

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: January 23, 2007
Public Hearing: February 13, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance changing the zoning of a portion of Tract 3A, Section 21, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, Texas from R-F (Ranch and Farm) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 1366 Lomaland. Applicant: BMCW South Central, L.P. ZON06-00153 (District 4)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Unanimous Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation (4-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Schubert

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

KELLY CARPENTER, AICP
DEPUTY DIRECTOR, PLANNING



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN, JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

DEVELOPMENT SERVICES
PLANNING DIVISION

MEMORANDUM

DATE: January 12, 2007

TO: The Honorable Mayor and City Council
Joyce A. Wilson, City Manager

FROM: Melissa Granado, Planner

SUBJECT: ZON06-00153

The City Plan Commission (CPC), on December 21, 2006, voted **4-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to M-1 (Light Manufacturing), concurring with Staff's recommendation.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is in conformance with the Year 2025 Projected General Land Use Map. The CPC also determined that this 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 the effects of the rezoning will have no effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no opposition to this request.

Attachment: Staff Report, Location Map, Aerial Map, Site Plan

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 3A, SECTION 21, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO M-1 (LIGHT MANUFACTURING). 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 a portion of Tract 3A, Section 21, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, 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 (Ranch and Farm) to M-1 (Light Manufacturing), within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this _____ day of _____, 2007.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

CITY CLERK DEPT.
07 JAN 12 AM 8:41

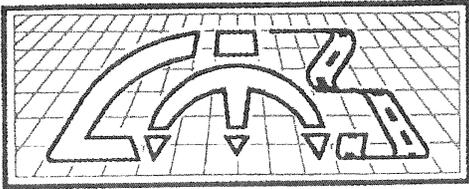
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Kimberly Forsyth, Senior Planner
Development Services Department



Land - Mark Professional Surveying Inc.

"Serving Texas, New Mexico and Arizona"

METES AND BOUNDS DESCRIPTION

A PORTION OF TRACT 3A, SECTION 21, BLOCK 80, TOWNSHIP 1, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, EL PASO COUNTY, TEXAS, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING for reference at an existing 5/8" rebar for the common corner of Sections 15, 16, 21 and 22, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, Texas; **THENCE**, South 89°51'30" West with the common boundary line of said Sections 16 and 21 a distance of 188.66 feet to an existing 2" iron pipe lying in the northwesterly right of way line of Dyer Street (U.S. Hwy. 54) at a point identical with the most northeasterly corner of said Tract 3A and the **POINT OF BEGINNING** for the following parcel description:

THENCE, South 43°16'00" West with said northwesterly right of way line a distance of 137.67 feet to an existing 5/8" rebar with cap stamped 'LAND-MARK TX4869 NM11402' and a corner of this parcel, said point identical with the northeasterly corner of Tract 3C of said Section 21, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, Texas;

THENCE, South 89°51'30" West with the common boundary line of said Tracts 3A, 3C, and Tract 3B of said Section 21, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, Texas, a distance of 881.09 feet to a 5/8" rebar with cap stamped 'LAND-MARK TX4869 NM11402' set in the northwesterly boundary line of said Tract 3B and a corner of this parcel;

THENCE, South 43°16'00" West with said northwesterly boundary line of Tract 3B and southeasterly boundary line of said Tract 3A a distance of 377.93 feet to an existing 5/8" rebar with cap stamped 'LAND-MARK TX4869 NM11402' for a corner of this parcel;

THENCE, North 46°44'00" West a distance of 20.00 feet to a 5/8" rebar with cap stamped 'LAND-MARK TX5710' set in the northwesterly boundary line of said Tract 3A for a corner of this parcel;

THENCE, North 43°16'00" East with said northwesterly boundary line of Tract 3A a distance of 496.68 feet to a 5/8" rebar with cap stamped 'LAND-MARK TX5710' set in the common boundary line of said Sections 16 and 21, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, and a corner of this parcel;

THENCE, North 89°51'30" East with said common boundary line of said Sections 16 and 21 a distance of 908.62 feet (Rec. 908.51') to the **POINT OF BEGINNING**.

Said parcel contains 2.2554 Acres (98,244 Sq. Ft.) more or less.

