

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

DEPARTMENT: Development Services Department, Planning Division

AGENDA DATE: Introduction: October 10, 2006
Public Hearing: October 31, 2006

CONTACT PERSON/PHONE: Melissa Granado, 541-4730

DISTRICT(S) AFFECTED: 7

SUBJECT:

An Ordinance changing the zoning of Tract 7, Block 6, Ysleta Grant, El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-1 (Commercial) and R-4 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso City Code. Subject Property: 8643 North Loop Drive. Applicant: JBG Properties, LTD. ZON06-00073 (District 7)

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 Denial Recommendation
City Plan Commission (CPC) – Approval Recommendation (5-0)

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

R. ALAN SHUBERT
DIRECTOR, DEVELOPMENT SERVICES

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: September 25, 2006

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

FROM: Melissa Granado, Planner

SUBJECT: ZON06-00073

The City Plan Commission (CPC), on September 7, 2006, voted **5-0** to recommend **APPROVAL** of rezoning the subject property from R-F (Ranch and Farm) to C-1 (Commercial) for the southwesterly 300 feet that fronts North Loop Drive and R-4 (Residential) for the remaining property, contrary to Staff's recommendation.

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, Location Map, Aerial Map, Site Plan

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACT 7, BLOCK 6, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-1 (COMMERCIAL) AND R-4 (RESIDENTIAL). 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 *Tract 7, Block 6, Ysleta Grant, 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)** to **C-1 (Commercial)** and **R-4 (Residential)**, 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 _____, 2006.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:



Hillary S. McGinnes
Assistant City Attorney

APPROVED AS TO CONTENT:



Rodolfo Valdez, Chief Urban Planner
Development Services Department

**Parcel 1
Ysleta Grant, Block 6
Portion of Tract 7,**

Metes and Bound description of a parcel of land out of Ysleta Grant, Block 6, Tract 7, El Paso County, El Paso, Texas, and being more particularly described as follows;

From a Texas Highway Department brass cap located on the Northerly Right-of-Way line of North Loop Drive (FM 76) and adjacent to 8639 North Loop Drive (FM 76); Thence South 34° 58' 25" East along the said Right-of-Way line of North Loop Drive (FM 76), a distance of one hundred eighteen and seventy eight hundredths (118.78) feet to a point, said point being the intersection of the Easterly property line of Tract 7 and the said Right-of-Way line of North Loop Drive (FM 76); and being the true Point of Beginning for this parcel of land;

Thence North 47° 19' 00" East, along the common boundary line of Henry Subdivision and Tract 7, Block 6, Ysleta Grant, a distance of three hundred and no hundredths (300.00) feet to a corner, said corner being the Northwesterly corner of the parcel of land being described;

Thence South 35° 12' 55" East a distance of one hundred twelve and sixty three hundredths (112.63) feet to a corner, said corner lying on the common tract line of Tracts 7 and 8A, Block 6, Ysleta Grant and being the Northeasterly corner of said parcel of land;

Thence continuing along said common tract line, a distance of three hundred and no hundredths (300.00) feet, a bearing of South 48° 02' 00" West, to a corner, said corner lying on the said Right-of-Way line of North Loop Drive (FM 76);

Thence North 34° 58' 15" West along said Right-of -Way line of North Loop Drive (FM 76) a distance of one hundred eight and ninety one hundredths (108.91) feet to a corner, said corner being the Point of Beginning.

Said parcel of land contains 32,966 square feet or 0.757 acres of land more or less.

Exhibit "A"



Fermin Dorado R.P.L.S.



September 12, 2006
ZON06-00073

DORADO ENGINEERING INC.

