

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

DEPARTMENT: Planning & Inspections, Planning Division

AGENDA DATE: March 30, 2021

PUBLIC HEARING DATE: April 27, 2021

CONTACT PERSON NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Luis Zamora, (915) 212-1552

DISTRICT(S) AFFECTED: 3

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

SUBGOAL: 3.1 Provide business friendly permitting and inspection processes
3.2 Improve the visual impression of the community

SUBJECT:

An Ordinance changing the zoning of Lot 1, Block 123, Pebble Hills Subdivision Unit 14, 11201 Pebble Hills Boulevard, City of El Paso, El Paso County, Texas from R-4 (Residential) to R-3 (Residential). The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with *Plan El Paso*, the City's Comprehensive Plan.

Subject Property: 11201 Pebble Hills Blvd.
Applicant: H2O Terra c/o Jose Hernandez PZRZ20-00024

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from R-4 (Residential) to R-3 (Residential) to allow the subject property to be the same zone as the property to the immediate east. The properties are being combined into one lot and this zoning cleanup will allow for construction of a new proposed campus on the former middle school property. City Plan Commission recommended 7-0 to approve the proposed rezoning on February 11, 2021. As of March 23, 2021, staff has received 25 calls of inquiry with no communication in support or opposition of the request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



Philip F. Etiwe – Planning and Inspections Director

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF LOT 1, BLOCK 123, PEBBLE HILLS SUBDIVISION UNIT 14, 11201 PEBBLE HILLS BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO R-3 (RESIDENTIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

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

Pursuant to Section 20.04.360 of the El Paso City Code, the zoning of Lot 1, Block 123, Pebble Hills Subdivision Unit 14, 11201 Pebble Hills Boulevard, located in the City of El Paso, El Paso County, Texas, be changed from **R-4 (Residential)** to **R-3 (Residential)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

ADOPTED this _____ day of _____, 2021.

THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Russell Abeln

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____
21-1007-2687/1061635
RTA