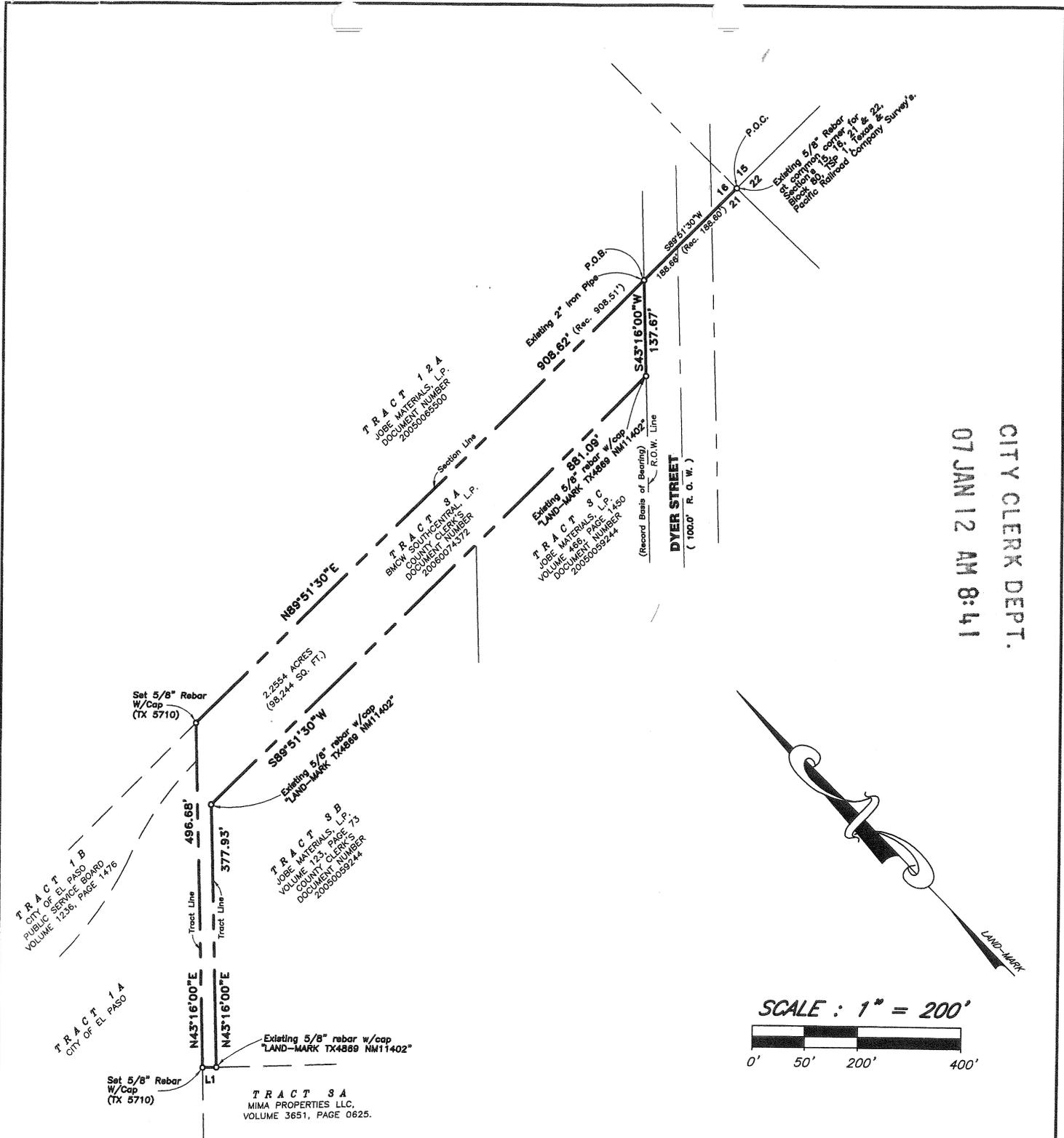
LAND-MARK PROFESSIONAL
SURVEYING, INC.



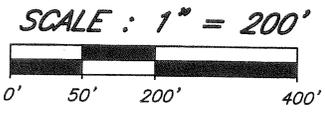
Exhibit "A"


Kenneth R. Kindle, R.P.L.S.
Texas No. 5710
November 13, 2006
Job No. 23147

07 JAN 12 AM 8:41
CITY CLERK DEPT.



CITY CLERK DEPT.
07 JAN 12 AM 8:41



RE-ZONE PLAT

LINE	DIRECTION	DISTANCE
L1	N46°44'00"W	20.00'



This plat represents a survey made on the ground by me or under my supervision and complies with the current Texas Board of Professional Land Survey Professional and Technical Standards.

