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

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

AGENDA DATE: Introduction: January 21, 2020

PUBLIC HEARING DATE: February 18, 2020

### **CONTACT PERSON NAME AND PHONE NUMBER:**

Philip F. Etiwe, (915) 212-1553, <u>EtiwePF@elpasotexas.gov</u> Luis Zamora, (915) 212-1552, <u>ZamoraLF@elpasotexas.gov</u>

DISTRICT(S) AFFECTED: 7

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBGOAL: 3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community

### SUBJECT:

An Ordinance changing the zoning of a portion of Tracts 12, 12B1, 12C and 12C3, Block 7, Ysleta Grant, Clint, 411 North Zaragoza Road, City of El Paso, El Paso County, Texas from C-1/SP (Commercial/Special Permit) to C-3/SP (Commercial/Special Permit). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The proposed rezoning meets the intent of the Future Land Use designation for the property and is in accordance with Plan El Paso, the City's Comprehensive Plan. Subject Property: 411 N. Zaragoza, Owner: T-Zaragoza, LTD, PZRZ19-00026 (District 7).

### **BACKGROUND / DISCUSSION:**

On November 21, 2019, the CPC reviewed and recommended approval of the proposed rezoning.

### PRIOR COUNCIL ACTION:

N/A

### **AMOUNT AND SOURCE OF FUNDING:**

N/A

**DEPARTMENT HEAD:** 

Philip F. Etiwe, Director

Planning and Inspections Department

ORDINANCE NO.	<del></del>
AN ORDINANCE CHANGING THE ZONING BLOCK 7, YSLETA GRANT, CLINT, 411 NO PASO, EL PASO COUNTY, TEXAS FRO PERMIT) TO C-3/SP (COMMERCIAL/SPECT PROVIDED FOR IN CHAPTER 20.24 OF T	ORTH ZARAGOZA ROAD, CITY OF ELOM C-1/SP (COMMERCIAL/SPECIAL IAL PERMIT). THE PENALTY IS AS
NOW THEREFORE, BE IT ORDAINED BY OF EL PASO:	THE CITY COUNCIL OF THE CITY
12C and 12C3, Block 7, Ysleta Grant, Clint, 411 N Paso, El Paso County, Texas, be changed from C-1 (Commercial/special permit), as defined in Section City of El Paso be revised accordingly.	I/SP (Commercial/special permit) to C-3/SP
ADOPTED this day of	, 2020.
	THE CITY OF EL PASO
ATTEST:	Dee Margo Mayor

APPROVED AS TO FORM:

Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etiwe, Director

Planning & Inspections Department

Laura D. Prine City Clerk

### EXHIBIT "A"

### 411 N. Zaragoza Road METES AND BOUNDS

Description of a parcel of land being all of Tracts 12, 12B1, 12 C and 12C3, Block 7, Ysleta Grant, Clint, City of El Paso, El Paso County, Texas. Said parcel of land is more particularly described by metes and bounds as follows;

COMMENCING FOR REFERENCE at the most Westerly corner of Tract 12C3, Block 7, Ysleta Grant, City of El Paso, El paso County, Texas, said pont also being on the Easterly ROW line of Juan de Herrera Main Lateral, and also being the point of beginning of this description;

Thence, North 39 degrees 13 minutes 00 seconds East a distance of 479.41 feet to a point that lies on the Southwesterly ROW line of Rabe Court (60 feet ROW);

Thence, along said Rabe Court ROW line South 46 degrees 32 minutes 00 seconds East a distance of 555.87 feet to a pointl;

Thence South 39 degrees 13 minutes 00 seconds West a distance of 150.00 feet a point;

Thence South 50 degrees, 47 minutes 00 seconds East a distance of 150.00 feet to a point that lies on the Northerly ROW line of Zaragoza Road (75 feet ROW);

Thence along said Zaragoza Road ROW line South 39 degrees 13 minutes 00 seconds East a distance of 18.14 feet to a point;

Thence along same Zaragoza Road ROW line South 47 degrees 24 minutes 00 seconds West a distance of 203.33 feet to a point;

Thence along same Zaragoza Road ROW line South 31 degrees 50 minutes 00 seconds West a distance of 71.60 feet to a point;

Thence leaving said Zaragoza Road ROW line, North 50 degrees 36 minutes 00 seconds West a distance of 684.60 feet to the point of beginning. Said parcel of land contains 293,722 square feet 10.743 acres of land more or less.

