

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: April 8, 2014
Public Hearing: April 29, 2014

CONTACT PERSON/PHONE: Michael McElroy, (915) 212-1612, mcelroym@elpasotexas.gov

DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance changing the zoning of Tracts 15, 15A, 15B and 16D, Block 52, Ysleta Grant, 1139, 1149, and 1175 Southside Road, City of El Paso, El Paso County, Texas from R-F (Ranch-Farm) to C-4 (Commercial). The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 1139, 1149, and 1175 Southside Road. Property Owner: Karina Ruiz Sanchez, Guadalupe Daniel Ruiz, & Daniel Ruiz. PZRZ14-00002 (**District 6**)

BACKGROUND / DISCUSSION:

Staff report attached.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

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

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

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD:

Mathew S. McElroy
Director, City Development Department

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 15, 15A, 15B AND 16D, BLOCK 52, YSLETA GRANT, 1139, 1149, AND 1175 SOUTHSIDE ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH-FARM) TO C-4 (COMMERCIAL). 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 of *Tracts 15, 15A, 15B and 16D, Block 52, Ysleta Grant, 1139, 1149, and 1175 Southside Road*, located in the City of 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-Farm) to C-4 (Commercial), as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly.

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

Oscar Leeser
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

ORDINANCE NO. _____

Zoning Case No: PZRZ14-00002

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Karla M. Nieman
Assistant City Attorney

Mathew S. McElroy, Director
City Development Department

ORDINANCE NO. _____

Zoning Case No: PZRZ14-00002

#270159/14-1007-1006/1139, 1149 & 1175 Southside Road Re-zoning Ordinance
KMN

Exhibit "A"



ROMAN BUSTILLOS, P.E.
President
RANDY P. BROCK, P.E.
Executive Vice President
SERGIO J. ADAME, P.E.
Vice President - Engineering
AARON ALVARADO, R.P.L.S.
Vice President - Surveying
ISAAC CAMACHO, R.P.L.S.
Survey Manager
TBPE Reg. No. F-737
TBPLS Reg. No. 101314-00

METES AND BOUNDS DESCRIPTION

"PARCEL 1"

A 6.1939 acre parcel of land situate within the corporate limits of the City of El Paso, El Paso County, Texas as Tracts 15, 15A, 15B and 16D, Block 52, Ysleta Grant and being more particularly described by metes and bounds as follows:

COMMENCING for reference at a 5/8 inch rebar with survey cap No. "4178" found on the west right-of-way line of Southside Road for the most easterly corner of Lot 1, Block 1, Zaragoza Corporate Center Replat "A", as filed in Document Number 20100026829 of the El Paso County Plat Records; **THENCE**, leaving the most easterly corner of said Lot 1 and following the west right-of-way line of Southside Road, South 30°19'00" East, a distance of 323.56 feet to a 5/8 inch rebar found for the north corner of said Tract 15 for the **POINT OF BEGINNING** of the parcel herein described;

THENCE, continuing along the west right-of-way line of Southside Road, South 30°19'00" East, a distance of 362.21 feet to a 1/2 inch rebar found for the northeast corner of the parcel herein described, identical to the southeast corner of said Tract 15;

THENCE, continuing along the west right-of-way line of Southside Road, South 14°20'00" East, a distance of 735.10 feet to a 5/8 inch rebar with obliterated survey cap found for the southeast corner of the parcel herein described, identical to the southeast corner of said Tract 16D and the most easterly corner of Lot 2, Block 1, Zaragoza Corporate Center Replat "D", as filed in Document Number 20120032189 of the El Paso County Plat Records;

THENCE, leaving the west right-of-way line of Southside Road and following the boundary line common to said Tract 16D and said Lot 2, North 71°50'00" West, a distance of 556.40 feet to a 5/8 inch rebar with survey cap No. "4178" found for the southwest corner of the parcel herein described, identical to the southwest corner of said Tract 16D;

THENCE, continuing along the boundary line common to said Tract 16D and said Lot 2, North 12°40'00" East, a distance of 121.66 feet to a 5/8 inch rebar with obliterated survey cap found for an angle point, identical to the northwest corner of said Tract 16D;

THENCE, continuing along the boundary line common to said Tract 16D and said Lot 2, South 76°51'00" East, a distance of 12.00 feet to a 5/8 inch rebar found for an angle point, identical to the southwest corner of said Tract 15B;

THENCE, leaving the boundary line common to said Tract 16D and said Lot 2 and following the boundary line common to said Tract 15B and said Lot 2, North 09°41'00" East, at a distance

Exhibit "A"

of 363.97 feet pass the boundary line common to Tract 16B, Block 52, Ysleta Grant and said Lot 2 and then following the boundary line common to said Tract 16B and said Tracts 15A and 15 for a total distance of 746.06 feet to the ***POINT OF BEGINNING*** of the parcel herein described;

Said parcel containing 6.1939 acres (269,808.1 square feet), more or less, and being subject to all easements of record.

