

**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:** Arturo Rubio, (915) 212-1613, [rubioax@elpasotexas.gov](mailto:rubioax@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 7

**SUBJECT:**

An Ordinance changing the zoning of a portion of Lot 1, Pendale Industrial Unit A Replat, 8600 Gateway East Boulevard, City of El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial), and imposing conditions. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: Calvin K. Kessler and Geraldine Kessler, Location: 8600 Gateway East Boulevard, **PZRZ14-00011 (District 7)**

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Pending Recommendation (Scheduled for CPC on April 10, 2014)

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

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

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

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, City Development Department

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**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, PENDALE INDUSTRIAL UNIT A REPLAT, 8600 GATEWAY EAST BOULEVARD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-4 (COMMERCIAL), 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 of *a portion of Lot 1, Pendale Industrial Unit A Replat, 8600 Gateway East Boulevard, located in the City of El Paso, El Paso County, Texas*, and as more particularly describes by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from P-I (Planned Industrial) 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.

Further, that the property described above be subject to the following conditions which are necessitated by and attributable to the residential uses and additional traffic 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. *That the following uses be prohibited: any residential uses and shopping centers, and;*
2. *That prior to the issuance of any building permits or certificates of occupancy, a detailed site development plan be submitted and reviewed as per City Code.*

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.

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

Zoning Case No: PZRZ14-00011

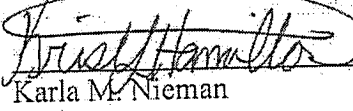
THE CITY OF EL PASO

ATTEST:

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

\_\_\_\_\_  
Oscar Leeser  
Mayor

APPROVED AS TO FORM:

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

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Mathew S. McElroy  
City Development Department

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

Zoning Case No: PZRZ14-00011

#274337/14-1007-1012/8600 Gateway East Blvd Rezoning Ordinance  
KMN



**BROCK & BUSTILLOS INC.**  
CONSULTING CIVIL ENGINEERS  
LAND SURVEYORS

**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

*A 2.9112 acre parcel situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of Lot 1, Pendale Industrial Unit A Replat as filed in Volume 23, Page 54, Plat Records of the El Paso County, Texas, and being more particularly described by metes and bounds as follows.*

**COMMENCING** for reference at a City Monument found at the intersection of Pendale Road (90.00 feet wide) and Yermoland Drive (70.00 feet wide); **WHENCE**, a City Monument found at the intersection of Yermoland Drive and Kessler Drive (70.00 feet wide), bears South 74°03'00" East, a distance of 743.63 feet (743.76 feet ~ measured); **THENCE**, leaving the intersection of Pendale Road and Yermoland Drive and following the centerline line of Pendale Road, North 15°57'00" East, a distance of 962.77 feet; **THENCE**, leaving the centerline of Pendale Road, South 74°03'00" East, a distance of 45.00 feet to the east right-of-way line of Pendale Road for the southwest corner and the **POINT OF BEGINNING** of the parcel herein described;

**THENCE**, following the east right-of-way line of Pendale Road, North 15°57'00" East, a distance of 178.02 feet to a point of curvature;

**THENCE**, continuing along the east right-of-way line of Pendale Road along the arc of a curve to the right having a radius of 528.00 feet, a central angle of 32°32'00", an arc length of 299.81 feet and whose long chord bears North 32°13'00" East, a distance of 295.79 feet to the southerly right-of-way line of U.S. Interstate Highway No. 10 for the northwest corner of the parcel herein described, identical to the northwest corner of Lot 1, Pendale Industrial Unit A Replat;

**THENCE**, leaving the east right-of-way line of Pendale Road and following the southerly right-of-way line of U.S. Interstate Highway No. 10, South 41°31'00" East, a distance of 332.28 feet to the northeast corner of the parcel herein described;

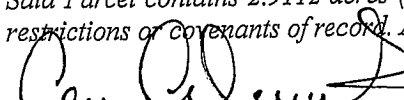
**THENCE**, leaving the southerly right-of-way line of U.S. Interstate Highway No. 10, South 15°59'32" West, a distance of 249.21 feet to a corner of an existing interior building wall for the southeast corner of the parcel herein described;

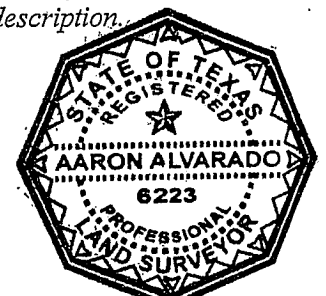
**THENCE**, along an interior building wall, North 74°00'28" West, a distance of 241.53 feet to a corner of an interior building wall for an angle point of the parcel herein described;

**THENCE**, continuing along an interior building wall, South 15°59'32" West, a distance of 34.33 feet to a corner of said building for an angle point of the parcel herein described;

**THENCE**, following the exterior building wall, North 74°00'28" West, a distance of 121.26 feet to the **POINT OF BEGINNING**.

*Said Parcel contains 2.9112 acres (126,810.7 square feet), more or less, and being subject to any easements, restrictions or covenants of record. A plat of even date accompanies this metes and bounds description.*

  
Aaron Alvarado, TX R.P.L.S., No. 6223  
Date: March 06, 2014; 06527-003-Rezone-rev1.doc







## MEMORANDUM

**DATE:** March 31, 2014

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

**FROM:** Arturo Rubio, Senior Planner

**SUBJECT:** PZRZ14-00011

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A recommendation from the City Plan Commission (CPC) is pending hearing scheduled for April 10, 2014.

There was no opposition to this request.

