

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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: October 2, 2018
Public Hearing: October 30, 2018

CONTACT PERSON/PHONE: Philip Etiwe, (915) 212-1553, etiwepf@elpasotexas.gov
Brenda Cantu, (915) 212-1642, cantubr@elpasotexas.gov

DISTRICT(S) AFFECTED: 5

SUBJECT:

An Ordinance changing the zoning of a portion of Tracts 1C and 17, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from S-D (Special Development) to R-5 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: South of Montana Avenue and West of Rich Beem Boulevard. Property Owner: City of El Paso. PZRZ18-00038 (District 5)

BACKGROUND / DISCUSSION:

~~On October 4, 2018, the CPC reviewed and recommended approval of the rezoning.~~

PRIOR COUNCIL ACTION:

There is no prior City Council action on this rezoning application.

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

~~On October 4, 2018, City Plan Commission (CPC) - Approval Recommendation (8-0).~~

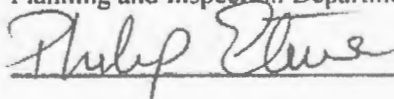
*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Philip Etiwe
Planning and Inspection Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACTS 1C AND 17, SECTION 34, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, 13501 JASON CRANDALL DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM S-D (SPECIAL DEVELOPMENT) 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 **a portion of Tracts 1C and 17, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys**, located in the City of El Paso, El Paso County, Texas, be changed from **S-D (SPECIAL DEVELOPMENT)** to **R-5 (RESIDENTIAL)**, and more particularly described in the metes and bounds attached hereto as Exhibit "A", and 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 _____, 2018.

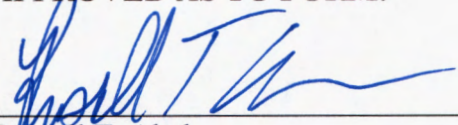
THE CITY OF EL PASO

Dee Margo, Mayor

ATTEST:

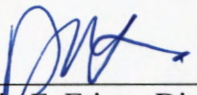
Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Russell T. Abeln
Assistant City Attorney

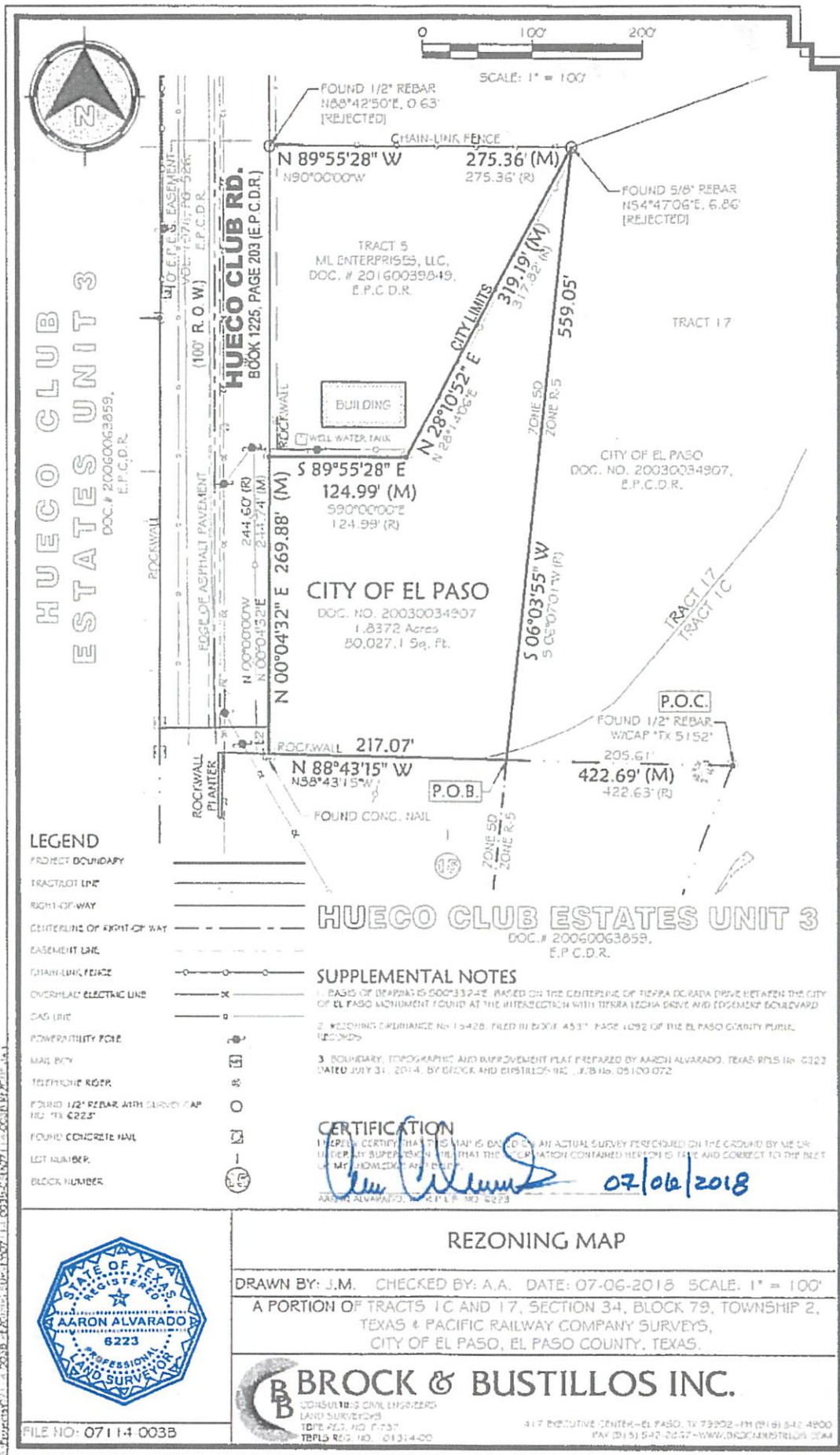
APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibit "A" on the following pages)

