

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

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: March 01, 2005
Public Hearing: March 22, 2005

CONTACT PERSON/PHONE: Fred Lopez, 541-4925

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance granting Special Permit No. ZON05-00012, to allow for a nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station on a portion of Tract 5D, Section 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tract 1, Section 28, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas pursuant to Section 20.46.040.F of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: SFPP, LP. (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) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00012, TO ALLOW FOR A NINE-TANK GASOLINE, DIESEL, AND JET FUEL STORAGE FACILITY AND PIPELINE TRANSFER STATION ON A PORTION OF TRACT 5D, SECTION 21, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS AND A PORTION OF TRACT 1, SECTION 28, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS PURSUANT TO SECTION 20.46.040.F OF THE EL PASO MUNICIPAL CODE. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, SFPP, L.P. has applied for a Special Permit under Section 20.46.040.F of the El Paso Municipal Code, to allow for a nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station;

WHEREAS, a report was made to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject Special Permit; and

WHEREAS, the subject Special Permit has been submitted to the City Council of the City of El Paso for review and approval;

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

1. That the property described as follows is in an M-1/c (Light Manufacturing/conditions) District:

A portion of Tract 5D, Section 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tract 1, Section 28, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A"; and

2. That the nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station is authorized by Special Permit in M-1/c (Light Manufacturing/conditions) districts under Section 20.46.040.F of the El Paso Municipal Code, which allows for the

manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040; and

3. That the requirements under Section 20.46.040.F have been satisfied; and

4. That the City Council hereby grants a Special Permit under Section 20.46.040.F of the El Paso Municipal Code, to allow for a nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station on the above-described property; and

5. That this Special Permit is issued subject to the development standards in the M-1/c (Light Manufacturing/conditions) district regulations and subject to the approved Site Development Plan, signed by the Applicant, the City Manager, and the Executive Secretary to the City Plan Commission. A copy of this plan is attached hereto as Exhibit "B" and incorporated herein by reference for all purposes; and

6. That the Applicants shall sign an Agreement incorporating the requirements of this Ordinance. Such Agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued; and

7. That if the Applicants fail to comply with any of the requirements of this Ordinance, **Special Permit No. ZON05-00012** shall automatically terminate, and construction shall stop or occupancy shall be discontinued, until any such violation ceases.

PASSED AND APPROVED this _____ day of _____, 2005.

THE CITY OF EL PASO

Joe Wardy
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

(additional signatures on the following page)

APPROVED AS TO CONTENT:



Fred Lopez, Zoning Coordinator
Planning, Research & Development

APPROVED AS TO CONTENT:



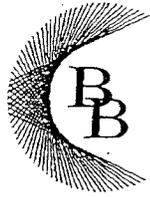
Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:



Matt Watson
Assistant City Attorney
Doc No. 10829

Exhibit "A"



BROCK & BUSTILLOS INC.

CONSULTING ENGINEERS
LAND SURVEYORS
(formerly Faught & Associates)

ROMAN BUSTILLOS, P.E.
President
RANDY P. BROCK, P.E.
Executive Vice President
SERGIO J. ADAME, P.E.
Vice President - Engineering
OSCAR V. PEREZ
Vice President - Operations
ISAAC CAMACHO, R.P.L.S.
Survey Manager

July 1, 2004

LEGAL DESCRIPTION OF A 35.003 ACRE PARCEL

A parcel of land situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of Tract 5D, Section 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tract 1, Section 28, Block 80, Township 1, Texas and Pacific Railway Company Surveys and being more particularly described as follows, to wit:

COMMENCING for reference at a two inch iron pipe found for the corner common to Sections 20, 21, 28, and 29, Block 80, Township 1, Texas and Pacific Railway Company Surveys; **THENCE** following the line common to said Sections 21 and 28, North $88^{\circ}56'07''$ East, 151.05 feet to a 5/8 inch rebar with survey cap No. TX 2998 found on the easterly right-of-way line of Dyer Street; **THENCE**, leaving the line common to said Sections 21 and 28 and following the easterly right-of-way line of Dyer Street, North $43^{\circ}16'00''$ East, 2,416.62 feet to a 1/2 inch rebar with survey cap No. TX 5337 found for the **POINT OF BEGINNING** of the tract herein described;

THENCE, continuing along the easterly right-of-way line of Dyer Street, North $43^{\circ}16'00''$ East, 40.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 found for the northwest corner of the tract herein described;

THENCE, leaving the easterly right-of-way line of Dyer Street, South $51^{\circ}04'00''$ East, 1,700.48 feet to a 1/2 inch rebar with survey cap No. TX 5337 found for an angle point;