2717 E Yandell El Paso, Texas 79903 (915) 562-0002 Fax (915) 562-7743

**Parcel 2
Ysleta Grant, Block 6
Portion of Tract 7,**

Metes and Bound description of a parcel of land out of Ysleta Grant, Block 6, Tract 7, El Paso County, El Paso, Texas, and being more particularly described as follows;

From a Texas Highway Department brass cap located on the Northerly Right-of-Way line of North Loop Drive (FM 76) and adjacent to 8639 North Loop Drive (FM 76); Thence South $34^{\circ} 58' 25''$ East along the said Right-of-Way line of North Loop Drive (FM 76), a distance of one hundred eighteen and seventy eight hundredths (118.78) feet to a point, said point being the intersection of the Easterly property line of Tract 7 and the said Right-of-Way line of North Loop Drive (FM 76); Thence North $47^{\circ} 19' 00''$ East, along the common boundary line of Henry Subdivision and Tract 7, Block 6, Ysleta Grant, a distance of three hundred and no hundredths (300.00) feet to a corner, said corner being the true Point of Beginning for this parcel of land;

Thence continuing along said common boundary line of Henry Subdivision and Ysleta Grant, Block 6, North $47^{\circ} 19' 00''$ East a distance of four hundred eighty two and seventy hundredths (482.70) feet to a corner, said corner being the Northwesterly corner of said parcel of land;

Thence South $41^{\circ} 15' 00''$ East along the Southerly Right-of-Way line of the 120 foot wide Mesa drain, a distance of one hundred eighteen and no hundredths (118.00) feet to a corner, said corner lying on the common tract line of Tracts 7 and 8a, Block 6, Ysleta Grant and being the Northeasterly corner of said parcel of land;

Thence continuing along said common tract line, a distance of four hundred ninety four and forty four hundredths (494.44) feet, a bearing of South $48^{\circ} 02' 00''$ West, to a corner, said corner being the Southeasterly corner of said parcel of land;

Thence North $35^{\circ} 12' 55''$ West a distance of one hundred twelve and sixty three hundredths (112.63) feet to a corner, said corner being the Point of Beginning.

Said parcel of land contains 56,147 square feet or 1.289 acres of land more or less.



Fermin Dorado R.P.L.S.



September 12, 2006
ZON06-00073



SCALE: 1"=30'

PLANT LEGEND			
KEY	COMMON NAME	BOTANICAL NAME	SIZE & DESCRIPTION
A	TAN TEX ASH	PISTACIA CHINENSIS	2-1/2" CAL. 8'-10" HGT. B. & B.
B	PERUVIAN VERBENA	VERBENA PERUVIANA	1 GAL 6"-8" SPREAD
C	GLOBE MALLOW	SPHAERALCEA AMBROJA	5 GAL 18"-24" HGT.
D	GREEN CLOUD	LEUCOPHYLLUM FRUTESCENS	5 GAL 18"-24" HGT.
E	CHIHUAHUA SAGE	LEUCOPHYLLUM LAEWIGATUM	5 GAL 18"-24" HGT.
F	PETITE PINK	NERIUM OLEANDER	5 GAL 18"-24" HGT.
G	HEAVENLY BAMBOO	HANDIHA DOMESTICA	5 GAL 18"-24" HGT.

NOTE: PLANTS THAT ARE NOT WELL SHAPED, HAVE BROKEN BRANCHES, DO NOT MEET SPECS. AND IN GENERAL DO NOT LOOK GOOD WILL NOT BE ACCEPTED.

PARKING REQUIRED - 2
PARKING PROVIDED - 5

LANDSCAPE ORDINANCE		
LANDSCAPE AREA REQUIRED (108.91 x 200.0 x 0.075)	1,034.00 sq.Ft.	
PARKWAY LANDSCAPE AREA (108.91 x 10)	1,089.00 sq.Ft.	
REQUIRED INTERIOR LANDSCAPE AREA	945.00 sq.Ft.	
AREA AVAILABLE INSIDE (8 x 65)	520.00 sq. Ft.	
AREA AVAILABLE INSIDE (70 x 12)	840.00 sq.Ft.	
PLANT QUANTITIES		
	REQUIRED	PROPOSED
QTY. OF PROJECT TREES	2	13
QTY. OF 5 GAL SHRUB	27	30
QTY. OF 1 GAL SHRUBS	11	15