**Attachments:** Staff Report



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

**Case No:** PZRZ14-00011  
**Application Type:** Rezoning  
**CPC Hearing Date:** April 10, 2014  
**Staff Planner:** Arturo Rubio, 915-212-1613, rubioax@elpasotexas.gov

**Location:** 8600 Gateway East Boulevard  
**Legal Description:** A portion of Lot 1, Pendale Industrial Unit A Replat, City of El Paso, El Paso County, Texas  
**Acreage:** 2.91 acres  
**Rep District:** 7  
**Current Zoning:** P-I (Planned Industrial)  
**Existing Use:** Warehouse  
**C/SC/SP/ZBA/LNC:** No  
**Request:** From P-I (Planned Industrial) to C-4 (Commercial)  
**Proposed Use:** Indoor Go-Kart Track Facility

**Property Owner:** Calvin K. Kessler and Geraldine Kessler  
**Representative:** Brock & Bustillos

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

**North:** M-1/c (Manufacturing/conditions) Warehouse/C-4 (Commercial) Warehouse  
**South:** P-I (Planned Industrial) / Warehouse  
**East:** P-I (Planned Industrial) / Warehouse/ C-4 (Commercial) Warehouse  
**West:** P-I (Planned Industrial) / Warehouse/ C-4/c (Commercial/conditions) Warehouse

**PLAN EL PASO DESIGNATION:** G-7, Industrial and/or Railyards) Mission Valley Plan Area  
**NEAREST PARK:** Zaragoza Park (5,567 feet)  
**NEAREST SCHOOL:** Loma Terrace Elementary (8,081 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

There are no registered neighborhood associations in the area. This was 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 March 25, 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 P-I (Planned Industrial) to C-4 (Commercial) to allow for an indoor Go-Cart Track facility. The Go-Cart Track facility use is not a permitted in the P-I (Planned Industrial) district and requires a minimum of C-4 (Commercial) zone district. The subject property is 2.91 acres in size and is currently a vacant warehouse. The detailed site plan shows a 40,553 sq. ft. indoor Go-Cart Track facility. Access to the subject property is provided from Gateway East Boulevard.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of rezoning the subject property from P-I (Planned Industrial) to C-4 (Commercial) with the following conditions. The recommendation is based on the reuse of former Industrial Centers and the Plan El Paso Land Use Plan which allows for redevelopment to mixed-use communities. The conditions are based on the permissible residential uses on the proposed C-4 zoning

district and on the existence of Industrial uses remaining within close proximity of the proposed development.

- 1. That the following uses be prohibited: any residential uses and shopping centers, and;*
- 2. That prior to the issuance of any building permits or certificates of occupancy, a detailed site development plan be submitted and reviewed as per City Code.*

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

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

G-7 – Industrial: 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 mixed-use communities if the rail yards were moved out of town.

The purpose of C-4 (Regional Commercial) is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to 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**

1. No objection to rezoning request.  
Pending TIA

##### **General Note:**

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

##### **City Development Department – Plan Review**

No comments received

##### **City Development Department - Land Development**

No comments received

##### **Fire Department**

Recommend Approval of the rezoning case, The Fire Planning Division has reviewed the submitted "Plan Application" as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

**El Paso Water Utilities**

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

**EPWU-PSB Comments****Water:**

1. There is an existing 12-inch diameter water main that extends along Gateway East Blvd. fronting the subject property. The main is located approximately 27 feet north of the Property's northern property line. This main is available for service.
2. There is an existing 12-inch diameter water main that extends along Pendale Rd. The main is located approximately 10 feet east of the right-of-way centerline. This main is available for service.
3. There is an existing 30-inch diameter water transmission main that extends along Gateway East Blvd. fronting the subject property. The main is located approximately 34 feet north of the Property's northern property line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
4. EPWU records indicate one active 2-inch domestic water service connection and a 10-inch fire line serving the subject property. The address for this service is 8600 Gateway East Blvd.

**Sanitary Sewer:**

1. There is an existing 8-inch diameter sanitary sewer main that extends along Pendale Rd. The main is located approximately 5 feet west of the right-of-way centerline. This main is available for service
2. Application for new water 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. 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.

