

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

**DEPARTMENT:** Development Services Department

**AGENDA DATE:** Introduction: September 23, 2008  
Public Hearing: October 14, 2008

**CONTACT PERSON/PHONE:** Ismael B. Segovia, (915) 541-4027, segoviaib@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 4

**SUBJECT:**

An Ordinance changing the zoning of Tract 2, AKA the North 1/2 of the Northwest 1/4 of the Southeast 1/4 of Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, and Tract 4B AKA the West 1/2 of the Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of Section 16, Block 80 Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: East of US Highway 54 and West of Dyer Street. Applicant: Jobe Materials, L.P. ZON08-00054 (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 (4-2)

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

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

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

**DEPARTMENT HEAD:** Victor Q. Torres \_\_\_\_\_

\*\*\*\*\*

**APPROVED FOR AGENDA:**

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

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

**AN ORDINANCE CHANGING THE ZONING OF TRACT 2, AKA THE NORTH ½ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 16, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, AND TRACT 4B AKA THE WEST ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 16, BLOCK 80, TOWNSHIP 1, TEXAS AND PACIFIC RAILWAY 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 20.24 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 *Tract 2, aka the North ½ of the Northwest ¼ of the Southeast ¼ of Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, and Tract 4B aka the West ½ of the Southwest ¼ of the Northwest ¼ of the Southeast ¼ of Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas*, be changed from **R-F (Ranch and Farm)** to **M-1 (Light Manufacturing)**, 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 (6') high masonry wall be required to be erected along the western property line, prior to the issuance of certificates of occupancy.*
2. *That a two hundred foot (200') setback be required along western property lines abutting residential and apartment uses with the first twenty-five feet (25') to serve as a twenty-five foot wide landscape buffer consisting of high profile native trees placed at fifteen feet (15') on center; the second seventy-five feet (75') shall contain no parking or structures; and the last one-hundred feet (100') may be used for parking, but shall not contain structures or permanent open storage. The landscape buffer shall be provided prior to the issuance of certificates of occupancy.*

(Signatures on following page)

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 2008.

**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

*for Philip Elmer*  
\_\_\_\_\_  
Mathew S. McElroy, Deputy Director  
Development Services Department  
Planning Division

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**DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

**MEMORANDUM**

**DATE:** September 11, 2008

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

**FROM:** Ismael B. Segovia, Senior Planner

**SUBJECT:** ZON08-00054

The City Plan Commission (CPC), on August 28, 2008 voted (4 to 2) to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to M-1 (Light Industrial) concurring with the recommendation from staff.

The applicant is requesting a rezoning from R-F (Ranch and Farm) to M-1 (Light Manufacturing in order to permit a rail receiving yard and concrete manufacturing plant. The property is 20.017 acres in size. Access is proposed via Dyer Street.

The proposed rezoning is for a proposed light industrial development. The General Land Use Plan for 2025 designates the area as residential; however the area has always been used for industrial purposes. The request for M-1 (manufacturing) is incompatible with the abutting residential development, however as a condition to the rezoning a two-hundred foot setback will be required in order to reduce the negative impact on the abutting proposed residential development. The two-hundred foot setback has also been segmented into portions in order to reduce the possible adverse affects to health, safety, and welfare of the community. There is an existing railroad spur on the abutting property that the proposed industrial development will be using.

The CPC found that this rezoning is in conformance with The Plan for El Paso; and the proposed use is not in conformance with the Year 2025 Projected General Land Use Map, but did identify that the area has been in transition to industrial use. The CPC also determined that this rezoning with the conditions protects the best interest, health, safety, and welfare of the public in general; and that the proposed use is compatible with adjacent land uses.

There were no public comments in support or in opposition to this request.

**Attachment:** Staff Report, Zoning Map, Aerial Map, Survey Plan, and Conceptual Site Plan



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

**Case No:** ZON08-00054  
**Application Type** Rezoning  
**CPC Hearing Date** August 28, 2008  
**Staff Planner** Ismael B. Segovia, 915-541-4027, [segoviaib@elpasotexas.gov](mailto:segoviaib@elpasotexas.gov)

