

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

**DEPARTMENT:** Development Services Department, Planning Division

**AGENDA DATE:** Introduction: March 16, 2010  
Public Hearing: April 6, 2010

**CONTACT PERSON/PHONE:** Esther Guerrero, (915) 541-4720

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An ordinance changing the zoning of a portion of Lots 1 and 15, save and except two portions thereof attached hereto Block 3, Lots 2 through 14, Block 3, WFF Industries Park Unit One Replat A, City of El Paso, El Paso County, Texas from M-1/sc (Manufacturing/special contract) to C-3/sc (Commercial/special contract), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Railroad Drive, North of Deer Avenue. Property Owner: DBB Holdings, Inc. ZON09-00094  
**(District 4)**

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Approval Recommendation  
City Plan Commission (CPC) – Approval Recommendation (5-0)

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** (if required) N/A

**FINANCE:** (if required) N/A

**DEPARTMENT HEAD:** Mathew S. McElroy  
Deputy Director-Planning, Development Services Department

---

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOTS 1 AND 15, SAVE AND EXCEPT TWO PORTIONS THEREOF ATTACHED HERETO BLOCK 3, LOTS 2 THROUGH 14, BLOCK 3, WFF INDUSTRIES PARK UNIT ONE REPLAT A, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1/SC (MANUFACTURING/SPECIAL CONTRACT) TO C-3/SC (COMMERCIAL/SPECIAL CONTRACT), 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:**

*That the zoning of a portion of Lots 1 and 15, save and except two portions thereof attached hereto Block 3, WFF Industries Park Unit One Replat A, City of El Paso, El Paso County, Texas, as more particularly described by metes and bounds on the attached Exhibit "A" and incorporated herein by reference, be changed from **M-1/sc (Manufacturing/special contract) to C-3/sc (Commercial/special contract)**, within the meaning of the zoning ordinance, 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 adjacent property owners and the residents of this City:

- 1. No residential uses are permitted.*
- 2. A traffic impact analysis shall be submitted and approved prior to issuance of any building permits.*

**PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2010.**

**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
John F. Cook  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

**APPROVED AS TO CONTENT:**

\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

\_\_\_\_\_  
Mathew S. McElroy, Deputy Director  
Development Services Department,  
Planning Division

**ORDINANCE NO. \_\_\_\_\_**

**Zoning Case No: ZON09-00094**

Being Lots 1 and 15, Save and except two  
Portions thereof attached hereto Block 3.  
Lots 2 through 14, Block 3  
WFF Industries Park Unit One Replat "A"  
City of El Paso, El Paso County, Texas  
November 24, 2009

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Lots 1 and 15, Save and except two portions thereof attached hereto Block 3, Lots 2 through 14, Block 3, WFF Industries Park Unit One Replat "A" as recorded in volume 58, page 64, Plat records City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at a city brass disk monument at the centerline intersection of Railroad Drive and Farah Drive from which a city brass disk monument on the centerline of Railroad Drive in front of lot 12, block 3, WFF Industries Park Unit One Replat "A" bears South 28°26'00" West a distance of 818.14 feet, Thence along the centerline of Railroad Drive South 28°26'00" West a distance of 315.00 feet to a point; Thence leaving said centerline 61°34'00" East a distance of 60.00 feet to a found 5/8" rebar with cap marked SLI TX 2998 on the easterly right of way line of Railroad Drive for the "TRUE POINT OF BEGINNING".

Thence leaving said right of way line South 61°34'00" East a distance of 9.80 feet to a found bridge nail with shiner at the point of curve;

Thence 442.79 feet along the arc of a curve to the right which has a radius of 382.25 feet a central angle of 66°22'15" a chord which bears South 28°22'53" East a distance of 418.45 feet to a found 5/8" rebar with cap marked TX 2998 on the line between WFF Industries Park Unit One Replat A and the Southern Pacific Railroad R.O.W.;

Thence with said line, South 28°26'00" West a distance of 1435.09 feet to a found rebar with cap marked TX 2998 on the line between WFF Industries Park Unit One Replat A and the El Paso Electric Company R.O.W.;

Thence with said line, North 89°58'41" West a distance of 409.30 feet to a found 5/8" rebar on the easterly right of way line of Railroad Drive;

Thence with said line, North 28°26'00" East a distance of 1858.87 feet to "TRUE POINT OF BEGINNING" and containing 14.043 acres of land more or less.