Kenneth R. Kindle
Kenneth R. Kindle, R.P.L.S.
Registered Professional Land Surveyor
Texas 5710

Job No. 05-03-23147

Plat of Survey

OF
A PORTION OF TRACT 3A,
SECTION 21, BLOCK 80, TSP 1,
TEXAS & PACIFIC RAILROAD COMPANY
SURVEYS, EL PASO,
EL PASO COUNTY, TEXAS.

A METES AND BOUNDS DESCRIPTION WITH THE SAME
DATE ACCOMPANIES THIS PLAT.

Scale: 1" - 200' Date: NOVEMBER 13, 2006

Land-Mark Professional Surveying, Inc.
1420 Bessemer Drive, Suite 'A'
El Paso, Texas 79936

email: Bob@land-marksurveying.com
"Serving Texas, New Mexico and Arizona"

STAFF REPORT

Rezoning Case: ZON06-00153

Property Owner(s): BMCW South Central, L..P.

Representative(s): Brock & Bustillos, Inc.

Legal Description: A portion of Tract 3-A, Section 21, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, Texas

Location: 12000 block of Dyer Street

Representative District: 4

Area: 2.255 acres

Present Zoning: R-F (Ranch and Farm)

Present Use: Vacant

Proposed Zoning: M-1 (Light Manufacturing)

Proposed Use: Access road to lumber yard

Recognized Neighborhood Associations Contacted: Northeast Civic Association, Northeast Healthy Communities

Surrounding Land Uses:

North -	M-1 (Light Manufacturing) / Vacant
South -	R-5/c (Residential/condition), M-1 (Light Manufacturing) / Vacant, Lumber Yard
East -	M-1 (Light Manufacturing) / El Paso Public Service Board
West-	R-F (Ranch and Farm) / Vacant

Year 2025 Designation: Residential (Northeast Planning Area)

**CITY PLAN COMMISSION HEARING, DECEMBER 21, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00153

GENERAL INFORMATION:

The applicant is requesting a rezoning from R-F (Ranch and Farm) to M-1 (Light Manufacturing) in order to permit an access road to an existing lumber yard. The property is 2.255 acres in size and is currently vacant. The proposed site plan shows a road that will access an existing lumber yard to be located on the site. Access is proposed via Dyer Street. There are no zoning conditions currently imposed on this property.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has not received any calls or letters in support or opposition to this application.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this request for rezoning from R-F (Ranch and Farm) to M-1 (Light Manufacturing).

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “provide designated locations for industrial development that do not adversely affect the health, safety, and welfare of the community and where essential infrastructure is available to serve the development.”

The Year 2025 Projected General Land Use Map for the **Northeast** Planning Area designates this property for Residential land uses.

M-1 (Light Manufacturing) zoning permits an access road and lumber yard and **is compatible** with adjacent development.

The Commission must determine the following:

1. Will the M-1 (Light Manufacturing) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will an access road to a lumber yard be compatible with adjacent land uses?
3. What is the relation of the proposed change to the city’s Comprehensive Plan?
4. What effect will the rezoning have upon the natural environment social and economic conditions and property values in the vicinity and in the City as a whole?

Information To The Applicant:

Development Services Department - Building Permits and Inspections Division Comments:

Zoning Review: Insufficient data submitted to determine compliance with district development standards, setbacks, and parking requirements.

Landscape Review: No comments received.

Development Services Department - Planning Division Comments:

Current Planning: Planning Division recommends approval of the proposed rezoning. The proposed use is compatible with existing zoning;

Subdivision Review: No comments received.

Engineering Department - Traffic Division Comments:

No major traffic issues with the proposed zoning change from R-F to M-1.

Fire Department Comments:

No comments received.

EI Paso Water Utilities Comments:

Water:

There is an existing 8-inch diameter water main along Lynn Field Road. This water main is located approximately 60-feet south of the southernmost property line of Tract 12A. Within the subject property, there are two public fire hydrants.

