

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

AGENDA DATE: October 10, 2023
PUBLIC HEARING DATE: November 7, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Saul J. G. Pina, (915) 212-1612

DISTRICT(S) AFFECTED: District 5

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.2 Set one standard for infrastructure across the city

SUBJECT:

An Ordinance changing the zoning of Lot 39, Block 13, Tres Suenos Unit Four Amending Plat, City of El Paso, El Paso County, Texas from C-2/c (Commercial/conditions) to P-R II/c (Planned Residential II/conditions), and imposing conditions. 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: South of Eastbrook Drive and East of Rich Beem Boulevard
Applicant: Northtowne Village Joint Venture, PZRZ23-00011

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone the subject property from C-2/c (Commercial/conditions) to P-R II/c (Planned Residential II/conditions) to allow for the development of two (2) single-family lots and six (6) duplex lots for a total of fourteen (14) proposed residential units. City Plan Commission recommended 5-0 to approve the proposed rezoning on August 10, 2023. The Planning Division initially received nine (9) calls and four (4) emails in opposition to the rezoning request. These were subsequently rescinded prior to the City Plan Commission hearing as the applicant met with neighborhood residents on July 6, 2023 to address the concerns. Since the City Plan Commission hearing and up to September 26, 2023, no other feedback has been received. There is a related condition release request, Case PZCR23-00001. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED? YES NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 39, BLOCK 13, TRES SUENOS UNIT FOUR AMENDING PLAT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM C-2/C (COMMERCIAL/CONDITIONS) TO P-R II/C (PLANNED RESIDENTIAL II/CONDITIONS), AND IMPOSING CONDITIONS. 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 **Lot 39, Block 13, Tres Suenos Unit Four Amending Plat**, located in the City of El Paso, El Paso County, Texas, be changed from **C-2/c (Commercial/conditions)** to **P-R II/c (Planned Residential II/conditions)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

1. That a 6-foot high rockwall be constructed along residential lots abutting to the south of the subject property.
2. That bollards spaced at 7 feet in between be placed at the end of the proposed road for traffic control.

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 _____, 2023.

THE CITY OF EL PASO

ATTEST:

Oscar Leeser
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Russell Abeln

Russell T. Abeln
Senior Assistant City Attorney

Philip Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ23-00011

South of Eastbrook and East of Rich Beem

City Plan Commission — August 10, 2023

REZONING



CASE NUMBER:	PZRZ23-00011 REVISED
CASE MANAGER:	Saul J. G. Pina, (915) 212-1612, PinaSJ@elpasotexas.gov
PROPERTY OWNER:	Northtowne Village Joint Venture
REPRESENTATIVE:	CEA Group
LOCATION:	South of Eastbrook Dr. and East of Rich Beem Blvd. (District 5)
PROPERTY AREA:	1.79 acres
REQUEST:	Rezone from C-2/c (Commercial/conditions) to P-R II/c (Planned Residential II/conditions)
RELATED APPLICATIONS:	PZCR23-00001 – Condition Release Application
PUBLIC INPUT:	Nine (9) calls and four (4) emails in opposition. (Rescinded) No other correspondence as of August 3, 2023

SUMMARY OF REQUEST: The applicant is requesting to rezone the subject property from C-2/c (Commercial/conditions) to P-R II/c (Planned Residential II/conditions) and approval of a Detailed Site Development Plan to allow for a planned residential development.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** with **CONDITIONS** of the rezoning request. This recommendation is based on the consistency of the request with *Plan El Paso*, the City's adopted Comprehensive Plan, for the G-4, Suburban (Walkable) Future Land Use Designation. The conditions are the following:

1. That a 6-foot high rockwall be constructed along residential lots abutting to the south of the subject property.
2. That bollards spaced every 7 feet be placed at the end of the proposed street for traffic control.

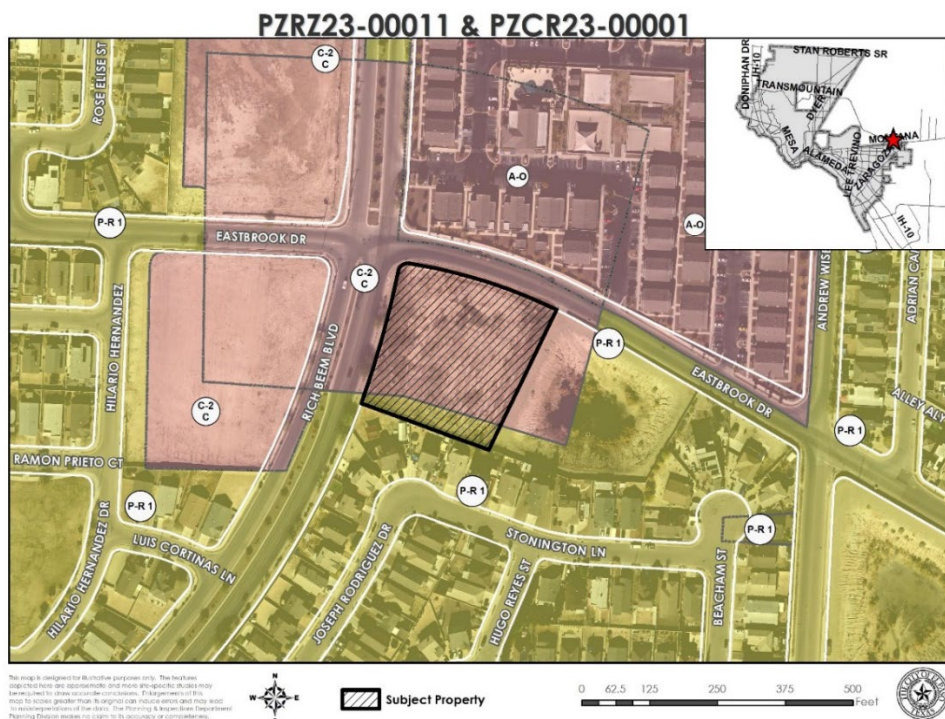


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from C-2/c (Commercial/conditions) to P-R II/conditions (Planned Residential II/conditions) for residential development. Moreover, the applicant is requesting approval of a Detailed Site Development Plan to allow for a planned residential development on the subject property, consisting of single-family and duplex dwellings. The subject property is approximately 1.79 acres and is currently undeveloped. The detailed site development plan shows two (2) single-family lots with an average size of 6,937 square feet and six (6) duplex lots, with an average size of 8,094 square feet. Per the P-R II (Planned Residential II) zoning district, a maximum density of fourteen (14) units is allowed on the subject property. Main access to the subject property is provided from Eastbrook Drive.