**Location** East of US Highway 54 and West of Dyer Street  
**Legal Description** Tract 2, aka the North ½ of the Northwest ¼ of the Southeast ¼ of Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, and Tract 4B aka the West ½ of the Southwest ¼ of the Northwest ¼ of the Southeast ¼ of Section 16, Block 80, Township 1, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas  
**Acreage** 20.017 acres  
**Rep District** 4  
**Existing Use** Vacant  
**Existing Zoning** R-F (Ranch and Farm)  
**Proposed Zoning** M-1 (Light Manufacturing)

**Property Owner** Jobe Materials, L.P.  
**Applicant** Jobe Materials, L.P.  
**Representative** Conde, Inc.

**Distance to Park:** 1,925 feet (Proposed Park within Mesquite Hills Subdivision)

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

**North:** Q/c (Quarry/condition); Quarry  
**South:** R-F (Ranch and Farm); vacant  
**East:** M-1/c (Light Manufacturing/condition); Rail yard  
**West:** R-5 (Residential); vacant

**THE PLAN FOR EL PASO DESIGNATION:** Residential

**NEIGHBORHOOD ASSOCIATIONS:** Northeast Civic Association

### **APPLICATION DESCRIPTION**

The applicant is requesting a rezoning from R-F (Ranch and Farm) to M-1 (Light Manufacturing in order to permit a rail receiving yard and concrete manufacturing plant. The property is 20.017 acres in size. Access is proposed via Dyer Street. There are no zoning conditions imposed on this property.

Case was originally heard by City Planning Commission on August 14, 2008. Staff and applicant requested the case be postponed for two weeks in order to discuss amending the recommended condition number 2. Staff did meet with the applicant on August 18, 2008 and the conditions were amended as follows:

- 1. That a six-foot high (6') masonry wall shall be required to be erected along the western property line, prior to the issuance of certificates of occupancy.*
- 2. That a two hundred foot (200') setback be required along western property lines abutting residential and apartment uses with the first twenty-five feet (25') to serve as a twenty-five foot wide*

*landscape buffer consisting of high profile native trees placed at fifteen feet (15') on center; the second seventy-five feet (75') shall contain no parking or structures; and the last one-hundred feet (100') may be used for parking, but shall not contain structures or permanent open storage. The landscape buffer shall be provided prior to the issuance of certificates of occupancy.*

Condition number three that stated “*Storage of materials, equipment, or supplies shall be prohibited within the two-hundred foot (200’) setback area, except equipment necessary to service the landscaping,*” has been deleted.

### **NEIGHBORHOOD INPUT**

Notice of the public hearing was mailed to all property owners within 300 feet of this proposed rezoning. Planning did not receive any calls or letters in support or opposition.

### **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee (DCC) provides the following comments:  
DCC recommends approval of the M-1 (Light Manufacturing) with the following conditions:

- 1. That a six-foot high (6') masonry wall shall be required to be erected along the western property line, prior to the issuance of certificates of occupancy.*
- 2. That a two hundred foot (200') setback be required along western property lines abutting residential and apartment uses with the first twenty-five feet (25') to serve as a twenty-five foot wide landscape buffer consisting of high profile native trees placed at fifteen feet (15') on center; the second seventy-five feet (75') shall contain no parking or structures; and the last one-hundred feet (100') may be used for parking, but shall not contain structures or permanent open storage. The landscape buffer shall be provided prior to the issuance of certificates of occupancy.*

### **The Plan for El Paso –City-wide Land Use Goals:**

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

- a. Goal: protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.
- b. Goal: 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 proposed rezoning is for a proposed light industrial development. The General Land Use Plan for 2025 designates the area as residential; however the area has always been used for industrial purposes. The request for M-1 (manufacturing) is incompatible with the abutting residential development, however as a condition to the rezoning a two-hundred foot setback will be required in order to reduce the negative impact on the abutting proposed residential development thus meeting goals “a” and “b”. The two-hundred foot setback has also been segmented into portions in order to reduce the possible adverse affects to health, safety, and welfare of the community. There is an existing railroad spur on the abutting property that the proposed industrial development will be using.

**Development Services Department - Building Permits and Inspections Division:**

If the rezoning is approved Landscape is required under M-1 and will need to meet code at time of BLD permit process.