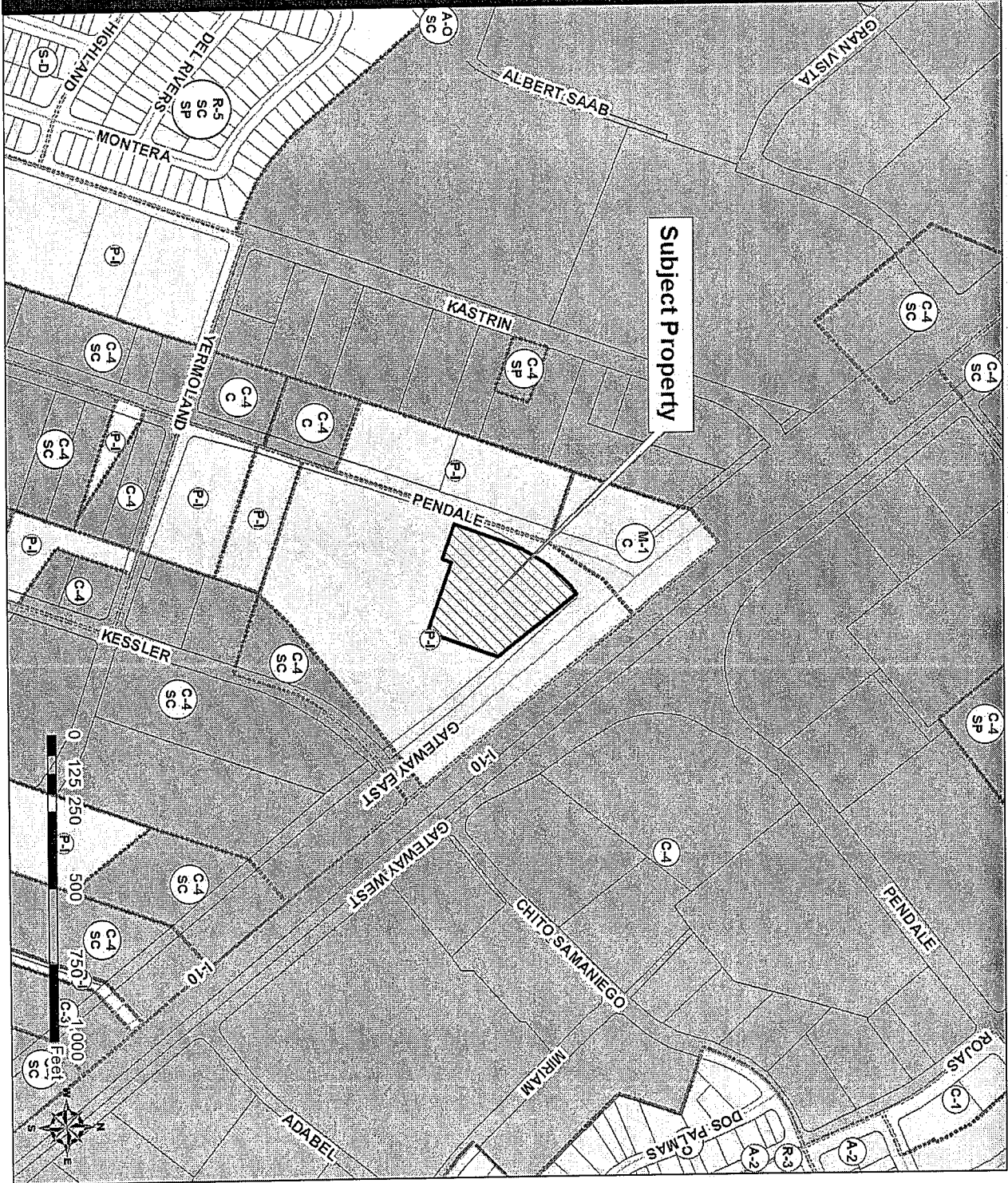
**Sun Metro**

Sun Metro does not oppose this request and recommends the construction of sidewalks to provide pedestrian access to mass transit opportunities.

**Attachments:**

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Detailed Site Plan
- Attachment 4: Elevations

