

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

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

**AGENDA DATE:** Introduction: July 10, 2007  
Public Hearing: July 31, 2007

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

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An ordinance changing the zoning of a portion of 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) District to Q/C (Quarry/Condition) District, and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: East of Patriot Freeway, West of Dyer Street. Applicant: City of El Paso/El Paso Water Utilities. ZON07-00049 (**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 (5-0)

\*\*\*\*\*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 A PORTION OF 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) DISTRICT TO Q/C (QUARRY/CONDITION) DISTRICT, AND IMPOSING A CONDITION. 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 Section 16, 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) District to Q/c (Quarry/condition) District, 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 condition which is 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: "That a two hundred foot (200') setback be required adjacent to Future Land Subdivision."

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

THE CITY OF EL PASO

ATTEST:

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

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

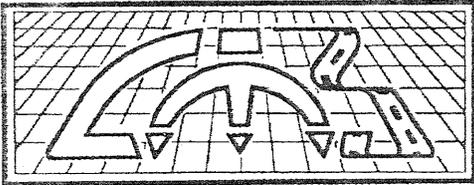
APPROVED AS TO FORM:

\_\_\_\_\_  
Lúpe Cuellar  
Assistant City Attorney

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Kimberly Forsyth, Senior Planner  
Development Services Department

CITY CLERK DEPT.  
07 JUN 26 PM 4:41



# Land - Mark Professional Surveying Inc.

"Serving Texas, New Mexico and Arizona"

## METES AND BOUNDS DESCRIPTION

**A 158.3971 ACRE TRACT OF LAND IN A PORTION OF THE NORTHEAST QUARTER OF SECTION 16, 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 2" iron pipe set in concrete and marked for the common corner of Sections 15, 16, 9 and 10, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, El Paso County, Texas, the **POINT OF BEGINNING** for the following tract description.

**THENCE**, South  $01^{\circ}03'46''$  East with the common boundary line of said Sections 15 and 16 a distance of 2638.76 feet to a 5/8" rebar with cap stamped "LAND-MARK TX5710" set in said common boundary line for a corner of this tract and

**THENCE**, South  $89^{\circ}57'53''$  West a distance of 2641.20 feet to a 5/8" rebar with cap stamped "LAND-MARK TX5710" set for a corner of this tract;

**THENCE**, North  $01^{\circ}01'47''$  West a distance of 2290.42 feet to a 5/8" rebar with cap stamped "LAND-MARK TX5710" set the southeasterly right of way line of the North-South Freeway for a corner of this tract;

**THENCE**, North  $48^{\circ}31'56''$  East a distance of 530.58 feet to a 5/8" rebar with cap stamped "LAND-MARK TX5710" set in said southeasterly right of way line of the North-South Freeway at the point of intersection with the common boundary line of said Sections 9 and 16 for a corner of this tract;

**THENCE**, South  $89^{\circ}57'44''$  East with said common boundary line a distance of 2235.84 feet to the **POINT OF BEGINNING**.

Said parcel contains 158.3971 Acres (6,899,776 Sq. Ft.) more or less.

CITY CLERK DEPT.  
07 JUN 26 PM 4:41

  
Kenneth R. Kindle, R.P.L.S.  
Texas No. 5710  
December 12, 2005  
Job No. 21731

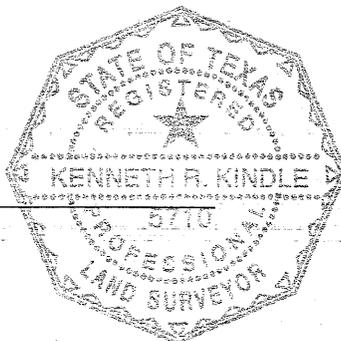


Exhibit "A"



**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:** June 26, 2007

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

**FROM:** Esther Guerrero, Planner

**SUBJECT:** **ZON07-00049**

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The City Plan Commission (CPC), on June 7, 2007, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to Q (Quarry) and imposing a condition to read as follows: *“That a two hundred foot (200’) setback be required adjacent to Future Land Subdivision.”*

The CPC found that the rezoning is not in conformance with The Plan for El Paso but acknowledges that amendments to the Comprehensive Plan are being developed due to changing conditions in this area. The CPC also determined that this development will not adversely affect the best interest, health, safety and welfare of the public in general; and that 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.