R R  
Ron R. Conde  
R.P.L.S. No. 5152  
Job #1009-52

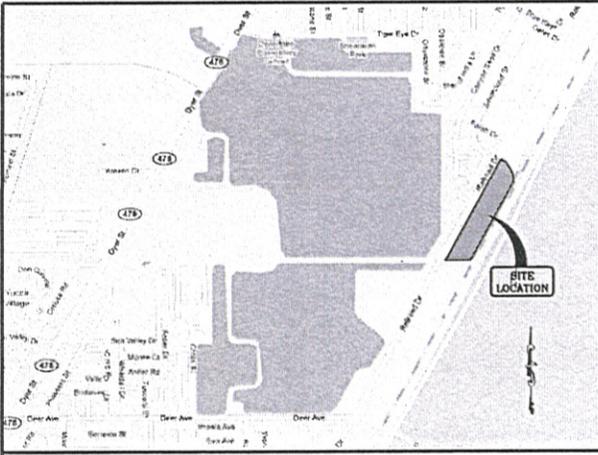


CONDE, INC.

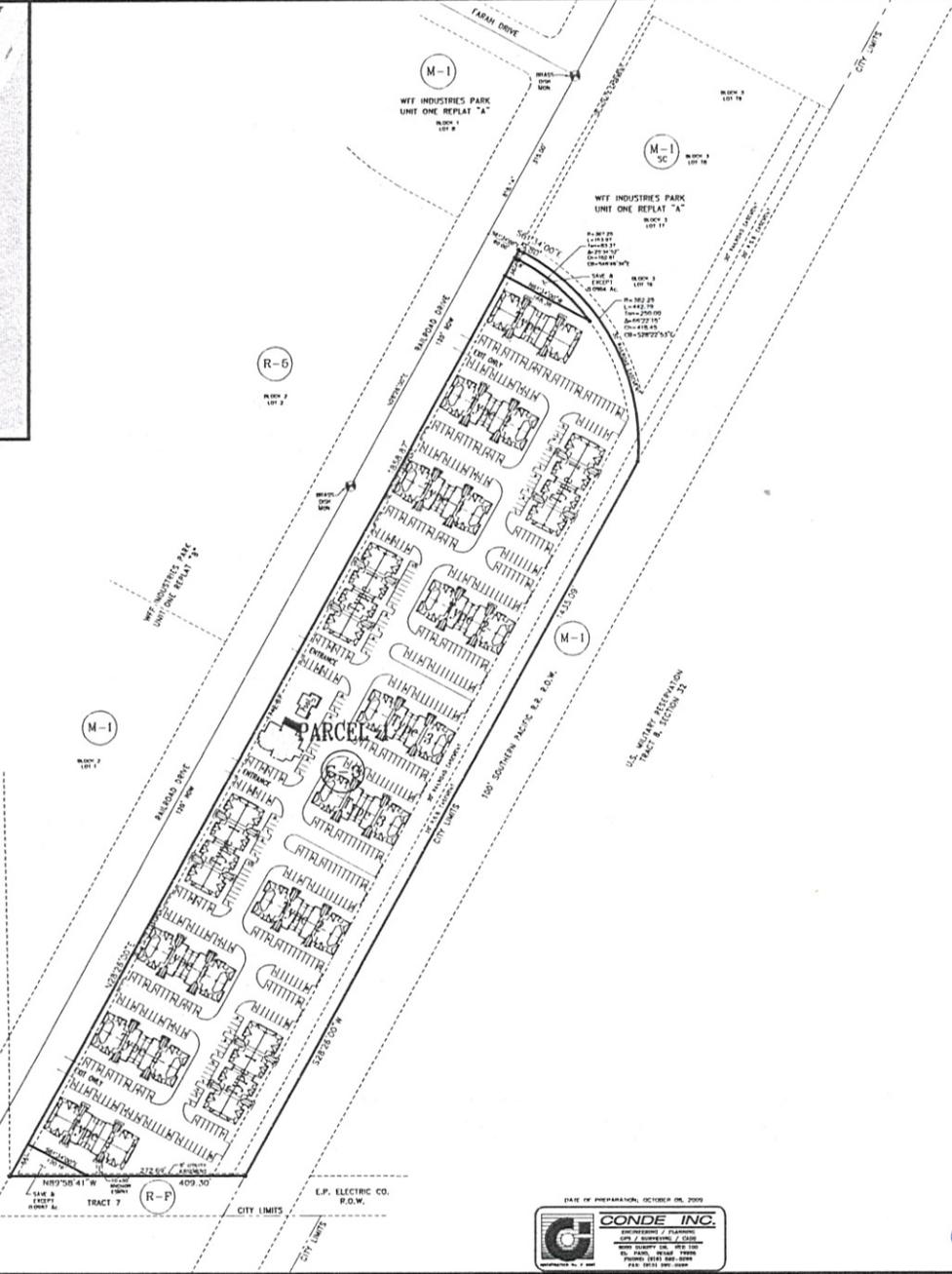
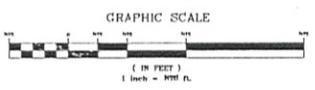
ENGINEERING / LAND SURVEYING / PLANNING  
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