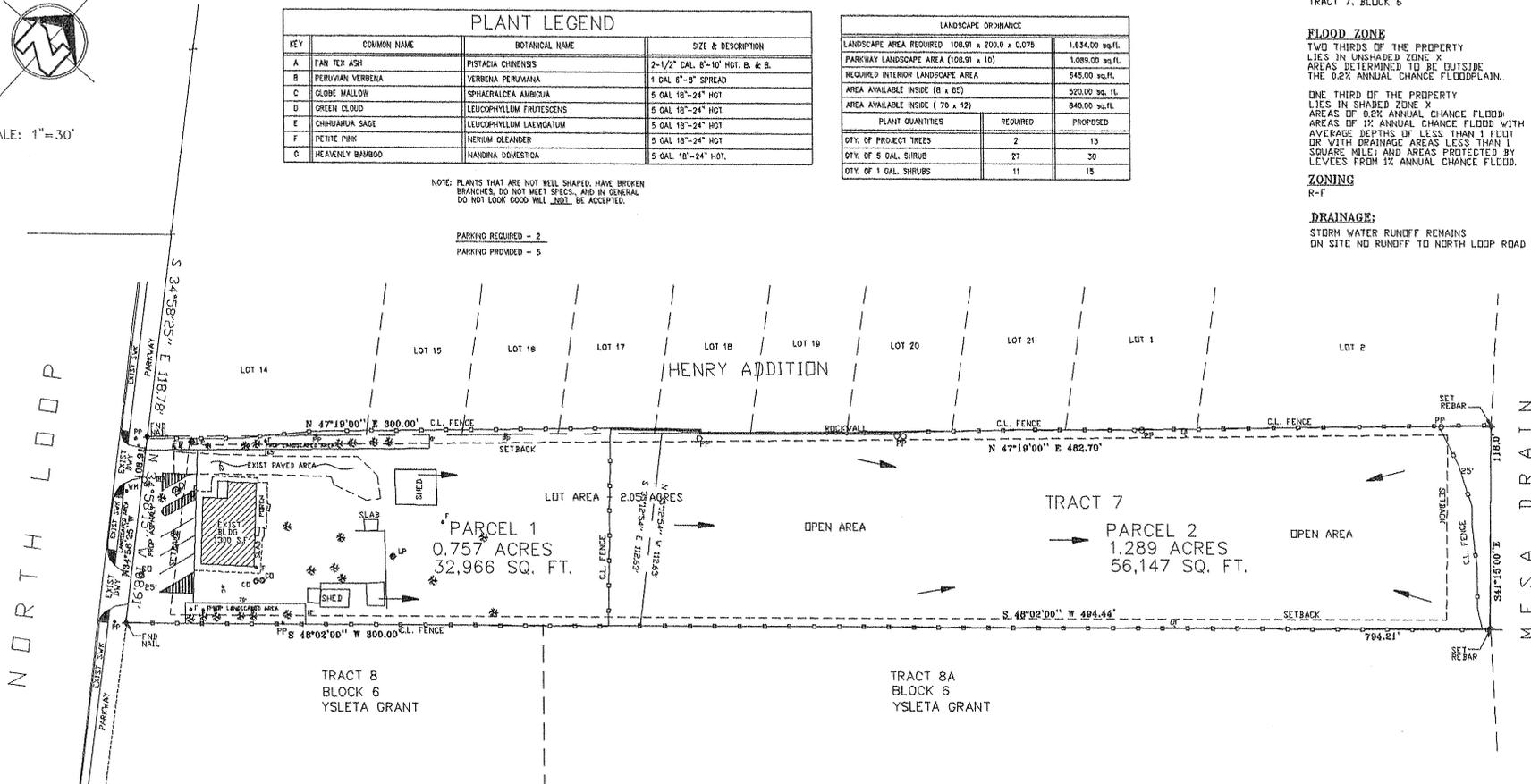
LEGAL DESCRIPTION
YSLETA GRANT
TRACT 7, BLOCK 6

FLOOD ZONE
TWO THIRDS OF THE PROPERTY LIES IN UNSHADED ZONE X. AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

ONE THIRD OF THE PROPERTY LIES IN SHADED ZONE X. AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

ZONING
R-F

DRAINAGE:
STORM WATER RUNOFF REMAINS ON SITE AND RUNOFF TO NORTH LOOP ROAD



LEGEND

CL. FENCE	.....	CHAIN LINK FENCE
CD	.....	CLEAN OUT
EB	.....	ELECTRIC BOX
F	.....	FAUCET
FP	.....	FLAG POLE
GM	.....	GAS METER
LP	.....	LIGHT POLE
PP	.....	POWER POLE
WM	.....	WATER METER
M	.....	MAIL BOX
*	.....	TREE

