

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

AGENDA DATE: April 11, 2023

PUBLIC HEARING DATE: May 9, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Nina Rodriguez, (915) 212-1561

DISTRICT(S) AFFECTED: District 7

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 Tract 13, Block 49, Ysleta Grant, 246 Southside Road, City of El Paso, El Paso County, Texas from R-F/H (Ranch and Farm/Historic) to R-4/H (Residential/Historic). 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: 246 Southside Road
Applicant: Casas Genesis LLC, PZRZ22-00039

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from R-F/H (Ranch and Farm/Historic) to R-4/H (Residential/Historic) to allow single-family dwelling and two-family dwelling lots. City Plan Commission recommended 5-0 to approve the request on January 26, 2023. As of March 6, 2023, the Planning Division has not received any communication in support or opposition to the rezoning request. 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? X 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 TRACT 13, BLOCK 49, YSLETA GRANT, 246 SOUTHSIDE ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F/H (RANCH AND FARM/HISTORIC) TO R-4/H (RESIDENTIAL/HISTORIC). 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 **Tract 13, Block 49, Ysleta Grant, 246 Southside Road**, located in the City of 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/H (Ranch and Farm/Historic)** to **R-4/H (Residential/Historic)**, 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 _____, 2023.


THE CITY OF EL PASO:

Oscar Leaser, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

EXHIBIT "A"

Being all of Tract 13,
Block 49, Ysleta Grant
City of El Paso, El Paso County, Texas

PROPERTY DESCRIPTION 246 Southside Road Exhibit "A"

Description of a parcel of land being a all of Tract 13, Block 49, Ysleta Grant, City of El Paso, El Paso County, Texas, as shown on map of said Block 49, by J.W. Carter dated September 1929, and also being that parcel recorded in clerk's file# 20170019165, El Paso County Clerk's Records, and described as follows;

BEGINNING at an 5/8" rebar found at the most southwesterly corner of Tract 13, said rebar also marking most northwesterly corner of Tract 12-D, (recorded in clerk's file#20120023055) of said Block 49, said rebar also lying on the easterly right-of-way line of Southside Road, (variable width), and being the **POINT OF BEGINNING** of the herein described parcel;

THENCE, with said right-of-way line of Southside Road, North 06° 59' 00" East, a distance of 31.45 feet to a chiseled "x" found for corner;

THENCE, continuing with said right-of-way line of Southside Road, North 28° 52' 00" East, a distance of 196.35 feet to a 5/8" rebar found at the most northwesterly corner of said Tract 13 and lying on the southerly boundary line of an existing 20' wide lateral as shown on said map by J.W. Carter;

THENCE, along said southerly boundary line of that existing 20' wide lateral, the following courses and distances:

- North 69° 14' 00" West a distance of 44.70 feet to a 1/2" rebar found at an angle point;
- North 35° 43' 00" West a distance of 42.06 feet to a 1/2" rebar found at an angle point;
- North 01° 57' 00" West a distance of 55.61 feet to a angle point;
- North 57° 32' 00" West a distance of 66.52 feet to a 1/2" rebar found at an angle point;
- North 70° 17' 00" West a distance of 51.31 feet to a 1/2" rebar found for the most northeasterly corner of said Tract 13;

THENCE, leaving said southerly boundary line of that existing 20' wide lateral, South 09° 43' 00" West a distance of 125.00 feet to a 1/2" rebar found for the most southeasterly corner of said Tract 13, said rebar also marking most northeasterly corner of Tract 12-D;

THENCE, with the common boundary line of this parcel and said Tract 12-D, South 79° 52' 00" a distance of 250.30 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 36,208.78 square feet or 0.8312 Acres of land more or less.