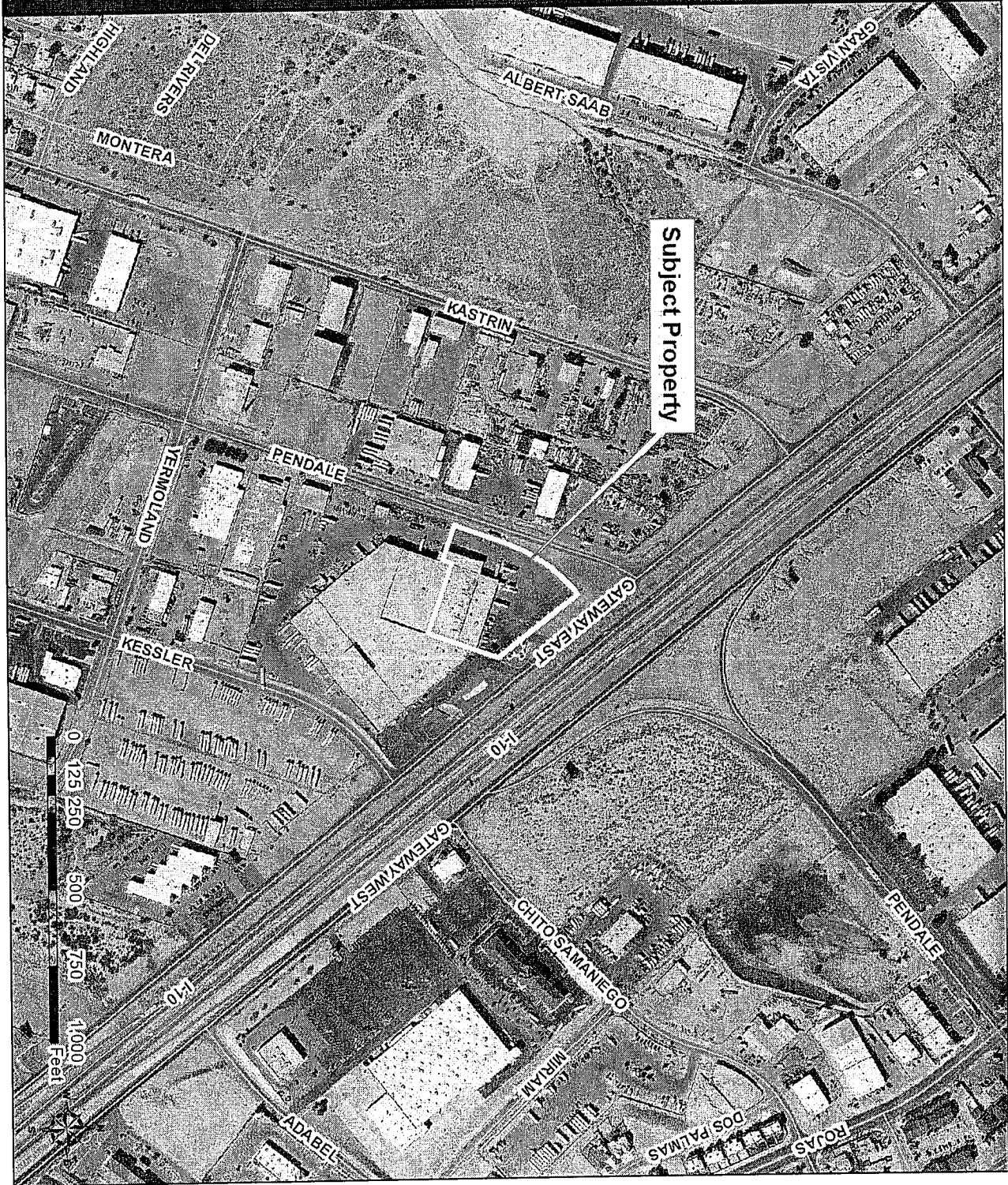
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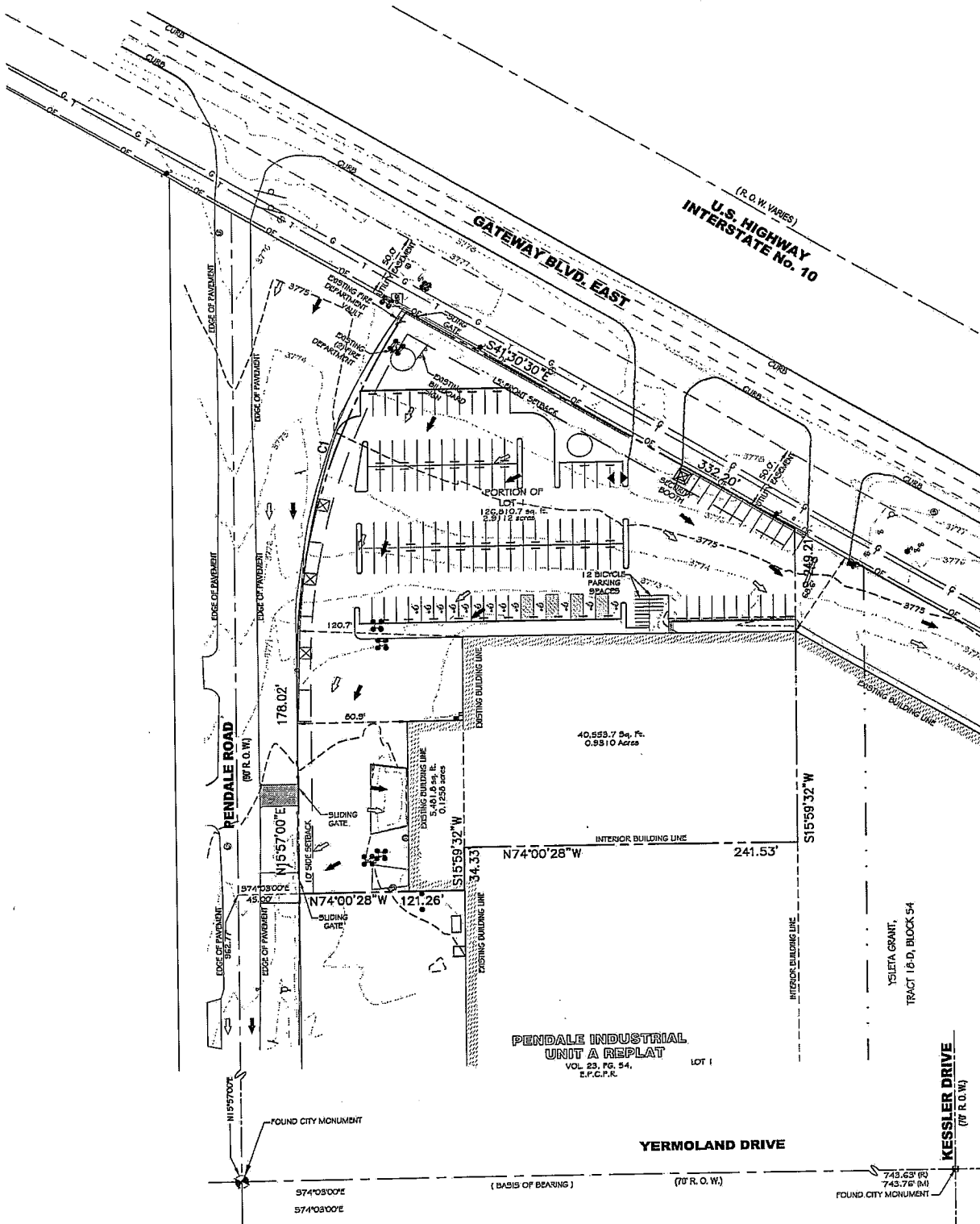


ATTACHMENT 2: AERIAL MAP

PZRZ14-00011

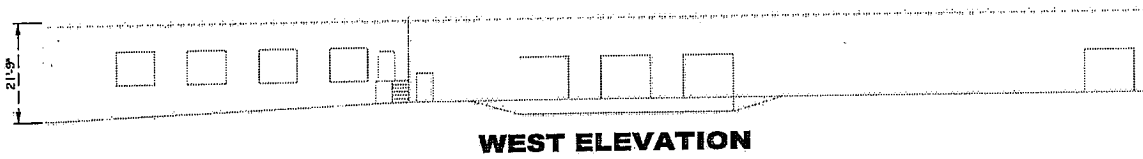
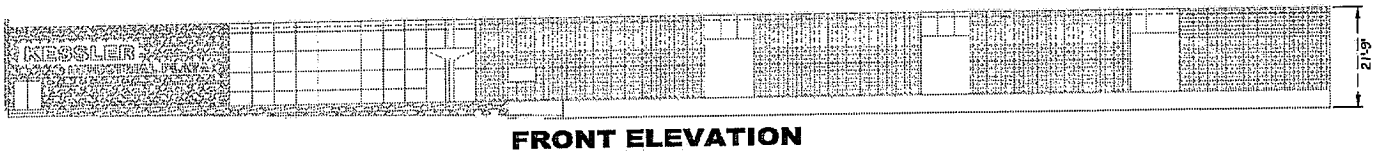


# ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

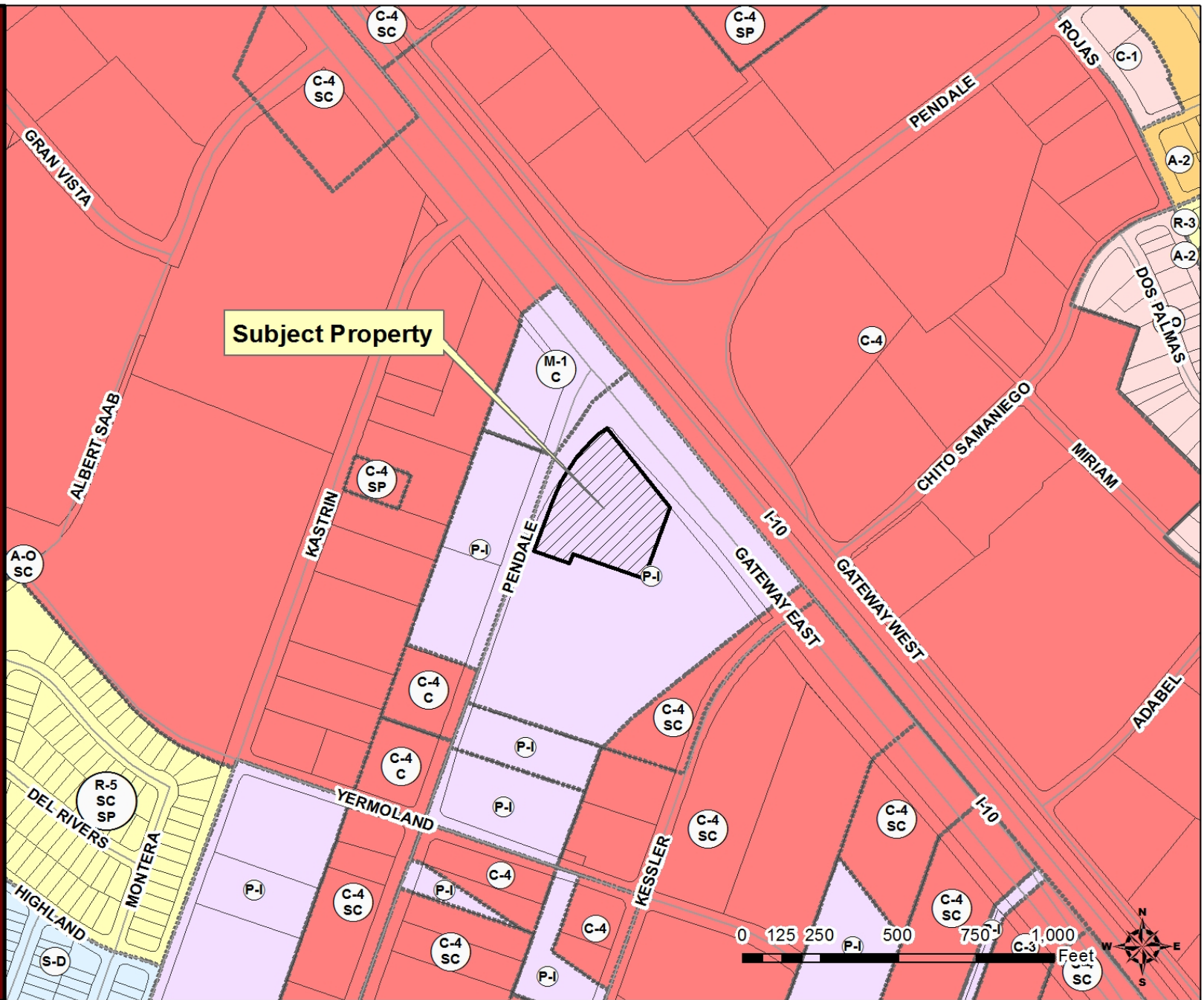