THENCE South $26^{\circ}22'16''$ East, 894.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 found for an angle point;

THENCE South $61^{\circ}35'02''$ East, 257.56 feet to a 1/2 inch rebar with survey cap No. TX 5337 found on the westerly right-of-way line of Railroad Drive for an angle point;

THENCE, following the westerly right-of-way line of Railroad Drive, South $28^{\circ}24'58''$ West, 40.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 found for an angle point;

THENCE, leaving the westerly right-of-way line of Railroad Drive, North $61^{\circ}35'02''$ West, 500.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 set for an angle point;

THENCE South $28^{\circ}24'58''$ West, 1324.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 set for the southeast corner of the tract herein described;

THENCE North 61°35'02" West, 800.00 feet to a 1/2 inch rebar with survey cap No. TX 5337 set for the southwest corner of the tract herein described;

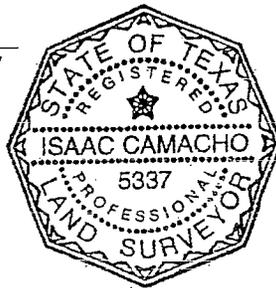
THENCE North 28°24'58" East, 1,896.85 feet to a 1/2 inch rebar with survey cap No. TX 5337 set for an angle point;

THENCE North 51°04'00" West, 1,393.54 feet to the **POINT OF BEGINNING**;

Said parcel containing 35.003 acres, more or less, and being subject to easements of record.

I hereby certify that this description was prepared by me or under my supervision.

Isaac Camacho
Isaac Camacho, TX RPLS No. 5337



6556-01C

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DIRECTOR



**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

April 04, 2005

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

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

FROM: Fred Lopez, Planner II / Zoning Coordinator

SUBJECT: ZON05-00012

The City Plan Commission (CPC), on March 24, 2005, voted **5 - 2** to recommend **APPROVAL** of this special permit request to allow for a nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station.

The CPC found that this special permit request 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 special permit protects the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request at the CPC Hearing.

STAFF REPORT

Special Use Permit #: ZON05-00012

Property Owner(s): City of El Paso - Public Service Board

Applicant(s): SFPP, L.P.

Representative(s): CH2M Hill

Legal Description: A portion of Tract 5D, Section 21, Block 80, Township 1, Texas and Pacific Railway Company Surveys and a portion of Tract 1, Section 28, Block 80, Township 1, Texas and Pacific Railway Company Surveys

Location: Railroad Drive South of Dyer Street

Representative District: # 4

Area: 35.003 Acres

Zoning: M-1/c (Light Manufacturing/conditions)

Existing Use: Vacant

Proposed Use: Nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station (special permit request for the manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040)

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

Surrounding Land Uses:

North -	R-F (Ranch and Farm) / vacant
South -	M-1/c (Light Manufacturing/conditions) / vacant
East -	R-F (Ranch and Farm) / vacant
West-	M-1/c (Light Manufacturing/conditions) / vacant

Year 2025 Designation: **Industrial** (Northeast Planning Area)

**CITY PLAN COMMISSION HEARING, March 24, 2005,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Special Use Permit: ZON05-00012

General Information:

The applicant is requesting a special permit for the manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040 of the El Paso Municipal Code in order to allow for a proposed nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station. The property is 35.003 acres in size and is currently zoned M-1/c (Light Manufacturing/conditions). The proposed site plan shows nine storage tanks, a 2,175 sq. ft. maintenance building, a 2,150 sq. ft. control building, a 690 sq. ft. electrical building, thermal oxidizer, vapor bladder tank, manifold pit, shipping pumps, and other uses to be located on the site. Access is proposed via Railroad Drive and Dyer Street. There are zoning conditions currently imposed on this property and are attached to this report as Enclosure 2.

Information to the Commission:

- A. The Planning Department has received one (1) letter in opposition to this application.
- B. In cases of doubt, the City Council or City Plan Commission may require an engineering report describing the process or use and the probable impact thereof at the property lines (see Section 20.46.040.F of the El Paso Municipal Code).

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this special permit request.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend 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 **Industrial** land uses.

M-1/c (Light Manufacturing/conditions) zoning permits the manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040 by special permit.

The Commission must determine the following:

- A. Will the special permit for the manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040 protect the best interest, health, safety and welfare of the public in general?
- B. Will the nine-tank gasoline, diesel, and jet fuel storage facility and pipeline transfer station be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:

No comments.

Engineering Department, Development Division Notes:

No comments

Engineering Department, Traffic Division Notes:

No apparent traffic concerns with the proposed special permit.