Isaac Camacho

Isaac Camacho, TX R.P.L.S. No. 5337

Date: January 6, 2014

06969-001 Parcel 1 Desc



MEMORANDUM

DATE: March 26, 2014

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

FROM: Michael McElroy, Planner

SUBJECT: PZRZ14-00002

The City Plan Commission (CPC), on March 13, 2014, voted 5-0 to recommend **approval** of rezoning the subject property from R-F (Ranch-Farm) to C-4 (Commercial).

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 have no negative effects on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

There was no communications in support or opposition to the rezoning request.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00002
Application Type: Rezoning
CPC Hearing Date: March 13, 2014
Staff Planner: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
Location: 1139, 1149, & 1175 Southside Road
Legal Description: Tracts 15, 15A, 15B and 16D, Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 6.1939 acres
Rep District: 6
Current Zoning: R-F (Ranch-Farm)
Existing Use: Automobile Salvage yard
C/SC/SP/ZBA/LNC: No
Request: R-F (Ranch-Farm) to C-4 (Commercial)
Property Owners: Karina Ruiz Sanchez, Guadalupe Daniel Ruiz, & Daniel Ruiz
Representative: Roman Bustillos

SURROUNDING ZONING AND LAND USE

North: M-1/sc (Manufacturing/Special contract) / Vacant

South: C-4/c (Commercial/Contract) / Agriculture

East: R-F (Ranch-Farm) / Vacant

West: C-4/c (Commercial/Contract) / Agriculture

PLAN EL PASO DESIGNATION: G-7 Industrial and/or Railyard (Mission Valley Planning Area)

NEAREST PARK: Caribe Park (9,199 feet)

NEAREST SCHOOL: South Loop Elementary School (5,207 feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area as verified through Community Development Department data on recognized neighborhood associations.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 25, 2014. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

APPLICATION DESCRIPTION

The property owner is requesting a rezoning from R-F (Ranch-Farm) to C-4 (Commercial). The property is currently operating as an automobile salvage yard. The property proposes 5 phases of development. The proposed uses for the property include a contractor's yard, warehousing, a veterinary clinic, and a church. Access to the subject property is from Southside Road.

APPLICATION HISTORY

An inspection by the Code Enforcement Division on September 27, 2013 found that the property was in violation of the zoning code for storage of inoperable vehicles on the property, a use impermissible in the present R-F (Ranch-Farm) district. Since the initial violation the El Paso Municipal Court has ordered the vehicles to be removed from the property, a process which is ongoing at this time.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-F (Ranch-Farm) to C-
PZRZ14-00002

4 (Commercial). The property is situated between high intensity commercial and light intensity manufacturing zoning districts. Furthermore, it exists squarely within the G-7 industrial growth sector. An analysis shows a steady transition to C-4 for the peninsula of land extending from Loop 375 encompassed by M-1 zoned property on three sides. Accordingly, the proposed rezoning is compatible with both existing land use and future growth patterns.

Plan El Paso-Future Land Use Map Designation

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

G-7 – Industrial and/or Railyards: This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso’s economy; however, when an industrial use becomes obsolete, there can be potential for mixed use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mix-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Regional Commercial) district is to provide commercial uses intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. Provide a transition from general business areas to industrial and manufacturing uses, and to accommodate major locations of commerce, service and employment activities. Within the Central Business District, more intensive commercial uses are allowed, the predominant of which are retail trade and service uses, providing less restrictive height and area regulations.

COMMENTS:

Planning Division - Transportation

No objections. A TIA is not required.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

City Development Department – Plan Review

No objections to proposed rezoning.

City Development Department - Land Development

No objection

El Paso Fire Department

No objection to the rezoning case at this time.

El Paso Water Utilities

We have reviewed the rezoning referenced above and provide the following comments:

1. EPWU-PSB does not object to this request.

EPWU-PSB Comments

Water:

1. There is an existing 12-inch water main approximately 240 ft. from the intersection of the Playa Drain and Southside Road east. An off-site water main extension is required from the end of the existing 12-inch water main to the most western end of Tract 15. The developer is responsible for all water main extension costs.

