

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

**DEPARTMENT:** Planning and Economic Development Department, Planning Division

**AGENDA DATE:** Introduction: June 28, 2011  
Public Hearing: July 19, 2011

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 541-4633, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 5

**SUBJECT:**

An ordinance changing the zoning of a portion of Tract 19, of El Canutillo Acreage Tracts, City of El Paso, El Paso County, Texas from R-3 (Residential) to C-2 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 6600 Doniphan Drive. Applicant: Mr. and Mrs. Daniel Lee McCulley, LTD. PZRZ11-00018 (**District 1**)

**BACKGROUND / DISCUSSION:**

N/A

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

Development Coordinating Committee (DCC) – Reviewed  
City Plan Commission (CPC) – Approval Recommendation (5-1)

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

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

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

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Deputy Director, Planning and Economic Development Department

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**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 19, OF EL CANUTILLO ACREAGE TRACTS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-3 (RESIDENTIAL) TO C-2 (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:**

That the zoning of *a portion of Tract 19, of El Canutillo Acreage Tracts, 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-3 (RESIDENTIAL)** to **C-2 (Commercial)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

**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  
Planning and Economic Development  
Department

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

ZONING CASE NO: PZRZ11-00018

Prepared For: Mr. And Mrs. Daniel Lee McCulley  
Being a Portion of Tract 19, of El Canutillo Acreage Tracts,  
City of El Paso, El Paso County, Texas,  
April 6, 2011  
W.O. 011711-2

METES BOUNDS DESCRIPTION  
(6600 Doniphan Drive)

Description of a Parcel of Land 4.6219 Acre Parcel Being a Portion of Tract 19, of El Canutillo Acreage Tracts, a Subdivision in El Paso, Texas as Recorded in Volume 9, Pages 44, 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 the Northwest Corner of Tract 19, Said Point Also Being the Southwesterly Line of a 30' Wide Road.

Thence Leaving Northwest Corner of Tract 19, North 90°00'00" East a Distance of 933.72 Feet to a Set Point.

Thence South 30°00'00" West along Said Boundary Line a Distance of 279.38 Feet to a Set Point.

Thence South 90°00'00" West a Distance of 729.68 Feet Back to the South Right of Way of Doniphan Road to a Set Point.

Thence along the Easterly Right of Way Line of Texas Highway 20 North 15°14'00" West a Distance of 159.43 Feet to a Set Point of a Curve.

Thence along Said Easterly Right of Way 50.49 Feet along the Arc of a Curve to the Left, Whose Radius Is 2814.93 Feet, Whose Interior Angle Is 01°01'40" Whose Chord Bears South 14°43'10" East a Distance of 50.49 Feet to a Set Point of a Curve; Thence along Said Easterly Right of Way 40.37 Feet along the Arc of a Curve to the Left, Whose Radius Is 2814.93 Feet, Whose Interior Angle Is 00°49'18" Whose Chord Bears South 13°47'41" East a Distance of 40.37 Feet to a Set Point of a Curve; Back to the " True Pont of Beginning" and Containing in All 201,333.48 Square Feet or 4.6220 Acres of Land More or Less.



Bradley Roe, R.P.L.S. 2449  
Roe Engineering, L.C.



MEMORANDUM

**DATE:** June 20, 2011

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

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZRZ11-00018

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The City Plan Commission (CPC), on June 2, 2011, voted 5-1 to recommend **approval** of rezoning the subject property from R-3 (Residential) to C-2 (Commercial).

The CPC found that the rezoning is in conformance with the Plan for 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 **OPPOSITION** to this request.

**Attachment:**  
Staff Report



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

**Case No:** PZRZ11-00018  
**Application Type:** Rezoning  
**CPC Hearing Date:** June 2, 2011  
**Staff Planner:** Andrew Salloum, 915-541-4633, [salloumam@elpasotexas.gov](mailto:salloumam@elpasotexas.gov)

**Location:** 6600 Doniphan Drive  
**Legal Description:** A portion of Tract 19, of El Canutillo Acreage Tracts, City of El Paso, El Paso County, Texas  
**Acreage:** 4.62 acres  
**Rep District:** 1  
**Zoning:** R-3 (Residential)  
**Existing Use:** Vacant  
**Request:** From R-3 (Residential) to C-2 (Commercial)  
**Proposed Use:** Self-Storage and Office Warehouse