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

CAD CONSULTING COMPANY
1790 Lee Trevino Suite #309
El Paso, Texas 79936
(915) 633-6422



246 Southside Road

City Plan Commission — January 26, 2023

REZONING



CASE NUMBER: PZRZ22-00039
CASE MANAGER: Nina Rodriguez, (915) 212-1561, RodriguezNA@elpasotexas.gov
PROPERTY OWNER: Casas Genesis, LLC
REPRESENTATIVE: CAD Consulting Co.
LOCATION: 246 Southside Rd. (District 7)
PROPERTY AREA: 0.83 acres
REQUEST: Rezone from R-F/H (Ranch and Farm/Historic) to R-4/H (Residential/Historic)
RELATED APPLICATIONS: None
PUBLIC INPUT: None received as of January 19, 2023

SUMMARY OF REQUEST: The applicant is requesting a rezone from R-F/H (Ranch and Farm/Historic) to R-4/H (Residential/Historic) to allow for single-family dwelling lots.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request based on its consistency with the surrounding residential land uses and the G-3, Post-war future land use designation per *Plan El Paso*, the City's adopted Comprehensive Plan.

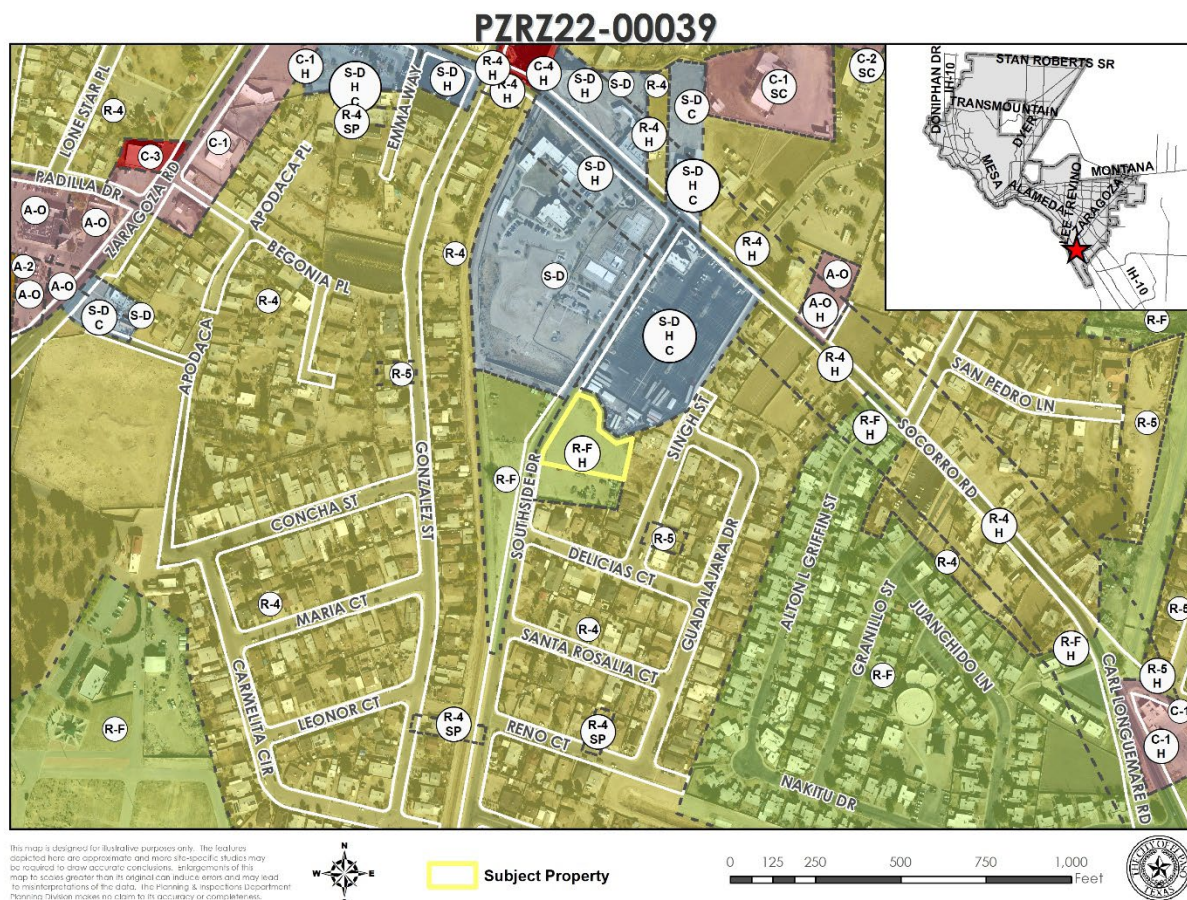


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone a 0.83-acre property from R-F/H (Ranch and Farm/Historic) to R-4/H (Residential/Historic) to allow for single-family dwelling lots. The conceptual plan shows five (5) proposed lots for future single-family dwellings to be developed. Each of the proposed lots range in size from 6,254 square feet to 8,254 square feet. Although duplexes are also permitted in an R-4 (Residential) zone district, none of the lots would meet the minimum lot area requirement or minimum lot width requirement for a duplex in their proposed configuration. Access to the subject property is provided from Southside Road.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed single-family dwelling use and R-4 (Residential) district is consistent with the residential districts in the immediate area. Adjacent properties east of the subject property are single-family dwelling in an R-4 (Residential) zoning district. Adjacent property to the south is vacant zoned R-F/H (Ranch and Farm/Historic) and to the west are vacant lots zoned R-F (Ranch and Farm). Adjacent property north of the subject property is zoned S-D/H/c (Special-District/Historic/conditions). Rezoning the subject property to an R-4 (Residential) zone district will contribute to the current housing stock while expanding the R-4 (Residential) zoning district that is already present in the area. Sidewalks are existing along Southside Road. The distance to the nearest school, Presa Elementary School, is 0.70 miles and the distance to the nearest park, SPC Adrian Garcia Park is 0.23 miles.