PREVIOUS CASE HISTORY: Ordinance No. 16385, dated June 27, 2006 (attachment 3), changed the zoning for Parcel 4 from R-F (Ranch and Farm) to C-2 (Commercial) with the following conditions:

- 1) *That a detailed site development plan be reviewed and approved per the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits.*

Note: Condition to be released by application PZCR23-00001.

- 2) That a ten foot (10") wide landscape buffer with high profile native trees placed at ten feet (10') on center, and if Mondale pine trees, fifteen feet (15') on center, be required along the property line abutting any residential zone prior to the issuance of any certificate of occupancy for this Parcel.

Note: Condition to be released by application PZCR23-00001.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed rezoning is compatible with the mixed residential housing types in the area. To the north are apartments (5 or more units) zoned A-O (Apartment/Office); to the south are single-family dwellings zoned P-R I (Planned Residential I); to the east is a retention pond, zoned P-R I (Planned Residential I); and to the west is a vacant lot, zoned C-2/c (Commercial/conditions). The nearest school, Purple Heart Elementary, is 0.7 miles and the nearest park, Eddie "Hirby" Beard Park, is 0.3 miles in proximity to the subject property.

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>G-4, Suburban (Walkable): 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.</p>	<p>Yes. The proposed development is compatible with the future land use designation as it will integrate with the various types of residential uses, allowing for a mixture of housing types in the area.</p>

REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>P-R II (Planned Residential II) The purpose of this district is to encourage planned developments as a means of creating a superior living environment through unified planning and building operations at higher residential densities. The regulations of the district are designed to encourage variety in housing needed to meet changing housing demands and to provide adequate community facilities well-located with respect to needs; to protect the natural beauty of the landscape; to encourage preservation and more efficient use of open space; to offer an opportunity for design flexibility; and encourage innovations which may result in improved relationships between uses of different types and between land uses and transportation facilities.</p>	<p>Yes. The proposed zoning is compatible with the surrounding residential zoning districts. The proposed zoning will permit a planned residential development with design flexibility and efficient use of the land.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p>Yes. Access to the subject property will be provided from Eastbrook Drive, which is designated as a local road in the City's Major Thoroughfare Plan. The classification of this road is appropriate for the proposed development as it will accommodate localized residential traffic and connect to other roads with greater road classification.</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 that may be applicable. Any adopted small area plans, including land-use maps in those plans.</p>	<p>None. The property is not located within any historic districts nor any other special designation areas.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.</p>	<p>None. There are no anticipated adverse impacts.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>None. The proposed development does not involve green field or environmentally sensitive land or arroyo disturbance.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>Yes. The area is in transition to residential zoning of various types. During the last 10 years or more, there have been changes in zoning, which allowed mixed residential housing. Only a few lots with commercial zoning remain.</p>
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.</p>	<p>None.</p>

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Primary access is proposed from Eastbrook Drive, a road classified as Local on the City of El Paso’s Major Thoroughfare Plan (MTP) and is adequate for the planned residential development. A private street and sidewalks are proposed on-site to provide vehicular and pedestrian access to the residential development.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments received from reviewing departments.

PUBLIC COMMENT: The subject property does not lie within any neighborhood association. Public notice was sent to property owners within 300 feet of the subject property on June 5, 2023. The applicant met with neighborhood residents on July 6, 2023, for public outreach. On July 17, 2023, the nine (9) calls and four (4) emails in opposition that were previously obtained, were rescinded or withdrawn as the result of the meeting between the applicant and neighborhood residents (attachment 6). No further input was received between July 17 and August 3, 2023.

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:

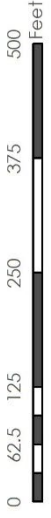
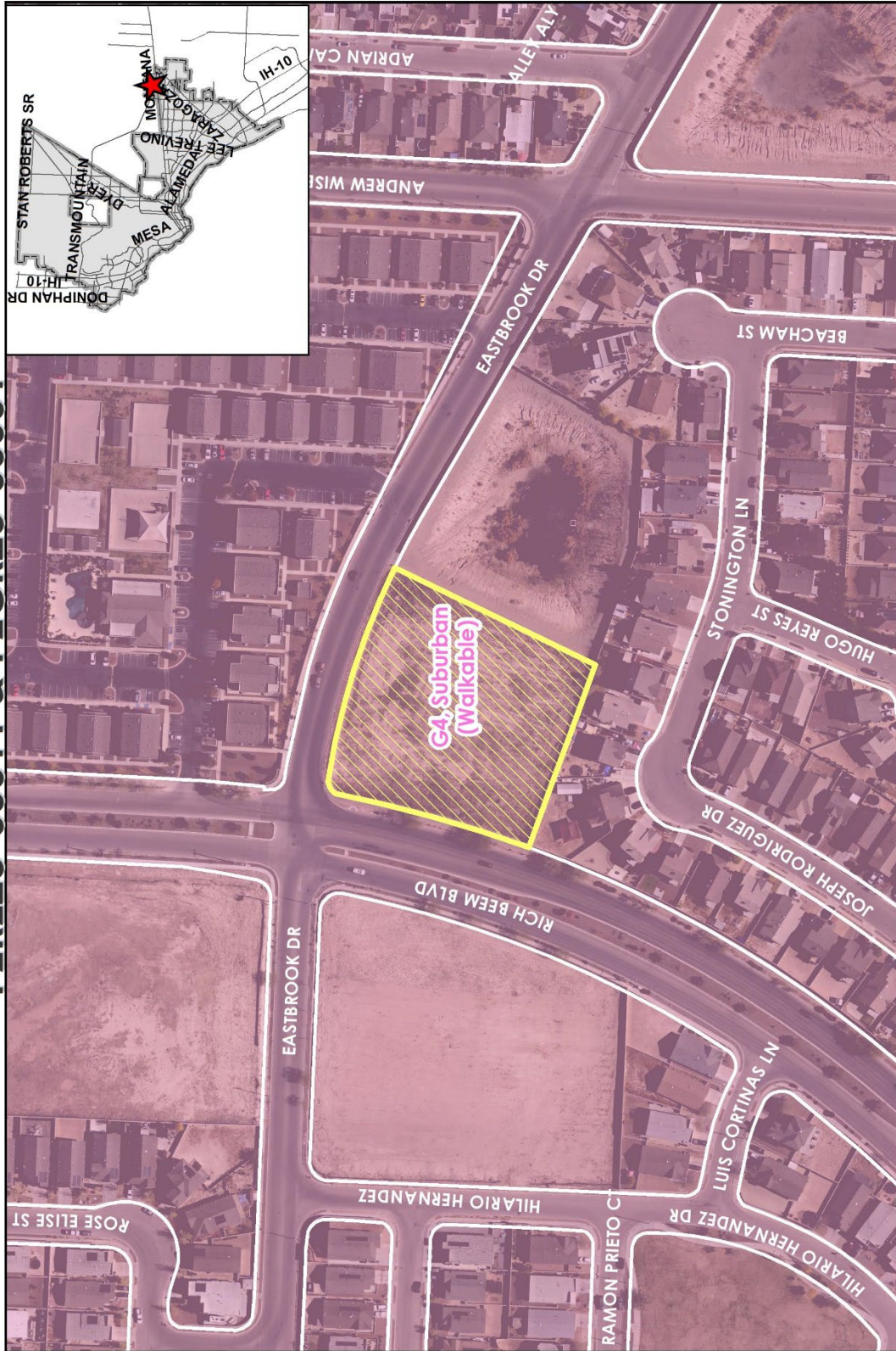
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval 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. **(Staff Recommendation)**
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. Detailed Site Development Plan
3. Ordinance No. 16385
4. Department Comments
5. Neighborhood Notification Boundary Map
6. Public Input

ATTACHMENT 1

PZR23-00011 & PZCR23-00001

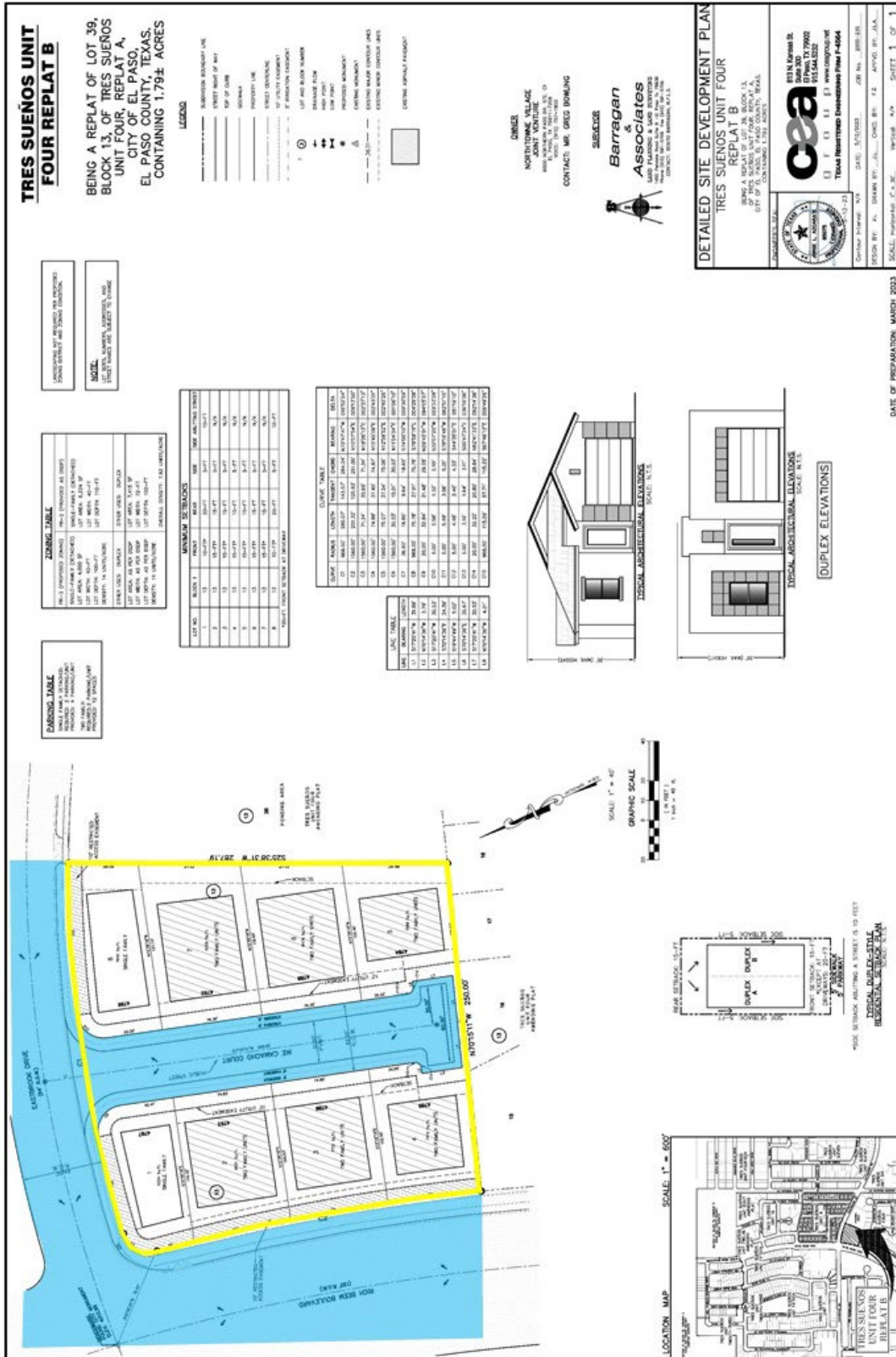


Subject Property



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 Training Division makes no claim to its accuracy or completeness.