EXHIBIT "A"





ROMAN BUSTILLOS, P.E.
President
RANDY P. BROCK, P.E.
Executive Vice President
SERGIO J. ADAME, P.E.
Vice President - Engineering
AARON ALVARADO, R.P.L.S.
Vice President - Surveying
ISAAC CAMACHO, R.P.L.S.
Survey Manager

TBPE Reg. No. F 737
TBPLS Reg. No. 101314-00

METES AND BOUNDS DESCRIPTION

A 1.8372 acre parcel situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of Tracts 1C and 17, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys and being more particularly described by metes and bounds as follows.

COMMENCING for reference at a 1/2-inch rebar with survey cap No. "TX 5152" found for the northeast corner of Lot 1, Block 15, Hueco Club Estates Unit 3 a filed in Document No. 20060063859, Plat Records of El Paso County, identical to a corner of said Tract 1C; **THENCE**, leaving said corner and following the boundary line common to said Lot 1 and Tract 1C, North 88°43'15" West, a distance of 205.61 feet (measured) to the **POINT OF BEGINNING** of the parcel herein described;

THENCE, continuing and leaving the boundary line common to said Lot 1 and Tract 1C and following the boundary line common to said Lot 1 and said Tract 17, North 88°43'15" West, a distance of 217.07 feet (measured) to a concrete nail found on rockwall for an angle point of the parcel herein described;

THENCE, continuing along the boundary line common to said Lot 1 and said Tract 17, North 00°04'32" East, (North 00°00'31" West ~ record) at a distance of 25.14 feet (measured and record) pass a 1/2-inch rebar with survey cap No. "TX 5152" found for the southeast corner of Hueco Club Road right-of-way (100 feet wide) and continuing along the east right-of-way line of said Hueco Club Road for a total distance of 269.88 feet (269.74 feet ~ record) to a 1/2-inch rebar with survey cap No. "TX 5152" found for an angle point of the parcel herein described, identical to the southwest corner of Tract 5, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys;

THENCE, leaving the east right-of-way line of said Hueco Club Road and following the south boundary line of said Tract 5, South 89°55'28" East (South 90°00'00" East ~ record), a distance of 124.99 feet (measured and record) to a 1/2-inch rebar found for an angle point of the parcel herein described, identical to the southeast corner of said Tract 5;

THENCE, leaving the south boundary line and following the easterly boundary line of said Tract 5, North 28°10'52" East (North 28°14'06" East ~ record), a distance of 319.19 feet (317.82~ record) to a 1/2-inch rebar with survey cap No. "TX 6223" found for an angle point of the parcel herein described, identical to the northeast corner of said Tract 5;

THENCE, leaving the north boundary line of said Tract 5, South 06°03'55" West (South 06°07'01" West~ record), a distance of 559.05 feet to the **POINT OF BEGINNING**.

417 Executive Center Blvd. • El Paso, Texas 79902 • P (915) 542 4900 • F (915) 542 2867 • www.brockbustillos.com

Said parcel containing 1.8372 acres (80,027.1 square feet), more or less, and being subject to any easements, restrictions or covenants of record.

[Signature] 07/06/2018

Aaron Alvarado, TX R. P. L. S. No. 6223

Date: July 06, 2018

07114-003B-PARK-REZONING-DESC.doc



MEMORANDUM

DATE: October 23, 2018 (updated)
TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager
FROM: Brenda Cantu, Planner
SUBJECT: PZRZ18-00038

The City Plan Commission (CPC) on October 4, 2018, voted 8-0 to recommend approval of rezoning the subject property from S-D (Special Development) to R-5 (Residential) to allow for a park.

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, that the rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

Planning has not received any communication in support or opposition to the rezoning request.

Property Owner: City of El Paso
Representative: ECM International

Attachments:
Staff Report

13501 Jason Crandall Drive

City of El Paso — Plan Commission — 09/06/2018

PZRZ18-00038 Rezoning – City of El Paso



STAFF CONTACT: Brenda Cantu, (915) 212-1642, cantubr@elpasotexas.gov

OWNER: City of El Paso

REPRESENTATIVE: ECM International, Inc.

LOCATION: 13501 Jason Crandall Drive, District 5

LEGAL DESCRIPTION: Portion of Lot 17, Section 34, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas

EXISTING ZONING: S-D (Special Development)