# ZONING PLAN

BEING LOTS 1 AND 15, SAVE AND EXCEPT TWO PORTIONS THEREOF ATTACHED HERETO BLOCK 3, AND LOTS 2 THROUGH 14, BLOCK 3, WFF INDUSTRIES PARK UNIT ONE REPLAT "A", CITY OF EL PASO, EL PASO COUNTY, TEXAS



LOCATION MAP SCALE: 1" = 1000'



PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
1	13.85	C-3	M-1 SC

PROPOSED ZONING: C-3  
MINIMUM YARD SETBACKS

FRONT	20 ft. MIN.
REAR	25 ft. MIN.
SIDE	5 ft. MIN.
SIDE ABUTTING STREET	10 ft. MIN.



revised 1-5-10



**MEMORANDUM**

**DATE:** March 8, 2010  
**TO:** Honorable Mayor and City Council  
Joyce Wilson, City Manager  
**FROM:** Esther Guerrero, Planner  
**SUBJECT:** ZON09-00094

Mayor  
John F. Cook

**City Council**

*District 1*  
Ann Morgan Lilly

*District 2*  
Susie Byrd

*District 3*  
Emma Acosta

*District 4*  
Carl L. Robinson

*District 5*  
Rachel Quintana

*District 6*  
Eddie Holguin Jr.

*District 7*  
Steve Ortega

*District 8*  
Beto O'Rourke

City Manager  
Joyce A. Wilson

The City Plan Commission (CPC) on February 11, 2010, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from M-1/sc (Manufacturing/special contract) to C-3/sc (Commercial/special contract) and imposing conditions, in agreement with the recommendation from the DCC and staff.

The recommended conditions to be imposed are as follow:

- 1. No residential uses are permitted.*
- 2. A traffic impact analysis shall be submitted and approved prior to issuance of any building permits.*

The applicant's representative was not in agreement with the conditions being imposed.

The CPC found that the rezoning with conditions is in conformance with The Plan for El Paso. The CPC found that the proposed use is not in conformance with the 2025 Projected General Land Use Map for the Northeast Planning Area. The CPC also determined that the rezoning with conditions protects the best interest, health, safety, and welfare of the public in general; and the rezoning will have no effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no one present to speak in favor or in opposition to this request.