**Property Owners** Mr. and Mrs. Daniel Lee McCulley  
**Applicant** Mr. and Mrs. Daniel Lee McCulley  
**Representative** Roe Engineering, LC

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

**North:** M-2 (Heavy Manufacturing) / Vacant  
**South:** R-3 (Residential) / Vacant  
**East:** R-3 (Residential) / Vacant  
**West:** City Limit

**THE PLAN FOR EL PASO DESIGNATION:** Commercial and Residential (Northwest Plan Area)  
**NEAREST PARK:** Rio Grande River Trail #1 (4,189 feet)  
**NEAREST SCHOOL:** Jose H. Damiam Elementary (6,606 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Save the Valley  
Coronado Neighborhood Association  
Upper Area Hills Neighborhood Association  
Upper Valley Improvement Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 17, 2011. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

### **APPLICATION DESCRIPTION**

The applicant is requesting to rezone the property from R-3 (Residential) to C-2 (Commercial) to allow for a self-storage facility and office warehouse. The proposed access is from Doniphan Drive.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from R-3 (Residential) to C-2 (Commercial). The rezoning request is compatible to the 2025 Projected Land Use Map and compliments surrounding land uses.

## **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: preserve, protect, and enhance the integrity, economic vitality and livability of the city's neighborhoods.
- c. Goal: encourage the provision of neighborhood commercial services which are compatible with a neighborhood's residential character.

The purpose of the C-2 (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.

## **Development Coordinating Committee Review**

The DCC reviewed and discussed the application for rezoning and offered no objections to Planning Staff's recommendation for **approval**.

## **Engineering & Construction Management Services Department – Plan Review**

When plans are submitted an accessible route from public right-of-way to office entrance and accessible parking spaces will be required.

## **Engineering & Construction Management Service Department - Land Development**

No objections.

## **Department of Transportation**

1. Based on proposed use as a self-storage facility and trips generated, a TIA will not be required.
2. Sidewalk is required.

Notes:

All existing / proposed paths of travel, accessible sidewalks, wheel chair access curb ramps and driveways within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and Current City of El Paso Design Standards for Construction.

## **El Paso Water Utilities**

We have reviewed the zoning change request reference above and provide the following comments:

1. EPWU received the revised site plan on May 23, 2011. EPWU does not approve the revised site plan. EPWU records indicate that the location of the existing 25-foot PSB easement is not depicted correctly (refer to recorded easement document 00091015056). This easement accommodates a 12-inch diameter force main and an 18-inch diameter sanitary sewer main.
2. The EPWU does not object to the zoning change of this property. During the improvement work of the site, the Developer shall safeguard the existing 12-inch diameter force main and the 18-inch diameter sanitary sewer main located within the subject property along the existing 25-foot wide Public Service Board (PSB) easement. If any sanitary sewer facilities are damaged during the improvement work, the Developer is responsible for the repair costs. Also, the Developer shall minimize changes in grade above or near the vicinity of the existing sanitary sewer mains.
3. The subject property is located within the City of El Paso Westside Impact Fee Service Area. Impact fees will be collected after the El Paso Water Utilities receives an application for water and sanitary sewer services.

## **Water:**

4. There is an existing 16-inch diameter water main extending along Doniphan Drive. The water main is

located approximately 16-feet west from the eastern right of way line. The Owner/Developer is responsible for any necessary main extension cost.

5. EPWU records indicate a vacant water service connection (inactive meter) serving the subject property. The address for this service is 6600 Doniphan Drive.

**Sewer:**

6. There is an existing 12-inch diameter force main within a 25-ft El Paso Water Utilities – Public Service Board (EPWU-PSB) utility easement. Said main is located approximately 440-ft east from the north west property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

7. There is an existing 18-inch diameter sanitary sewer main within a 25-ft EPWU – PSB utility easement. Said main is located approximately 435-ft east from the north west property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

8. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWU-PSB easements without the written consent of EPWU-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, or any structure that will interfere with the access to the PSB easements. There shall be at least 5-foot setback from the easement line to any sign or structure.

9. All easements dedicated for public sanitary sewer facilities shall comply with the El Paso Water Utilities-Public Service Board (EPWU-PSB) Easement Policy. The PSB easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24-hours a day, seven (7) days a week.