RPLS TX 3

Tuesday, 24 Sep 2019

### **MEMORANDUM**

DATE:

January 13, 2020

TO:

The Honorable Mayor and City Council

Tommy Gonzalez, City Manager

FROM:

Luis Zamora, Planner

SUBJECT:

PZRZ19-00026

The City Plan Commission (CPC), on November 21, 2019 voted 7-0 to recommend **approval** to the rezoning of the property described as Tracts 12, 12B1, 12C and 12C3, Block 7, Ysleta Grant, Clint, 411 North Zaragoza Road, City of El Paso, El Paso County, Texas from C-1/sp (Commercial/special permit) to C-3/sp (Commercial/special permit) pursuant to Section 20.04.360 of the El Paso City Code.

The CPC found that the rezoning is in conformance with Plan El Paso. The CPC also determined that the 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 rezoning will not have negative effects on the natural environment, social economic conditions, property values in the vicinity, and the city as a whole.

Planning receive no calls in support of or in opposition to the rezoning request.

**Property Owner:** 

T-Zaragoza, Ltd, a Texas Limited Partnership T-Zaragoza, Ltd, a Texas Limited Partnership

Applicant: Representative:

SLI Engineering, Inc.

Attachments:

Staff Report

### 411 Zaragoza Road

City Plan Commission — November 21, 2019

CASE NUMBER:

PZRZ19-00026

CASE MANAGER:

Luis Zamora, 915-212-1552, zamoralf@elpasotexas.gov

PROPERTY OWNER:

T-Zaragoza, Ltd, a Texas Limited Partnership

REPRESENTATIVE:

SLI Engineering, Inc.

LOCATION:

411 Zaragoza Road (District 7)

PROPERTY AREA:

6.74 acres

REQUEST:

Rezone from C-1 (Commercial) to C-3 (Commercial)

PUBLIC INPUT:

None

**SUMMARY OF REQUEST:** The applicant is requesting to rezone from the C-1 (Commercial) district to the C-3 (Commercial) district in order to accommodate an other wholesale establishment (low volume).

**SUMMARY OF DCC RECOMMENDATION:** The Development Coordinating Committee recommends **APPROVAL** of the rezoning request. The proposed district is in keeping with the adjacent commercial neighborhood and the policies of Plan El Paso for the G-3 (Post-War) Future Land Use Designation in the Mission Valley Plan Area.

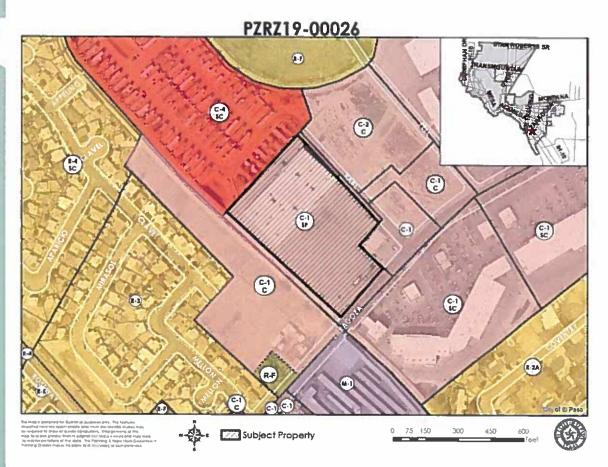


Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is proposing to rezone from C-1 (Commercial) to C-3 (Commercial) an to allow for an other wholesale establishment (low volume). The detailed site plan shows the existing building, parking, and drive aisles for internal circulation. Proposed access is from Zaragoza Road and Rabe Court. Any future development will need to comply with the applicable standards of the El Paso City Code.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the commercial developments in close proximity and meets the established character of its surrounding neighborhood. Properties to the north are zoned C-4 (Commercial) and C-2 (Commercial) and occupied by uses appropriate for a commercial zoning district. To the East and across Zaragoza Road, properties are zoned C-1 (Commercial). Properties to the south are zoned C-1 (Commercial) and M-1 (Light Industrial). The property to the west is zoned C-1 (Commercial). The immediate area is characterized by industrial and low-intensity commercial uses. The proposed development is similar in scale and intensity to existing commercial sites and will provide a transition between low and high-intensity commercial uses.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY - When evaluating whether a	
proposed rezoning is in accordance with Plan Criteria	El Paso, consider the following factors:  Does the Request Comply?
Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:  G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. 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.  Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:	Yes, the applicant proposes to rehabilitate a vacant property that is intended to serve the nearby neighborhood.  Yes, the proposed development will provide commercial uses at a scale compatible with existing
C-3(Commercial) District: The purpose of this 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 multineighborhoods 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.	commercial development.
Preferred Development Locations: Is the property in a "Compact Urban" area?	Yes, the proposed development is located along an Major Arterial.

THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	N/A
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None
Natural Environment: Anticipated effects on the natural environment.	N/A
Stability: Whether the area is stable or in transition.	The area is in transition. Abutting property to the southwest has recently been rezoned from R-F district to C-1 district.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	Yes, the size of the existing building and proximity to commercial and industrial uses mean that it suitable for higher intensity uses.

### ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:

Main access is proposed from Zaragoza Road, classified as a Minor Arterial. The higher classification of this street is appropriate to serve the proposed commercial use.

**PUBLIC COMMENT:** The subject property lies within the Mission Valley Civic Association, Corridor 20 Civic Association, and Save the Valley 21 Neighborhood Association boundaries, who were notified prior to application submittal. Surrounding property owners within 300 feet were notified by mail on November 6, 2019. The Planning Department has not received any communication in support of or in opposition to the rezoning request

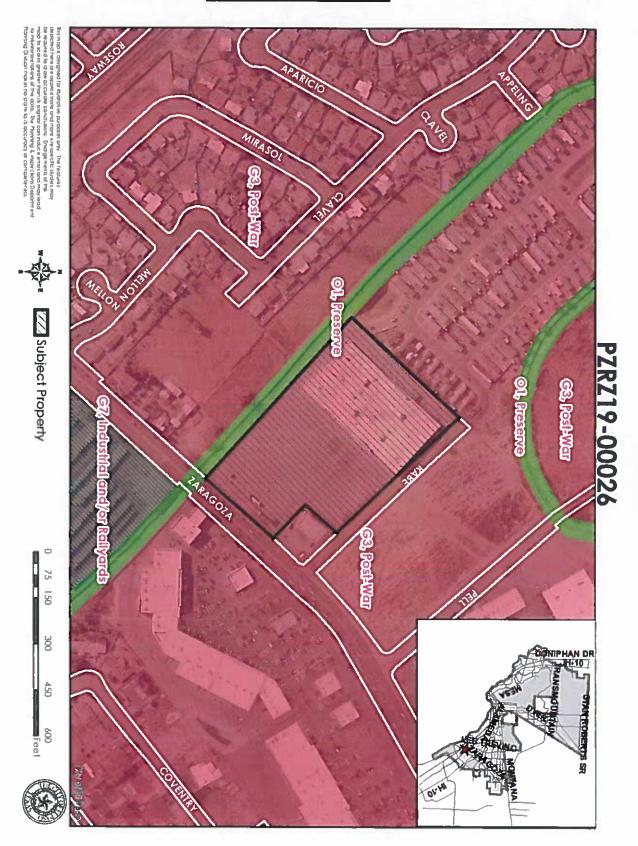
### CITY PLAN COMMISSION OPTIONS:

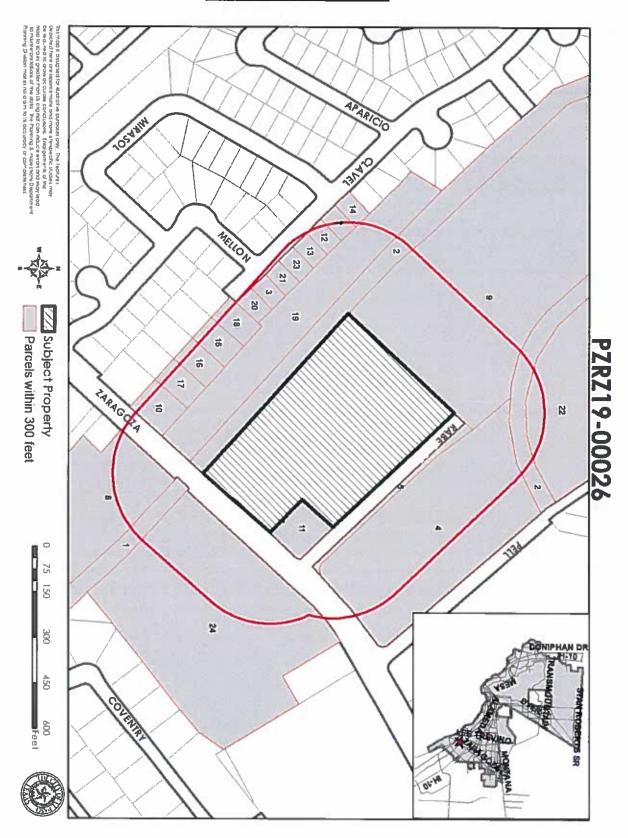
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