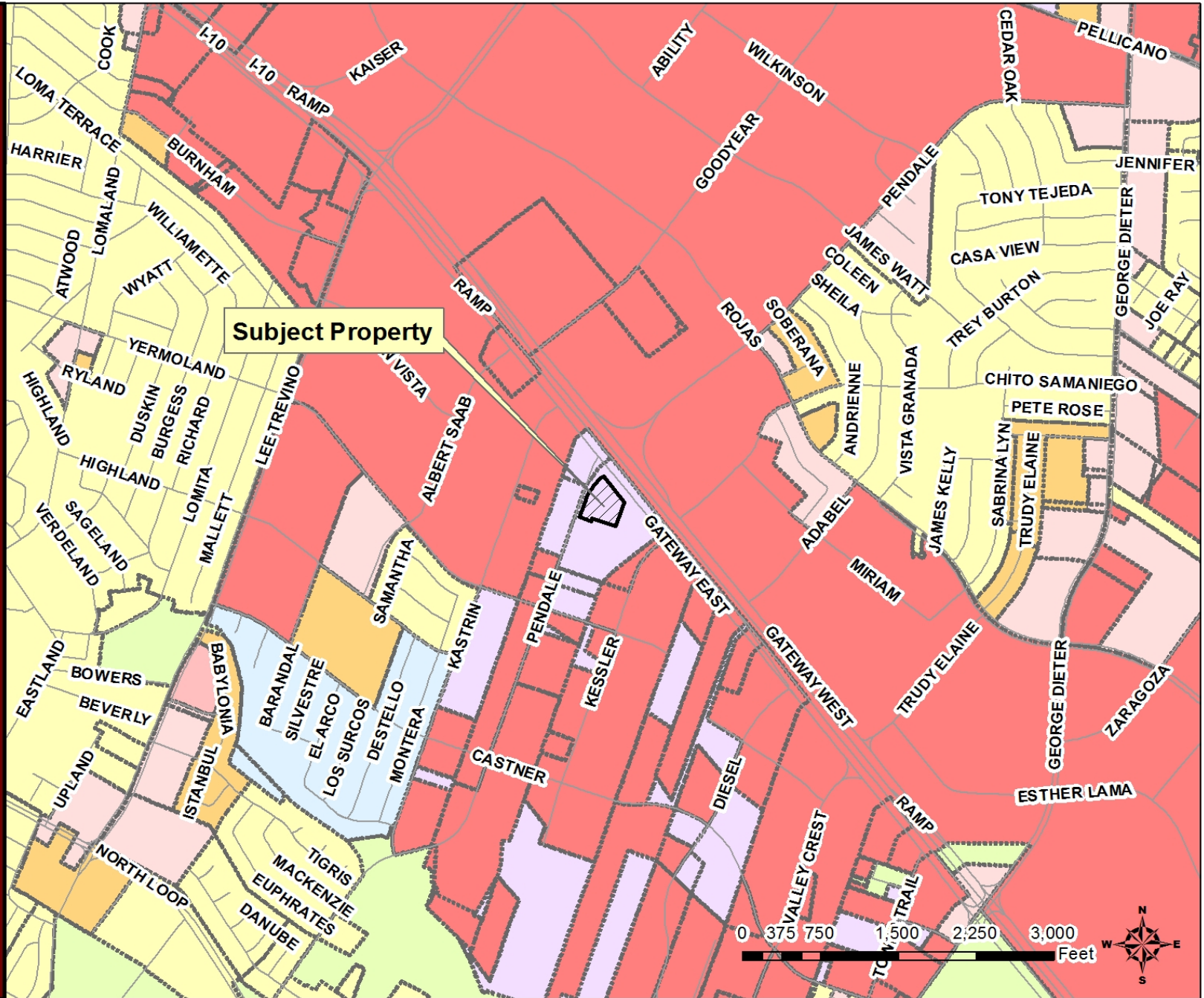
## ATTACHMENT 4: ELEVATIONS



PZRZ14-00011



PZRZ14-00011





PZRZ14-00011