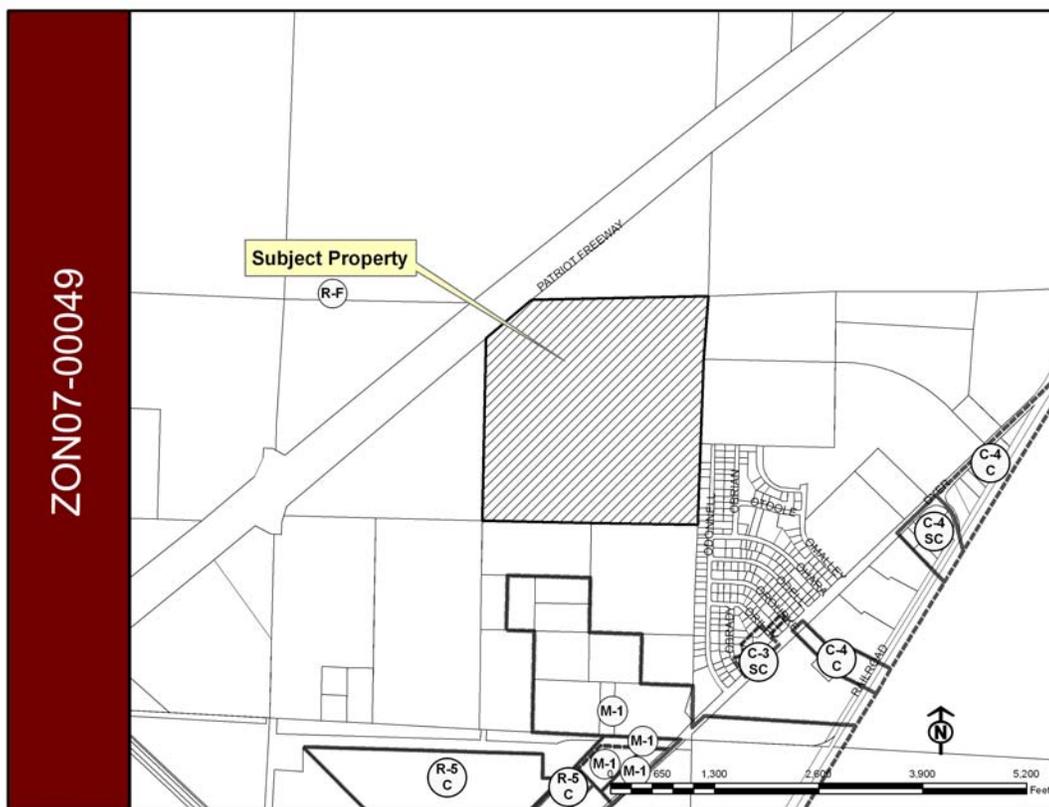
**Attachments:** Staff Report



## ZON07-00049

**Application Type:** Rezoning  
**Property Owner(s):** City of El Paso/El Paso Water Utilities  
**Representative(s):** Rudy Valdez  
**Legal Description:** A portion of Section 16, Block 80, Township 1, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas

**Location:** East of Patriot Freeway, West of Future Land Subdivision 4  
**Representative District:** 4 **Area:** 158.397 acres  
**Present Zoning:** R-F (Ranch and Farm) **Present Use:** Abandoned Sand Pit  
**Proposed Zoning:** Q (Quarry)  
**Recognized Neighborhood Associations Contacted:** Northeast El Paso Civic Association, Northeast Healthy Communities  
**Public Response:** None  
**Surrounding Land Uses:** **North:** R-F / Vacant; **South:** R-F / Vacant; **East:** R-F / Vacant, Mobile Home Park; **West:** R-F / Vacant  
**Year 2025 Designation:** Residential (Northeast Planning Area)



### **General Information**

The applicant requests a rezoning from R-F (Ranch and Farm) to Q (Quarry) to permit a sand and gravel extraction operation. The subject property was operated as a sandpit in the 1950's, 1960's and 1970's and ceased operation in the early 1980's. The property was leased by the PSB/EPWU to Jobe Materials, LP in 2005 but operation of the sandpit has yet to commence. The property will be served by two access easements; one from the south and the other to the west leading to the Patriot Freeway that are also located on PSB property. A 100 foot perimeter setback is required in the Q (Quarry) zoning district and the lessee of the property proposes to have a 200 foot buffer adjacent to the Future Land Subdivision area.

### **Staff Recommendation**

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

*“That a two hundred foot (200’) setback be required adjacent to Future Land Subdivision.”*

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. A Comprehensive Plan amendment is being developed due to changing conditions in this area.
- **Q (Quarry) zoning** permits a sand and gravel extraction operation facility.

### **Findings**

The Commission must determine the following:

1. Will Q (Quarry) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will a sand and gravel extraction operation 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**

Meets District's minimum area size standards.

### **Development Services – Planning**

Applicant shall comply with Section 20.45 of the City Municipal Code.

### **Engineering Department - Traffic**

No apparent traffic concerns with proposed zoning change.

### **Fire Department**

No comments received.

### **El Paso Water Utilities**

#### **Water**

Along the Patriot Freeway fronting the subject property there are no existing water mains.