Fire Department Notes:

- A. Special Use Permit for a parking reduction does not adversely affect the Fire Department.
- B. Fire Department recommends that the applicant coordinate improvement plans with the Fire Department Plan Review Section

El Paso Water Utilities Notes:

See Enclosure 1.

Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Northeast Planning Area designates this property for Industrial land uses.
- B. M-1/c (Light Manufacturing/conditions) zoning permits the manufacture, compounding, processing, packaging or treatment of products not specifically mentioned as permitted in Section 20.46.040 by special permit.

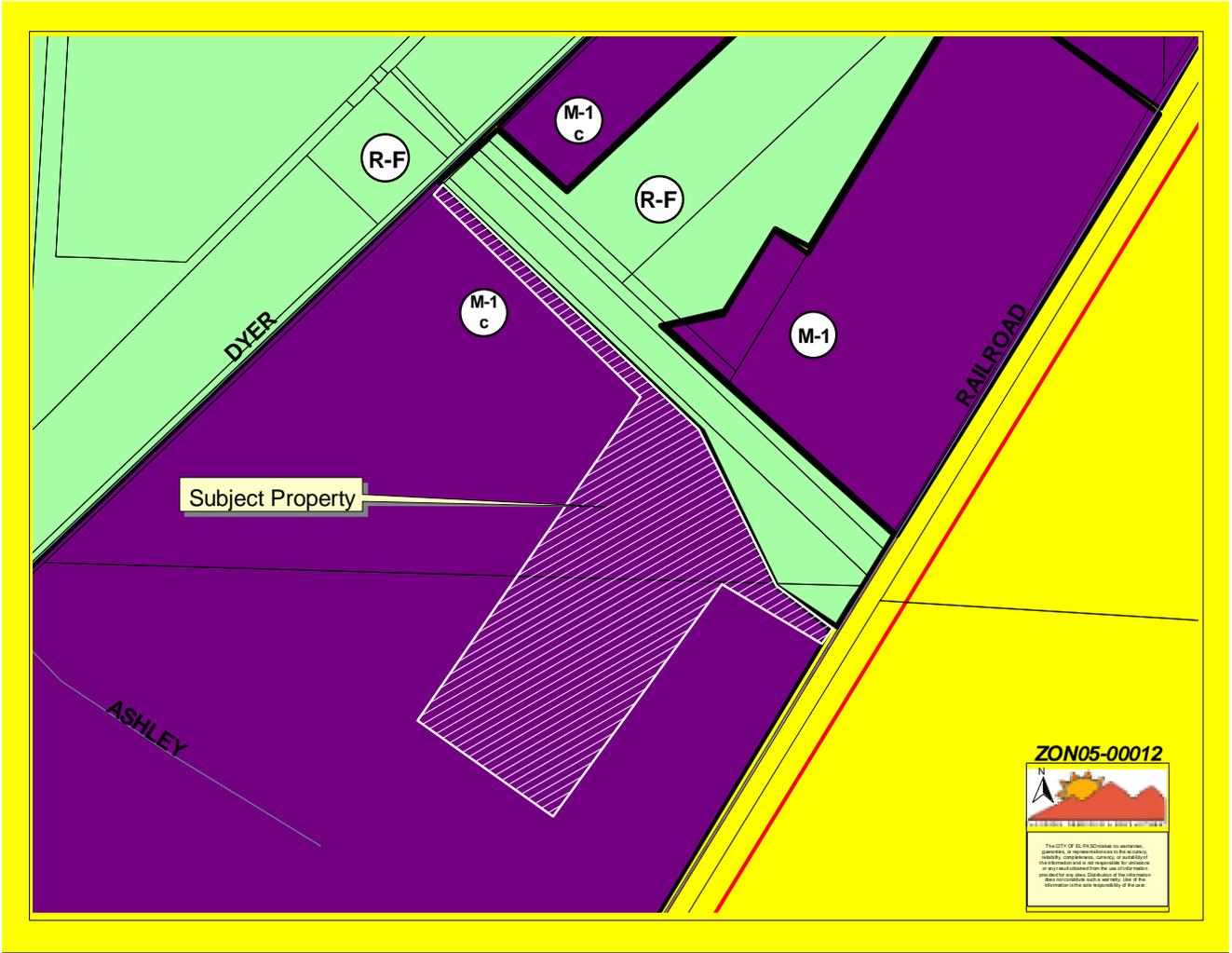
Sun Metro Notes:

No bus routes in this area.

ATTACHMENT: Site Plan; Enclosure 1.

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, RESEARCH AND DEVELOPMENT DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL MAP



COMPANY ASSET MAP