REQUEST: To rezone from S-D to R-5

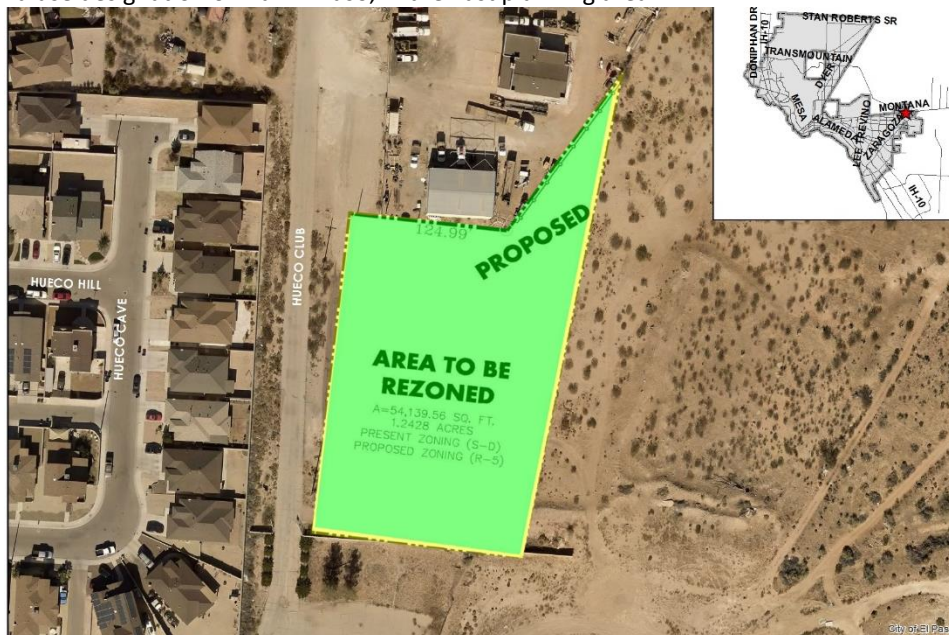
RELATED APPLICATIONS: SUSU18-00016 and SUSU18-00070

PUBLIC INPUT Planning received one phone call inquiring about the case; Notices sent to property owners within 300 feet on August 23, 2018 (See Attachment #7)

STAFF RECOMMENDATION: Approval (see pages 2—4 for basis for recommendation)

SUMMARY OF REQUEST: The applicant is requesting to rezone from S-D (Special Development) to R-5 (Residential). The proposed rezoning is a portion of a larger parcel that is zoned R-5, which is intended to be the location for the East El Paso Regional Park. Additionally, the City Plan Commission imposed a condition during the Subdivision process (SUSU18-00016) that the portion of S-D be rezoned to be consistent with the rest of the parcel to the East.

SUMMARY OF RECOMMENDATION: The Planning Division recommends **APPROVAL** of rezoning the property from S-D (Special Development) to R-5 (Residential). The proposed zoning district is consistent with other surrounding residential districts and recreational uses in the immediate area, and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of the G-4, Suburban (Walkable) land use designation of Plan El Paso, in the East planning area.



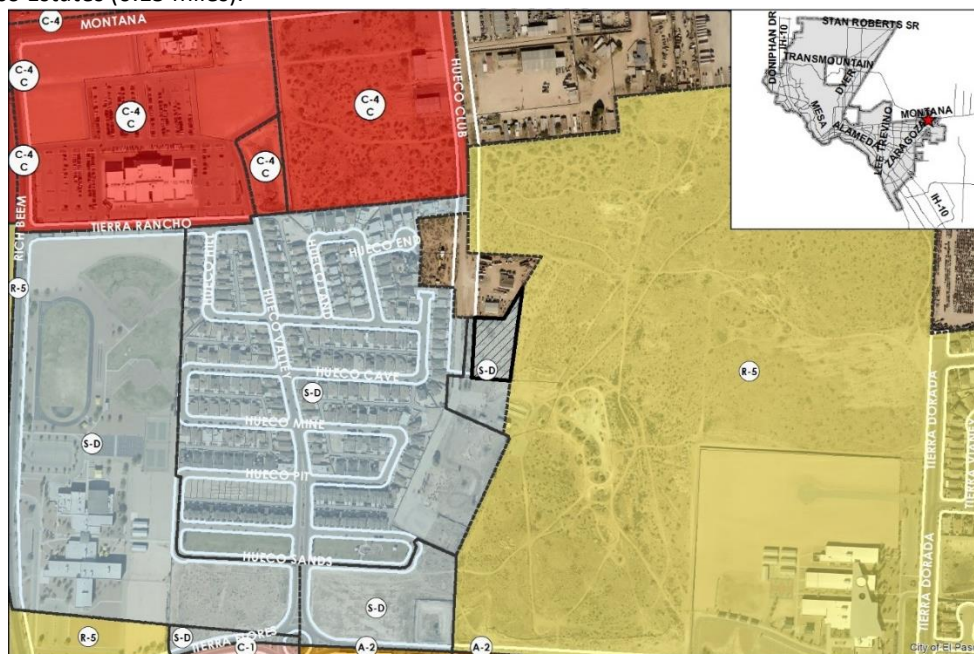
DESCRIPTION OF REQUEST

The property owner is requesting a rezoning from S-D (Special Development) to R-5 (Residential) to accommodate a park. The property is currently vacant. The conceptual plan shows a dog park that will be part of the East El Paso Regional Park. Access to the subject property is from Hueco Club, Jason Crandall, and Tierra Dorada Drive.

REZONING POLICY

POLICY	DOES IT COMPLY?
Compatibility Proposed zone change matches existing land use map or matches existing land use designation within 300 ft. of the subject property.	Yes, properties adjacent to the subject property are zoned R-5 and S-D. The current and proposed zones both allow parks. However, in order to avoid split zoning the applicant is requesting a zoning change in order to have only one zone applicable to the proposed East El Paso Regional Park.
Plan El Paso 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, the property is designated G-4 Suburban Walkable and meets the intent by proposing recreation and civic uses within ½ a mile from existing residential developments.