**Attachment:** Staff Report



## City of El Paso – City Plan Commission Staff Report

**Case No:** ZON09-00094  
**Application Type:** Rezoning  
**CPC Hearing Date:** February 11, 2010  
**Staff Planner:** Esther Guerrero, 915-541-4720, [guerreroex@elpasotexas.gov](mailto:guerreroex@elpasotexas.gov)

**Location:** Railroad Drive, north of Deer Avenue  
**Legal Description:** Portion of Lots 1 and 15, save and except two portions thereof attached hereto Block 3, Lots 2 through 14, Block 3, WFF Industries Park Unit One Replat A, City of El Paso, El Paso County, Texas

**Acreage:** 14.043 acres

**Rep District:** 4

**Existing Use:** Vacant

**Request:** M-1/sc (Manufacturing/special contract) to C-3/sc (Commercial/special contract)  
**Proposed Use:** Multi-family and Commercial Development  
**Property Owner:** DBB Holdings, Inc.  
**Representative:** Conde Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** M-1/sc (Manufacturing/special contract) / Manufacturing

**South:** R-4 (Residential), M-1/sc (Manufacturing/special contract) / Utility facility / Vacant

**East:** City Limits / Railroad right-of-way (railroad tracks) / Fort Bliss Vacant Land

**West:** R-5 (Residential), M-1 (Manufacturing) / Single-family / Vacant

**Plan for El Paso Designation:** Industrial (Northeast Planning Area)

**Nearest Park:** Summerlin (1,640 Feet)

**Nearest School:** Desertaire Elementary (4,445 Feet)

### **NEIGHBORHOOD ASSOCIATIONS**

N/A

### **NEIGHBORHOOD INPUT**

Notices of the February 11, 2010 City Plan Commission hearing were mailed out to property owners within 300 feet of the subject property on January 27, 2010.

### **APPLICATION DESCRIPTION**

The request is to change the zoning from M-1/sc (Manufacturing/special contract) to C-3/sc (Commercial/special contract) to allow for multi-family dwellings and commercial development. The property is 14.043 acres in size and is currently vacant. Access is proposed via Railroad Drive.

The special contract on the property requires that a subdivision plat be approved and filed for record before building permits for construction can be issued. This property has been platted.

### **DEVELOPMENT COORDINATING COMMITTEE RECOMMENDATION**

Recommend **approval** of C-3 (Commercial) with the following conditions:

- 1) No residential uses are permitted.
- 2) A traffic impact analysis shall be submitted and approved prior to the issuance of any building permits.

## **DEVELOPMENT SERVICES DEPARTMENT-PLANNING DIVISION RECOMMENDATION**

Recommend **approval** of C-3 (Commercial) with the following conditions:

- 1) No residential uses are permitted.
- 2) A traffic impact analysis shall be submitted and approved prior to the issuance of any building permits.

Residential uses are incompatible with the adjacent railroad tracks that are approximately 100 feet to the east of the subject property and with the abutting manufacturing uses and districts. The Plan for El Paso 2025 Projected Land Use designates manufacturing and industrial uses for this area.

### **The Plan for El Paso-City-Wide Land Use Goals**

All applications for rezoning shall demonstrate compliance with the following criteria:

- a. Goal: provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses
- b. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The purpose of the C-3 (Commercial) district is to accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the City. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

### **Engineering Department - Traffic Division**

If rezoning is approved, recommend a traffic impact analysis be required prior to issuance of building permits, due to increase in traffic volumes.

- Sidewalks shall be provided.
- Deceleration lanes may be required.
- Recommend that entrance align with existing median cut.

### **Street Department**

No comments received.

### **Development Services-Building Permits and Inspections**

A 20 foot front set-back required for Apartments in a C-3 zone. Site plan shows buildings within ten feet of front property line.

### **Fire Department**

No comments received.

### **Sun Metro:**

No comments received.

### **NE Regional Command Center**

No objections.

### **El Paso Water Utilities**

No comments received.