**Development Services Department - Planning Division:**

*Current Planning:*

1. The Year 2025 Projected General Land Use Map for the **Northeast Planning** Area designates this property for **Residential** land uses.
2. **M-1 (Light Manufacturing)** zoning permits a rail receiving yard and concrete manufacturing plat and **is compatible** with adjacent industrial development
3. Planning recommends approval with the following conditions in order to reduce the negative impact of this development upon the adjacent residential development:

- 1. That a six-foot high (6') masonry wall shall be required to be erected along the western property line, prior to the issuance of certificates of occupancy.*
- 2. That a two hundred foot (200') setback be required along western property lines abutting residential and apartment uses with the first twenty-five feet (25') to serve as a twenty-five foot wide landscape buffer consisting of high profile native trees placed at fifteen feet (15') on center; the second seventy-five feet (75') shall contain no parking or structures; and the last one-hundred feet (100') may be used for parking, but shall not contain structures or permanent open storage. The landscape buffer shall be provided prior to the issuance of certificates of occupancy.*

**Engineering Department - Traffic Division:**

No objections to proposed zoning change.

**Fire Department:**

No opposition at this time.

**El Paso Water Utilities:**

EPWU does not object to 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

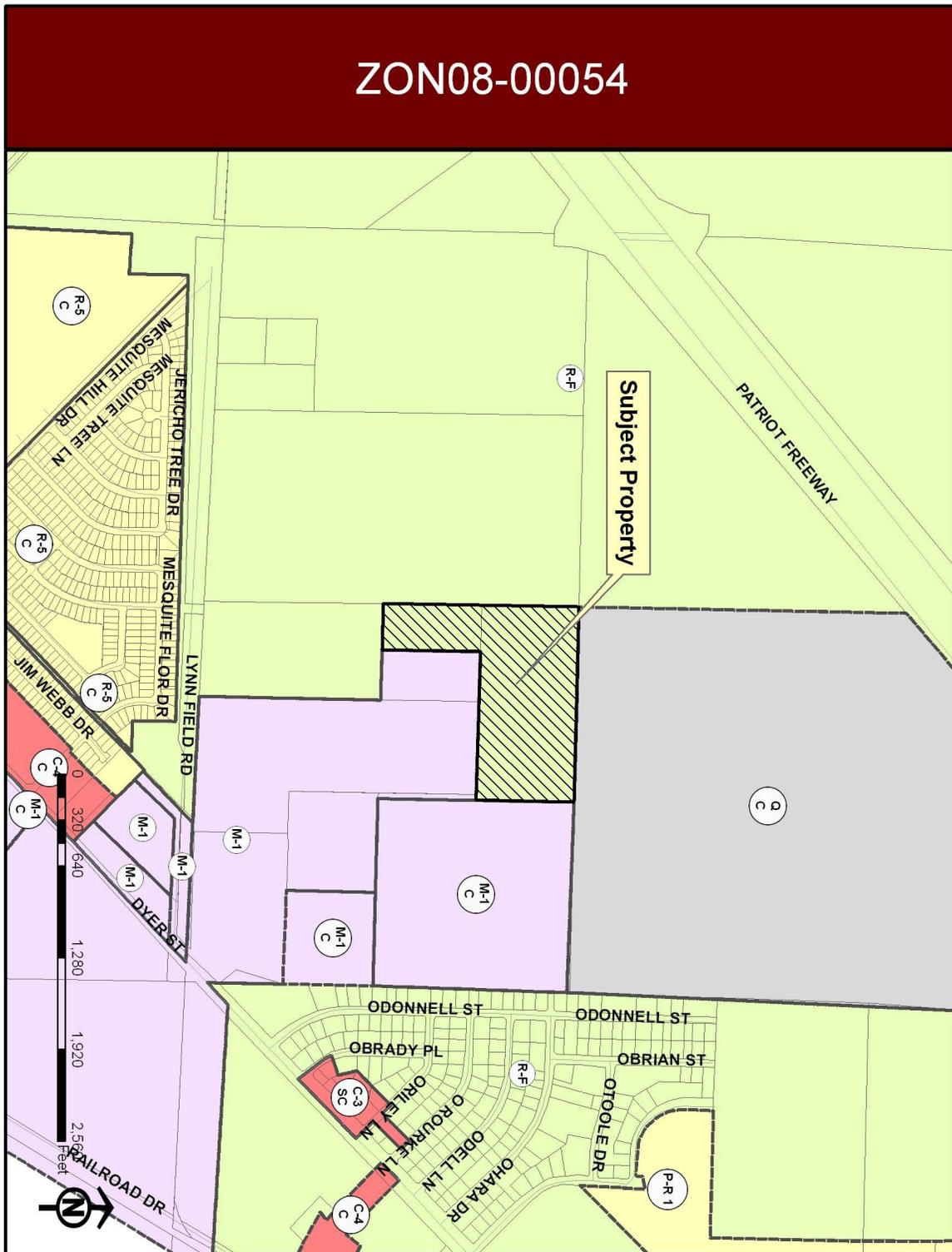
1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of The Plan for El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan
2. Recommend approval of the application with modifications to bring the rezoning into 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 from the Plan by the CPC.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Survey Plan
4. Conceptual Site Plan