Sanitary Sewer:

1. No sanitary sewer service is available to the site. A License of Approval for an on-site sewage disposal system, issued by the OSSF (On-Site Sewage Facility) Program of El Paso County, is required at the

time of application for any water service.

2. EPWU requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Attachments:

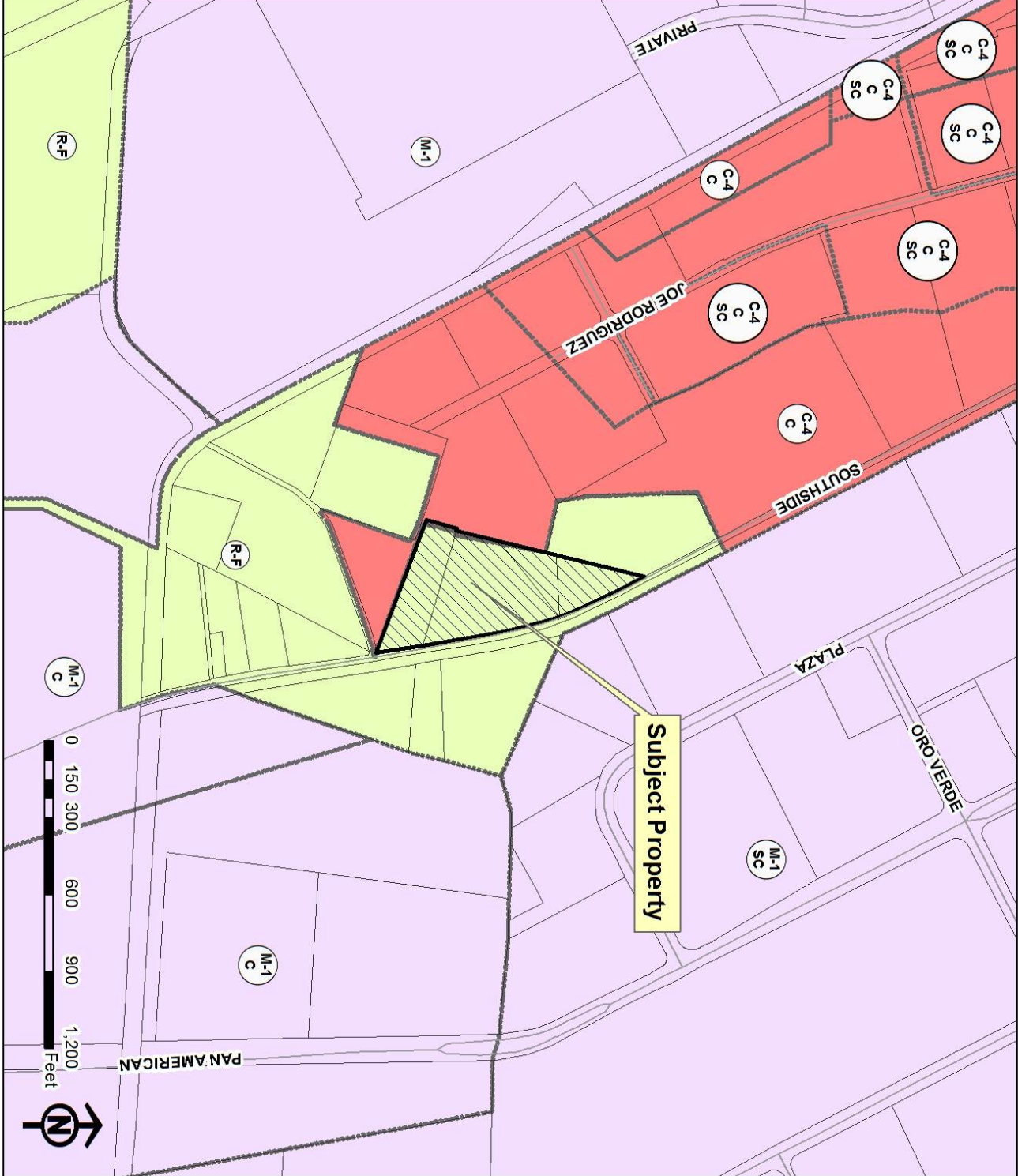
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

ATTACHMENT 1: ZONING MAP

PZRZ14-00002



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ATTACHMENT 3: CONCEPTUAL SITE PLAN