**General:**

10. 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.

**Fire Department**

No objections to rezoning.

**Sun Metro**

Sun Metro recommends the construction of sidewalks to provide pedestrian access to public transit services. Sun Metro does not oppose this request.

**CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning 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 in the Plan by the CPC.

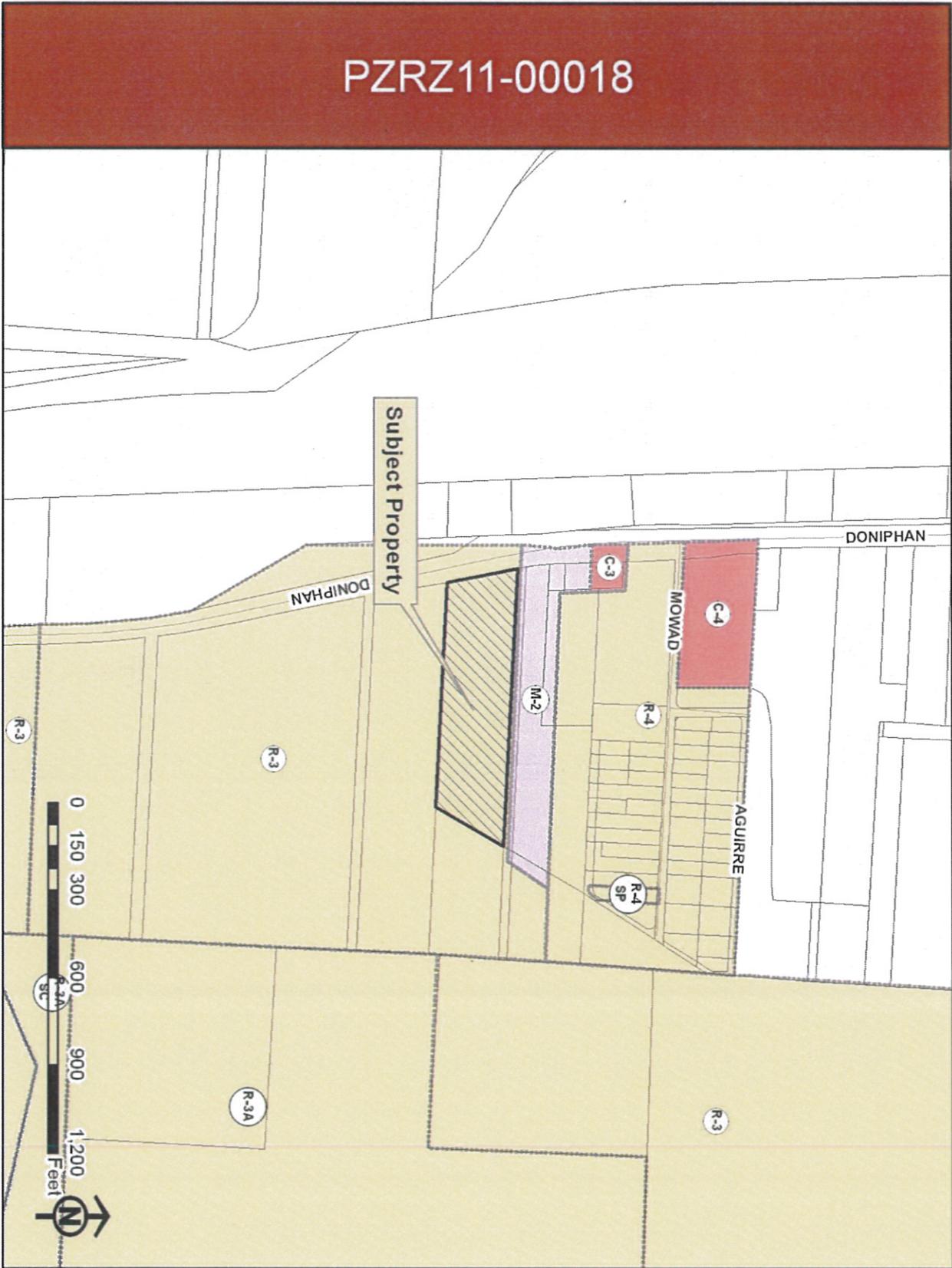
**Attachments:**

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

