

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

DEPARTMENT: Planning, Research & Development

AGENDA DATE: Introduction: December 6, 2005
Public Hearing: December 27, 2005

CONTACT PERSON/PHONE: Christina Valles, 541-4930

DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance changing the zoning of 24.566 acres out of and a part of Tract 2A, Block 1, Ysleta Grant and Tract 3B, Block 56, Ysleta Grant, El Paso, El Paso County, Texas from R-F (Ranch-Farm) to C-3 (Commercial). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: Loop 375 and North Loop. Applicant: Ben L. Ivey LTD. ZON05-00055 (District 6)

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: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF 24.566 ACRES OUT OF AND A PART OF TRACT 2A, BLOCK 1, YSLETA GRANT AND TRACT 3B, BLOCK 56, YSLETA GRANT, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO C-3 (COMMERCIAL). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of 24.566 acres out of and a part of Tract 2A, Block 1, Ysleta Grant and Tract 3B, Block 56, Ysleta Grant, El Paso, El Paso County, Texas, and more completely described in Exhibit 'A', be changed from R-F (Ranch-Farm) to C-3 (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 _____, 2005.

THE CITY OF EL PASO

ATTEST:

John F. Cook
Mayor

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Matt Watson
Assistant City Attorney

APPROVED AS TO CONTENT:

APPROVED AS TO CONTENT:

Christina Valles, Planner II
Development Services Department

Rodolfo Valdez, Chief Urban Planner
Development Services Department

DOC #

ORDINANCE NO. _____

Zoning Case No: ZON05-00055

1 **Michael M. Ivey, RPLS**

2 9638 North Loop Rd.
3 El Paso, Texas 79927
4 Tel.: (915)859-7607
5 Fax: (915) 860-9230

6 24.566 acres out of :
7 Tract 2A, BLOCK 1, and Tract 3B, Block 56 : Field Note Description
8 Ysleta Grant, City of El Paso :
9 El Paso County, Texas :
10

11 All that certain tract or parcel of land situated in the Ysleta Grant, El Paso County, Texas, lying within the
12 corporate limits of the City of El Paso, El Paso County, Texas, and containing of 24.566 acres out of and
13 a part of Tract 2A, Block 1, and Tract 3B, Block 56, Ysleta Grant, and being more particularly described
14 as follows, to wit:

15
16 COMMENCING at a Texas Department of Transportation brass cap monument found marking station
17 43+00 on the centerline of Texas Loop 375 (Americas Avenue), a 370-foot wide right-of-way, an old 2-
18 inch iron pipe found marking an angle point on the common line of Blocks 1 and 56 bears South
19 38°05'14" West, 555.16 feet, and South 28°04'53" East, 308.80 feet; thence, North 51°54'46" West,
20 185.00 feet, to the northwest right-of-way of Loop 375; thence South 38°05'14" West, 184.57 feet to a ½-
21 inch rebar with plastic cap set for the Point of Beginning;

22
23 Thence with the northwest right-of-way of Loop 375, South 38°05'14" West, at 245.00 feet pass the
24 common line of Blocks 1 and 56, continuing in all a distance of 3349.75 feet to a ½ inch rebar with plastic
25 cap set on the northeast right-of-way of the Mesa Drain;

26
27 Thence with the northeast right-of-way of the Mesa Drain, North 39°44'00" West, a distance of 328.34
28 feet to a ½-inch rebar with plastic cap set on the northeast right-of-way of the Juan De Herrera Branch "B"
29 Lateral, same being on the southwest right-of-way of Ivey Road;

1 Thence with the common right-of-way of the Juan De Herrera Branch "B" Lateral and Ivey Road, North
2 37°47'00" East, a distance of 997.73 feet to a ½-inch rebar plastic cap set for an angle point in the
3 southwest right-of-way of Ivey Road;

4
5 Thence with the southwest right-of-way of Ivey Road, North 38°34'09" East, a distance of 1078.94 feet to
6 a ½-inch rebar plastic cap set on the northeast right-of-way of Juan De Herrera Branch "B" Lateral, same
7 being the south corner of Tract 3, Block 1;

8
9 Thence with the southeast line of Tract 3, same being the northwest line of Tract 2A, North 37°31'00"
10 East, a distance of 1203.92 feet to a ½-inch rebar with plastic cap set on the common line of said Blocks 1
11 and 56;

12
13 Thence with a line that is perpendicular to the northwest right-of-way of Loop 375, South 51°54'46" East,
14 a distance of 329.12 feet to the Point of Beginning and containing 24.566 acres.

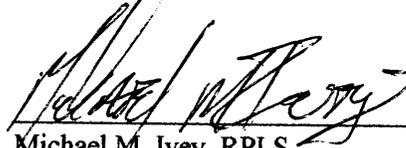
1 State of Texas §

2 County of El Paso §

3
4 I, Michael M. Ivey, a Registered Professional Land Surveyor, do hereby certify that this description is a
5 true and correct representation of a survey performed under my direct supervision and conforms to the
6 rules, regulations and standards promulgated by the Texas Board of Professional Land Surveyors; 7701
7 North Lamar, Suite 400; Austin, Texas 78752; (512) 452-9427; to whom all inquiries regarding this
8 survey are directed.

9
10 Dated this 15th day of September, 2001

11
12 By:



13 Michael M. Ivey, RPLS
14 Registered Professional Land Surveyor
15 Texas Registration No.: 4156



JOHN COOK
MAYOR

JOYCE WILSON
CITY MANAGER

GEORGE G. SARMIENTO, AICP
DEPUTY DIRECTOR



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**

November 29, 2005

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

FROM: Christina Valles, Planner II

SUBJECT: ZON05-00055

This case was previously approved by the City Plan Commission on July 14, 2005, and by City Council on August 30, 2005. Due to an error in the legal description at the time of the original approval, the case has posted for reconsideration.

The City Plan Commission (CPC), on November 17, 2005, voted **7-0** to recommend **APPROVAL** of this rezoning request, concurring with Staff's recommendation.

The CPC found that this rezoning request 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 request is in the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this application.

Attachment: Location Map, Site Plan

STAFF REPORT

Rezoning Case: ZON05-00055

Property Owner(s): Ben L. Ivey LTD

Applicant(s): Ben L. Ivey LTD

Representative(s): Conde, Inc.

Legal Description: Tract 2A, Block 1, Ysleta Grant and Tract 3B, Block 56, Ysleta Grant

Location: Loop 375 and North Loop

Representative District: # 6

Area: 24.566 Acres

Present Zoning: R-F (Ranch and Farm)

Present Use: Vacant

Proposed Zoning: C-3 (Commercial)

Proposed Use: Retail/ Office/Warehouse

Recognized Neighborhood Associations Contacted: None

Surrounding Land Uses:

North -	C-3/sc (Commercial/conditions) /Vacant
South -	C-1/sc (Commercial) / Vacant
East -	A-O/sc (Apartment-Office) / Vacant
West-	R-3 (Residential)/ School

Year 2025 Designation: Commercial (Lower Valley Planning Area)

**CITY PLAN COMMISSION HEARING, July 14, 2005,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

ITEM #

Zoning Case: ZON05-00055

General Information:

This case was previously approved by the City Plan Commission on July 14, 2005, and by City Council on August 30, 2005. Due to an error in the legal description at the time of the original approval, the case has posted for reconsideration.

The applicant is requesting a rezoning from R-F (Ranch and Farm) to C-3 (Commercial) in order to permit Retail, Office and Warehouse Space. The property is 24.566 acres in size and is currently Vacant. Access is proposed via **Americas Avenue**. There are no zoning conditions currently imposed on this property.

Information to the Commission:

The Planning Department has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends approval of this request for rezoning from R-F (Ranch and Farm) to C-3 (Commercial).

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide designated locations for commercial 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 Lower Valley Planning Area designates this property for Commercial land uses.

C-3 (Commercial) zoning permits Retail, Office and Warehouse development and **is compatible** with adjacent development.

The Commission must determine the following:

- A. Will the C-3 (Commercial) zoning protect the best interest, health, safety and welfare of the public in general?
- B. Will C-3 (Commercial) be compatible with adjacent land uses?

Information To The Applicant:

Building Permits and Inspections Department Notes:
Can meet Chapter 20.65

Engineering Department, Development Division Notes:

Legal Description: Tract 2A, Blk 1, Ysleta Grant and Tract 3B, Blk 56, Ysleta Grant

Location: W of Loop 375 & Betel Dr. **Dist. 6** **Present Zoning:** R-F **Proposed Zoning:** C-3

Present Use: Vacant **Proposed Use:** Regional Commercial

1. Handicap accessible Sidewalks, Wheel-chair ramps, and Driveway(s) will be required.*

2. Grading plan and permit required.*

3. Storm Water Pollution Prevention Plan & Permit required. *

4. On-site Ponding or a Private Pond will be required. *

5. Drainage plans must be approved by the City Engineer.*

6. Additional Comments: Site location **is** located within a Special Flood Hazard Area, Zones **AH & C** Panel **280214 0049 B**.

*** This requirement will be applied at the time of development.**

Engineering Department, Traffic Division Notes:

- **No apparent traffic concerns with the proposed zoning change.**

NOTE: Betel Drive shall be improved..

Fire Department Notes:

Zoning change does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

None

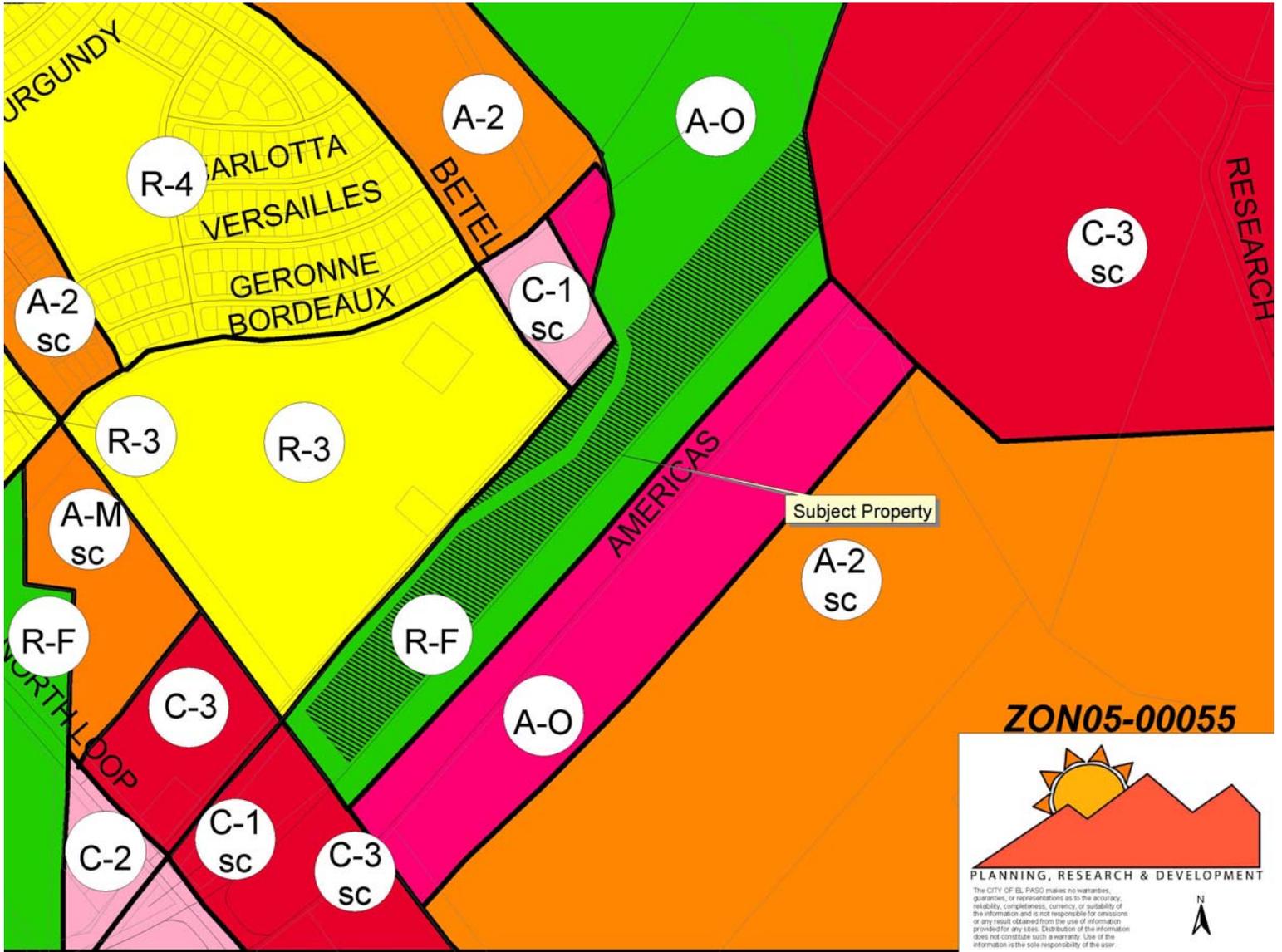
Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Lower Valley Planning Area designates this property for Commercial land uses.
- B. C-3 (Commercial) zoning permits Regional Commercial and is compatible with adjacent development.

ATTACHMENT:

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 MAP



ZON05-00055



PLANNING, RESEARCH & DEVELOPMENT

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