ATTACHMENT 2

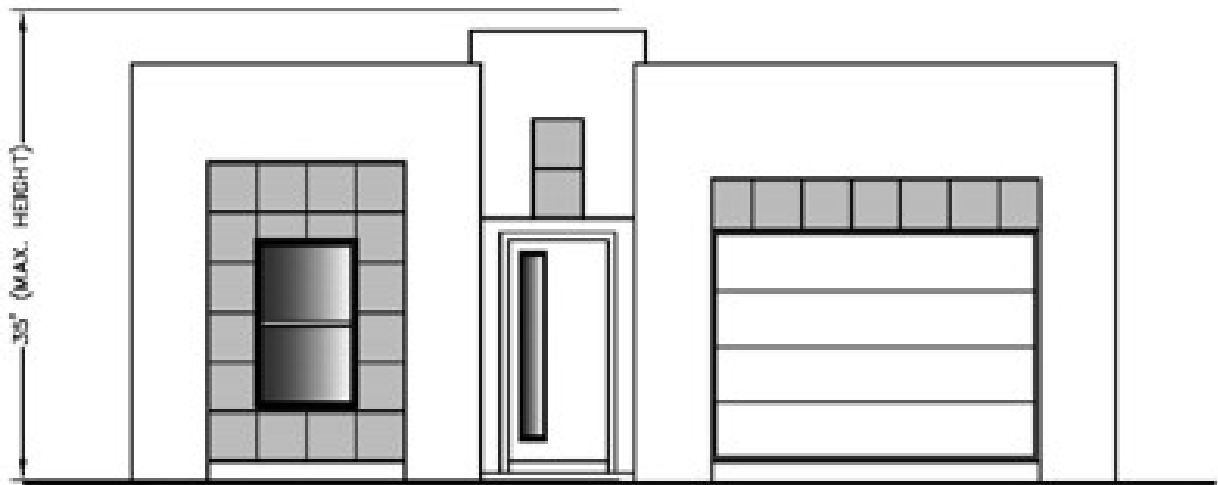






TYPICAL ARCHITECTURAL ELEVATIONS

SCALE: N.T.S.



TYPICAL ARCHITECTURAL ELEVATIONS

SCALE: N.T.S.

ATTACHMENT 3

KAC

ORDINANCE NO. 016385

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS: PARCEL 1: A PORTION OF TRACT 1B, SECTION 26, A PORTION OF TRACT 11C2, SECTION 34, A PORTION OF TRACT 4, SECTION 35, AND A PORTION OF SECTION 27, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4 (COMMERCIAL); PARCEL 2: A PORTION OF TRACT 1B, SECTION 26, A PORTION OF TRACT 11C2, SECTION 34, A PORTION OF TRACT 4, SECTION 35, AND A PORTION OF SECTION 27, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-3 (COMMERCIAL); PARCEL 3: A PORTION OF TRACT 1B, SECTION 26, A PORTION OF TRACT 11C2, SECTION 34, A PORTION OF TRACT 4, SECTION 35, AND A PORTION OF SECTION 27, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS; EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-2 (COMMERCIAL); PARCEL 4: A PORTION OF TRACT 1B, SECTION 26, A PORTION OF TRACT 11C2, SECTION 34, A PORTION OF TRACT 4, SECTION 35, AND A PORTION OF SECTION 27, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-2 (COMMERCIAL) AND IMPOSING CONDITIONS; PARCEL 5: A PORTION OF TRACT 1B, SECTION 26, A PORTION OF TRACT 11C2, SECTION 34, A PORTION OF TRACT 4, SECTION 35, AND A PORTION OF SECTION 27, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO PR-1 (PLANNED RESIDENTIAL 1); PARCEL 6: A PORTION OF TRACT 1B, SECTION 26, A PORTION OF TRACT 11C2, SECTION 34, A PORTION OF TRACT 4, SECTION 35, AND A PORTION OF SECTION 27, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4 (COMMERCIAL) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

Parcel 1: A portion of Tract 1B, Section 26, a portion of Tract 11C2, Section 34, a portion of Tract 4, Section 35, and a portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys; El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from R-F (Ranch and Farm) to C-4 (Commercial); and,

Doc#22424/Planning/ZON06-00049

ORDINANCE NO. 016385

ZON06-00049

Parcel 2: A portion of Tract 1B, Section 26, a portion of Tract 11C2, Section 34, a portion of Tract 4, Section 35, and a portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "B", incorporated by reference, be changed from **R-F (Ranch and Farm)** to **C-3 (Commercial)**; and,

Parcel 3: A portion of Tract 1B, Section 26, a portion of Tract 11C2, Section 34, a portion of Tract 4, Section 35, and a portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "C", incorporated by reference, be changed from **R-F (Ranch and Farm)** to **C-2 (Commercial)**; and,

Parcel 4: A portion of Tract 1B, Section 26, a portion of Tract 11C2, Section 34, a portion of Tract 4, Section 35, and a portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "D", incorporated by reference, be changed from **R-F (Ranch and Farm)** to **C-2 (Commercial)**; and,

Further, that the property described as Parcel 4, be subject to the following conditions, which is necessitated by and attributable to the increased intensity of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. That a detailed site development plan be reviewed and approved per the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits; and,

2. That a ten foot (10') wide landscape buffer with high profile native trees placed at ten feet (10') on center, and if Mondale pine trees, fifteen feet (15') on center, be required along the property line abutting any residential zone prior to the issuance of any certificate of occupancy for this Parcel."

