

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: May 29, 2007
Public Hearing: June 19, 2007

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 4

SUBJECT:

An Ordinance changing the zoning of Tract 11, Section 16, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to M-1 (Light Manufacturing), and imposing conditions. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: North of Dyer Street and West of O'Donnell Street. Applicants: Jobe Materials, LP. ZON07-00024 (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 (7-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Kelly Carpenter

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACT 11, SECTION 16, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO M-1 (LIGHT MANUFACTURING), AND IMPOSING CONDITIONS. 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 *Tract 11, Section 16, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas*, be changed from **R-F (Ranch and Farm)** to **M-1/c (Light Manufacturing/conditions)**, 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. *That a six-foot high masonry wall shall be required to be erected along the eastern property line;*
2. *A twenty-five foot wide landscape buffer to consist of evergreen trees placed at ten feet on center shall be required immediately adjacent and along the entire length of the eastern property line abutting the residential zoning district. This shall be in addition to the landscaping requirements of the El Paso City Code;*
3. *A two hundred five foot (205') wide setback shall be required and measured from the entire length of the eastern property line. No structure or building of any type shall be allowed within this setback. However, the ponding/drainage area and landscape buffer may be included within this setback area;*
4. *Storage of materials, equipment, or supplies shall be prohibited within the two hundred five foot (205') setback area, except equipment necessary to service the pond.*

PASSED AND APPROVED this _____ day of _____, 2007.

THE CITY OF EL PASO

John F. Cook
Mayor

(Signatures continued on Page 2)

CITY CLERK DEPT.
07 MAY 21 AM 10:29

ATTEST:

CITY CLERK DEPT.
07 MAY 21 AM 10:30

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Kimberly Forsyth
Kimberly Forsyth, Senior Planner
Development Services Department



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: May 21, 2007

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

FROM: Melissa Granado, Planner

SUBJECT: **ZON07-00024**

The City Plan Commission (CPC), on May 3, 2007, voted **7-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to M-1 (Light Manufacturing), concurring with Staff's recommendation and imposing conditions.

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.

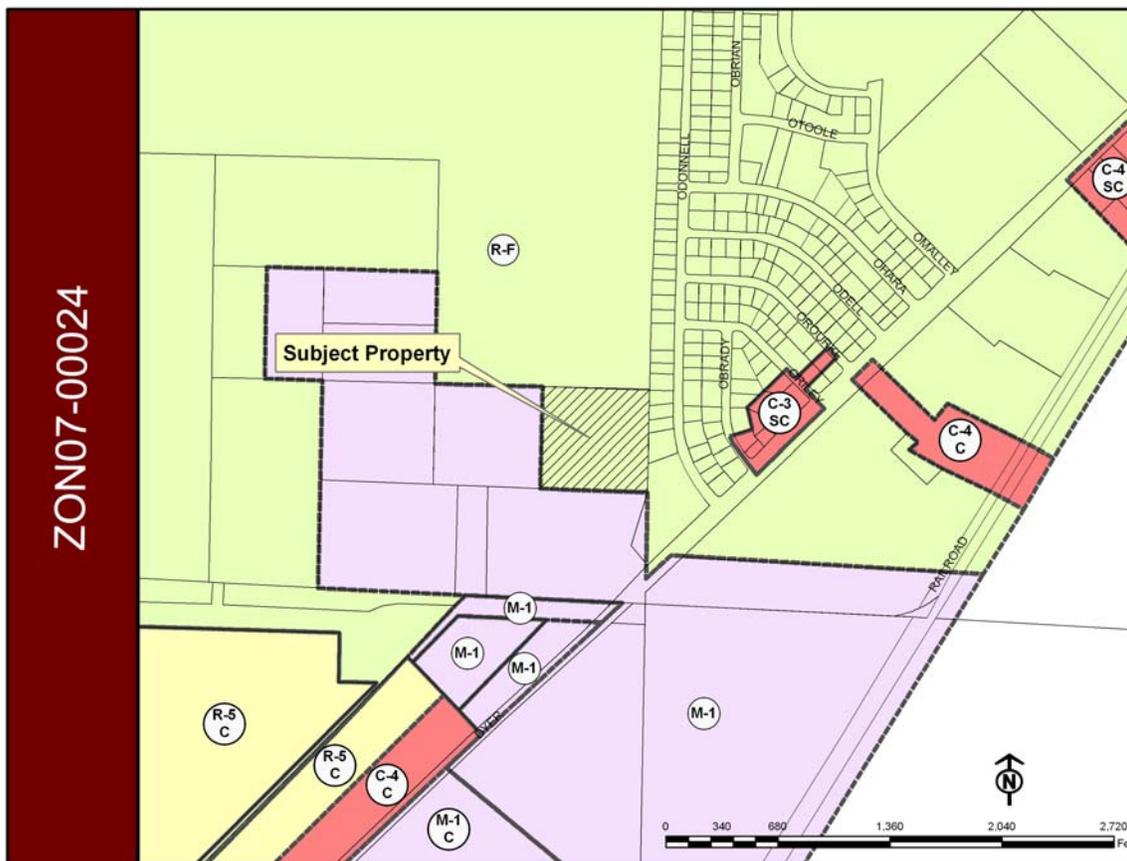
There was no opposition to this request.

