

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

DEPARTMENT: Development Services - Planning Division
AGENDA DATE: Introduction 10/10/06; Public Hearing 10/31/06
CONTACT PERSON/PHONE: Esther Guerrero, Planner – 541-4720
DISTRICT(S) AFFECTED: #3

SUBJECT:

An Ordinance changing the zoning of Parcel 1: a portion of Tracts 2B, 2B4, 2B5 and 2B6A, and a portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40 and 41, Palmdale Acres, El Paso, El Paso County, Texas, from A-M (Apartment and Mobile Home Park) and R-F (Ranch and Farm) to A-O (Apartment/Office); and Parcel 2: a portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40 and 41, Palmdale Acres, El Paso, El Paso County, Texas, from A-M (Apartment and Mobile Home Park) to C-4/c (Commercial/condition), and imposing a condition. The penalty is as provided for in Chapter 20.68 of the El Paso City Code.

Subject Property: 7199, 7201, 7203, 7205 and 7207 North Loop Drive. Applicant: Casas por Cristo, ZON06-00085 (District 3)

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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Alan Shubert

APPROVED FOR AGENDA:

JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER



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 DEPARTMENT
PLANNING DIVISION**

September 29, 2006

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

FROM: Esther Guerrero, Planner

SUBJECT: ZON06-00085

The City Plan Commission (CPC), on September 7, 2006, voted **(5-0)** to recommend **approval** of the rezoning on Parcel 1 from R-F (Ranch and Farm) and A-M (Apartment and Mobile Home Park) to A-O (Apartment/Office) in order to permit offices and boardinghouses; and Parcel 2 from A-M (Apartment and Mobile Home Park) to C-4/c (Commercial/condition) in order to permit offices and warehouse development and imposing the following condition, concurring with staff's recommendation:

That the following uses be prohibited on Parcel 2:

- a) Light manufacturing;
- b) Sales, storage, repair, rental of tractors, heavy trucks, farm equipment, contractor's equipment and heavy vehicles and equipment;
- c) Trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; and
- d) Automobile, light and heavy trucks, buses, motorcycles and boats sales, storage, rental or service.

The CPC found that this rezoning with conditions 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, which designates the subject property for industrial use land uses. 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 one in opposition to this application present at the meeting.

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF PARCEL 1: A PORTION OF TRACTS 2B, 2B4, 2B5 AND 2B6A, AND A PORTION OF BUTCHER ROAD RELEASED AND QUITCLAIMED, BLOCK 20, YSLETA GRANT AND A PORTION OF TRACTS 38, 39, 40 AND 41, PALMDALE ACRES, EL PASO, EL PASO COUNTY, TEXAS, FROM A-M (APARTMENT AND MOBILE HOME PARK) AND R-F (RANCH AND FARM) TO A-O (APARTMENT/OFFICE); AND PARCEL 2: A PORTION OF BUTCHER ROAD RELEASED AND QUITCLAIMED, BLOCK 20, YSLETA GRANT AND A PORTION OF TRACTS 38, 39, 40 AND 41, PALMDALE ACRES, EL PASO, EL PASO COUNTY, TEXAS, FROM A-M (APARTMENT AND MOBILE HOME PARK) TO C-4 (COMMERCIAL), 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 the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

Parcel 1: A portion of Tracts 2B, 2B4, 2B5 and 2B6A, and a portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40 and 41, Palmdale Acres, 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 **A-M (Apartment and Mobile Home Park)** and **R-F (Ranch and Farm)** to **A-O (Apartment/Office)**; and,

Parcel 2: A portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40 and 41, Palmdale Acres, El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "B", incorporated by reference, be changed from **A-M (Apartment and Mobile Home Park)** to **C-4/c (Commercial/condition)**.

Further, that Parcel 2 described above be subject to the following condition which is necessitated by and attributable to the increased intensity 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 the following uses be prohibited:

- a. Light manufacturing;
- b. Sales, storage, repair, rental of tractors, heavy trucks, farm equipment, contractors equipment and heavy vehicles and equipment;
- c. Trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; and
- d. Automobile, light and heavy trucks, buses, motorcycles and boats sales, storage, rental or service.

PASSED AND APPROVED this _____ day of _____, 2006.