Within the northeastern-most portion of Section 16, Block 80, Township One (1), there is an existing well owned by the El Paso Water Utilities – Public Service Board. The well is not a production well; the well is used to gather subsurface information. The well is identified as “Test Well No. 54”. EPWU-PSB requires access to this well at all times.

Within Tract 1A, at the north westernmost corner of Section 21, Block 80, Township One (1), Texas and Pacific Railroad Company Surveys, there is an existing potable water production well.

Within Tract 1A, north easternmost portion of Section 21, Block 80, Township One (1), Texas and Pacific Railroad Company Surveys, there is an existing potable water production well.

Within Tract 1A, along the northernmost portion of Section 21, Block 80, Township One (1), Texas and Pacific Railroad Company Surveys, there is an existing eight (8) inch diameter raw, un-chlorinated, water main (flow line). This flow line connects the above described wells. No service connections are allowed to this flow line

From the intersection of Lynn Field Road and Dyer Street along Lynn Field Road towards the west, there is an existing eight (8) inch diameter water main. This main dead-ends at approximately 874 feet west of Dyer Street.

Along Dyer Street between Ashley Road and Lynn Field Road there is an existing twelve (12) inch diameter water main. This main was constructed to serve the U.S. Army McGregor Range.

From the intersection of Dyer Street and Ashley Road, along Dyer Street towards the north there is an existing sixteen (16) inch diameter water main. This main dead-ends at approximately 1,400 feet south of Lynn Field Road.

#### Reclaimed Water

Along Ashley Road, between Railroad Drive and Dyer Street, there is an existing thirty (30) inch diameter reclaimed water main. This 30-inch diameter main transects Dyer Street and the alignment continues in a northwesterly direction within Section 21, Block 80, Township One (1), Texas and Pacific Railroad Company Surveys.

#### Sanitary Sewer

Along Dyer Street between Ashley Road and Lynn Field Road, there are no existing sanitary sewer mains.

Along Lynn Field Road west of Dyer Street there are no existing sanitary sewer mains.

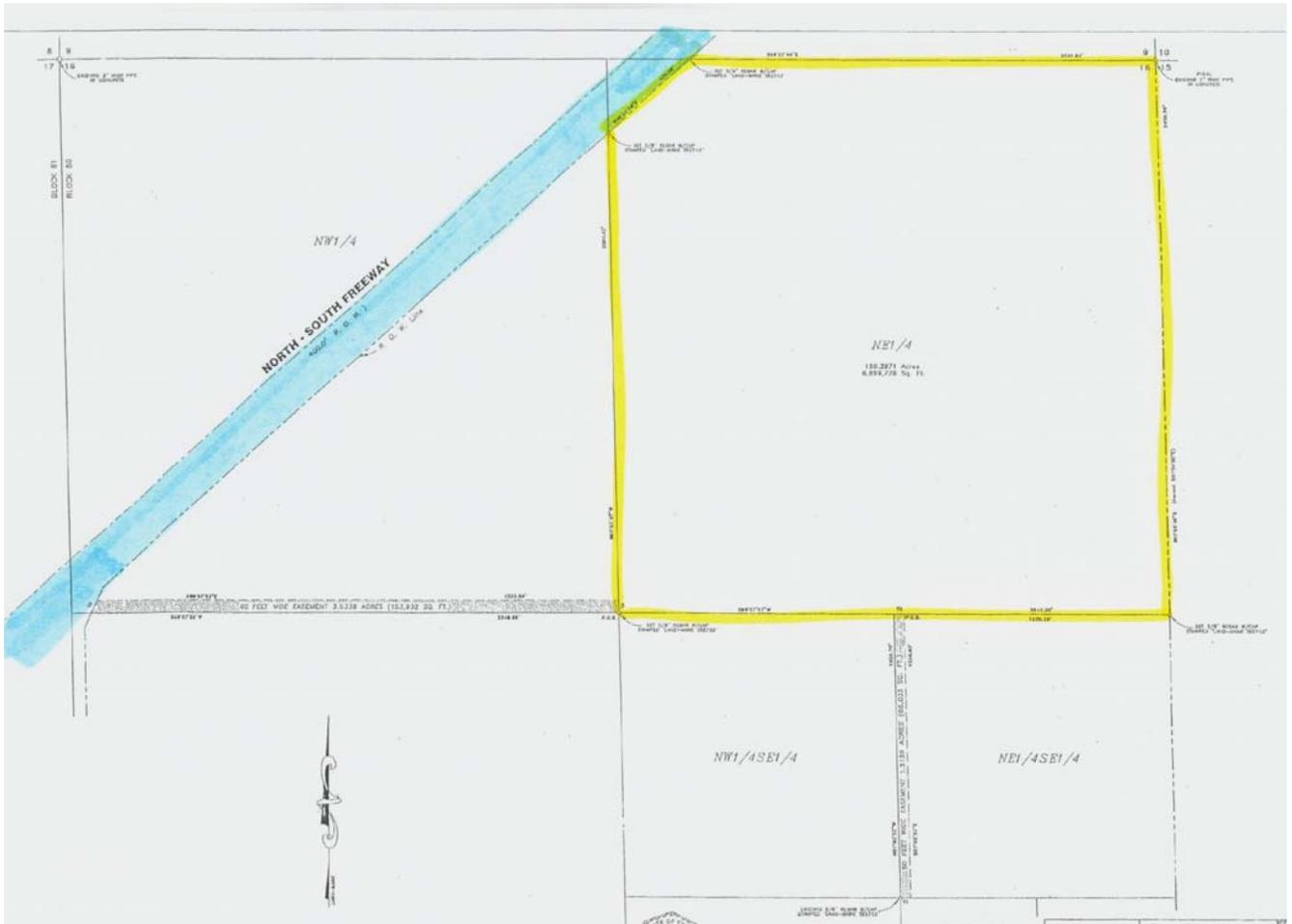
Within the vicinity of Railroad Drive and the property owned by the Dal-Tile company, there is an existing sanitary sewer pumping facility (lift station) within EPWU property. There is an existing twenty four (24) inch diameter sanitary sewer main that discharges unto this lift station. This 24-inch diameter sanitary sewer main dead-ends at approximately 250 feet from the lift station.