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, 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 development is compatible with the future land use designation. The proposed development would increase the available housing stock in the surrounding area.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>R-4 (Residential) District: 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.</p>	<p>Yes. Properties to the east are single-family dwellings in an R-4 (Residential) zoning district. The adjacent property to the south is vacant zoned R-F/H (Ranch and Farm/Historic) and to the west are vacant lots zoned R-F (Ranch and Farm). The property to the north is zoned S-D/H/c (Special-District/Historic/conditions). Rezoning the subject property to an R-4 (Residential) zone district will contribute to the current housing stock while expanding the R-4 (Residential) zoning district that is already present in the area.</p>
<p>Preferred Development Locations: Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street</p>	<p>Yes. Access to the subject property is provided by Southside Road, which connects to Loop 375, a freeway as classified under the City's Major Thoroughfare Plan.</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
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.	The classification of this road is appropriate for the proposed development. While the subject property is located midblock, most of properties located on the same block are already zoned R-4 (Residential). Changing the zoning designation of the subject property to R-4 (Residential) allows for an increase in residential density to provide the area with more housing units. From the single lot of the subject property, the applicant is proposing to convert the lot in to five (5) single residential lots.
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.	Yes. The subject property resides within the Ysleta Historic District. Development on the property will need to be reviewed and approved by the Historic Landmark Commission at the prior to the permitting stage.
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	There are no anticipated adverse impacts.
Natural Environment: Anticipated effects on the natural environment.	The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	There has been little transition within the last 10 years in the nearby area. Northeast of the subject property there is a property that was rezoned in 2014 from R-4 (Residential) and R-4/H (Residential/Historic) to A-O/H (Apartment-Office/Historic) and A-O (Apartment-Office). This area supports residential developments.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	There have been changes in the character as most of the surrounding area is developed as single-family dwelling units, making the R-F (Ranch and Farm) zoning designation no longer appropriate.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: Access to the subject property is provided by Southside Road, which connects to Loop 375, a freeway as classified under the City's Major Thoroughfare Plan. The classification of this road is appropriate for single-family dwelling lots. Sidewalks are existing along Southside Road.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments were received for the rezoning request from the reviewing departments.