Attachment 1: Zoning Map

ZON08-00054

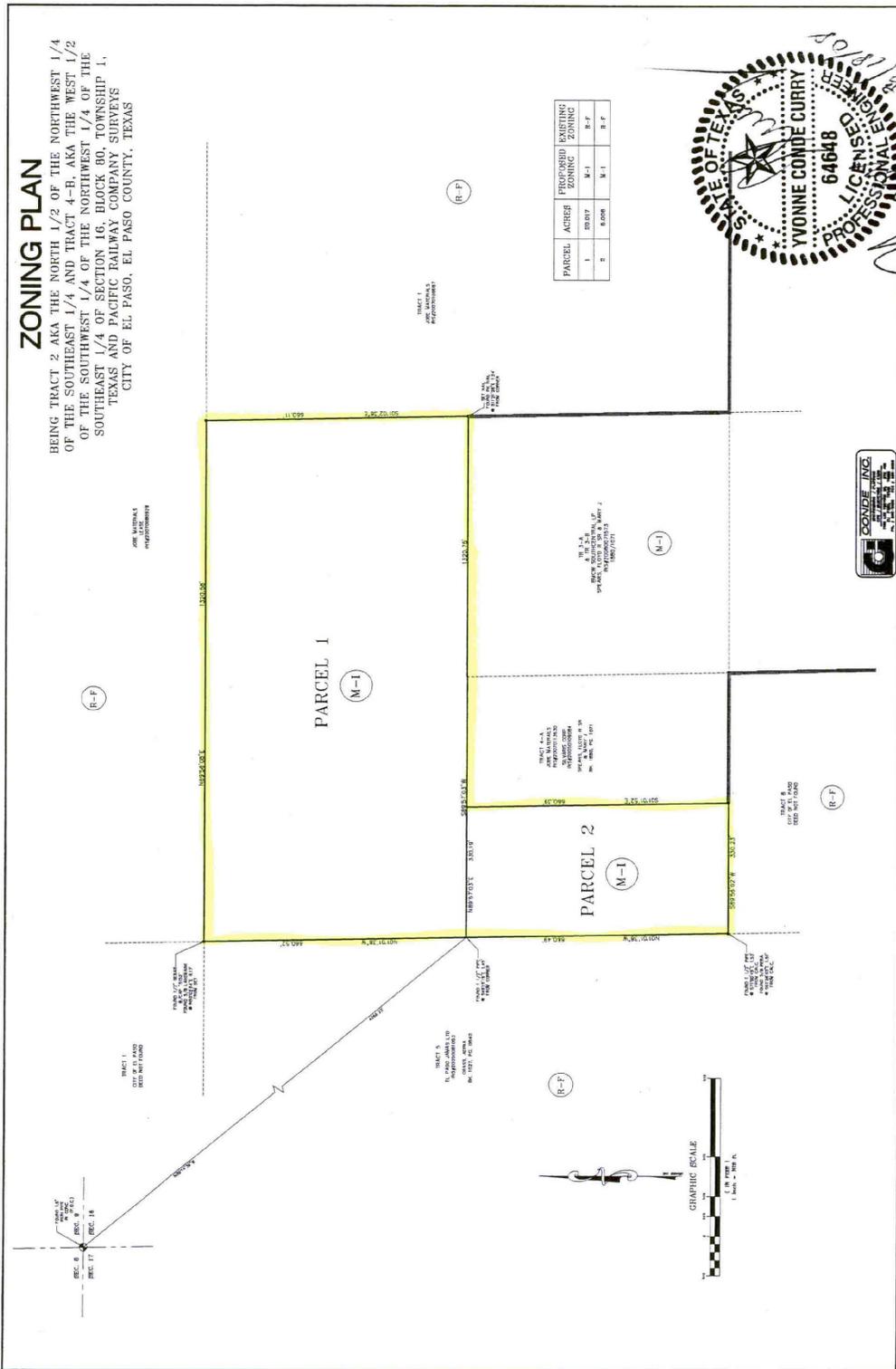


Attachment 2: Aerial Map

ZON08-00054

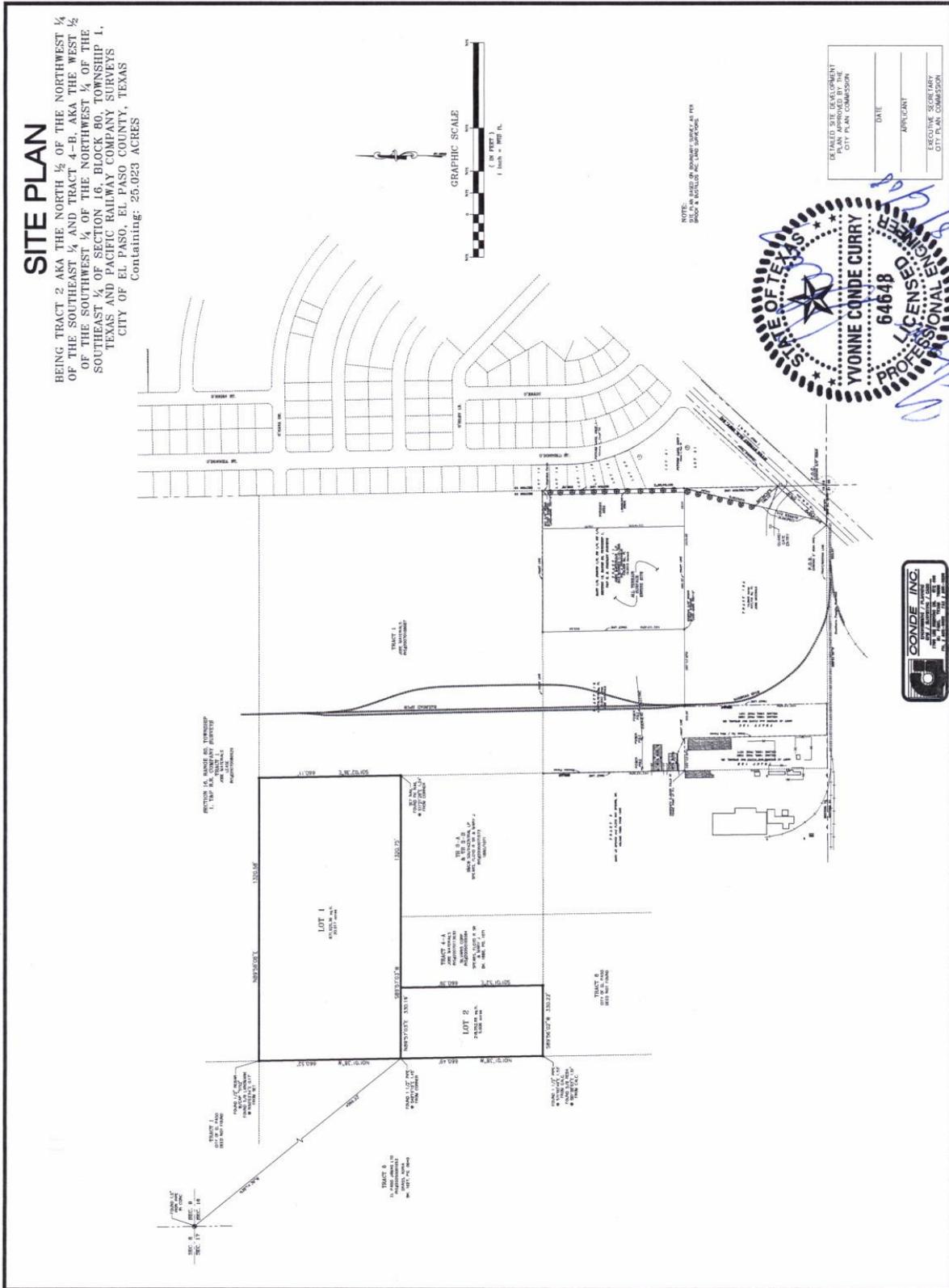


# Attachment 3: Survey Plan



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# Attachment 4: Conceptual Site Plan



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