SCALE: _____

REFERENCES: _____

ENGINEER'S SEAL:

DATE: 03/22/06
BY: _____
DATE: _____
BY: _____

DORADO
ENGINEERING, INC.
ENGINEERS SURVEYORS PLANNERS
2717 E. WAGGELI, PASO, TEXAS 79602 (817) 562-0002

PROJECT NAME: 8643 NORTH LOOP

SHEET TITLE: REZONING PLAN

SHEET: 1 OF 1

STAFF REPORT

Rezoning Case: ZON06-00073

Property Owner(s): JBG Properties, LTD

Applicant(s): JBG Properties, LTD

Representative(s): Dorado Engineering, Inc.

Legal Description: Tract 7, Block 6, Ysleta Grant

Location: 8643 North Loop Drive

Representative District: # 7

Area: 2.0459 acres

Present Zoning: R-F (Ranch and Farm)

Present Use: Farmland

Proposed Zoning: C-1 (Commercial)

Proposed Use: Electronic Repair Shop

Recognized Neighborhood Associations Contacted: N/A

Surrounding Land Uses:

North -	R-4 (Residential) / Single-family Residential
South -	R-F (Ranch and Farm), S-D (Special Development) / Farmland, Nail and Hair Salon
East -	R-F (Ranch and Farm) / Farmland
West-	A-2 (Apartment), C-3 (Commercial) / Vacant, Vacant

Year 2025 Designation: **Mixed-Use, Residential** (Lower Valley Planning Area)

**CITY PLAN COMMISSION HEARING, SEPTEMBER 7, 2006,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

REZONING APPLICATION: ZON06-00073

GENERAL INFORMATION:

The applicant is requesting a rezoning from R-F (Ranch and Farm) to C-1 (Commercial) in order to permit an electronic repair shop. The property is 2.0459 acres in size and is currently being utilized as farmland. The proposed site plan shows the existing building currently located on the site that will serve as the electronic repair shop. Access is proposed via North Loop Drive; 5 parking spaces will be provided. There are no zoning conditions currently imposed on this property.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division has not received any calls or letters in support or opposition to this application.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) unanimously recommends **DENIAL** of this request for rezoning from R-F (Ranch and Farm) to C-1 (Commercial), and recommends **APPROVAL** of a rezoning from R-F (Ranch and Farm) to S-D/c (Special Development/conditions) with the following condition:

“That the southwesterly 300 feet beginning at the property line that fronts North Loop Drive be allowed all uses in the S-D (Special Development) District, and the remaining land be restricted to residential uses only”.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.”

The Year 2025 Projected General Land Use Map for the **Lower Valley** Planning Area designates this property for Mixed Use, Residential land uses.

C-1 (Commercial) zoning permits electronic repair shops and **is not** compatible with adjacent development.

S-D (Special Development) zoning permits electronic repair shops and residential uses and **is** compatible with adjacent development.

The Commission must determine the following:

1. Will C-1 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
2. Will an electronic repair shop be compatible with adjacent land uses?
3. What is the relation of the proposed rezoning 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?

Information to the Applicant:

Development Services Department - Building Permits and Inspections Division Comments:

Zoning Review: Insufficient data to determine use, parking and set back compliance. Shall require a 6 ft. high masonry screening wall abutting residential districts.

Landscape Review: This project will not meet code as submitted. Project lacks landscape area as per 20.65. Landscape area is from building wall and curb. Proposed trees are outside landscape area.

Development Services Department - Planning Division Comments:

Current Planning: Recommends denial of the rezoning request from R-F (Ranch and Farm) to C-1 (Commercial); recommends approval of a rezoning from R-F (Ranch and Farm) to S-D (Special Development) allowing all permitted uses in the southwesterly 300 feet beginning at the property line that fronts North Loop Drive and restricting the remaining land to residential uses only.

Subdivision Review: No comments received.

Engineering Department - Traffic Division Comments:

No traffic concerns with the proposed rezoning from R-F to C-1.

Fire Department Comments:

No comments received.

El Paso Water Utilities Comments:

General:

Water and sanitary sewer mains exist along North Loop Drive fronting the subject Property and are available for service.