## **CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the change of zoning application:

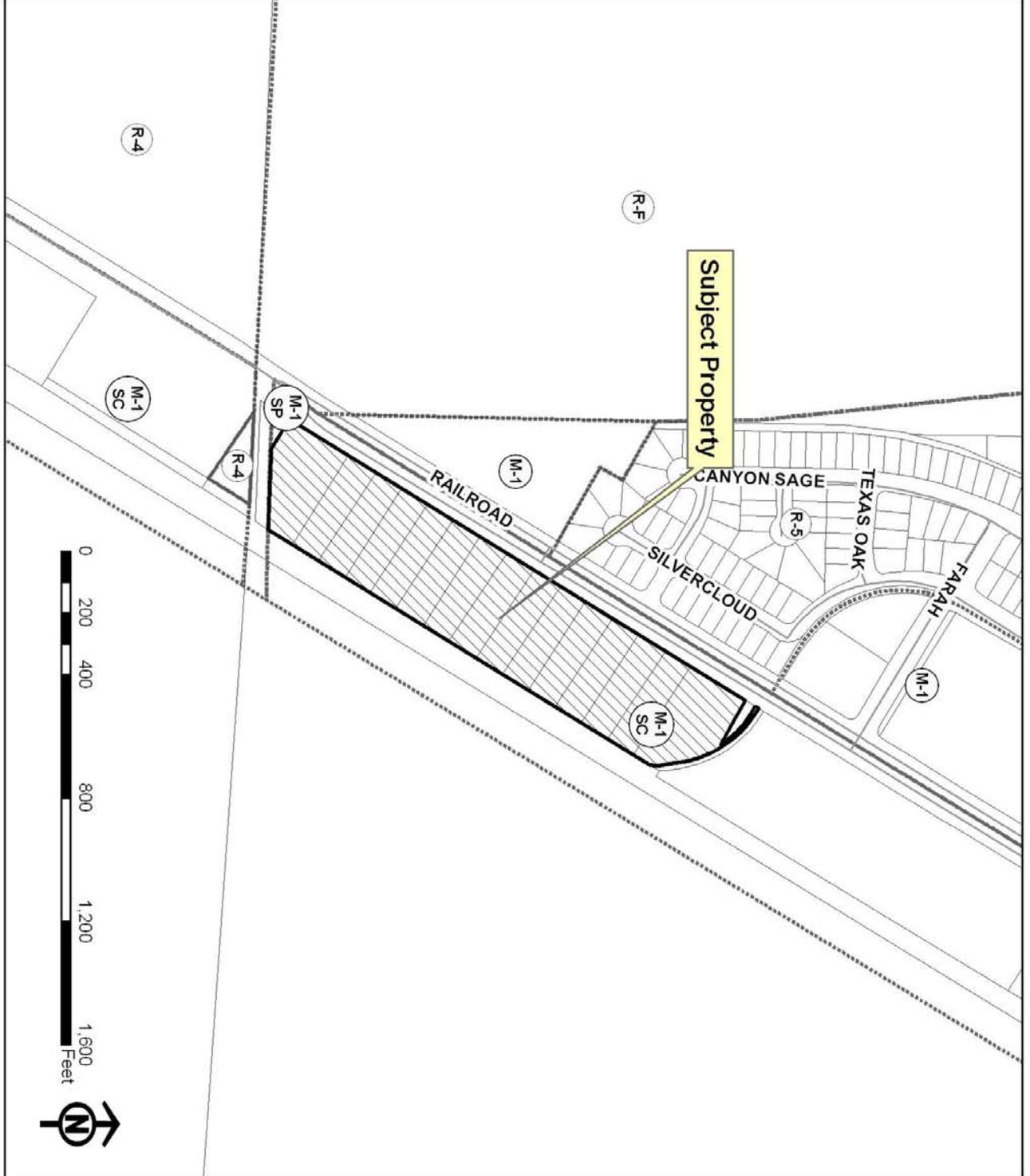
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan.

2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in The Plan for El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in The Plan for El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Conceptual Site Plan

# ZON09-00094



# ZON09-00094



ATTACHMENT 3: CONCEPTUAL SITE PLAN