Sanitary sewer:

There are no existing sanitary sewer mains along Lynn Field Road. There is no public sanitary sewer service for the properties on the 12000 block of Dyer Street.

General:

The easements for public utilities within the subject property shall be retained unless the access road is publicly dedicated.

The site plan presented with the application shows a proposed 8-inch sanitary sewer on the same location as the above described 8-inch water main. Sanitary sewer service and the proposed location of public or private sewer mains need to be coordinated with our Engineering Department.

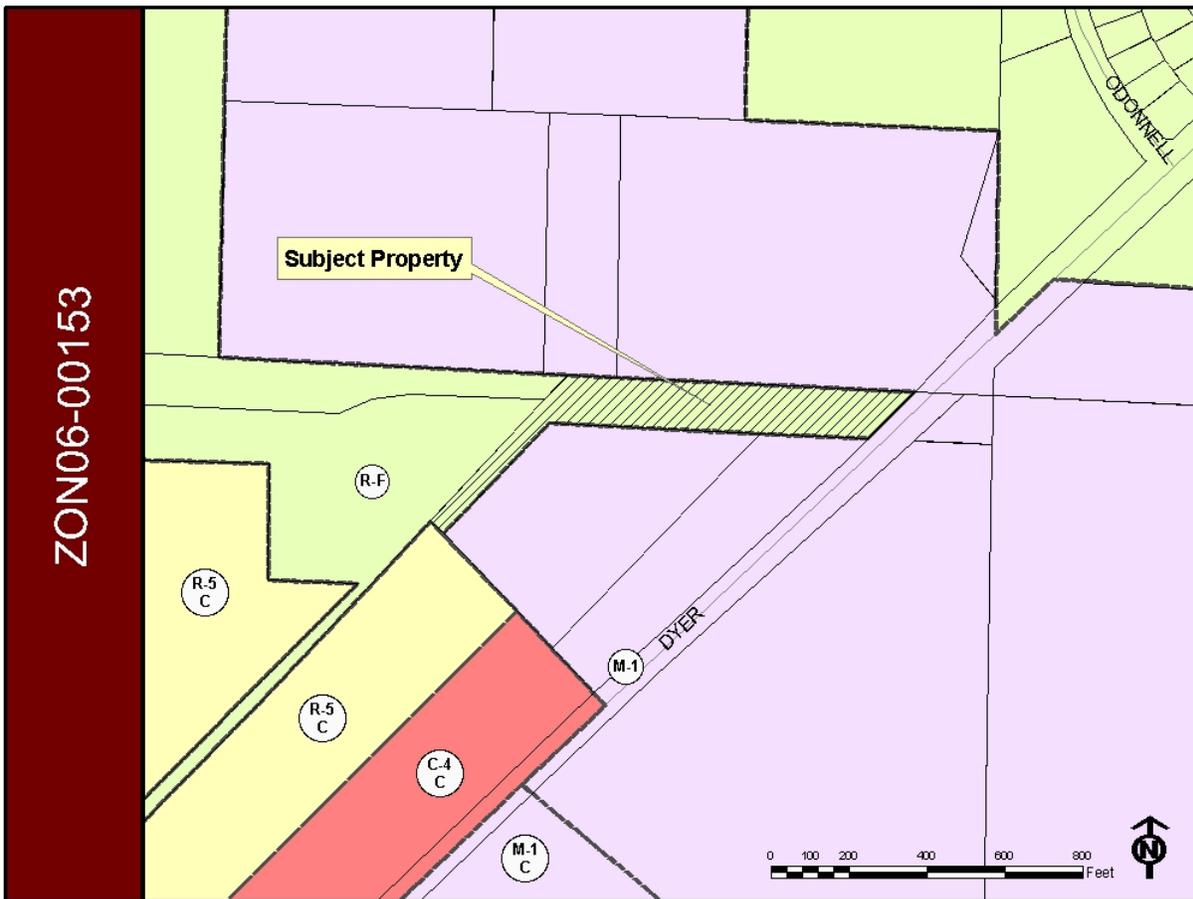
Application for water and sewer services should be made 6 to 8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading and drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. 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.

EPWU does not object to this request.

ATTACHMENT: Location Map, Aerial Map, Site Plan

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DIVISION AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



ZON06-00153

SITE PLAN