Parcel 5: A portion of Tract 1B, Section 26, a portion of Tract 11C2, Section 34, a portion of Tract 4, Section 35, and a portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, and El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "E", incorporated by reference, be changed from **R-F (Ranch and Farm)** to **PR-I (Planned Residential I)**; and,

Parcel 6: A portion of Tract 1B, Section 26, a portion of Tract 11C2, Section 34, a portion of Tract 4, Section 35, and a portion of Section 27, Block 79, Township 2, Texas and Pacific Railroad Company Surveys El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "F", incorporated by reference, from **R-F (Ranch and Farm)** to **C-4 (Commercial)**; and,

Further, that the property described as Parcel 6, be subject to the following conditions, which is necessitated by and attributable to the increased intensity of use generated by the

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2

ORDINANCE NO. 016385

ZON06-00049

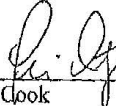
change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

"1. That a detailed site development plan be reviewed and approved per the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits; and,

2. That a twenty-five foot (25') wide landscape buffer with high profile native trees placed at ten feet (10') on center, and if Mondale pine trees, fifteen feet (15') on center, be required along the property line abutting any residential zone prior to the issuance of any certificate of occupancy for this Parcel."


PASSED AND APPROVED this 27th day of June, 2006.

THE CITY OF EL PASO


John F. Cook
Mayor

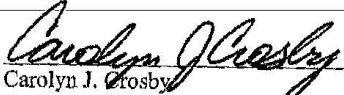
MAYOR PRO-TEM

ATTEST:


Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:


Carolyn J. Crosby
Assistant City Attorney


Rodolfo Valdez, Chief Urban Planner
Development Services Department

Doc#22424/Planning/ZON06-00049

3

ORDINANCE NO. 016385

ZON06-00049

ATTACHMENT 4

Planning and Inspections Department - Planning Division

Staff recommends approval of the rezoning request and detailed site development plan with conditions:

1. That a 6-foot high rockwall be constructed along residential lots abutting to the south of the subject property.
2. That bollards spaced every 7 feet be placed at the end of the proposed street for traffic control.

Note: Cul-de-sac design and bollard placement to be reviewed during the platting stage. In addition, be aware that the subdivision design is to be reviewed and approved. If current design changes, modifications to the detailed site development plan will be required.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommend approval. No objections to proposed rezoning or condition release. At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code

Planning and Inspections Department – Land Development

Recommend approval. Provide subdivision improvement plans.

Note: To be addressed prior to construction permitting.

Fire Department

Recommend approval. No adverse comments.

Police Department

No comments provided.

Environment Services

No comments provided.

Streets and Maintenance Department

No objections to the proposed rezoning and condition release.

Sun Metro

No comments provided.

El Paso Water Utilities

No objection to the request. Annexation fees will be assessed and collected at the time the El Paso Water receives an application for water and sewer services.

Water:

There is an existing 12-inch diameter water main that extends along Eastbrook Dr. located approximately 16-feet south of the northern right-of-way line. This main is available for service and main extension.

Previous water pressure reading from fire hydrant #10049, located on the northeast corner of Eastbrook Dr. and Rich Beem Blvd. has yielded a static pressure of 70 pounds per square inch (psi), a residual pressure of 68 (psi), and a discharge of 919 gallons per minute (gpm).

Sanitary Sewer:

There is an existing 12-inch diameter sanitary sewer main that extends along Eastbrook Dr. located approximately 27-feet south of the northern right-of-way line. This main is available for main extension.

There is an existing 12-inch diameter sanitary sewer force main that extends along Rich Beem Blvd. located approximately 27-feet west of the eastern right-of-way line. 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 12-inch diameter sanitary sewer force main that extends along Eastbrook Dr. located approximately 18-feet north of the southern right-of-way line. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

General:

Water and sanitary sewer main extensions along Ike Camacho Court will be required to provide service. Main extension costs will be the responsibility of the owner.

EPWater requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWater – PSB Rules and Regulations. The owner 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:

No objections to the proposal; this lot was originally a commercial lot and was allowed to discharge into the Eastbrook Dr. and eventually into the adjacent pond.

Texas Department of Transportation

No comments provided.