PUBLIC COMMENT: The subject property lies within the boundaries of the Corridor 20 Civic Association and the Mission Valley Civic Association. Property owners within 300 feet of the subject property were notified of the rezoning request on January 13, 2023 by the City of El Paso Planning and Inspections Department. As of January 19, 2023, the Planning Division has not received communication in support or opposition to the request.

OTHER CONSIDERATIONS: The subject property resides within the Ysleta Historic District. Development on the property will need to be reviewed by the Historic Landmark Commission and obtain a certificate of appropriateness prior to the permitting stage.

CITY PLAN COMMISSION OPTIONS:

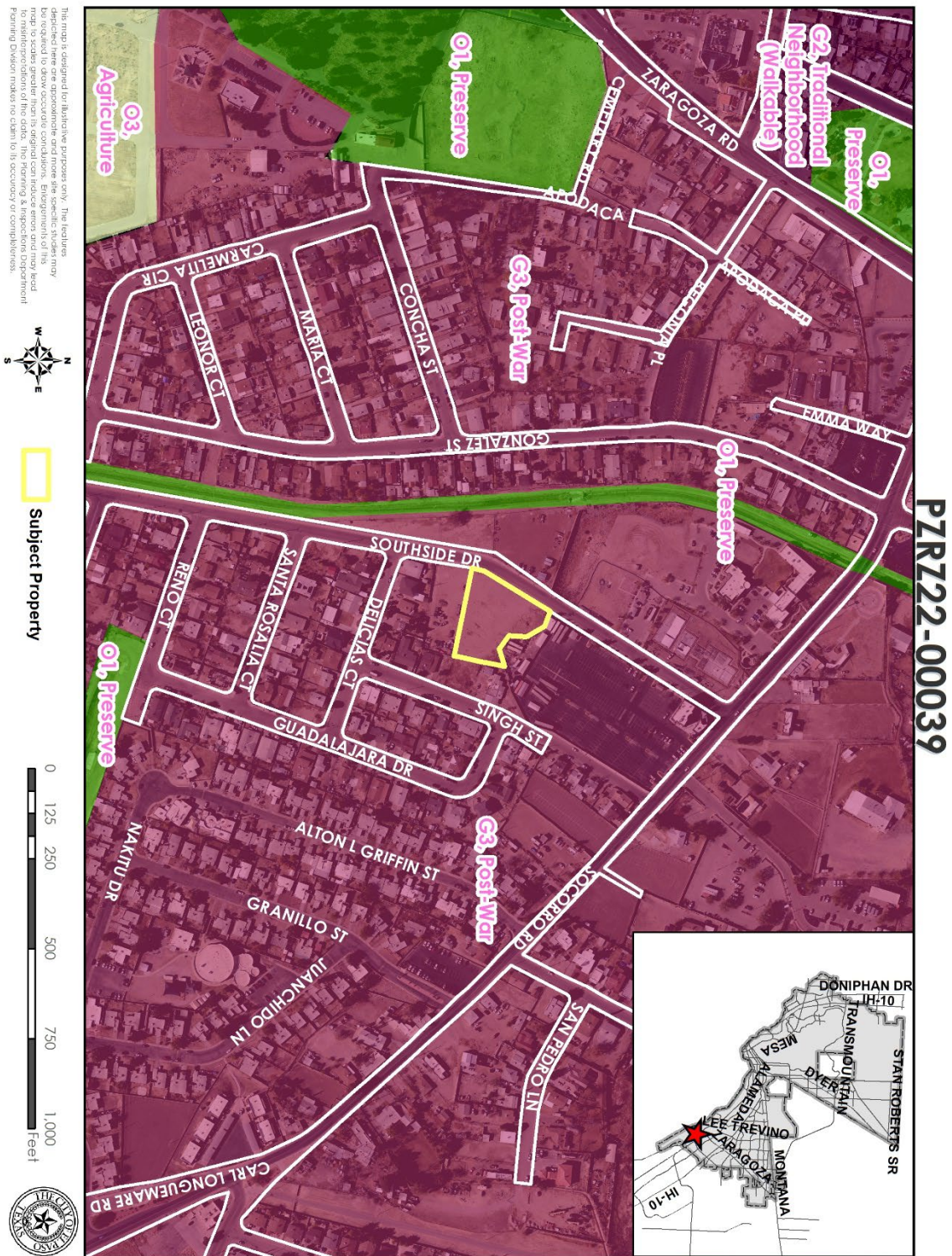
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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