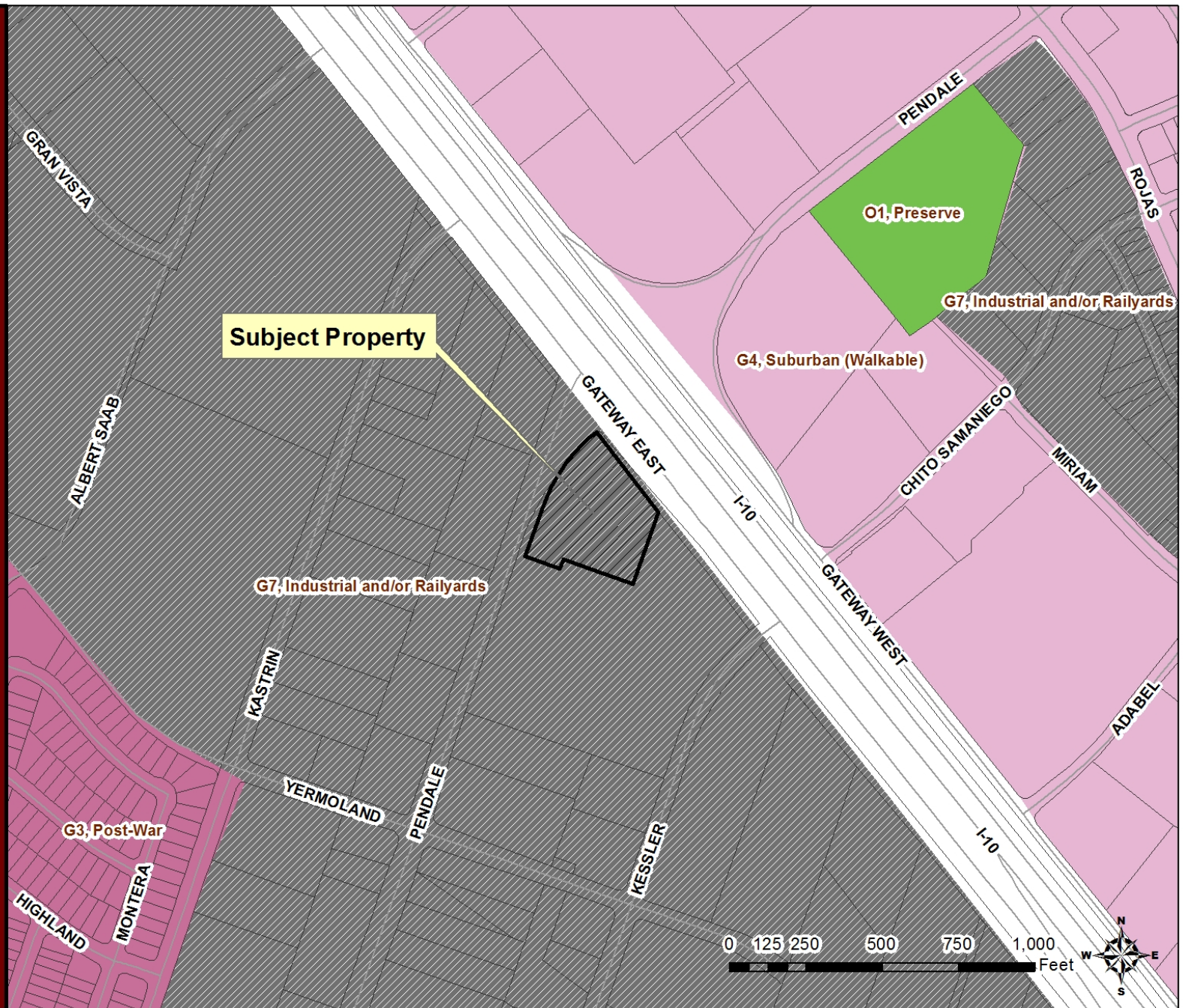


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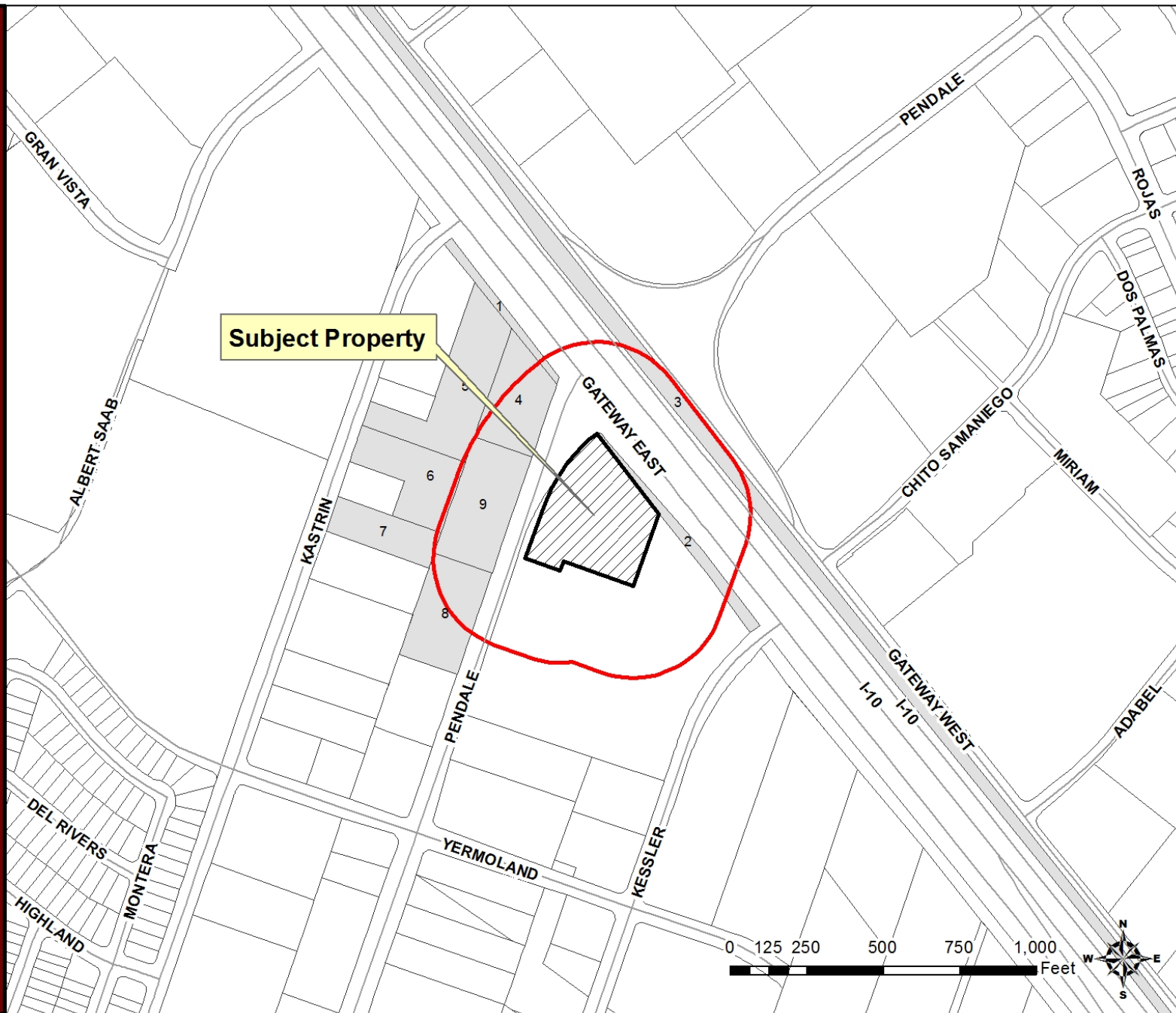