El Paso 9-1-1 District

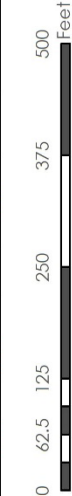
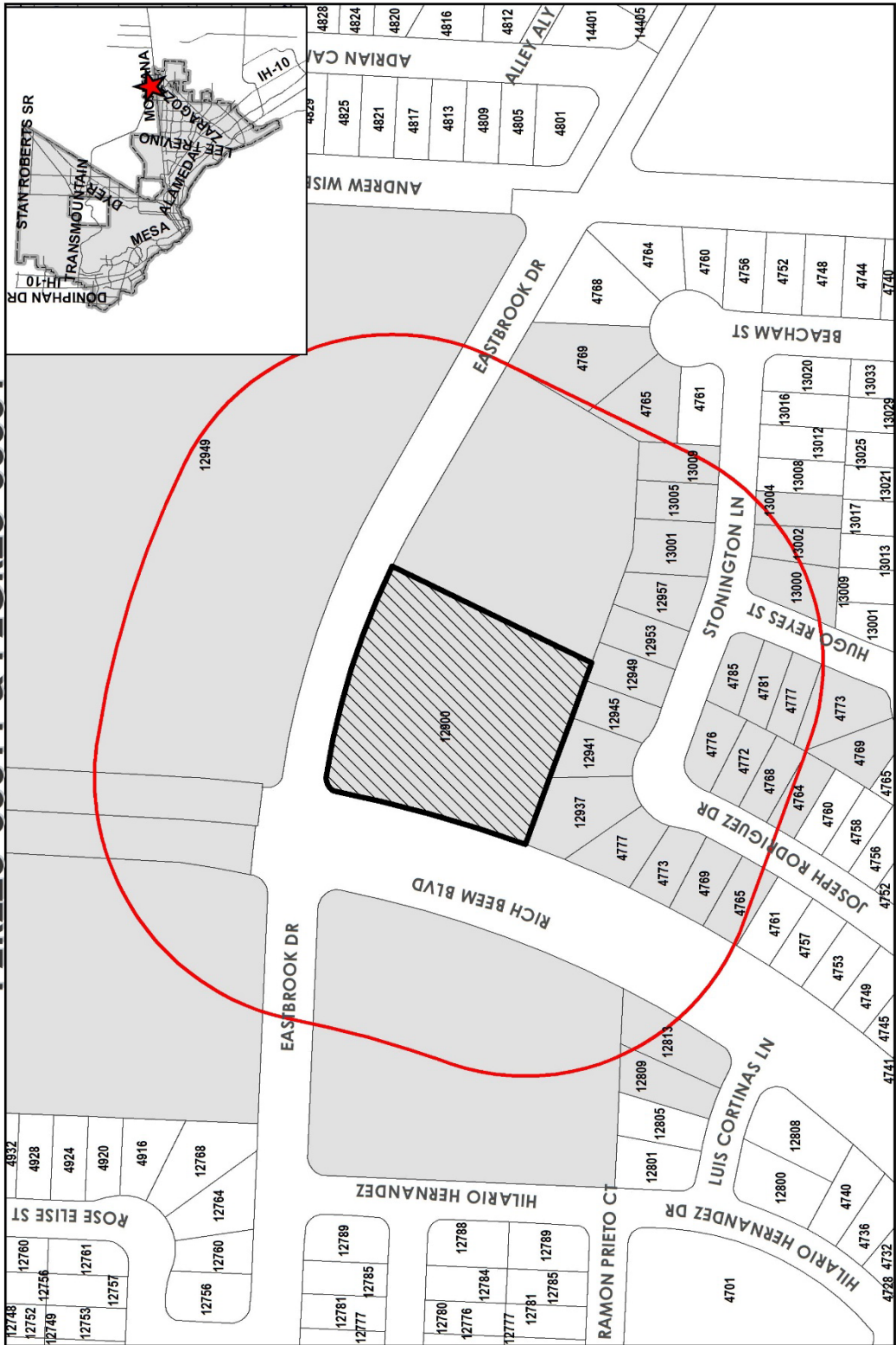
No comments/concerns.



El Paso County Water Improvement District #1

No comments provided.

ATTACHMENT 5

PZR23-00011 & PZCR23-00001



 **Subject Property**
 **300 Feet Buffer**



This map is designed for illustrative purposes only. The features depicted here are approximate and are not to scale. Specific details 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 & Inspections Department Planning Division makes no claim to its accuracy or completeness.

ATTACHMENT 6

From: [Carlos Molina](#)
To: [Pina, Saul J.](#)
Cc: [Mayra Ozaeta](#); [bonniesolis83@gmail.com](#); [Garcia, Raul](#); [Jorge Azcarate](#); [Marisol Ramirez](#)
Subject: Acknowledgement of Withdrawal of Objection to Proposed Down Zone - Case: PZR23-00011 & PZCR23-00001
Date: Monday, July 17, 2023 8:46:54 AM
Attachments: [image002.png](#)
[image004.png](#)

Some people who received this message don't often get email from carlosmolinat@hotmail.com. [Learn why this is important](#)

CAUTION: This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use **Phish Alert** or forward to SpamReport@elpasotexas.gov.

Case: PZR23-00011 & PZCR23-00001

CPC Planning Division
P.O. Box 1890
El Paso, Texas 79950-1890

Good Morning, Mr. Pina,

After speaking with our neighbors, I am writing to formally acknowledge and communicate our decision to withdraw our objections regarding the proposed down zone. After thorough deliberation and discussions with Mr. Azcarate on July 6th, 2023, we have reconsidered our stance and are now in favor of the rezoning from C-2 C to PR-II for the proposed plans of the duplex one-story buildings and homes.

The primary reason for our initial objection was the potential impact on our property's privacy and security. However, we are pleased to inform you that we have received assurances from Mr. Azcarate regarding the implementation of certain measures to address these concerns adequately.

Firstly, he has agreed to construct a 6-foot rock wall above a new 3-foot raised elevation, parallel to our existing 6-foot back rock wall. This additional barrier will not only enhance our privacy but also provide a sense of security, which I believe is crucial in maintaining the integrity of our properties.

Secondly, we are pleased to learn that 7'-0" bollards will be installed on center at the T-cul-de-sac. This addition will provide safety to our homes since it will prevent cars from accidentally crashing into our back walls and yards. I appreciate the effort made by Mr. Azcarate in recognizing the importance of ensuring our family's safety.

We kindly request that you proceed with the necessary procedures to effectuate the rezoning, taking into account our revised position. We trust that you will duly inform all relevant parties involved in this matter.

Thank you for your understanding and for providing a platform for open discussions. We appreciate your attention to this matter. If you require any further information or clarification, please do not hesitate to contact us at your earliest convenience.

Yours sincerely,
Carlos Molina

From: Jorge Azcarate <jazcarate@ceagroup.net>

Sent: Thursday, July 13, 2023 1:08 PM

To: Carlos Molina <carlosmolinat@hotmail.com>; Mayra Ozaeta <ozaeta79@icloud.com>; bonniesolis83@gmail.com <bonniesolis83@gmail.com>

Cc: Pina, Saul J. <PinaSJ@elpasotexas.gov>; Garcia, Raul <GarciaR1@elpasotexas.gov>

Subject: Re: 12900 Eastbrook Proposed Rezoning

We will agree to construct a 6-foot rockwall along the existing residents (I think there's 3-4 residents). We did mention it at the meeting but probably it was not portrayed properly.