Attachment: Staff Report, Site Plan, Application



ZON07-00024

Application Type: Rezoning
Property Owner(s): Jobe Materials, LP
Representative(s): Conde, Inc
Legal Description: Tract 11, Section 16, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso City, El Paso County, Texas
Location: North of Dyer Street and West of O'Donnell Street
Representative District: 4 **Area:** 10.0013 acres
Present Zoning: R-F (Ranch and Farm) **Present Use:** Vacant
Proposed Zoning: M-1 (Light Manufacturing)
Recognized Neighborhood Associations Contacted: Northeast El Paso Civic Association, Northeast Healthy Communities
Public Response: None
Surrounding Land Uses: **North:** R-F, Vacant **South:** M-1, Rail receiving yard
East: R-F, Residential, **West:** M-1, Rail receiving yard Residential (Northeast Planning Area)
Year 2025 Designation:



General Information:

The applicant requests a rezoning from R-F (Ranch and Farm) to M-1 (Light Manufacturing) to permit a rail receiving yard. The site plan proposes a landscape buffer and ponding area on the eastern portion of the site adjacent to existing residential development. Access is proposed via Dyer Street. There are no zoning conditions currently on this property.

Staff Recommendation:

The Development Coordinating Committee (DCC) recommends **APPROVAL** of this rezoning request with the following conditions:

1. That a six-foot masonry wall shall be required to be erected along the eastern property line prior to the issuance of any building permits;
2. A twenty-five foot wide landscape buffer to consist of evergreen trees placed at ten feet on center shall be required immediately adjacent and along the entire length of the eastern property line abutting the residential zoning district. This shall be in addition to the landscaping requirements of Chapter 20.65 of the El Paso City Code and shall be required prior to the issuance of any building permits.
3. A two hundred five foot (205') wide setback shall be required and measured from the entire length of the eastern property line. No structure or building of any type shall be allowed within this setback. However, the ponding/drainage area and landscape buffer may be included within this setback area.

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 a rail receiving yard and **is compatible** with adjacent development.

Findings:

The Commission must determine the following:

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

Development Services - Building Permits and Inspections Division:

Zoning Review: Insufficient data submitted to determine compliance with M-1 (Light Manufacturing) Development Standards.

Landscaping: M-1 fails under commercial development and requires landscaping. No landscape calculations provided.

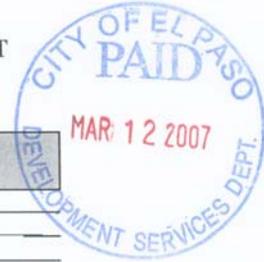
Attachment 1: Site Plan



Attachment 2: Application



REZONING APPLICATION
PLANNING, RESEARCH & DEVELOPMENT DEPARTMENT
CITY OF EL PASO



1. CONTACT INFORMATION

PROPERTY OWNER(S): Jobe Materials, L. P.
 ADDRESS: 1150 Southview Dr. ZIP CODE: 79928 PHONE: 298-9900
 APPLICANT(S): Jobe Materials, L. P.
 ADDRESS: 1150 Southview Dr. ZIP CODE: 79928 PHONE: 298-9900
 REPRESENTATIVE(S): Conde, Inc.
 ADDRESS: 1790 Lee Trevino, Suite 400 ZIP CODE: 79936 PHONE: 592-0283
 E-MAIL ADDRESS: cconrad@elp.rr.com

2. PARCEL ONE INFORMATION

PROPERTY IDENTIFICATION NUMBER: X580-999-1160-7600
 LEGAL DESCRIPTION: Being: all of Tracts 11, Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, El Paso County, Texas
 STREET ADDRESS OR LOCATION: Dyer Street
 ACREAGE: 10.0013 ac. PRESENT ZONING: R-F PRESENT LAND USE: Vacant
 PROPOSED ZONING M-1 PROPOSED LAND USE: To allow for a Rail receiving yard and related uses
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: cconrad@elp.rr.com

3. PARCEL TWO INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING _____ PROPOSED LAND USE: _____
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____

4. PARCEL THREE INFORMATION

PROPERTY IDENTIFICATION NUMBER: _____
 LEGAL DESCRIPTION: _____
 STREET ADDRESS OR LOCATION: _____
 ACREAGE: _____ PRESENT ZONING: _____ PRESENT LAND USE: _____
 PROPOSED ZONING _____ PROPOSED LAND USE: _____
 ADDRESS: _____ ZIP CODE: _____ PHONE: _____
 E-MAIL ADDRESS: _____

5. ADDITIONAL INFORMATION

OWNER (S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):
 Printed Name: Jobe Materials, LP - Ralph W. Richards, VP Signature: Ralph Richards
 Printed Name: _____ Signature: _____
 Printed Name: _____ Signature: _____

Note: Signatures are required for all owners of record for the property proposed for rezoning. Attach additional signatures on a separate sheet of paper.

**** OFFICE USE ONLY ****

ZON 07-00024 RECEIVED DATE: 03/12/07 APPLICATION FEE: \$ 825.00
 DCC REVIEW DATE: 4/11/07 (8:30 am, Planning Department Conference Room, 2nd Floor, City Hall Building)
 CPC REVIEW DATE: 5/3/07 (1:30 pm, City Council Chambers, 2nd Floor, City Hall Building)
 ACCEPTED BY: [Signature] FUND -01101, DEPT ID -99010335, ACCOUNT -404126

Revised 6/2004