11201 Pebble Hills Boulevard

City Plan Commission — February 11, 2021

REZONING

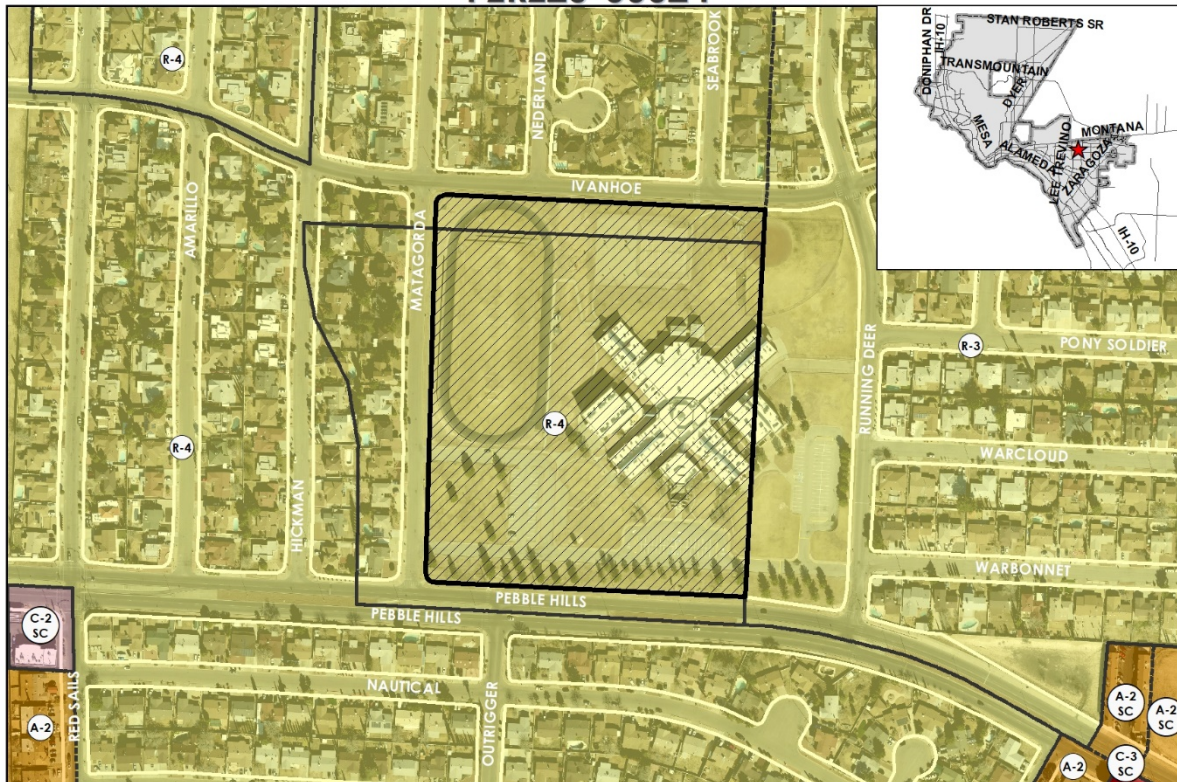


CASE NUMBER: PZRZ20-00024
CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: Ysleta Independent School District
REPRESENTATIVE: H2O Terra c/o Jose Hernandez
LOCATION: 11201 Pebble Hills Blvd. (District 3)
PROPERTY AREA: 15.75 acres
REQUEST: Rezone from R-4 (Residential) to R-3 (Residential)
RELATED APPLICATIONS: SUSU20-00085 (Resubdivision Combination)
PZDS20-00043 (Detailed Site Development Plan)
PUBLIC INPUT: Notices were sent on January 27, 2021.

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-4 (Residential) to R-3 (Residential) to allow the subject property to be the same zone as the property to the immediate east. This zoning cleanup will allow for construction of a new proposed campus on the former middle school property.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed new middle school development is consistent with adjacent residential properties within its vicinity and is in keeping with the policies of *Plan El Paso* for the G-3, Post-War Future Land Use Designation in the East Planning Area.

PZRZ20-00024



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



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from R-4 (Residential) to R-3 (Residential) to allow the subject property to be the same zone district as the property to the immediate east for construction of a new middle school. The former school structure has been demolished to be replaced with a new school structure. Main access to the property is proposed from Matagorda St. and Ivanhoe Dr.

PREVIOUS CASE HISTORY: Pebble Hills Subdivision Unit 14 Replat D (SUSU20-00085) was approved by the City Plan Commission (CPC) on January 28, 2021 on a Resubdivision Basis to allow for the subject property to be combined with the adjacent lot to the east. A Detailed Site Development Plan (PZDS20-00043) for a new middle school development was approved administratively by the Zoning Administrator on January 27, 2021.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed new middle school development is consistent with surrounding properties and meets the established character of its surrounding neighborhood. The property abuts residential properties to the north, west, and south zoned R-4 (Residential) and to the west zoned R-3 (Residential).

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>G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.</p>	<p>Yes, the proposed redeveloped middle school is consistent with other residential districts in the neighborhood. Schools are permitted on all Residential Districts, with the surrounding properties zoned R-4 (Residential) and R-3 (Residential). Furthermore, the proposed middle school is replacing a former middle school on the same property.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>R-3 (Residential): The purpose of this 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 districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.</p>	<p>Yes, the proposed R-3 (Residential) District matches other immediate properties to the east zoned R-3 (Residential). The proposed rezoning would be considered a downzone, which reduces the maximum possible density on the subject property. Furthermore, the proposed new middle school is replacing a former middle school on the same property.</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, the property is located on Pebble Hills Blvd., which is classified as a major arterial roadway on the City of El Paso’s Major Thoroughfare Plan.</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
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. The property is not located within any Historic Overlay District nor any other special designation areas.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None. The proposed new middle school development, if approved, is not anticipated to cause any adverse effects on the community.
Natural Environment: Anticipated effects on the natural environment.	None. The subject property does not lie within an arroyo or other sensitive environment. No negative environmental impacts are anticipated if the rezoning request is approved.
Stability: Whether the area is stable or in transition.	The area is stable. None of the surrounding properties within the neighborhood of the subject property have been rezoned. Furthermore, the proposed new middle school is replacing a former middle school on the same property.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Main access is proposed through Matagorda St. and Ivanhoe Dr., with the property fronting on Pebble Hills Boulevard, classified as major arterial. The major arterial classification is appropriate to serve the proposed new middle school development. Existing services and infrastructure are appropriate to serve future development.

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

PUBLIC COMMENT: The subject property lies within the Eastside Civic Association. Surrounding property owners within 300 feet were notified by mail on January 27, 2021. The Planning Department has received nineteen (19) calls of inquiry with no communication in support of nor in opposition to the rezoning request as of February 4, 2021.