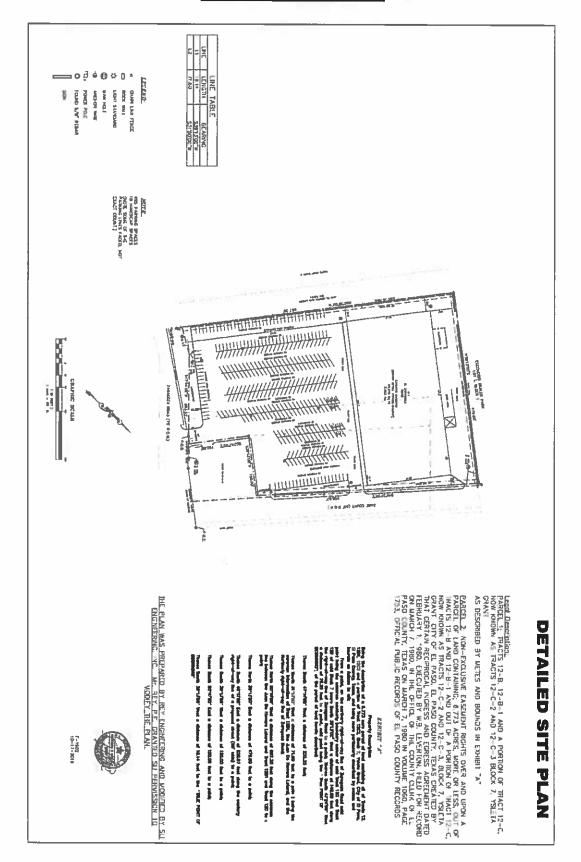
- Recommend Approval of the rezoning request, finding that the request is in conformance with the review
  criteria of Plan El Paso as reflected in the Staff Report, or that the request is in conformance with other criteria
  that the CPC identifies from the Comprehensive Plan. (Staff Recommendation)
- 2. Recommend Approval of the rezoning request With Modifications to bring the request into conformance with the review criteria of Plan El Paso as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.
- 3. **Recommend Denial** of the rezoning request, finding that the request does not conform to the review criteria of Plan El Paso as reflected in the Staff Report, or other criteria that the CPC identifies from the Comprehensive Plan.

### **ATTACHMENTS:**

- 1. Future Land Use Map
- 2. Neighborhood Notification Boundary Map
- 3. Detailed Site Plan
- 4. Department Comments







### Planning and Inspections Department - Planning

Recommend approval.

### <u>Planning and Inspections Department – Building Plan Review</u>

Recommend approval.

### **Texas Department of Transportation**

Proposed development is not abutting TxDOT Right of Way.

### **Sun Metro**

No objections.

### **Fire Department**

Recommend approval.

### Capital Improvement Department—Parks

- Land-shall-be required to be properly-subdivided and or a Development plat needs to be submitted and approved.
- 2. Parkland / fees requirements will be enforced at the platting stage based on proposed use (Residential or Non-residential)

(Comments addressed)

### El Paso County Water Irrigation District No. 1

No objections from EPCWID No. 1

### El Paso Water – Stormwater Engineering:

As per Municipal Code: new developments and redevelopments are required to maintain the pre-development hydrologic response in their post-development state as nearly as practicable in order to reduce flooding. The code also encourages the use of nonstructural storm water management such as the preservation of greenspace, water harvesting, and other conservation efforts, to the maximum extent practicable, per Chapter 19.19, Section 19.19.010, and Subparagraph A-2 & A-5.

### El Paso Water - Engineering:

El Paso Water (EPWU) does not object to this request.

### Water:

There is an existing 8-inch diameter water main that extends along Rabe Court, fronting the subject property. This main is located approximately 26-feet south of the north right-of-way line. This water main is available for service.