Thank you.

Sincerely,

Jorge L. Azcarate, P.E., CFM

From: Carlos Molina <carlosmolinat@hotmail.com>

Sent: Thursday, July 13, 2023 9:05:32 PM

To: Jorge Azcarate <jazcarate@ceagroup.net>; Mayra Ozaeta <ozaeta79@icloud.com>; bonniesolis83@gmail.com <bonniesolis83@gmail.com>

Cc: Pina, Saul J. <PinaSJ@elpasotexas.gov>; Garcia, Raul <GarciaR1@elpasotexas.gov>

Subject: Re: 12900 Eastbrook Proposed Rezoning

Good afternoon, Mr. Azcarate,

I apologize since I don't recall any discussion about the height of the new elevation. The three-foot elevation you mention in this letter under the proposed four-foot-high wall creates a significant vantage point for anyone taller than the wall itself. This elevation effectively grants individuals of a height greater than four feet an unobstructed view and access into our property (see attached image). It is important to note that this directly contradicts the purpose of the existing six-foot high wall, which was built specifically to provide privacy and security for our property. Please let us know if the new rock wall can be built to six feet high instead of four.

Thank you,

Carlos Molina

From: Jorge Azcarate <jazcarate@ceagroup.net>

Sent: Thursday, July 13, 2023 1:55 AM

To: Mayra Ozaeta <ozaeta79@icloud.com>; carlosmolinat@hotmail.com <carlosmolinat@hotmail.com>; bonniesolis83@gmail.com <bonniesolis83@gmail.com>

Cc: Pina, Saul J. <PinaSJ@elpasotexas.gov>; Garcia, Raul <GarciaR1@elpasotexas.gov>

Subject: RE: 12900 Eastbrook Proposed Rezoning

Good morning. Thank you for your time on July 6 to discuss the project with myself. As it was discussed, the property is currently zoned C-2 C which allows a variety of commercial and multi-family uses and we proposed to down zone it to strictly residential land use-PR-II for single-family and two-family dwellings. Your concerns, in regards to the project are as follows:

- Vehicles driving straight from the street and hitting the vehicles
- Raising the existing wall

As I mentioned on our meeting and after reviewing the plans, we offer the following:

- Placement of bollards at 7'-0" on center at the T-cul-de-sac to run along the area of the HMAC paved surface of the T cul-de-sac;
- As part of the design, a new rockwall will be constructed entirely on the rezoned property. The subdivision design will raise the elevation by 3-feet and the new wall will be 4-feet high. This will

provide 2 walls for added protection and privacy.

Let me know if you have any questions or comments and if you concur with our discussion from our meeting on July 6. If so, please inform Saul Pina if anyone of you withdraw your objection. Thank you.

Sincerely,



Jorge L. Azcarate, PE, CFM

DIRECT LINE | 915.200.1103

Uptown centre OFFICE | 915.544.5232

813 N. Kansas St., Ste 300
El Paso, Texas 79902

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From: Mayra Ozaeta <ozaeta79@icloud.com>
Sent: Wednesday, July 5, 2023 4:38 PM
To: Jorge Azcarate <jazcarate@ceagroup.net>
Subject: Re: 12900 Eastbrook Proposed Rezoning

Good afternoon Mrs Azcarate sorry for the late notice some of the neighbors just responded to me they said if it was OK with you for tomorrow at 8 PM

Sent from my iPhone

On Jul 3, 2023, at 3:01 PM, Jorge Azcarate <jazcarate@ceagroup.net> wrote:

Thank you. Let me know the sooner the better. Thank you.

Sincerely,

<image005.png>

Jorge L. Azcarate, PE, CFM

DIRECT LINE | 915.200.1103

<image006.png>

OFFICE | 915.544.5232

813 N. Kansas St., Ste 300
El Paso, Texas 79902

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From: Mayra Ozaeta <ozaeta79@icloud.com>
Sent: Monday, July 3, 2023 2:59 PM

To: Jorge Azcarate <jazcarate@ceagroup.net>
Subject: Re: 12900 Eastbrook Proposed Rezoning

Good afternoon Mrs Azcarate I just told the neighbor to see if July 6 at 8:00pm would be ok with them to meet up with you

Sent from my iPhone

On Jul 3, 2023, at 2:46 PM, Jorge Azcarate <jazcarate@ceagroup.net> wrote:

Good morning Ms. Ozaeta,

It was a pleasure talking to you on Friday afternoon regardless of the 3-4 disconnection disruptions. Please find the Site Plan being considered by the City of El Paso for the referenced property. Based on our call, I am available to meet the following times:

July 6: 6 pm to 8 pm
July 26: 6 pm to 8 pm
July 27: 6 pm to 8 pm
July 29: 9 am to 12 pm
July 31-August 3: 6 pm to 12 pm

Let me know your availability and your neighbors as well. I understand several neighbors may be traveling out of town which is the reason for meeting in late July and early august to discuss the proposed project.

Thank you for your time.

Sincerely,
Jorge L. Azcarate, P.E., CFM

From: Mayra Ozaeta <ozeta79@icloud.com>
Sent: Friday, June 23, 2023 1:46 PM
To: Jorge Azcarate <jazcarate@ceagroup.net>
Subject: Re: 12900 Eastbrook Proposed Rezoning

Good afternoon Mr Azcarate been calling your office to speak to you if you could please call me back 915-867-7521 thank you

Sent from my iPhone

On Jun 22, 2023, at 8:34 AM, Jorge Azcarate <jazcarate@ceagroup.net> wrote:

Good morning Ms. Ozaeta,

Just following up on my email from Monday. As of today, we have not had a response from you or your group to meet and discuss the proposed rezoning.