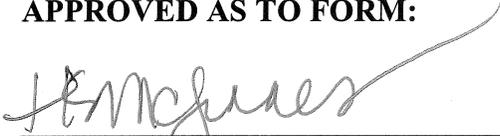
THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

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

**AO Zoning Parcel
2.125 Acres**

Being the description of a portion of Tracts 2B, 2B4, 2B5 and 2B6A, portion of Bucher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40 and 41, Palmdale Acres, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found chiseled "x" at the centerline intersection of North Loop Road and Bucher Road and a found brass cap in the centerline of North Loop Road bears, North 41°27'00" West, 648.70 feet;

THENCE, North 40°01'48" East, a distance of 50.86 feet to the Southerly line of a tract described in book 4508, page 1376;

THENCE, North 44°32'00" East, a distance of 281.73 feet to the **POINT OF BEGINNING** for the herein described tract;

THENCE, North 45°40'05" West, a distance of 49.55 feet;

THENCE, North 36°23'00" West, a distance of 36.41 feet to the Easterly line of a tract described in book 4508, page 1380;

THENCE, along the Easterly, Southwesterly and Northerly lines of said tract the following four (4) lines:

South 30°17'25" West, a distance of 21.10 feet;

North 59°39'56" West, a distance of 47.98 feet;

North 52°07'15" West, a distance of 28.51 feet;

North 45°52'27" East, a distance of 40.44 feet;

THENCE, North 36°23'00" West, a distance of 67.12 feet;

THENCE, North 44°32'00" East, a distance of 6.08 feet to the Southwesterly line of Tract 2B4, Block 20, Ysleta Grant;

THENCE, along said Southwesterly line, North 36°23'00" West, a distance of 131.88 feet to the Northeasterly line of said Tract 2B4;

THENCE, along said Northeasterly line, South 59°26'00" East, a distance of 350.06 feet;

THENCE, South 69°46'00" East, a distance of 405.44 feet to the South line of said Tract 38;

THENCE, along said South line, South 44°32'00" West, a distance of 222.41 feet;

THENCE, leaving said South line, North 45°30'00" West, a distance of 111.73 feet;

THENCE, North 66°05'55" West, a distance of 73.81 feet;

THENCE, South 83°25'02" West, a distance of 70.20 feet;

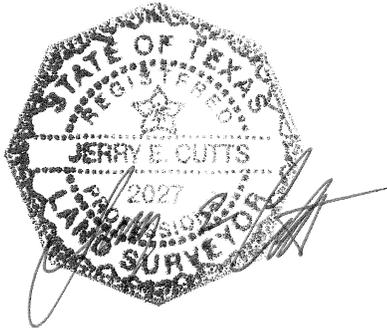
THENCE, North 45°30'00" West, a distance of 114.57 feet;

THENCE, North 33°58'57" West, a distance of 19.48 feet to the **POINT OF BEGINNING** and containing **2.125 acres** of land.

This description was prepared from a survey made on the ground by Conde, Inc. dated November 19, 2001.

PREPARED BY:
Cutts Land Surveying, Inc.
El Paso, Texas
August 22, 2006
Job No. 060812

Sheet 2 of 2



**C-4 Zoning Parcel
2.539 Acres**

Being the description of a portion of Bucher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40 and 41, Palmdale Acres, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found chiseled "x" at the centerline intersection of North Loop Road and Bucher Road and a found brass cap in the centerline of North Loop Road bears, North 41°27'00" West, 648.70 feet;

THENCE, North 40°01'48" East, a distance of 50.86 feet to the Southerly line of a tract described in book 4508, page 1376 and **POINT OF BEGINNING** for the herein described tract;

THENCE, North 44°32'00" East, a distance of 281.73 feet;

THENCE, South 33°58'57" East, a distance of 19.48 feet;

THENCE, South 45°30'00" East, a distance of 114.57 feet;

THENCE, North 83°25'02" East, a distance of 70.20 feet;

THENCE, South 66°05'55" East, a distance of 73.81 feet;

THENCE, South 45°30'00" East, a distance of 111.73 feet to the South line of said Tract 38;

THENCE, along said South line, South 44°32'00" West, a distance of 319.62 feet to the Northeasterly right-of-way line of said North loop Road;

THENCE, along said right-of-way line, North 58°34'00" West, a distance of 117.85 feet to the Northeasterly line of a tract described in book 2571, page 504;

THENCE, along said Northeasterly line the following three (3) courses:

North 51°05'52" West, a distance of 48.20 feet;

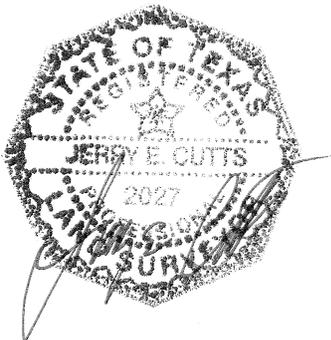
North 48°52'46" West, a distance of 86.14 feet;

North 47°03'55" West, a distance of 90.84 feet;

THENCE, North 45°11'36" West, a distance of 18.98 feet to the **POINT OF BEGINNING** and containing **2.539 acres** of land.