There is an existing 16-inch diameter water main that extends along Zaragoza Road, fronting the subject property. This main is located approximately 40-feet south of the north right-of-way line. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations.

There is an existing 36-inch diameter water main along Zaragoza Road, fronting the subject property. This main is located approximately 50-feet south of the north right-of-way line. No direct service connections are allowed to this main as per the El Paso Water - Public Service Board Rules & Regulations.

Previous water pressure from fire hydrant #2656 located at the southwest intersection of Rabe Court and Zaragoza Road, has yielded a static pressure of 104 psi, a residual pressure of 92 psi, and a discharge of 1,300 gallons per minute. The owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The Lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

### Sanitary Sewer:

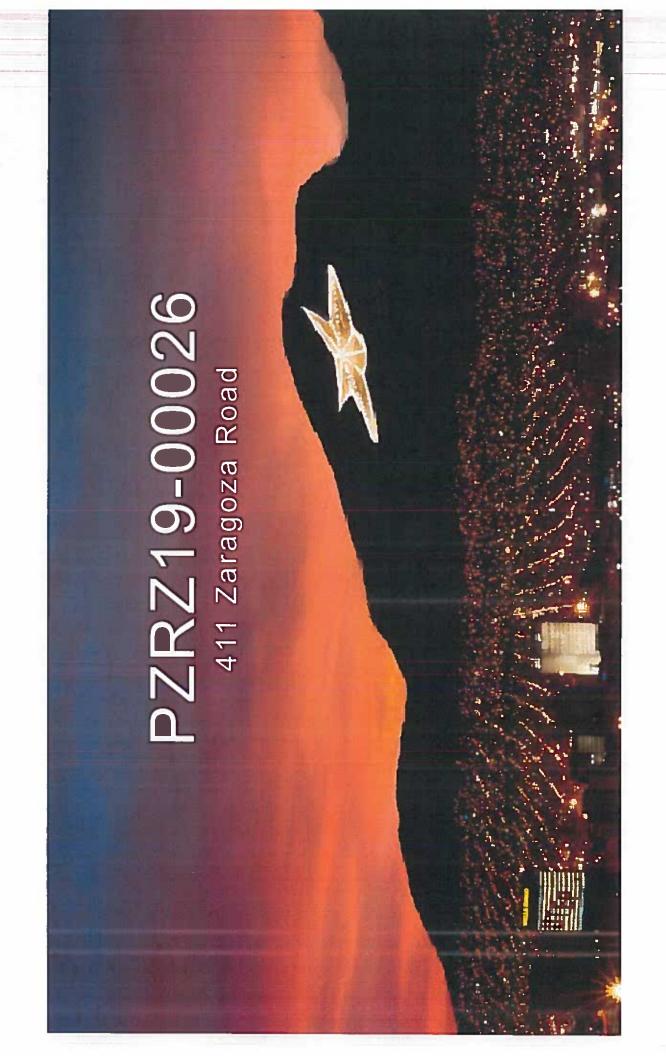
There is an existing 12-inch diameter sanitary sewer main along Rabe Court, fronting the subject property. This main is located approximately 5-feet south of the north right-of-way line. This sanitary sewer main is available for service.

There is an existing 8-inch diameter sanitary sewer main along Zaragoza Road, fronting the subject property. This main is located approximately 17-feet south of the north right-of-way line. This sanitary sewer main is available for service.

### General:

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

An application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWater-PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtences.





## Recommendation | Public Input

## Planning/DCC recommendation:

Approval of the rezoning request.

### CPC Vote:

Approval recommendation (7-0).

### Public Input:

· The Planning Division has received two calls of inquiry, and no calls in support of or in opposition to the rezoning request

# Strategic Goal #3 Promote the Visual Image of El Paso

- 3.1 Provide business friendly permitting and inspection processes
- 3.2 Improve the visual impression of the community

## **DETAILED SITE PLAN**

Lecal Description:
PARCEL 1: TRACTS 12-B, 12-B-1 AND A PORTION OF TRACT 12-C, NOW KNOWN AS TRACTS 12-C-2 AND 12-C-3 BLOCK 7, YSLETA CRANT AS DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A"