NEIGHBORHOOD CHARACTER AND COMPATIBILITY: The subject property is located in the far east side of the city directly abutting the City of El Paso's Extraterritorial Jurisdiction and within a property acquired by the City of El Paso for the future East El Paso Regional Park. This location serves as a transitional area between existing single-family residential land uses to the West, South, and East and commercial uses to the North along Montana Avenue, a major arterial. The subject property is currently vacant. The subject property has not been platted. However, a preliminary plat (SUSU18-00016) has approved by the City Plan Commission on July 12, 2018 as part of a phased development consisting of three phases. The final plat has been submitted for phase one (SUSU18-00070) on August 13, 2018 and is currently in the review process. The subject property for this rezoning case is located within phase three of the proposed development which is scheduled to be complete by January 2024. The nearest school to the subject property is Chester E. Jordan (PK-5) Elementary School (0.13 miles) and the nearest park is Hueco Estates (0.15 miles).



[illegible]

RELATION OF PROPOSED CHANGE TO THE CITY'S COMPREHENSIVE PLAN

CONSISTENCY WITH PLAN EL PASO	DOES IT COMPLY?
<u>G-4, Suburban (Walkable)</u> This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. 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.	The proposed development will add a missing component to the area that is mostly residential. The proposed park will be within walking distance from several residential and commercial properties.
ZONING DISTRICT	DOES IT COMPLY?
<u>R-5 (Residential)</u> 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.	A park/playground is allowed in the R-5 (Residential) district. It will provide the surrounding residential developments with recreational uses within a walkable distance.
POLICY	DOES IT COMPLY?
<u>Policy 2.5.2:</u> Civic spaces are outdoor gathering places for public use. Civic spaces can be defined by a combination of physical factors including their size, intended use, landscaping, and the character of their edges, as described in the Public Facilities Element. New neighborhoods should be designed around optimal locations for civic spaces. Civic spaces should not be designated in awkward locations on residual tracts of land that are left over during the subdivision process.	The proposal will allow for a variety of civic spaces to serve the adjacent residential developments.

SUITABILITY OF SITE FOR USES UNDER CURRENT ZONING: The subject property is 54,119 square feet (1.2428 acres). The S-D (Special Development) zoning district does allow for a park, however a detailed site plan would be required for the entire park area to include the remaining portion of the park that is already zoned R-5 (Residential).

SUITABILITY OF SITE FOR USES UNDER PROPOSED ZONING: The proposed use of a park is a permitted use in the R-5 (residential) district by right and does not require a detailed site plan. Additionally, the proposed zone will coincide with the remaining portion of the proposed regional park thus eliminating any split zoning issues associated with the development.

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 R-5 (Residential) district is to 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. The proposed zoning and the proposed use meet the intent of the zoning ordinance.

ADEQUACY OF PUBLIC FACILITIES AND SERVICES: There are no existing water and sewer mains at this time. However, the subject property is part of a phased development that will eventually provide the necessary services to the proposed development through phase three of the phasing plan.

EFFECT UPON THE NATURAL ENVIRONMENT: The subject property is not in an arroyo or another environmentally sensitive area and no adverse environmental impacts are anticipated from this development.

COMMENT FROM THE PUBLIC: The subject property falls within the boundary of the Las Tierras Neighborhood Association and the Eastside Civic Association. They were contacted as required by 20.04.520. Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on August 23, 2018. The Planning Division has received three phone calls inquiring about the proposed rezoning.

STAFF COMMENTS: No objections to proposed rezoning. All reviewing department comments have been satisfactorily addressed. Prior to submitting for building permits, if any, the applicant will need to finalize the platting process. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

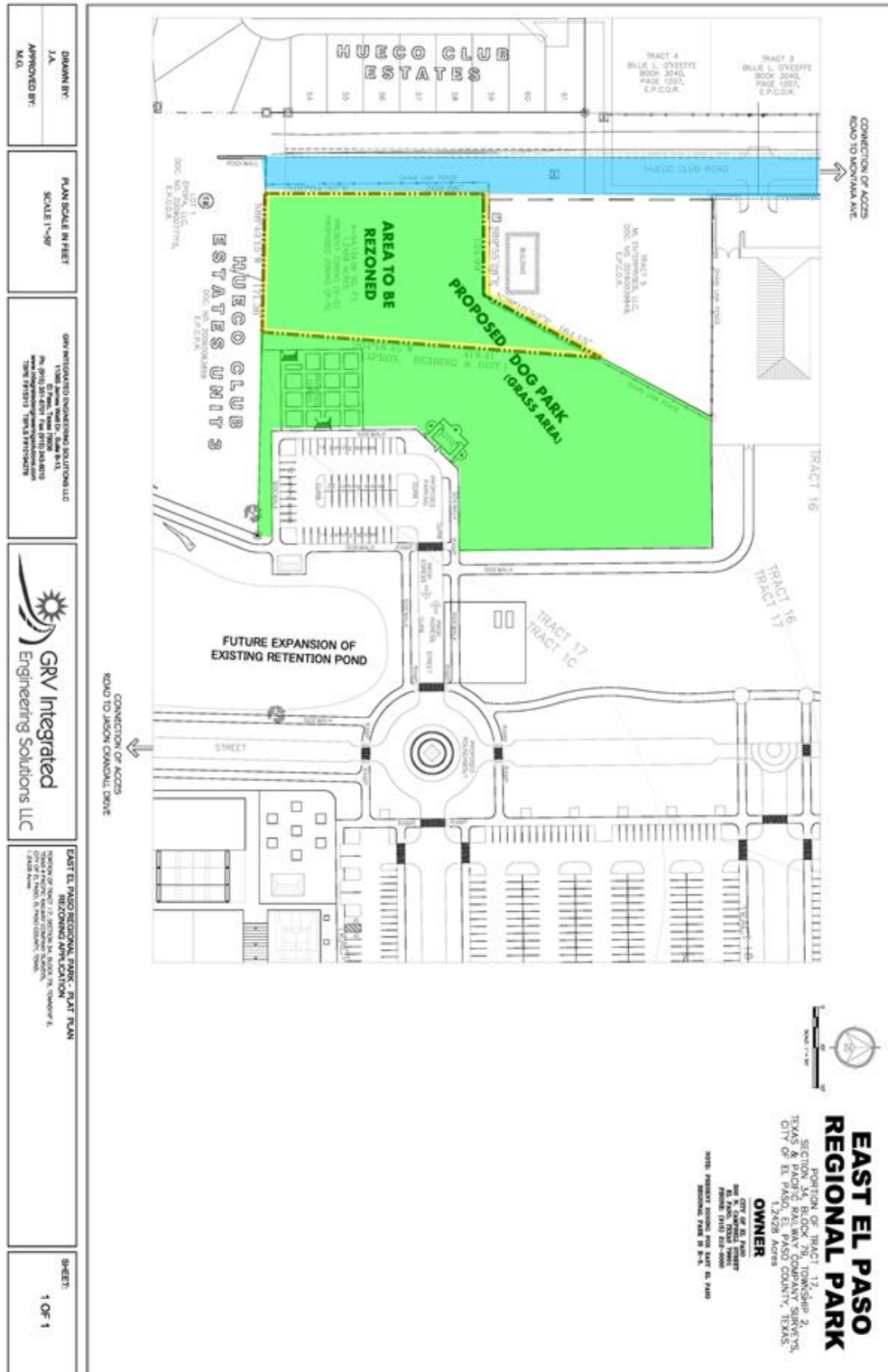
OTHER APPLICABLE FACTORS: Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