In the event that the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

North Loop Drive is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Drive right-of-way requires written permission from TxDOT.

Application for water and sanitary sewer services should be made 6-8 weeks prior to any construction to ensure water for construction work. A site plan, a utility plan, grading & drainage

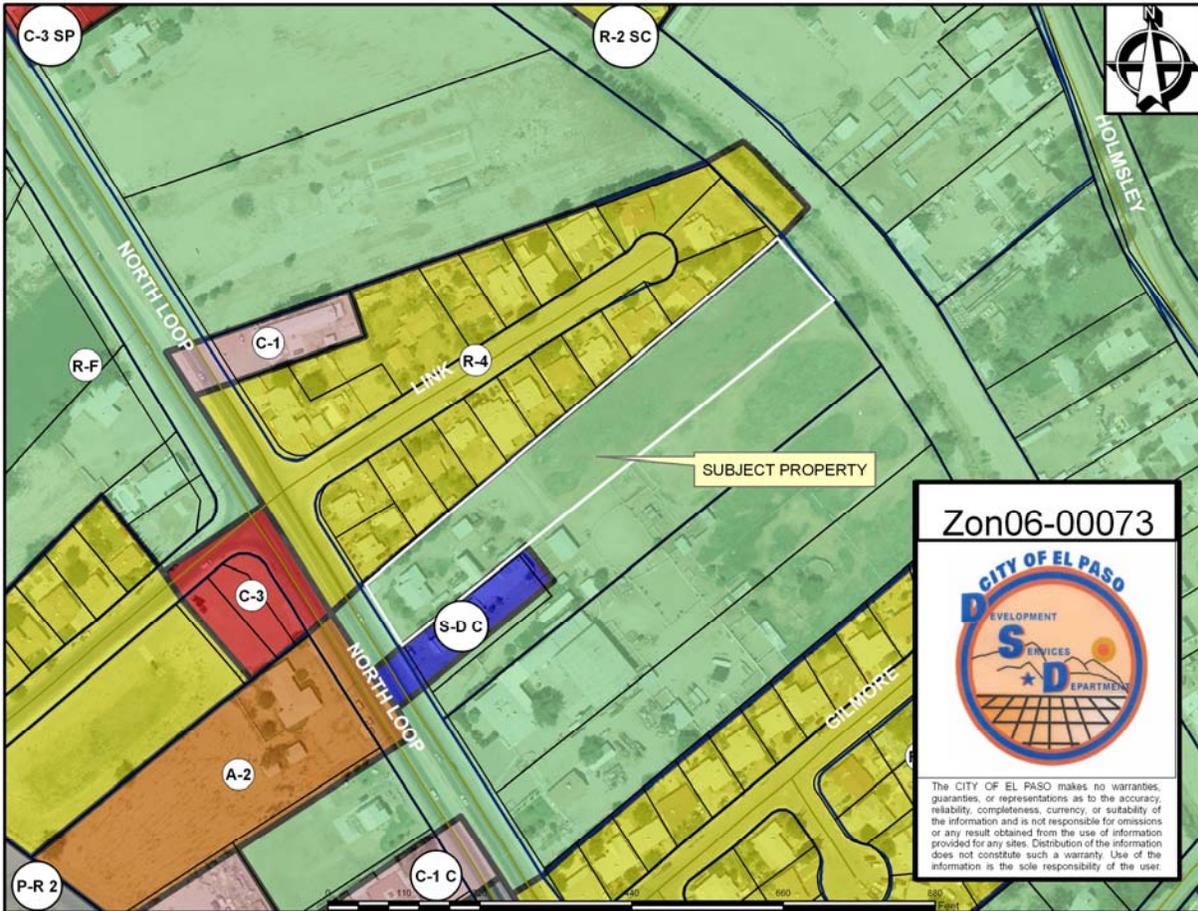
plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance are required at the time of application. The certificate-of-compliance can be obtained on the 5th floor at City Hall. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

EPWU does not object to this request.

ATTACHMENT: Location Map, Aerial Map, Site Plan

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE DEVELOPMENT SERVICES DEPARTMENT, PLANNING DIVISION AT (915) 541-4056.

LOCATION MAP



AERIAL MAP