> CANTRAL OF THE PARTY OF THE PAR SACOMETO TRALES PAR

PARCEL 2. NON-EXCLUSIVE EASEMENT RIGHTS OVER AND UPON A PARCEL OF LAND CONTAINERS, 6.773 AGRES, MORE OWE RESS, OUT OF TRACTS 12—8 AND 12—81—AND OUT OF A PORTION OF TRACT 12—C.400 To C.4—3, BLOOK TY YEETA OF THAT CERTAIN RECEPOCAL, INDEX RESS, TO CRANT OFF OF EL PASO, EL PASO COUNTY, TEXAS OREATED BY THAT CERTAIN RECEPOCAL, INDEXES AND EGGESS AGREEVEN DATED OW MARCH 7, 1980, EXCLUED BY WELL LEVERTON, FLLE FOR PECONO OW MARCH 7, 1980, IN THE OFFICE OF THE COUNTY CLRK OF EL PASO COUNTY, TEXAS ON WARCH 7, 1980, IN THE OFFICE OF THE COUNTY CLRK OF EL PASO COUNTY REAGONS

EXHIBIT - 5"

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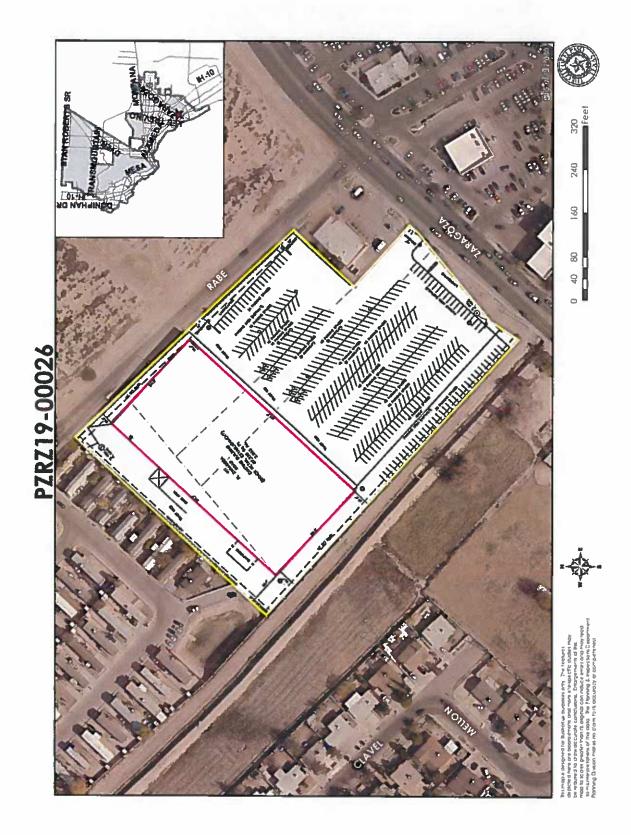
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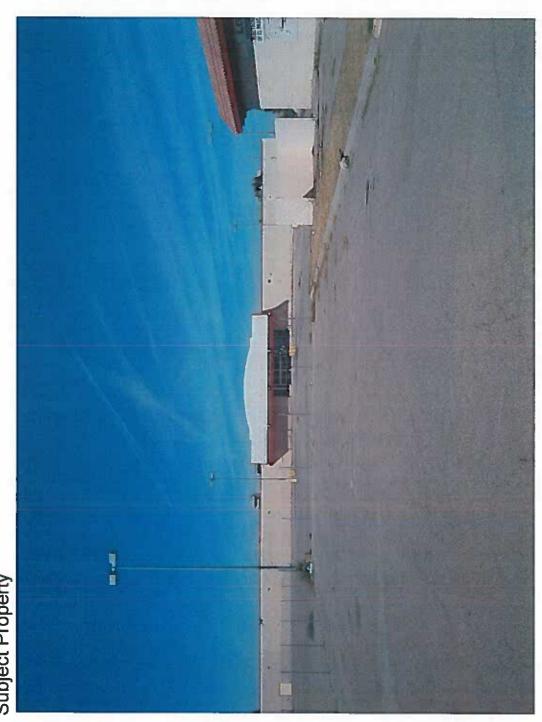
THE PLAN WAS PREPARED BY REY ENGINERING AND MODELED BY SLI ENGINEERING. JINC. J. REY, LEY, LE, CRABLED SLI PERMISSION 10 WOODLY THE PLAN.



DHAN LINK FDICE. HCDX BILL LEAT STANDARD 30m IO:OW SAM HOLE

PORTR POLE FILLING SAPE RESALE





Subject Property