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 has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan. **(Staff Recommendation)**
2. **Recommend Approval of the rezoning request With Modifications** to bring the request into conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of *Plan El Paso* as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

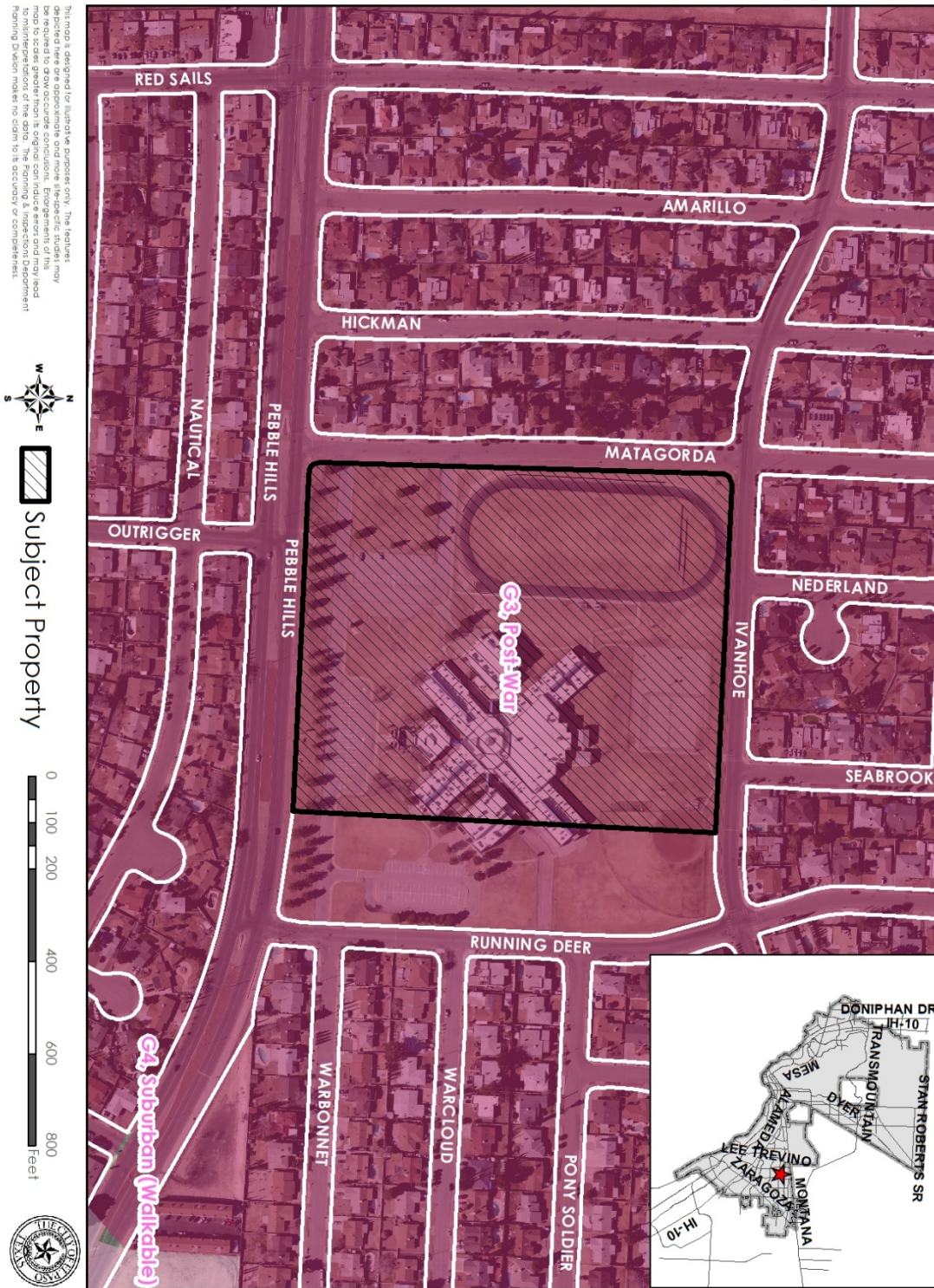
ATTACHMENTS:

1. Future Land Use Map

2. Neighborhood Notification Boundary Map
3. Detailed Site Development Plan
4. Department Comments

ATTACHMENT 1

PZR220-00024

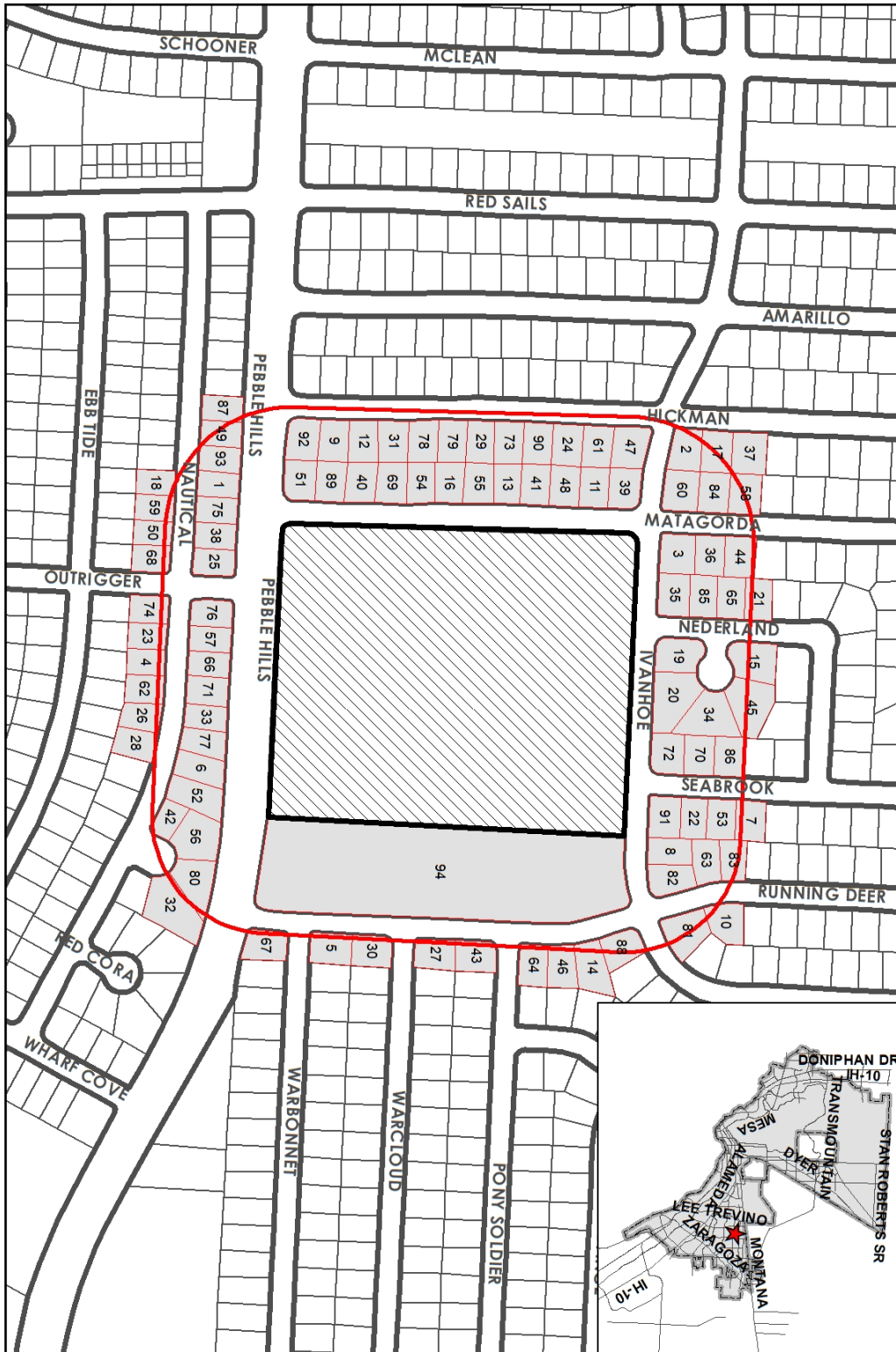
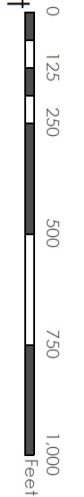


ATTACHMENT 3

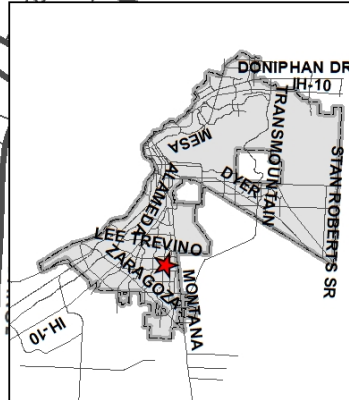
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 Subject Property
 Parcels within 300 feet



PZR220-00024



ATTACHMENT 4

Planning and Inspections Department - Planning Division

No objections.

Planning and Inspections Department – Plan Review & Landscaping Division

No objections.

Planning and Inspections Department – Land Development

No objections to proposed rezoning.

Fire Department

Recommend approval.

Police Department

No issues with this location and item.

Streets and Maintenance Department

No objections

Sun Metro

No objections.

El Paso Water Utilities

No objections. We have reviewed the property described above and provide the following comments:

EP Water-SW reviewed this property for CPC under Pebble Hills Unit 14 and provided the following comments:

1. As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.
2. These plans now show several ponding areas to handle the storm sewer runoff and are ok.

Stormwater:

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

EP Water-SW reviewed this property for CPC under Pebble Hills Unit 14 and provided the following comments:

- As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.
- These plans now show several ponding areas to handle the storm sewer runoff and are ok.

Texas Department of Transportation

Proposed development is not abutting TxDOT right of way

El Paso County Water Improvement District #1

Not within the boundaries of EPCWID