

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: July 9, 2013
Public Hearing: July 30, 2013

CONTACT PERSON/PHONE: Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov

DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance changing the zoning of Tract 20-B1, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 9355 Escobar Drive. Property Owner: D.M.K. Sisters, LLC. PZRZ13-00011 (District 6)

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (8-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Director, City Development Department



APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACT 20-B1, BLOCK 55, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO C-4 (COMMERCIAL). 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 20-B1, Block 55, Ysleta Grant, 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 (Ranch-Farm) to C-4 (Commercial), 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.

PASSED AND APPROVED this _____ day of _____, 2013.

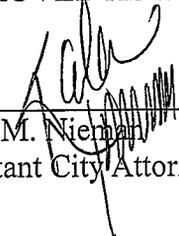
THE CITY OF EL PASO

Oscar Leaser
Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:



Karla M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew S. McElroy, Director
City Development Department

Exhibit A

ALL OF TRACT 20-B1, BLOCK 55
YSLETA GRANT
CITY OF EL PASO, EL PASO COUNTY, TEXAS
February 7, 2013

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being all of Tract 20-B1, Block 55 Ysleta Grant, City Of El Paso, El Paso County Texas, and being more particularly described by metes and bounds as follows:

The **POINT OF BEGINNING** being the common corner of Lot 1, Block 1 Sun City Addition and Tract 20-B1, Block 55 Ysleta Grant said point lying on the Northerly right-of-way line of Escobar Drive (90' R.O.W.);

THENCE, along said right-of-way line North 46° 05' 14" West, a distance of 169.03 feet to a point on the common corner of Tract 19A and Tract 20-B1.

THENCE, leaving said right-of-way line along the common boundary line of said Tracts North 15° 37' 00" East, a distance of 464.59 feet to a point on the common Southerly boundary line of Tract 20-B3 and the Northerly boundary line of said Tract 20-B1.

THENCE, along said boundary line South 41° 51' 00" East, a distance of 176.53 feet to a point on the common boundary line of said Lot 1 and Tract 20-B1.

THENCE, along said boundary line between Lot 1 and Tract 20-B1 South 15° 37' 00" West, a distance of 449.78 feet to the **POINT OF BEGINNING** of the herein described parcel of land and containing 68,044 square feet or 1.562 acres of land more or less.



F-13195

MEMORANDUM

DATE: June 26, 2013

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

FROM: Michael McElroy, Planner

SUBJECT: PZRZ13-00011

The City Plan Commission (CPC), on June 13, 2013, voted 8-0 to recommend **approval** of rezoning the subject property from R-F (Ranch-Farm) to C-4 (Commercial).

The CPC found that the rezoning is in conformance with the Plan El Paso. The CPC also determined that the 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 rezoning will have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no communication in support or opposition to this request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ13-00011
Application Type: Rezoning
CPC Hearing Date: June 13, 2013
Staff Planner: Michael McElroy, 915-541-4238, mcelroyms@elpasotexas.gov
Location: 9355 Escobar Drive
Legal Description: Tract 20-B1, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 1.562 acres
Rep District: 6
Zoning: R-F (Ranch Farm)
Existing Use: Contractor's Yard
Request: C-4 (Commercial)
Proposed Use: Contractor's Yard
Property Owner: D.M.K. Sisters, LLC
Representative: Lydia Hidalgo

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Vacant
South: R-F (Ranch-Farm) / Single Family Home
East: C-4 (Commercial) / Automotive Yard
West: C-4 (Commercial) / Vacant

Plan El Paso Designation: G7, Industrial and/or Railyards (Mission Valley)

Nearest Park: Blackie Chesher (1,055 ft.)

Nearest School: Lebaron Park Elementary (5,251 ft.)

NEIGHBORHOOD ASSOCIATIONS

None

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 29, 2012. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The request is to change the zoning from R-F (Ranch-Farm) to C-4 (Commercial) to permit a contractor's yard. The detailed site plan proposes a development consisting of three existing (2,800, 1,500, and 200 sq. ft.) buildings serving the property. The detailed site plan further proposes 7 automobile and 3 bicycle parking spaces with access off of Escobar Drive.

CITY DEVELOPMENT DEPARTMENT -PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the rezoning from R-F (Ranch-Farm) to C-4 (Commercial).

Plan El Paso-Future Land Use Map Designation

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

G-7 – Industrial and/or Railyards: This sector applies to industrial parks, large free-standing industrial uses,

refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso's economy; however, when an industrial use becomes obsolete, there can be potential for mixed use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mix-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Regional Commercial District) district is intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the Central Business District, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

COMMENTS:

City Development Department – Planning Division - Transportation

No objections to the proposed rezoning. Site Plan Comments to be addressed at the time of construction: 1. Provide height of existing rock walls and fences 2. Sidewalk shall continue across the driveway 3. Driveways must be a minimum of 24 ft. for commercial development (35 ft. maximum) 4. Parking area must be paved to City standards and comply with Section 20.14.040 (Design and Construction) Note: • All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS regulations and City Design Standards for construction.

City Development Department - Land Development

No Objection. We have reviewed revised detail site development plan and recommend the Developer/Engineer address the following comments. 1. Recommends using principles of low impact development such as recessed landscaping, rainwater harvesting, and porous pavements, to reduce the amount of developed stormwater runoff.

City Development Department – Building Permits & Inspections

No objections. The contract yard will have to meet the landscape ordinance.

El Paso Fire Department

Recommend "APPROVAL" of "Detailed Site Plan" as presented. *****NOTE ***** PZRZ 13-00011 In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted "Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, Number of dwelling units in Multi-family structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. "When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments". The Fire Planning Division has reviewed the submitted " Detailed Site Plan" as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

El Paso Water Utilities

1. EPWU does not object to this request.

Water:

2. There is an existing 12-inch diameter water main extending along Escobar Drive that is available for service, the water main is located approximately 10 feet north from the center line of the right-of-way. The Owner/Developer is responsible for any necessary main extension cost.

3. EPWU records indicate a 1-inch water meter serving the subject property. The service address for this meter is 9355 Escobar Drive.

Sanitary Sewer:

4. There is an existing 8-inch diameter sanitary sewer main extending along Escobar Drive that is available for service, the sewer main is located approximately 5 feet south from the center line of the right-of-way. The Owner/Developer is responsible for any necessary main extension cost.

General:

5. EPWU requires a new service application to provide service 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 EPWU – PSB 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.

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 Plan 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 Plan 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 Plan 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. Detailed Site Development Plan

ATTACHMENT 2: AERIAL MAP

PZRZ13-00011