The Developer of Mesquite Hills Subdivision is extending the described 24-inch diameter sanitary sewer main towards the west, to the intersection of Mesquite Flor Drive and Dyer Street.

The Developer of Mesquite Hills Subdivision is extending a proposed thirty (30) inch diameter sanitary sewer main along an easement, towards the north of the intersection of Dyer Street and Mesquite Flor Drive. The proposed 30-inch diameter sanitary sewer main will be located west and parallel to Dyer Street. This 30-inch diameter sanitary sewer main will dead-end at the northernmost boundary of the



**Attachment 1: Site Plan**



**Attachment 2: Application**



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

**1. CONTACT INFORMATION**

PROPERTY OWNER(S): CITY OF EL PASO/EL PASO WATER UTILITIES  
 ADDRESS: 1154 Hawkins ZIP CODE: \_\_\_\_\_ PHONE: 594-5590  
 APPLICANT(S): (same as above)  
 ADDRESS: (same as above) ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 REPRESENTATIVE(S): Rudy Valdez (Utility Land Management Coordinator)  
 ADDRESS: (same as above) ZIP CODE: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 E-MAIL ADDRESS: rvaldez@epwu.org FAX: 594-5570

**2. PARCEL ONE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: X58099911600100  
 LEGAL DESCRIPTION: Portion of Section 16, Blk 80, TSP 1, T&P RR Surveys  
 STREET ADDRESS OR LOCATION: West of Future Land Subdivision REP DISTRICT: 4  
 ACREAGE: 158.3971 PRESENT ZONING: R-F PRESENT LAND USE: Abandoned Sand Pit  
 PROPOSED ZONING: Q (Quarry) PROPOSED LAND USE: Sand Pit

**3. PARCEL TWO INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
 LEGAL DESCRIPTION: \_\_\_\_\_  
 STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_  
 ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_  
 PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**4. PARCEL THREE INFORMATION**

PROPERTY IDENTIFICATION NUMBER: \_\_\_\_\_  
 LEGAL DESCRIPTION: \_\_\_\_\_  
 STREET ADDRESS OR LOCATION: \_\_\_\_\_ REP DISTRICT: \_\_\_\_\_  
 ACREAGE: \_\_\_\_\_ PRESENT ZONING: \_\_\_\_\_ PRESENT LAND USE: \_\_\_\_\_  
 PROPOSED ZONING: \_\_\_\_\_ PROPOSED LAND USE: \_\_\_\_\_

**5. ADDITIONAL INFORMATION**

OWNER(S) OF RECORD FOR THE ABOVE DESCRIBED PARCEL(S):  
 Printed Name: Joyce Wilson, City Manager Signature: Joyce Wilson  
 Printed Name: Nick Costanzo, EPWU Assistant General Manager Signature: Nick Costanzo  
 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.*

<b>**OFFICE USE ONLY**</b>		
ZON <u>Z07-00049</u>	RECEIVED DATE: <u>4/19/07</u>	APPLICATION FEE: <u>5</u>
DCC REVIEW DATE: <u>5/14/07</u> (6:30 am, Planning Department Conference Room, 2 <sup>nd</sup> Floor, City Hall Building)		
CPC REVIEW DATE: <u>6/7/07</u> (1:30 pm, City Council Chambers, 2 <sup>nd</sup> Floor, City Hall Building)		
ACCEPTED BY: <u>KUF</u>	FUND - 01101, DEPT ID - 99010335, ACCOUNT - 404126	

Revised 05/2004