This description was prepared from a survey made on the ground by Conde, Inc. dated November 19, 2001.

PREPARED BY:
Cutts Land Surveying, Inc.
El Paso, Texas
August 22, 2006
Job No. 060812-c4



STAFF REPORT

Rezoning Case: ZON06-00085

Property Owner(s): Casas por Cristo

Applicant(s): Casas por Cristo

Representative(s): Design Alliance, LLC

Legal Description: A portion of Tracts 2B, 2B4, 2B5 and 2B6A, and a portion of Butcher Road released and quitclaimed, Block 20, Ysleta Grant and a portion of Tracts 38, 39, 40 and 41, Palmdale Acres, City of El Paso, El Paso County, Texas

Location: 7199 North Loop Drive

Representative District: # 3

Area: Parcel 1: 2.124 Acres
Parcel 2: 2.536 Acres

Present Zoning: Parcel 1: A-M (Apartment and Mobile Home Park); R-F (Ranch and Farm)
Parcel 2: A-M (Apartment and Mobile Home Park)

Present Use: Salvage Yard

Proposed Zoning: Parcel 1: A-O (Apartment/Office)
Parcel 2: C-4 (Commercial)

Proposed Use: Parcel 1: Offices and Boardinghouses
Parcel 2: Offices and Warehouse Development

Recognized Neighborhood Associations Contacted: Rosedale Neighborhood Association

Surrounding Land Uses:

North -	M-1/sc (Light Manufacturing/special contract) / Vacant
South -	C-1/sc (Commercial/special contract) / Flower Shop
East -	A-2 (Apartment) / Vacant, Single-family Residential
West-	R-F (Ranch and Farm) / Single-family Residential
	C-4/sc (Commercial/special contract) / Contractor's Yard

Year 2025 Designation: Industrial (Lower Valley Planning Area)

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

REZONING APPLICATION: ZON06-00085

GENERAL INFORMATION:

The applicant is requesting a rezoning on Parcel 1 from A-M (Apartment and Mobile Home) and R-F (Ranch and Farm) to A-O (Apartment/Office) to permit offices and boardinghouses; and on Parcel 2 from A-M (Apartment and Mobile Home) to C-4 (Commercial) to permit offices and warehouse development. Parcel 1 is 2.124 acres in size and currently has 5 structures on site. Parcel 2 is 2.536 acres in size and currently has 3 structures on site. Access is proposed via North Loop Drive. Currently there are no zoning conditions on imposed on either parcel.

INFORMATION TO THE COMMISSION:

The Development Services Department – Planning Division did not receive any calls or letters in opposition to this application.

STAFF RECOMMENDATION:

The Development Coordinating Committee (DCC) unanimously recommends **approval** of this request for rezoning from A-M (Apartment and Mobile Home) and R-F (Ranch and Farm) to A-O (Apartment/Office) on Parcel 1. From A-M (Apartment and Mobile) to C-4 (Commercial) on Parcel 2 with the following condition:

1. *That the following uses shall be prohibited:*
 - a. *Light manufacturing;*
 - b. *Sales, storage, repair, rental of tractors, heavy trucks, farm equipment, contractors equipment and heavy vehicles and equipment;*
 - c. *Trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; and*
 - d. *Automobile, light and heavy trucks, buses, motorcycles and boats sales, storage, rental or service.*

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommends that El Paso “provide a pattern of commercial and office development which best serves community needs and which complements and serves all other land uses”.

A-O (Apartment/Office) zoning permits offices and boardinghouses **and C-4 (Commercial) zoning** permits offices and warehouse development and **is compatible** with the adjacent surrounding land uses.

The Year 2025 Projected General Land Use Map for the **Lower Valley** Planning Area designates this property as **Industrial**.

