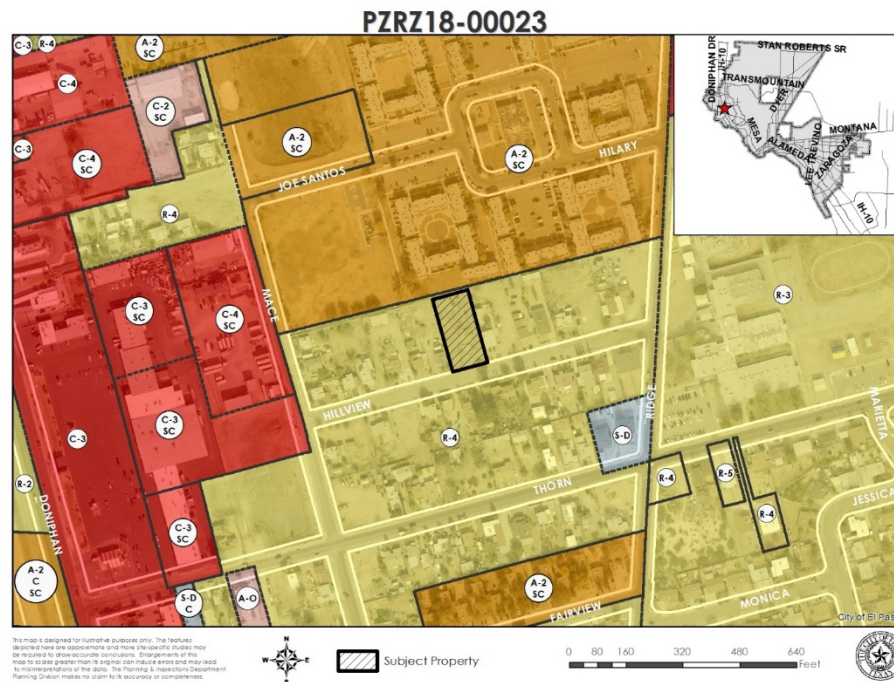




PZRZ18-00023



Staff received one (1) informational call about this case.  
Staff has not received support or opposition to this rezoning request.



The Planning Division recommends approval of the rezoning at 235 Hillview Avenue from the R-4 zoning district to the A-2 zoning district with the following condition:

1. *A ten foot (10') landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at fifteen (15') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy*