

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

**DEPARTMENT:** Planning and Inspections Department, Planning Division

**AGENDA DATE:** Introduction: December 30, 2014  
Public Hearing: January 20, 2015

**CONTACT PERSON/PHONE:** Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

**DISTRICT(S) AFFECTED:** 5

**SUBJECT:**

An Ordinance changing the zoning of Tract 1C, Section 39, Block 79, Township 2, Texas and Pacific Company Surveys, El Paso County, Texas and a portion of Zaragoza Road from R-F (Ranch and Farm) to C-3/c (Commercial/conditions), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: West of Zaragoza Road at Pebble Hills Boulevard. Property Owner: Tomly Corporation. PZRZ13-00039 (**District 5**)

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Recommendation is pending. CPC is scheduled for December 18, 2014.

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

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

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

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, Planning and Inspection Department



**APPROVED FOR AGENDA:**

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

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

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

AN ORDINANCE CHANGING THE ZONING OF TRACT 1C, SECTION 39, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC COMPANY SURVEYS, EL PASO COUNTY, TEXAS AND A PORTION OF ZARAGOZA ROAD FROM R-F (RANCH AND FARM) TO C-3/C (COMMERCIAL/CONDITIONS), 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:

Pursuant to Section 20.04.360 of the El Paso City Code, that the zoning being *Tract 1C, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso County, Texas*, and a portion of Zaragoza Road 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-3/c (Commercial/conditions)**, as defined in Section 20.06.020, 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 condition which is necessitated by and attributable to the increased intensity 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. Prior to issuance of any building permits, a detailed site development plan for any commercial developments shall be reviewed and approved as per the El Paso City Code in effect on the date of this Agreement.*
- 2. No off premise signs shall exist on the Property at the time of Annexation.*
- 3. Project trees required as part of Title 18 landscaping requirements shall be placed as a visual screen within a 10 foot landscape buffer along any areas abutting residential uses and parks. The buffer and landscape material shall be credited towards the landscape requirements in Title 18.*
- 4. Owner understands that a Traffic Impact Analysis (TIA) may be required by Title 19 at the time of platting. Owner agrees to be responsible for contributing to the cost of traffic mitigation ("Improvements") if the TIA indicates are necessary, attributable and proportional (the Owner's proportionate share) to the development of the Property.*

The penalties for violating the standards imposed through this rezoning ordinance are found in Section 20.24 of the El Paso City Code.

**PASSED AND APPROVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

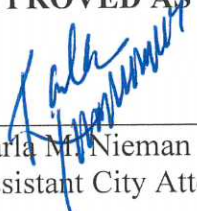
**THE CITY OF EL PASO**

**ATTEST:**


\_\_\_\_\_  
Oscar Leaser  
Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Karla M. Nieman  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

  
\_\_\_\_\_  
Mathew S. McElroy, Director  
Planning and Inspections Department

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

Zoning Case No: PZRZ13-00039

## EXHIBIT "A"

Prepared For: The City of El Paso  
December 9, 2013  
(Pebble Hills Extension)

### METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Tract 1C, Section 39, Block 79, Township 2, Texas and Pacific Railway Company Surveys, El Paso County, Texas and a portion of Zaragoza Road (U.S. 659) being more particularly described by metes and bounds as follows:

Commencing for reference at an existing brass disk city monument at the centerline intersection of Pebble Hills Blvd. and Tierra Mina Dr. from which an existing brass disk city monument at the centerline intersection of Tierra Mina Dr. and Tierra Galvez Ct. bears North 00°32'46" West a distance of 501.26 feet; Thence along the centerline of Pebble Hills Blvd., South 89°56'52" East a distance of 489.43 feet to a point of curve; Thence leaving said centerline, North 84°34'40" East a distance of 104.75 feet a found ½" rebar with cap marked TX 5152 on the common line of tract 1C and 1D, Section 39, Block 79, Township 2, Texas and Pacific Railway company Surveys For The "TRUE POINT OF BEGINNING";


Thence along said common line, North 89°57'01" East a distance of 869.39 feet to a point on the centerline of Zaragoza road;

Thence along said centerline, South 42°34'01" West a distance of 370.00 feet to a point on the common line of Tract 1C, Section 39, Block 79, Township 2, and Tract 2C, Section 46, Block 79, Township 2, Texas and Pacific Railway Company Surveys;

Thence along said common line, South 89°57'17" West a distance of 868.96 feet to a set ½" rebar with cap marked TX 5152 on the easterly line of Tierra Del Este Unit Twenty Seven recorded in Volume 79, Page 105, Plat records of El Paso County, Texas;

Thence along said line, North 42°31'33" East a distance of 369.66 feet to the "TRUE POINT OF BEGINNING" and containing 5.4325 acres of land more or less.

Note: Bearings based on centerline monuments on Pebble Hills Blvd. and Tierra Mina Dr. per Plat of Tierra Del Este Unit Twenty Seven recorded in Volume 79, Page 105, Plat records of El County, Texas

  
Ron R. Conde R.P.L.S. No. 5152  
Job no: 613-61





## MEMORANDUM

**DATE:** December 11, 2014

**TO:** The Honorable Mayor and City Council  
Tommy Gonzalez, City Manager

**FROM:** Andrew Salloum, Planner

**SUBJECT:** PZRZ13-00039

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The City Plan Commission's recommendation is pending. CPC is scheduled for December 18, 2014.

**Property Owner:** Tomly Corporation  
**Representative:** Conde, Inc.

**Attachments:**  
Staff Report



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

**Case No:** PZRZ13-00039 (Related to Annexation Application SUAX13-00002)  
**Application Type:** Rezoning  
**CPC Hearing Date:** December 18, 2014  
**Staff Planner:** Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

**Location:** West of Zaragoza Road at Pebble Hills Boulevard  
**Legal Description:** Tract 1C, Section 39, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso County, Texas and a portion of Zaragoza Road  
**Acreage:** 5.4325 acres  
**Rep District:** ETJ/Adjacent to District 5  
**Current Zoning:** R-F (Annexation in Process: Case No. SUAX13-00002)  
**Existing Use:** Industrial storage yard  
**C/SC/SP/ZBA/LNC:** None  
**Request:** From R-F (Ranch and Farm) to C-3 (Commercial)  
**Proposed Use:** Commercial Development

**Property Owner:** Tomly Corporation  
**Representative:** Conde, Inc.

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

**North:** ETJ / Vacant  
**South:** C-3/c (Commercial/conditions) / Vacant  
**East:** C-4/c (Commercial/conditions) / Vacant  
**West:** R-5 (Residential) / Single-family dwellings

**PLAN EL PASO DESIGNATION:** G-4, Suburban (Walkable) (East Planning Area)

**NEAREST PARK:** Tierra Del Este Park (immediately adjacent to the west)

**NEAREST SCHOOL:** Raphael Hernando III Middle School (4,834 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Las Tierras Neighborhood Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on December 3, 2014. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

### **APPLICATION DESCRIPTION**

The applicant is requesting to rezone the subject property from R-F (Ranch and Farm) to C-3 (Commercial) to allow for commercial development and the extension of a roadway. This rezoning application is related to annexation application SUAX13-00002 and annexed properties are automatically zoned to R-F (Ranch and Farm) District. Access to the subject property is proposed from Zaragoza Road and Pebble Hills Boulevard. The rezoning application complies with all annexation requirements.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from R-F (Ranch and Farm) to C-3 (Commercial) with the following conditions:

*1. Prior to issuance of any building permits, a detailed site development plan for any commercial developments shall be reviewed and approved as per the El Paso City Code in effect on the date of this Agreement.*

2. No off premise signs shall exist on the Property at the time of Annexation.

3. Project trees required as part of Title 18 landscaping requirements shall be placed as a visual screen within a 10 foot landscape buffer along any areas abutting residential uses and parks. The buffer and landscape material shall be credited towards the landscape requirements in Title 18.

4. Owner understands that a Traffic Impact Analysis (TIA) may be required by Title 19 at the time of platting. Owner agrees to be responsible for contributing to the cost of traffic mitigation ("Improvements") if the TIA indicates are necessary, attributable and proportional (the Owner's proportionate share) to the development of the Property.

The approval recommendation is based on the compatibility with the surrounding commercial zone districts and uses to the south and east of the subject property. The zoning complies with the conditions of the annexation agreement.

#### **Plan El Paso- Future Land Use Map Designation**

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

G-4, Suburban (Walkable): This sector applies to modern single-use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-3 (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.

#### **COMMENTS:**

##### **Planning and Inspections Department- Planning Division - Transportation**

Traffic Impact Analysis (TIA) is required. The TIA requirement will be satisfied at the platting stage per Annexation agreement.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

##### **Planning and Inspections Department – Building and Development Permitting**

Recommend approval of proposed rezoning. At time of building permit application, the project will need to conform to all provision of the IBC, ADA and local municipal code.

##### **Planning and Inspections Department - Land Development**

On-site ponding is required.

##### **Fire Department**

The Fire Department has no objections to the rezoning case of PZRZ13-00039.

##### **El Paso Water Utilities**

1. EPWU-PSB does not object to this request

EPWU-PSB Comments

EPWU, at their cost, has agreed to extend a 24-inch diameter water main from the western limits of the owner's property to connect to an existing water main located at the Pebble Hills/Zaragoza intersection, east of Zaragoza Road.

Included is a 16-inch diameter water main stub-out to the north parallel to Zaragoza within a 20 foot wide easement, this will provide a water connection for a future water main extension for future developments. The easement shall extend along the entire frontage of the property parallel to Zaragoza Road, adjacent to the Holly easement. The EPWU will also construct or pay to construct an 8-inch diameter water main stub-out to the south parallel to Zaragoza Road to provide a water connection for a future water main extension for future developments to the south. Also included are two 6-inch diameter service stub-outs to address water service connections for the proposed Lots 1 and 2 of the proposed plat for the property.

EPWU, at their cost, will extend an 8-inch diameter sanitary sewer main from the western limits of the owner's property to approximately 300 feet east. Wastewater service to Lots 1 and 2 of the proposed plat for the property will be available from two (2) 6-inch diameter service stub-outs, and will also provide an 8-inch diameter stub-out to the north at the western limits of the project to provide a connection for a future sanitary sewer main extension for future development.

Both water and sanitary sewer main extensions will be the future developer's responsibility and will require coordination with EPWU.

**General:**

Annexation fees are due at the time of new service application for individual services within the subject property.

All easements dedicated for public water and sanitary sewer facilities shall comply with the 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 sanitary sewer facilities within the easement 24 hours a day, seven (7) days a week. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB) without the written consent of EPWU-PSB.

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

**Attachments:**

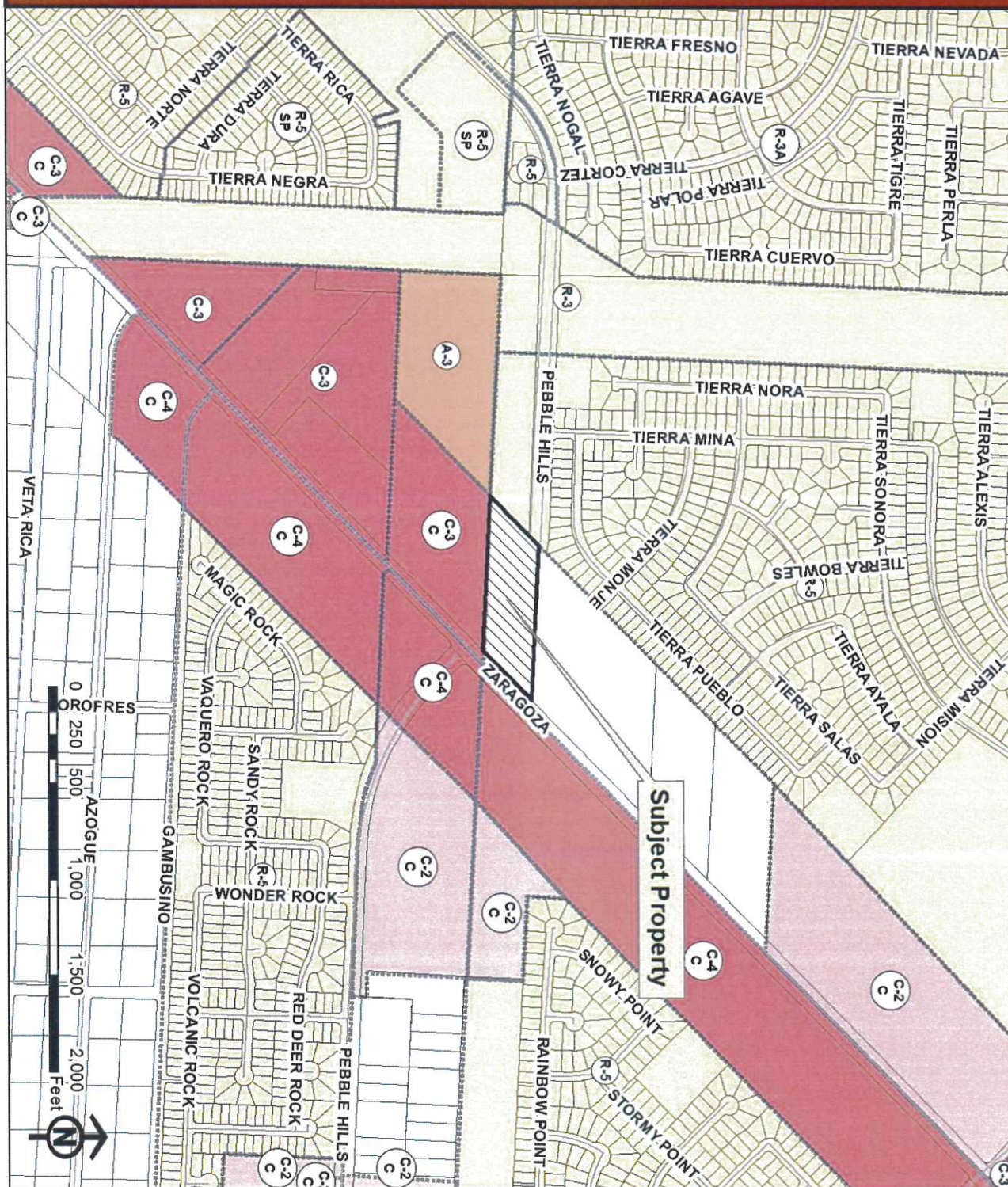
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

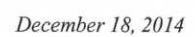


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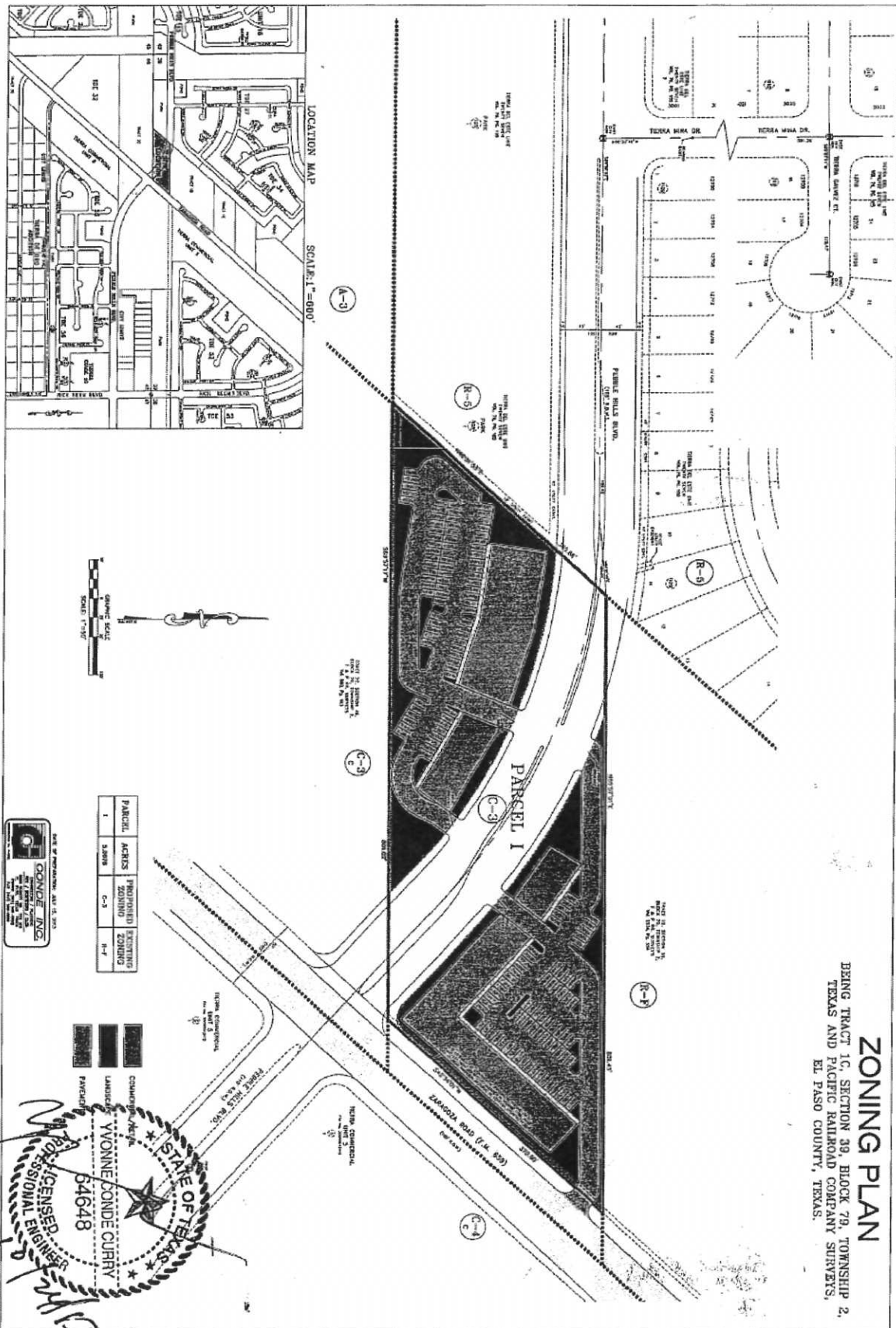


PZRZ13-00039





# ATTACHMENT 3: CONCEPTUAL SITE PLAN

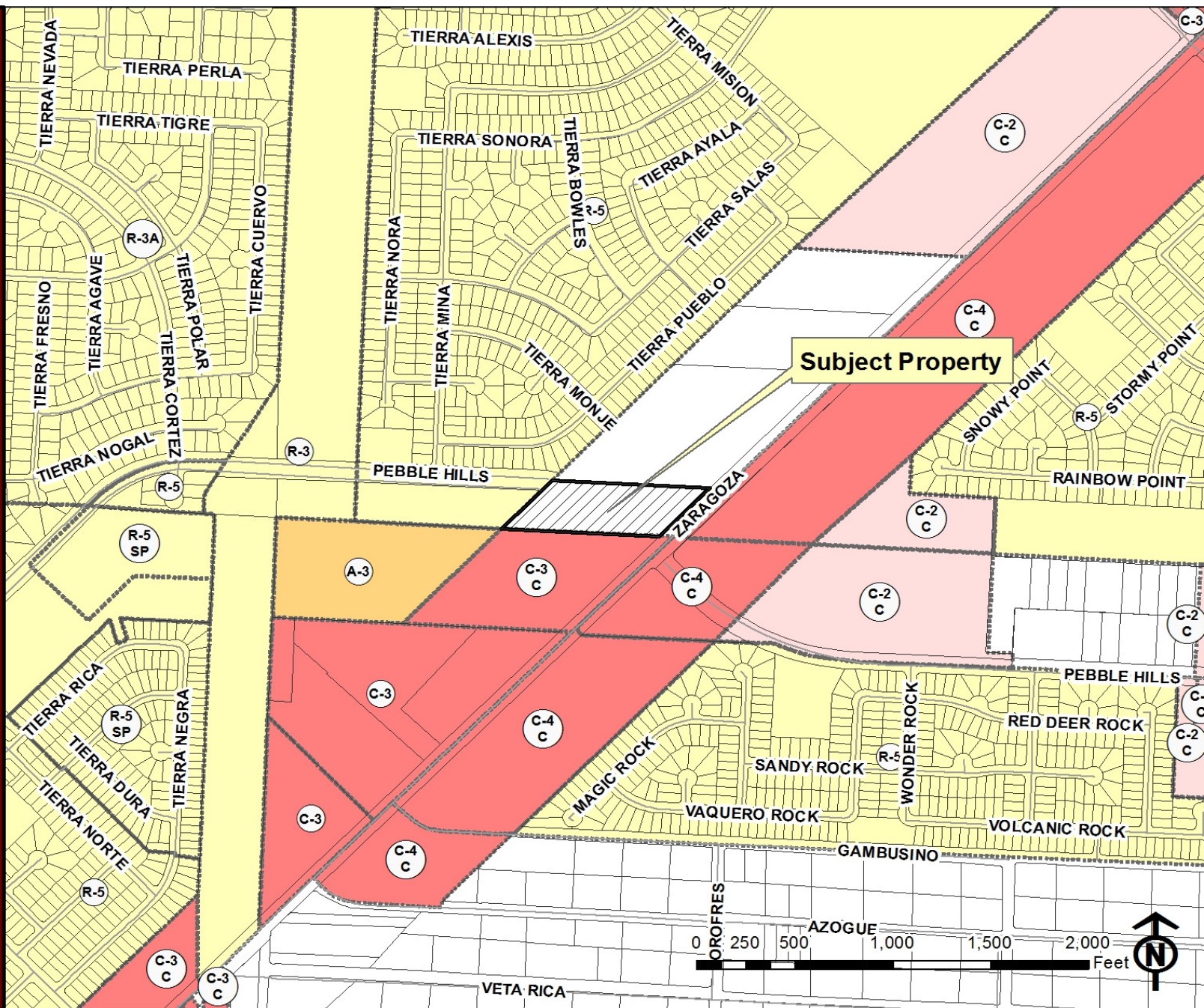




## Recommendation/Public Input

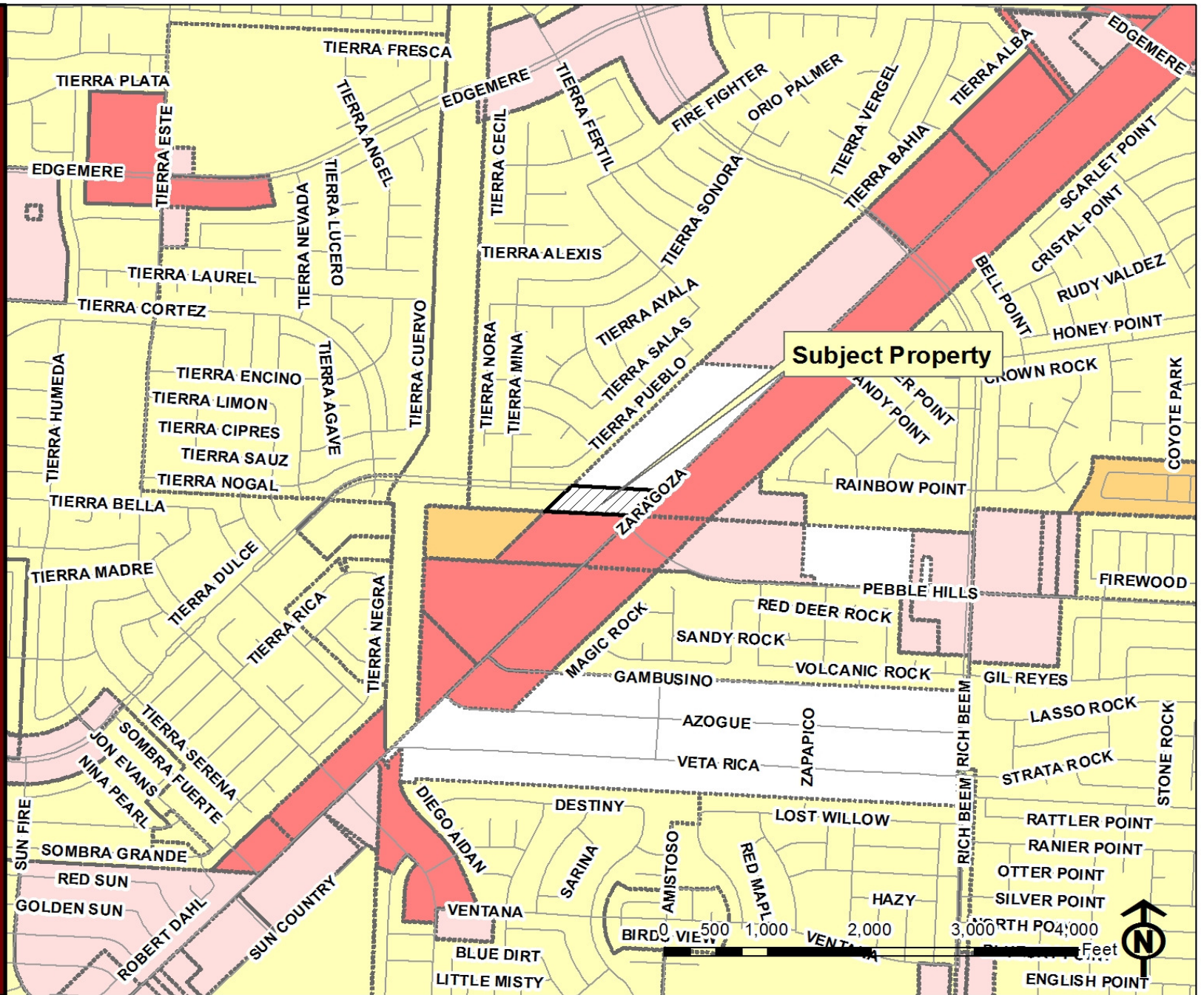
- **Planning Division recommendation:** Approval
- **CPC Vote:** Recommendation is pending. CPC is scheduled for December 18, 2014.
- **Public Input:** The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

PZRZ13-00039



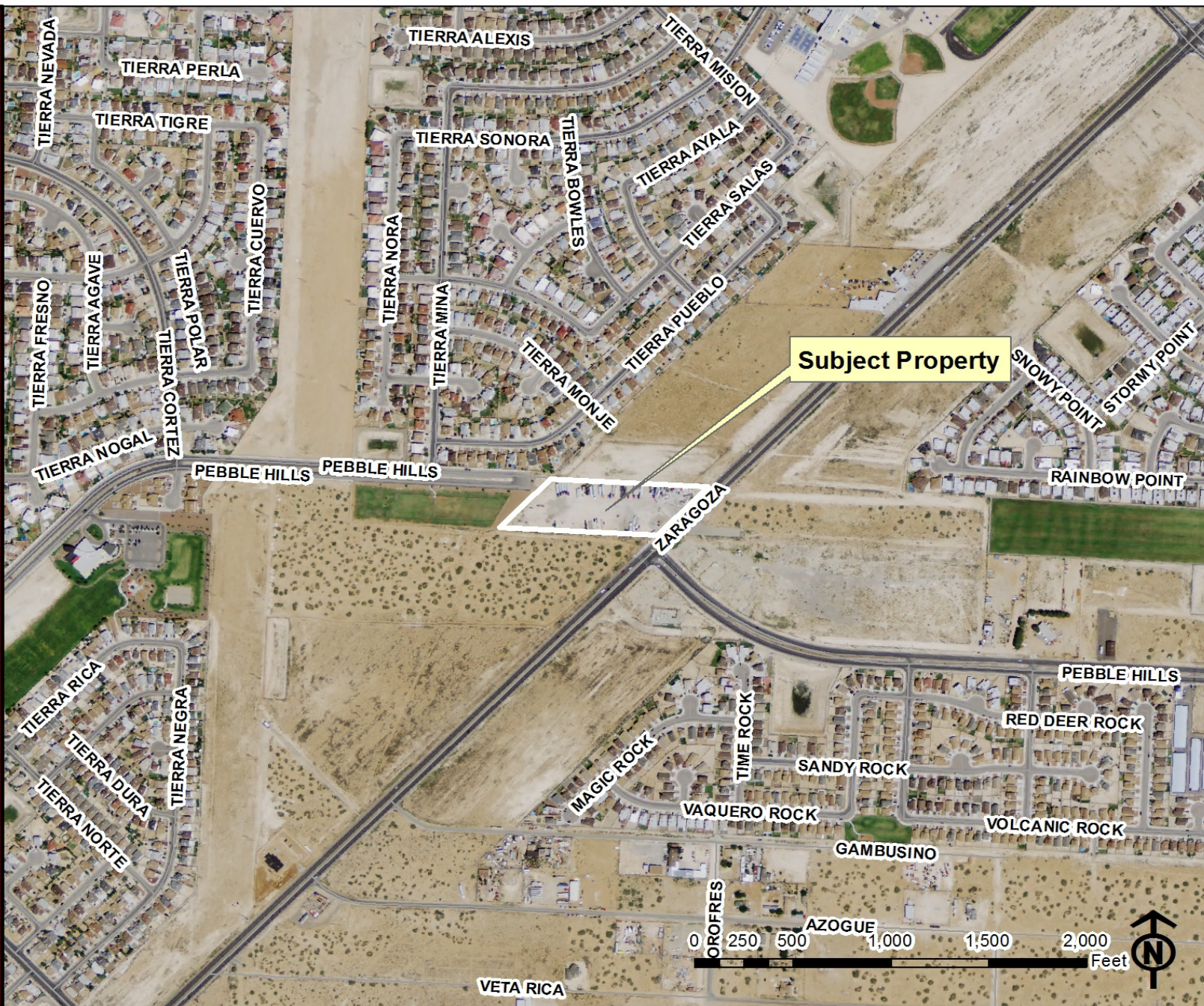


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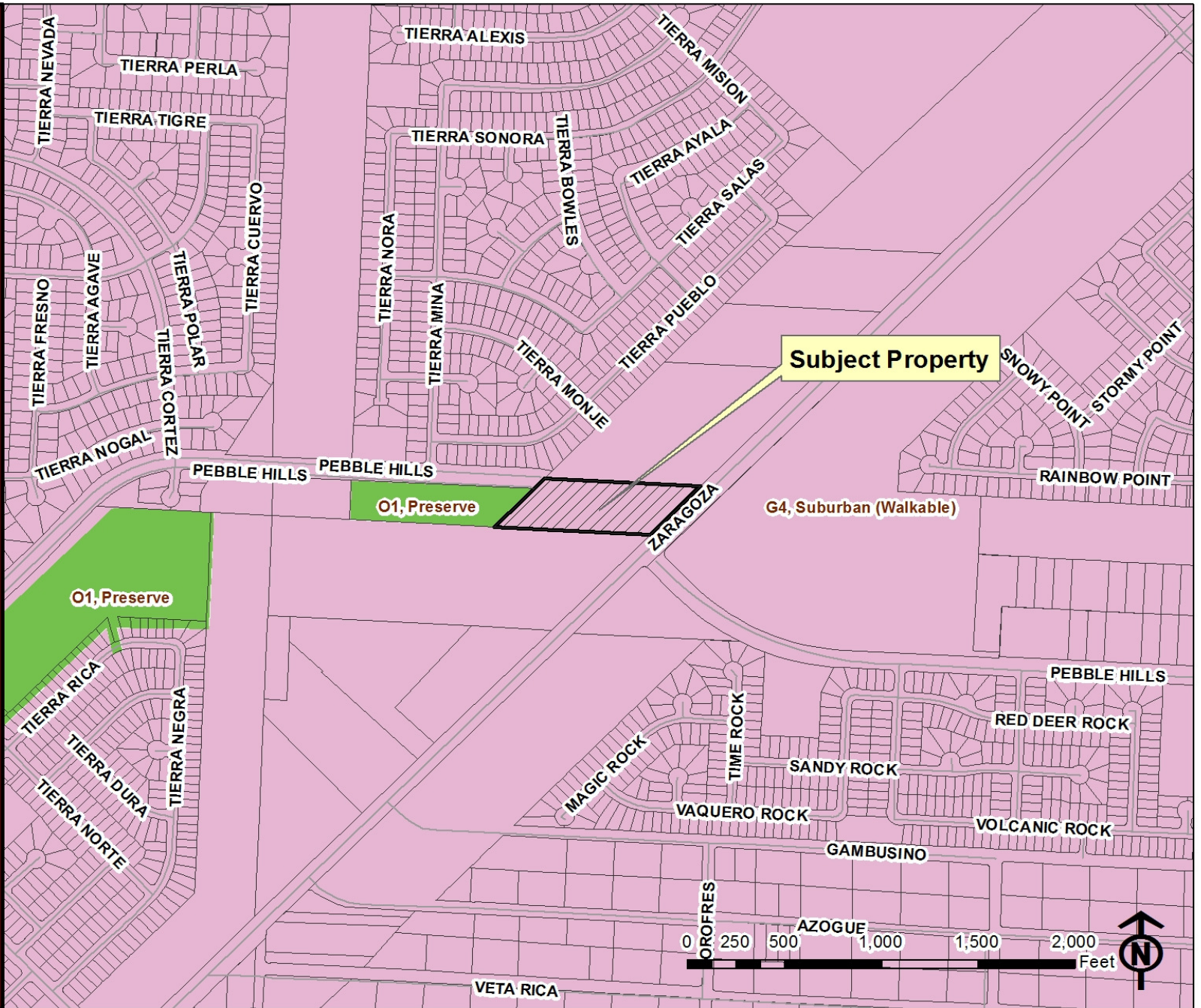


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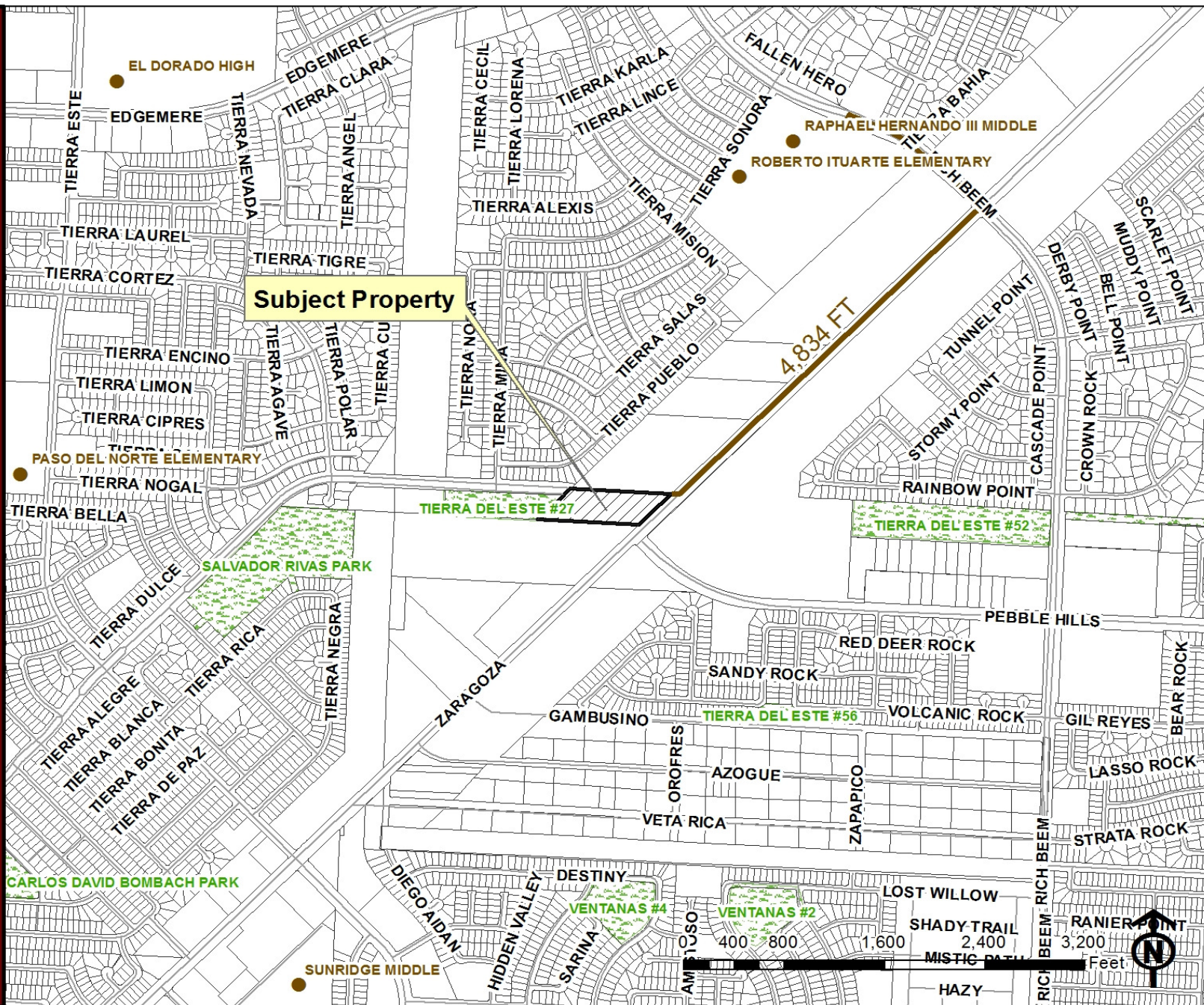


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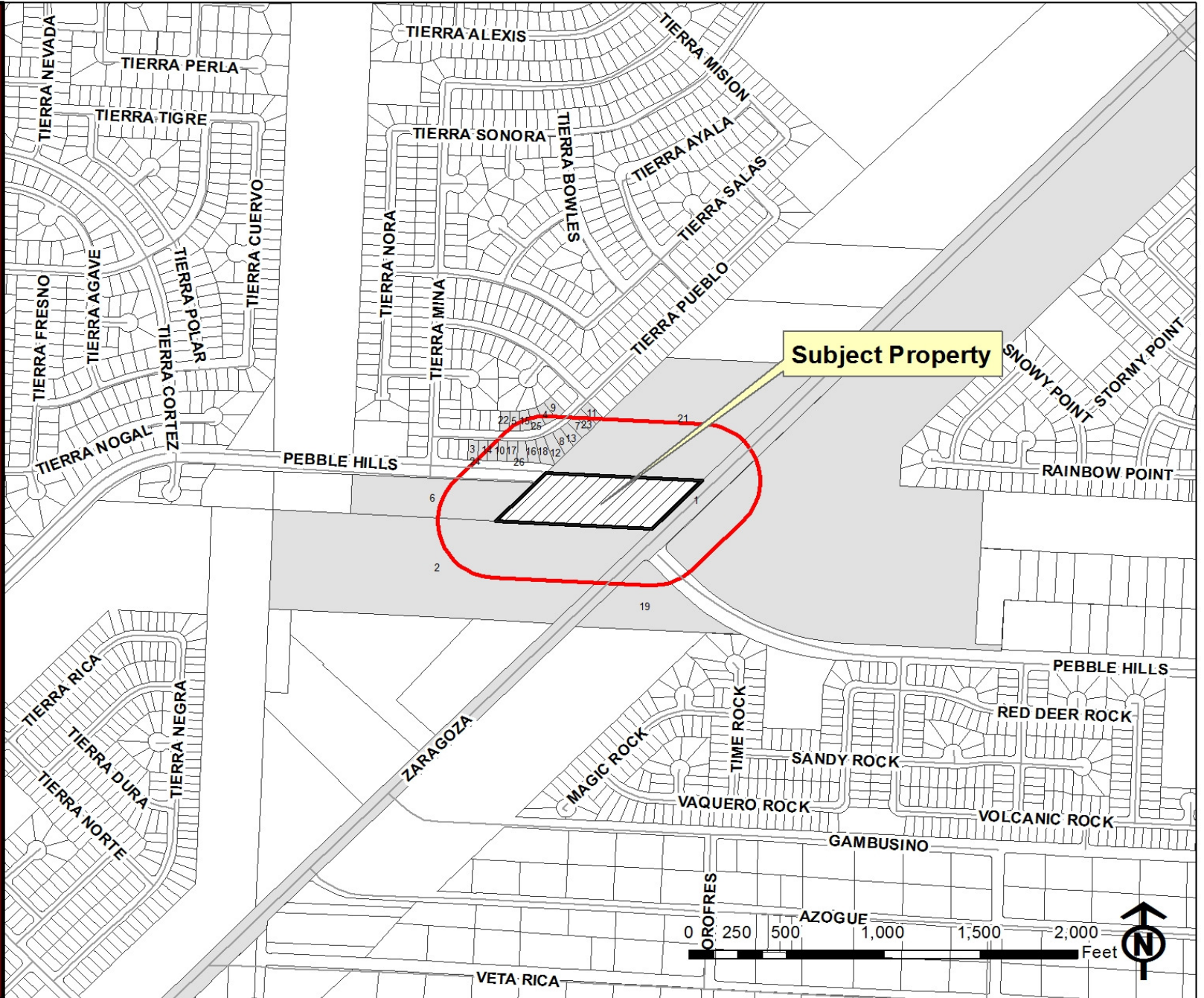