The Commission must determine the following:

- A. Will the A-O (Apartment/Office) and C-4 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will offices, boardinghouses and warehouse development be compatible with adjacent land uses?
- C. What is the relation of the proposed rezoning to the City’s Comprehensive Plan?
- D. What effects will the A-O (Apartment/Office) and C-4 (Commercial) zoning have upon the natural environment, social and economic conditions, and property values in the vicinity and in the city as a whole?

INFORMATION TO THE APPLICANT:

Development Services / Planning Division Notes:

- A. The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property as Industrial.
- B. A-O (Apartment/Office) and C-4 (Commercial) zonings will permit offices, boardinghouses and warehouse development and is compatible with surrounding land uses.
- C. By permitting C-4 (Commercial) with conditions to Parcel 2 and A-O (Apartment/Office) to Parcel 1 this will provide a buffer between the abutting residential to the east and south of the proposed property to be rezoned.

Development Services Department - Building Permits and Inspections Division Notes:

Zoning Review

Proposed uses permitted on proposed C-4 (Commercial) district. Insufficient data provided to determine compliance with parking requirements. A 6 ft. high masonry screening wall abutting R-F (Ranch and Farm) district will be required.

Landscape Review

Landscaping required for this project. No landscape calculations provided. Project lacks the ability to meet code based on the plans submitted.

Development Services Department / Subdivision Plan Review Notes:

- A. ADA accessible Sidewalks, Wheel-chair ramp(s), and Driveway(s) will be required.*
 - B. Grading plan and permit shall/may be required.*
 - C. Storm Water Pollution Prevention plan and/or permit shall/may be required.*
 - D. Drainage plans must be approved by the Engineering Section.*
 - E. Coordination with TXDOT.*
 - F. No water runoff allowed outside the proposed development boundaries may be required.*
- Additional Comments: Site location is not located within a Special Flood Hazard Area, Flood Zone(s) X, Panel(s) 480214 0041 C.
- * This requirement will be applied at the time of development.

Engineering Department / Traffic Division Notes:

No apparent traffic concerns.

Fire Department Notes:

No comments received.

EI Paso Water Utilities Notes:

Water

- A. There is an existing eight (8) inch diameter water main located along the northernmost portion of North Loop Drive right-of-way fronting the subject Property. EPWU-PSB records reveal no existing water mains fronting Lot 41, Palmdale Acres of the subject Property.
- B. Along North Loop Drive there is an existing twelve (12) inch diameter water main located along the southernmost portion of North Loop Drive right-of-way fronting the property.

- C. Previous water pressure readings conducted on a fire hydrant located at the corner of North Loop Drive and Bucher Street have yielded a static pressure of 98 pounds per square inch (psi), residual pressure of 84 psi, discharge of 1,404 gallons per minute (gpm).

Sanitary Sewer

- A. Along the northernmost portion of North Loop Drive west of Bucher Street there are no existing sanitary sewer mains.
- B. There is an existing eight (8) inch diameter sanitary sewer main located along the southernmost portion of North Loop Drive right-of-way, west of Bucher Street fronting the subject property. This main dead-ends at approximately 215 feet west of Bucher Street.
- C. There is an existing eight (8) inch diameter sanitary sewer main located along the northernmost portion of North Loop Drive right-of-way. This main dead-ends at approximately 130 feet east of Bucher Street; from this point towards the west there are no existing sanitary sewer mains along the northernmost portion of North Loop Drive. This main fronts Lot 38 and a portion of Lot 39, Palmdale Acres of the subject property.
- D. There is an existing twelve (12) inch diameter sanitary sewer main located along the southernmost portion of North Loop Drive right-of-way. This main dead-ends at approximately 120 feet east of Bucher Street; from this point towards Bucher Street there are no existing sanitary sewer mains. This main fronts Lot 38 and a portion of Lot 39, Palmdale Acres of the subject property.