ATTACHMENTS:

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

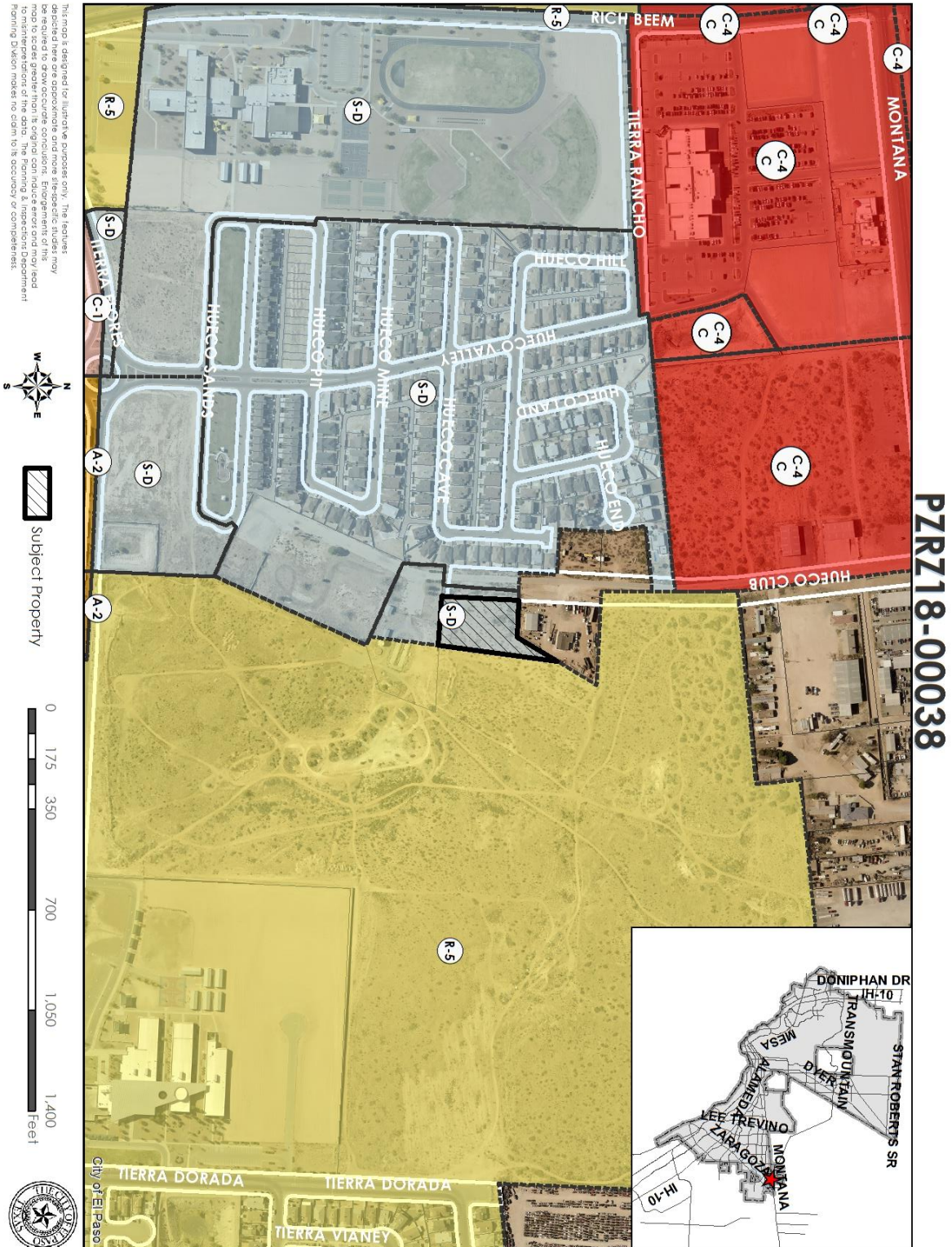
ATTACHMENT 1

Conceptual Site Plan

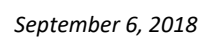


ATTACHMENT 2

Zoning Map



Future Land Use Map



ATTACHMENT 4

Department Comments

Texas Department of Transportation

Development is not abutting TxDOT right of way.