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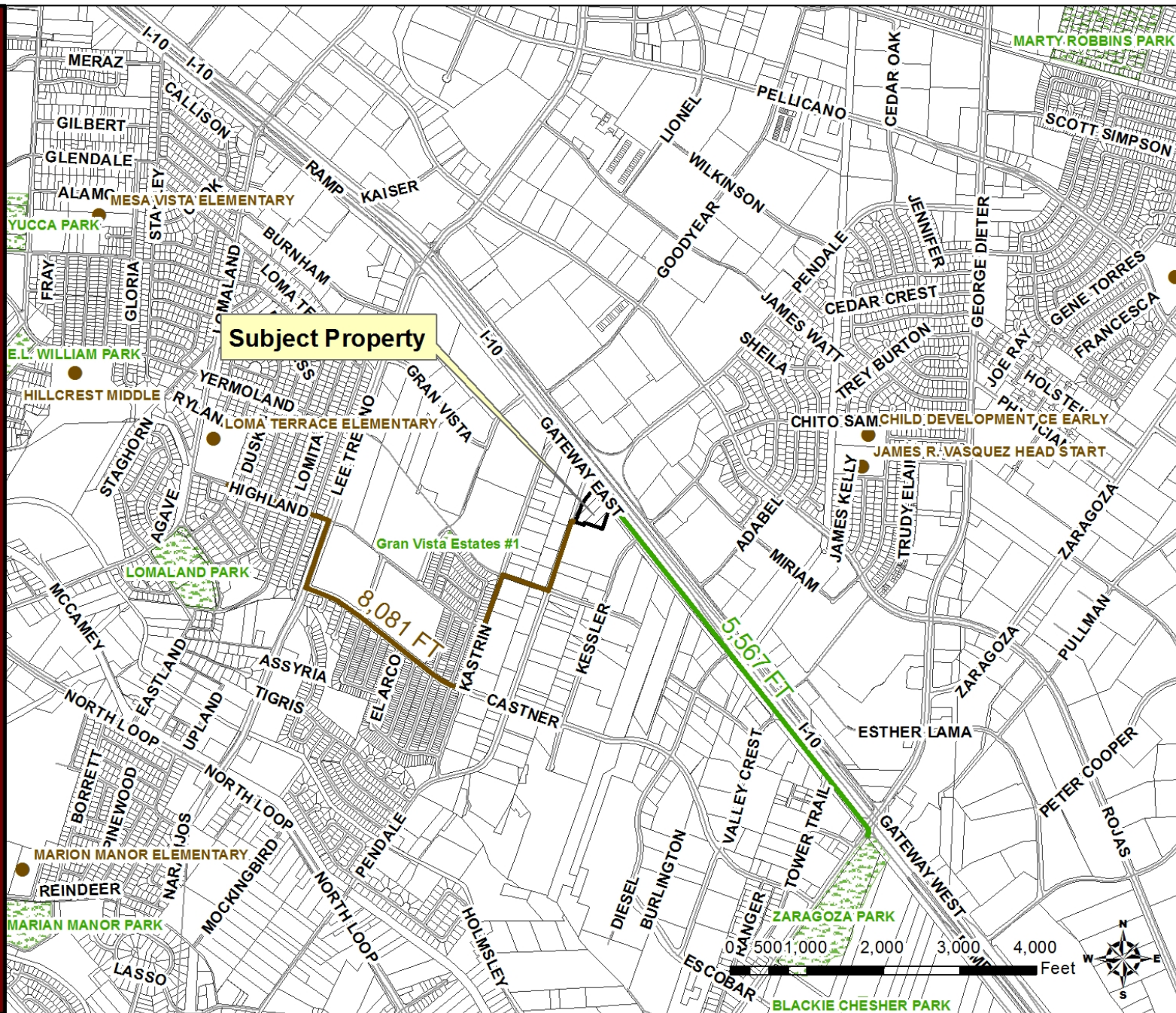


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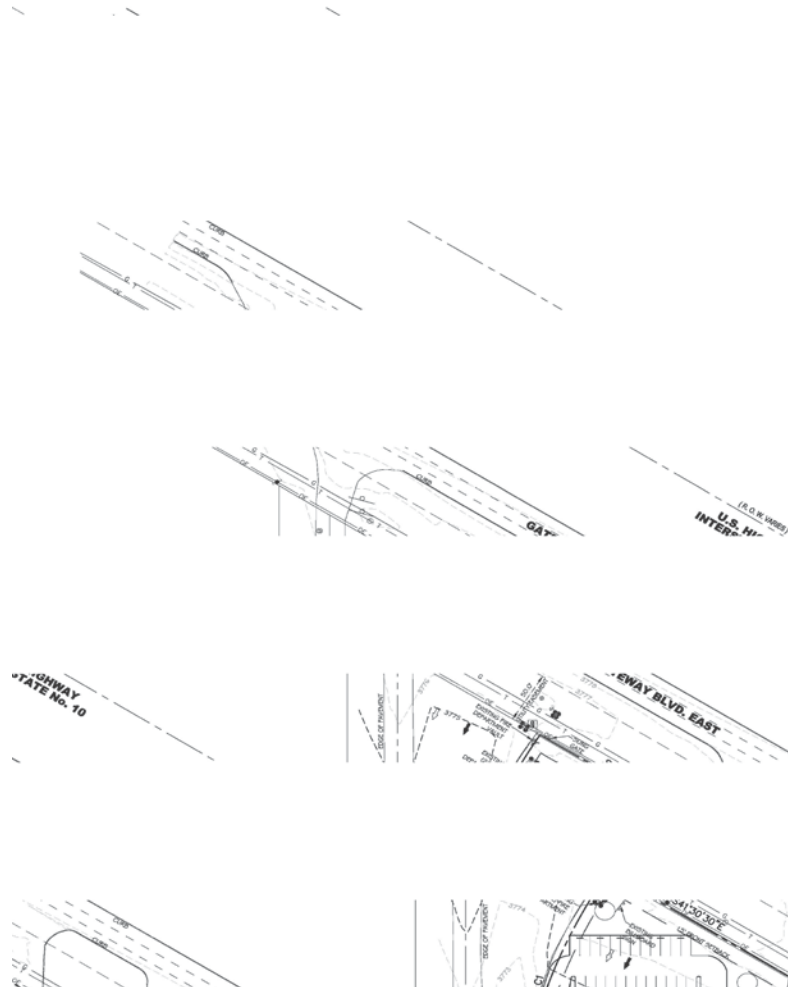
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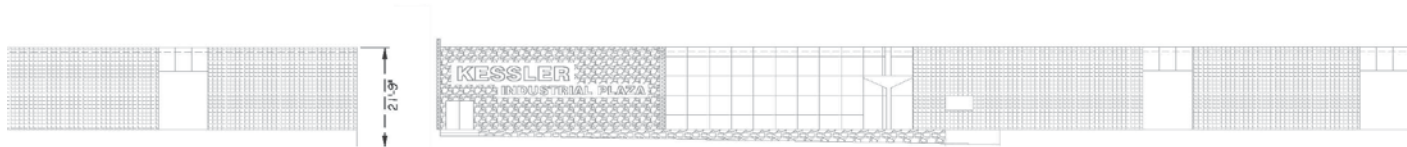


# DETAILED SITE DEVELOPMENT PLAN





# ELEVATIONS









S E R V I C E   S O L U T I O N S   S U C C E S S