General

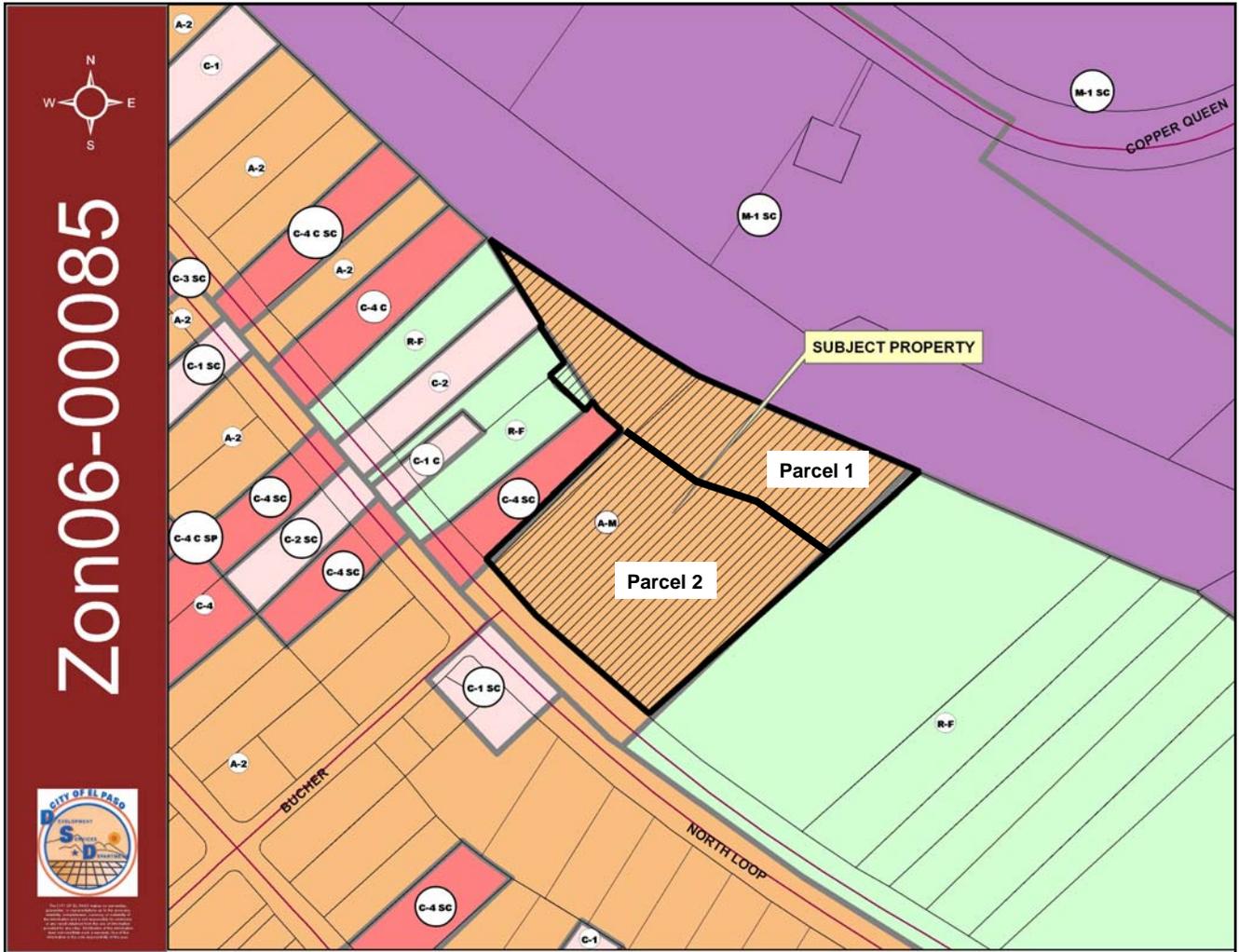
- A. North Loop Drive is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Drive right-of-way requires written permission from TxDOT.
- B. Easements will be required in order to enable the construction, operation, maintenance, repair of the proposed water and sanitary sewer mains to serve this development.
- C. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.
- D. The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. 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.
- E. No building, reservoir, structure or other improvement, other than asphalt paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.
- F. The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.
- G. 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.
- H. The El Paso Water Utilities requires a finalized set of improvement plans including drainage and grading plans to initialize the design of the water and sanitary sewer main extensions to serve subject subdivision. 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. Furthermore, application for services for subject subdivision must be made in conjunction with the request for water and sanitary sewer main extensions. The improvement plans should include a site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance which are required at the time of application. The certificate-of-compliance can be obtained at City Hall.

EPWU does not object to this request.

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 PLANNING DEPARTMENT AT (915) 541-4056.

LOCATION MAP



AERIAL



Zon06-00085



City of El Paso
Development Services Department
1001 North Loop West, Suite 1000
El Paso, Texas 79901
957-551-1000
www.cityofelpaso.com