ATTACHMENTS:

1. Future Land Use Map
2. Generalized Plot Plan
3. Department Comments
4. Neighborhood Notification Boundary Map

ATTACHMENT 1



[illegible]

ATTACHMENT 3

Planning and Inspections Department - Planning Division

1. Staff recommends approval.
2. Provide a certified city tax certificate prior to the rezoning request being scheduled before City Council.
3. Please know that this property is located within a historic district and will need to be reviewed by our historic preservation officer and obtain a certificate of appropriateness prior to the permitting stage. For further information, please contact our Historic Preservation Officer, Providencia Velazquez at 915-212-1567 or VelazquezPX@elpasotexas.gov.

Planning and Inspections Department – Historic Preservation Office

1. Recommend contacting the Historic Preservation Office as soon as possible for any development proposals to ensure proposed developments comply with applicable historic district design guidelines.

Planning and Inspections Department – Plan Review & Landscaping Division

1. Recommend approval.
2. The generalized site plan is not being reviewed for conformance due to conceptual nature. No objections to proposed rezoning. 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

1. Recommend approval with condition.
2. Provide and label note “All existing and proposed sidewalks, barrier free ramps, handicap parking, driveway crosswalks, driveways and accessible routes shall comply with A.D.A., T.A.S. and city of El Paso requirements. Existing infrastructure not complying shall be removed and replaced to meet standards on the plan.
3. The property is in the historic district, we recommend get in touch with the indicated people in case they have any additional requirements.
4. Provide official address for each lot.
5. Coordinate and obtain approval from Water Improvement District #1 for proposed development (20’ lateral). Verify if any irrigation easements are required.

Comments will be addressed at permitting stage

Fire Department

No adverse comments, recommend approval.

Police Department

No comments received.

Environmental Services

No comments received.

Streets and Maintenance Department

No comments received.

Sun Metro

No comments received.

El Paso Water

EPWater does not object to this request.

EPWU-PSB:

There is an existing 12-inch diameter water main that extends along Southside Road approximately 15-feet west of the property. This main is available for service.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main that extends along Southside Road approximately 30-feet west of the property. This main is available for service.

General:

Service to lot 4 and lot 5 to be provided at Southside Road. The Owner is to provide the locations for the water services outside of the driveways. No vehicular traffic is allowed over the water meter boxes.

EPWater requires a new service application to provide additional services to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater 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.

Stormwater:

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 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.