Planning and Inspections Department – Plan Review

No objections.

Planning and Inspections Department – Landscaping Division

No comments received.

Planning and Inspections Department – Land Development

No comments received.

Fire Department

No objections.

Police Department

No comments received.

Sun Metro

No comments received.

EPWU-PSB Comments

Water:

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

No water and sanitary sewer service is available to the site.

Sewer:

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

No water and sanitary sewer service is available to the site.

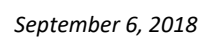
General:

No comments received.

Stormwater:

No comments received.

Neighborhood Notification Boundary Map





Recommendation/Public Input

- **Planning Division recommendation:** Approval
- **CPC Vote:** Approval Recommendation (6-0)
- **Public Input:** The Planning Division has not received any communication in support or opposition to the rezoning request.

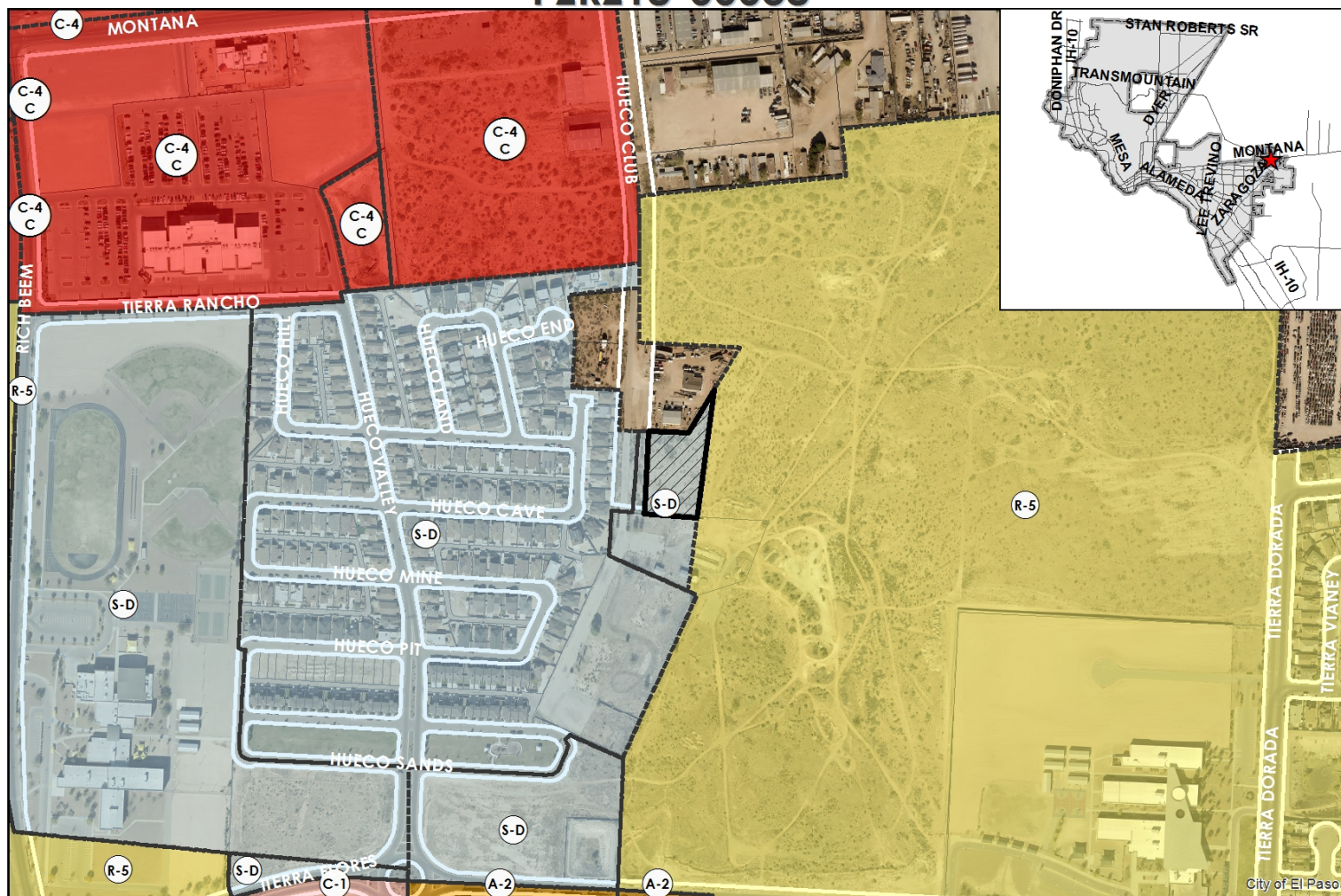
Strategic Goal #3 Promote the Visual Image of El Paso

3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community



PZRZ18-00038



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 errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