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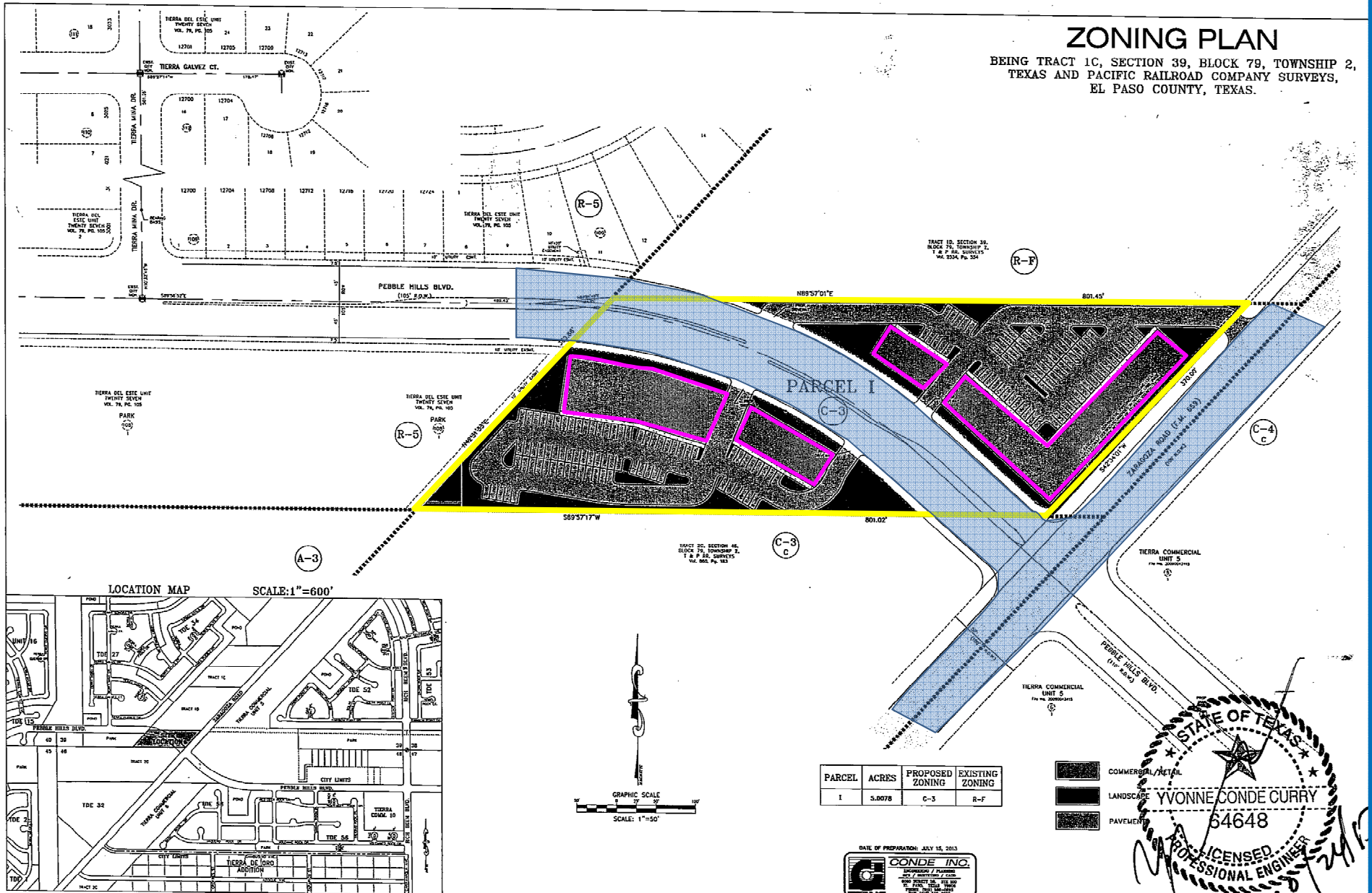


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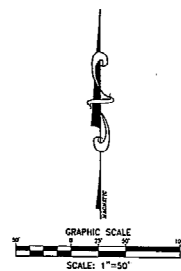


# ZONING PLAN

BEING TRACT 1C, SECTION 39, BLOCK 79, TOWNSHIP 2,  
TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS,  
EL PASO COUNTY, TEXAS.



LOCATION MAP SCALE: 1"=600'



PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
1	5.0078	C-3	R-F





Subject  
Property



North





East



South



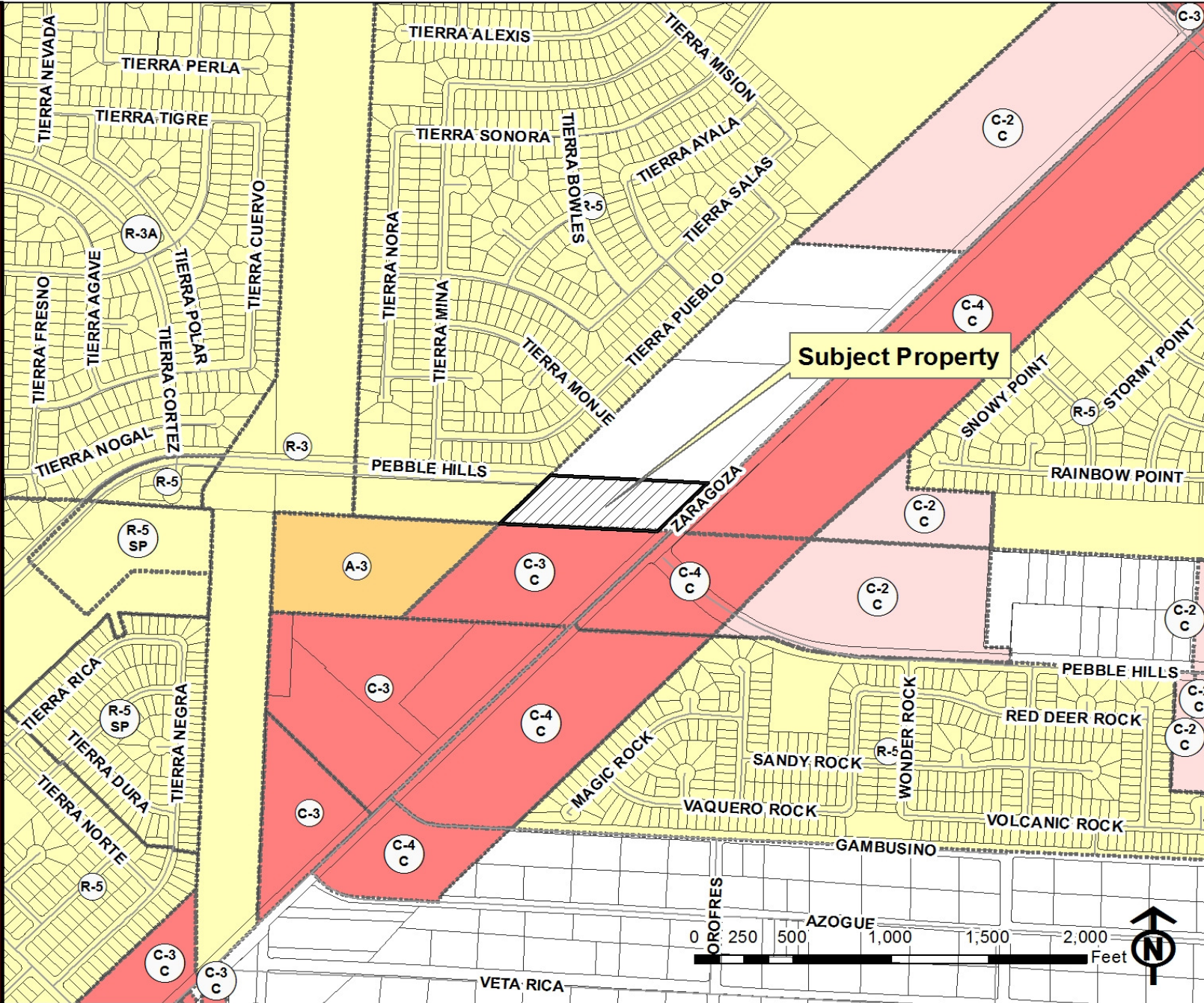
**West**



**West /  
Pebble  
Hills Blvd**



PZRZ13-00039





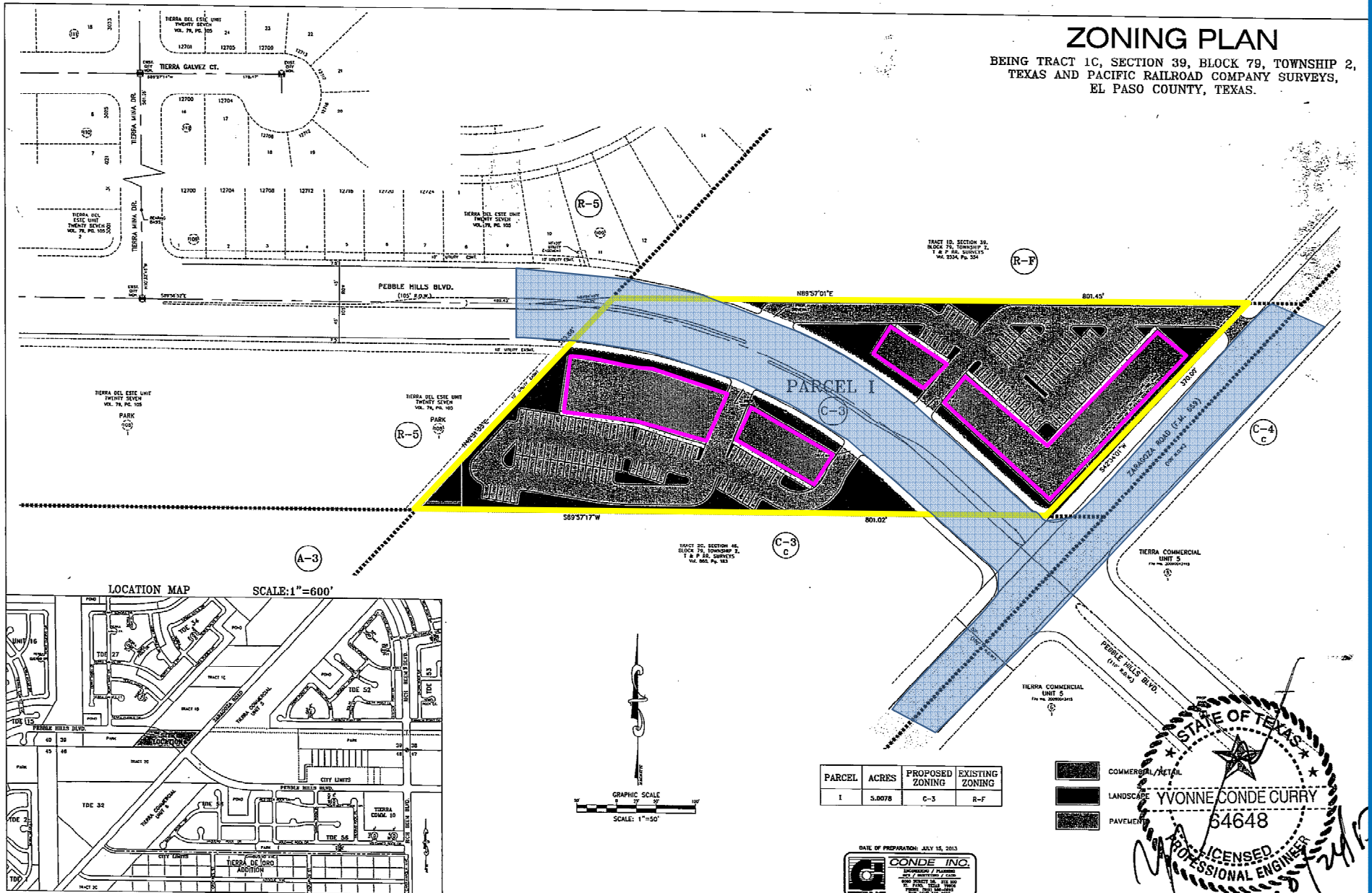
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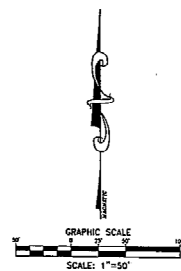
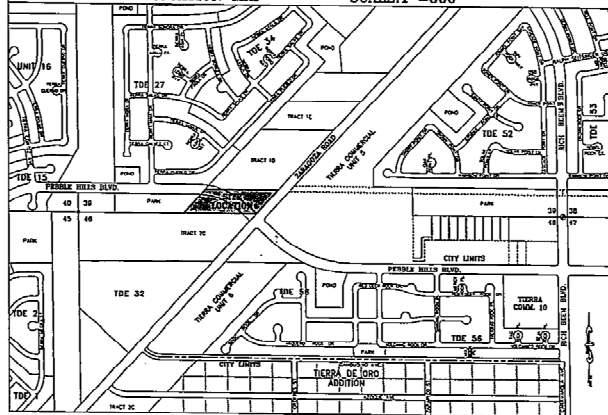
# ZONING PLAN

BEING TRACT 1C, SECTION 39, BLOCK 79, TOWNSHIP 2,  
TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS,  
EL PASO COUNTY, TEXAS.



LOCATION MAP

SCALE: 1"=600'



PARCEL	ACRES	PROPOSED ZONING	EXISTING ZONING
1	5.0078	C-3	R-F