Texas Department of Transportation

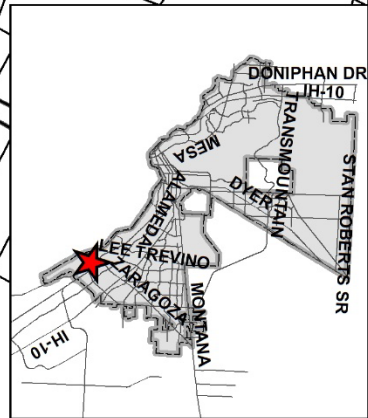
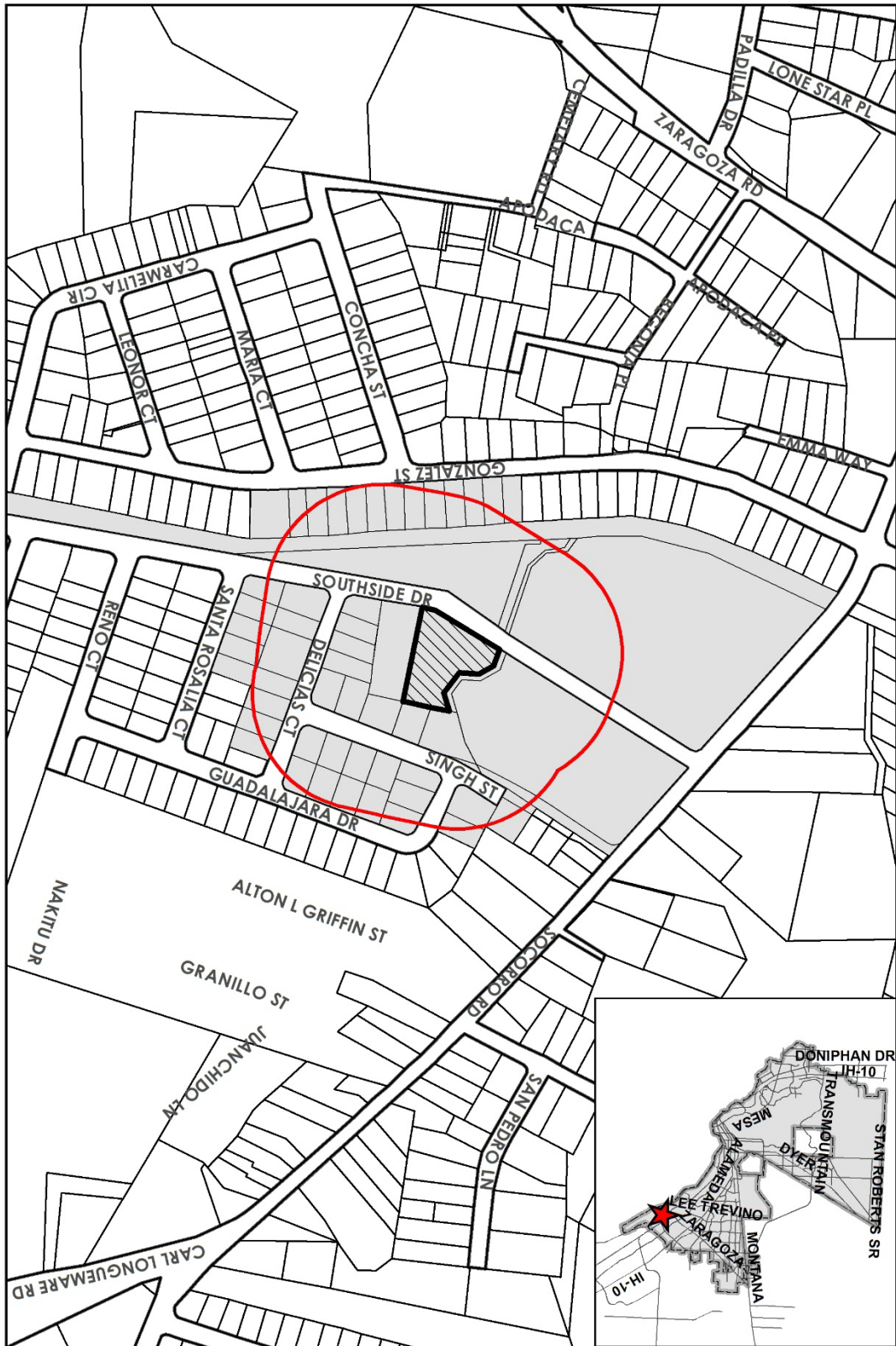
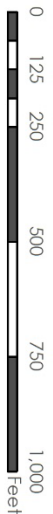
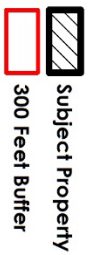
No comments received.

El Paso County Water Improvement District

No comments received.

ATTACHMENT 4

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. Inquiries of this map to scales greater than its original can reduce errors and may result in inaccuracies. Planning Division makes no claim to its accuracy or completeness.



PZR22-00039