 Subject Property

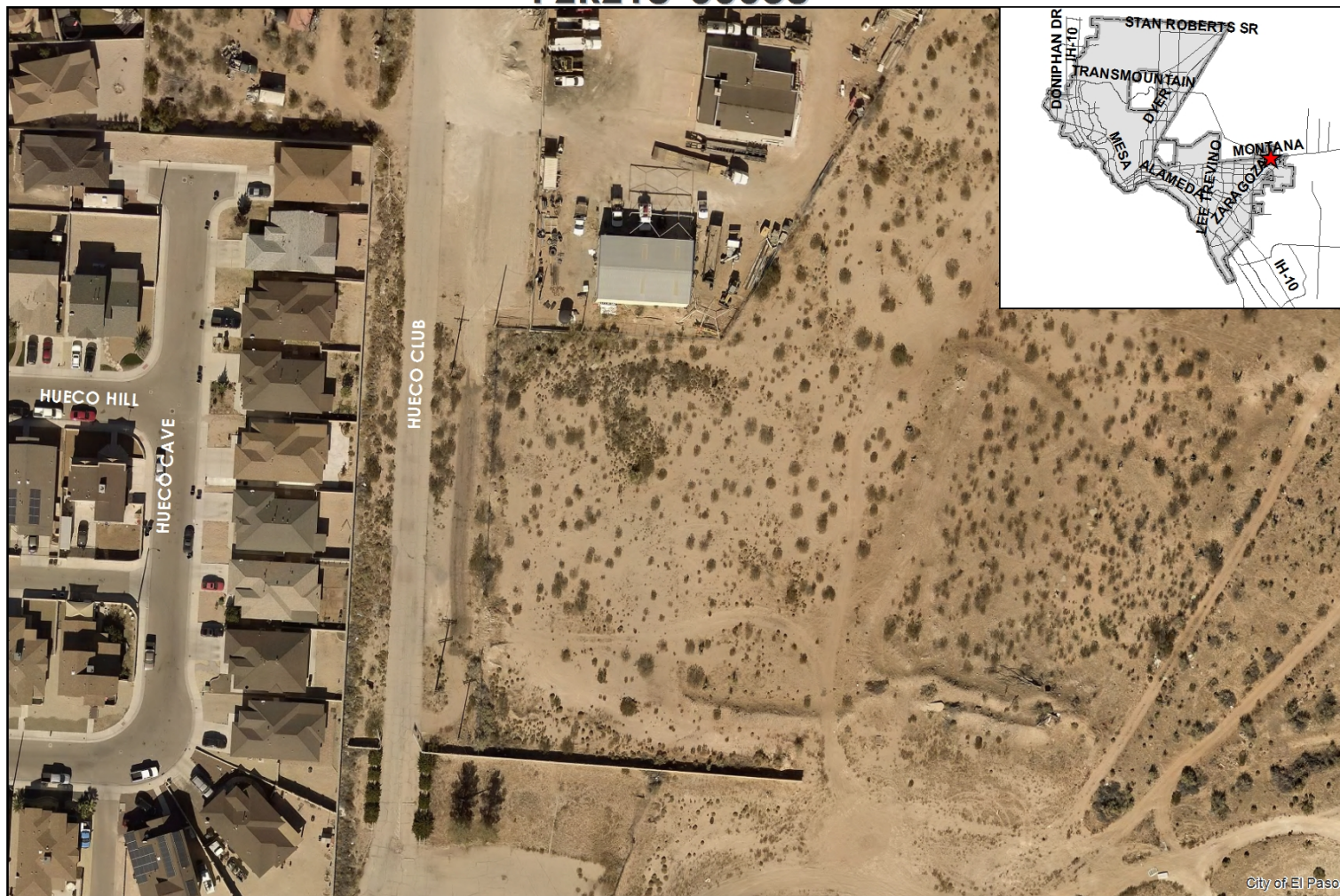
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"Delivering Outstanding Services"



PZRZ18-00038



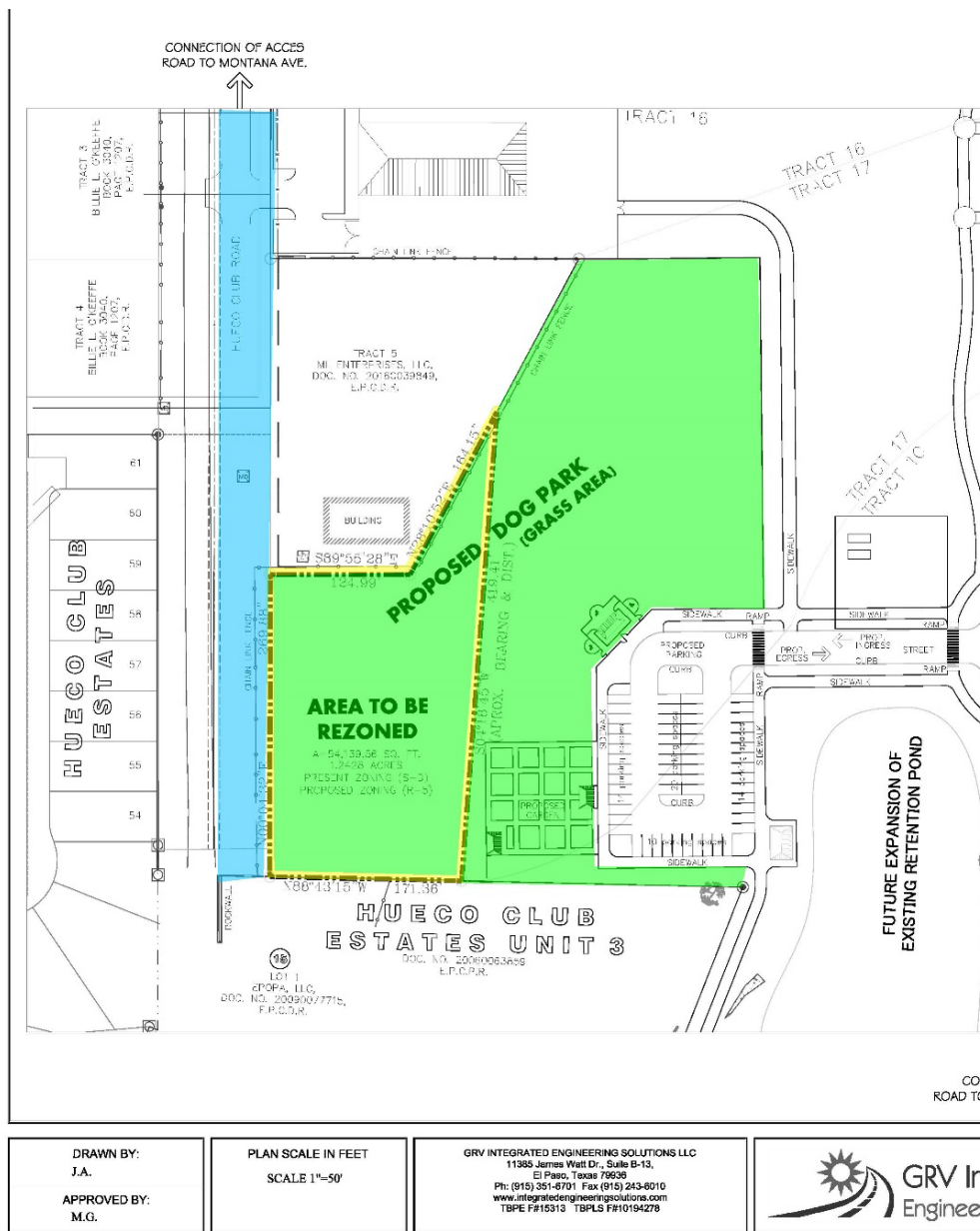
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"Delivering Outstanding Services"