Let me know if you want to meet and your availability. Thank you.

Sincerely,
Jorge L. Azcarate, P.E., CFM

From: Jorge Azcarate <jazcarate@ceagroup.net>
Sent: Monday, June 19, 2023 9:54 PM
To: ozeta79@icloud.com <ozeta79@icloud.com>
Cc: Pina, Saul J. <PinaSJ@elpasotexas.gov>; Garcia, Raul <GarciaR1@elpasotexas.gov>
Subject: FW: 12900 Eastbrook Proposed Rezoning

Ms. Ozaeta:

Good evening. We are the representative for the proposed rezoning project from Commercial (C-2) to Planned Residential (PR-II) for the 1.79-acre located off of the intersection of Eastbrook and Rich Beem. It is our understanding that several neighbors in the Tres Suenos Unit Four subdivision are in opposition to the proposed down zoning from C-2 to PR-II. We have been provided the reasons of the opposition and we are extending our willingness to meet with you and the neighbors to discuss your concerns and how we can resolve the neighbors concerns. The proposed project consists of 12 single-story duplex units and 2 single-family detached residential units for a total of 14 units.

As you know, the case was postponed for 2 weeks from the City Plan Commission to allow us time to meet with you and your neighbors and also the owners are planning to revisit the original plans for the property from 2 years ago which is allowed by the current zoning of C-2. We may consider postponing another 4 weeks or withdraw the application to further allow the property owner to continue evaluating the original plans for multi-family. Please let me know when you and your neighbors are available to meet to further discuss the project. Let me know where we can meet. We can make ourselves available to meet at the property site on evening or a Saturday morning. We look forward to your response and suggestions for meeting times and dates and a location. Thank you.

Sincerely,
<[image005.png](#)>
Jorge L. Azcarate, PE, CFM
Direct Line | 915.200.1103
<[image006.png](#)>
Office | 915.544.5232

813 N. Kansas St., Ste 300
El Paso, Texas 79902

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From: Gilbert Aldaco <galdaco3@gmail.com>
Sent: Monday, June 19, 2023 9:31 PM
To: Jorge Azcarate <jazcarate@ceagroup.net>
Subject: Re: 12900 Eastbrook Proposed Rezoning

Hello,

Thank you for reaching out. Yes I did email, but it was to voice my opinion that or household would agree with the owners of the houses that are adjacent to the property in question. The main people leading this charge are the 3-4 houses that are adjacent/connecting to the property and were in attendance at the city meeting, which suspicious got postponed with no notification once they were all physically there at the meeting. The home owner you would need to reach out to is Mayra Ozaeta , email ozeta79@icloud.com , who resides at 12941 Stonington Ln. My family lives at several houses down at 13005 Stonington Ln. From what I understand, Mrs. Ozaeta and her adjoining neighbors will be penning a letter of opposition to discuss with area neighbors. Please reach out to her when possible, I update get about this email so she would be aware.

Thank you
Gilbert Aldaco

On Mon, Jun 19, 2023, 7:59 PM Jorge Azcarate <jazcarate@ceagroup.net> wrote:

Good evening Mr. Aldaco:

We are following up on the email dated, June 16, 2023 and we are awaiting a response from you and your neighbors. Let me know if you are not the right person and we shall be coordinated with others. Your name was provided to us by the City of El Paso. Our original email is as follows:

"We are the representative for the proposed rezoning project from Commercial (C-2) to Planned Residential (PR-II) for the 1.79-acre located off of the intersection of Eastbrook and Rich Beem. It is our understanding that several neighbors in the Tres Suenos Unit Four subdivision are in opposition to the proposed down zoning from C-2 to PR-II. We have been provided the reasons of the opposition and we are extending our willingness to meet with you and the neighbors to discuss your concerns and how we can resolve the neighbors concerns. The proposed project consists of 12 single-story duplex units and 2 single-family detached residential units for a total of 14 units.

As you know, the case was postponed for 2 weeks from the City Plan Commission to allow us time to meet with you and your neighbors and also to revisit the original plans for the property from 2 years ago.

Please let me know when you and your neighbors are available to meet to further discuss the project. Let me know where we can meet. We can make ourselves available to meet at the property site on evening or a Saturday morning. We look forward to your response and suggestions for meeting times and dates and a location. Thank you."

Sincerely,



**PUBLIC INFRASTRUCTURE.
PRIVATE DEVELOPMENT.**

WWW.CEAGROUP.NET

Jorge L.

Azcarate, PE, CFM

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From: Jorge Azcarate

Sent: Friday, June 16, 2023 6:47 AM

To: galdaco3@gmail.com

Cc: Pina, Saul J. <PinaSJ@elpasotexas.gov>; Garcia, Raul <GarciaR1@elpasotexas.gov>; Jorge Azcarate <jazcarate@ceagroup.net>

Subject: 12900 Eastbrook Proposed Rezoning

Good morning Mr. Aldaco:

We are the representative for the proposed rezoning project from Commercial (C-2) to Planned Residential (PR-II) for the 1.79-acre located off of the intersection of Eastbrook and Rich Beem. It is our understanding that several neighbors in the Tres Suenos Unit Four subdivision are in opposition to the proposed down zoning from C-2 to PR-II. We have been provided the reasons of the opposition and we are extending our willingness to meet with you and the neighbors to discuss your concerns and how we can resolve the neighbors concerns. The proposed project consists of 12 single-story duplex units and 2 single-family detached residential units for a total of 14 units.

As you know, the case was postponed for 2 weeks from the City Plan Commission to allow us time to meet with you and your neighbors and also to revisit the original plans for the property from 2 years ago.

Please let me know when you and your neighbors are available to meet to further discuss the project. Let me know where we can meet. We can make ourselves available to meet at the property site on evening or a Saturday morning. We look forward to your response and suggestions for meeting times and dates and a location. Thank you.