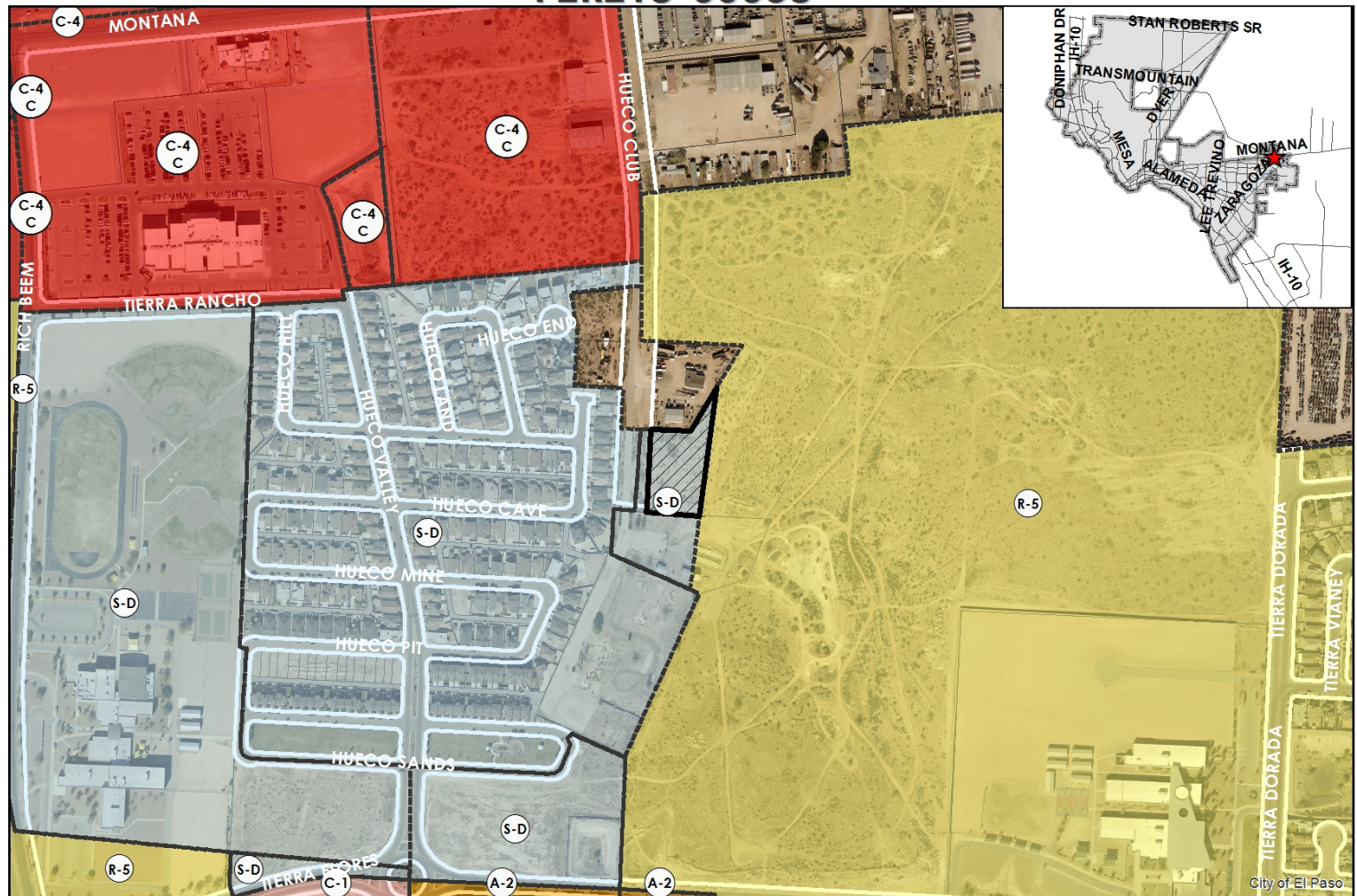
"Delivering Outstanding Services"



Services"




PZRZ18-00038



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 Subject Property

0 175 350 700 1,050 1,400 Feet



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