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

DEPARTMENT: Planning and Inspections Department, Planning Division

AGENDA DATE: Introduction: May 26, 2020

PUBLIC HEARING DATE: June 23, 2020

CONTACT PERSON NAME AND PHONE NUMBER:

Philip F. Etiwe, (915) 212-1553, <u>EtiwePF@elpasotexas.gov</u> Adriana Martinez, (915) 212-1611, <u>MartinezAD@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 Portion of Lots 1 and 2, Pendale Industrial Unit A Replat, and Tracts 18D, 19D, and 20, Block 54, Ysleta Grant, 8600 Gateway Blvd. East, City of El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial), and imposing that a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permit. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. The 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: 8600 Gateway Blvd.; Owners: Kessler Commercial Properties LLC; PZRZ19-00033 (District 7)

BACKGROUND / DISCUSSION:

On April 2, 2020, the CPC reviewed and recommended approval of the rezoning request.

SELECTION SUMMARY:

N/A

PROTESTS:

No protest received for this requirement.

COUNCIL REPRESENTATVIE BRIEFING:

Was a briefing provided: ☐ Yes or ☒ No

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

DEPARTMENT HEAD:

Philip F. Etiwe, Director

Planning and Inspections Department

AN ORDINANCE CHANGING THE ZONING OF PORTION OF LOTS 1 AND 2, PENDALE INDUSTRIAL UNIT A REPLAT, AND TRACTS 18D, 19D, AND 20, BLOCK 54, YSLETA GRANT, 8600 GATEWAY BLVD. EAST, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-4 (COMMERCIAL), AND IMPOSING THAT A DETAILED SITE DEVELOPMENT PLAN BE SUBMITTED AND APPROVED AS PER SECTION 20.04.150 OF THE EL PASO CITY CODE PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT. 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 Portion of Lots 1 and 2, Pendale Industrial Unit A Replat, and Tracts 18D, 19D, and 20, Block 54, Ysleta Grant, 8600 Gateway Blvd. East, located in the City of El Paso, El Paso County, Texas, more particularly described in the attached as Exhibit "A", be changed from P-I to C-4, 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 that a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permit, which is necessitated by and attributable to the increased density generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

That a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permit, more particularly described in the attached as Exhibit "B".

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

ADOPTED this day of	, 2020.	
	THE CITY OF EL PASO:	
ATTEST:	Dee Margo, Mayor	
Laura D. Prine, City Clerk		
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:	
hosel Ta	Philop Eline	
Russell T. Abeln	Philip F. Etiwe, Director	
Assistant City Attorney	Planning & Inspections Department	

ORDINANCE NO.

PZRZ19-00033

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

TBPE Reg. No. F-737 TBPLS Reg. No. 101314-00

METES AND BOUNDS DESCRIPTION

An 8.6023 acre parcel situate within the corporate limits of the City of El Paso, El Paso County, Texas as a portion of Lots 1 and 2, Pendale Industrial Unit A Replat as filed in Volume 23, Page 54, Plat Records of the El Paso County, Texas, and Tracts 18D, 19D and 20,

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 northwest corner and the POINT OF BEGINNING of the parcel herein

Block 54, Ysleta Grant, and being more particularly described by metes and bounds as follows.

THENCE, leaving the east right-of-way line of Pendale Road, South 74°00'28" East, a distance of 121.26 feet to an angle point of the parcel herein described;

THENCE, North 15°59'32" East, a distance of 34.33 feet to an angle point of the parcel herein described;

THENCE, South 74°00'28" East, a distance of 241.53 feet to an angle point of the parcel herein described;

THENCE, North 15°59'32" East, a distance of 249.21 feet to the southerly right-of-way line of U.S. Interstate Highway No. 10 (300 feet wide) for an angle point of the parcel herein described;

THENCE, following the southerly right-of-way line of said U.S. Interstate Highway No. 10, South 41°31'00" East, a distance of 461.88 feet to the northeast corner of the parcel herein described, identical to the northwesterly corner of Lot 1, Block 1, Kessler Industrial District as filed in Volume 57, Page 11, El Paso County Plat Records;

THENCE, leaving the southerly right-of-way line of said U.S. Interstate Highway No. 10 and following the westerly boundary line of said Lot 1, South 48°29'00" West, a distance of 458.99 feet to an angle point of the parcel herein described;

THENCE, continuing and passing the westerly boundary line of said Lot 1, South 41°59'52" West, a distance of 211.79 feet to a point on the westerly boundary line of Lot 2, Block 1, Kessler Industrial District for the southeast corner of the parcel herein described;

THENCE, leaving the westerly boundary line of said Lot 2, North 74°03'00" West, a distance of 412.56 feet to the **POINT OF BEGINNING**.

Said Parcel cortains & 6023 acres (374,718,5 square feet), more or less, and being subject to any easements,

restrictions or dovenants of record.

Aaron Alvarado, TX R.F.L.S., No. 6223

Date: November 21, 2019

described;

07192-001A-REZONE DESC.doc

EXHIBIT "B"

MEMORANDUM

DATE:

May 14, 2020

TO:

The Honorable Mayor and City Council

Tommy Gonzalez, City Manager

FROM:

Adriana Martinez, Planner

SUBJECT:

PZRZ19-00033

An Ordinance changing the zoning of Portion of Lots 1 and 2, Pendale Industrial Unit A Replat, and Tracts 18D, 19D, and 20, Block 54, Ysleta Grant, 8600 Gateway Blvd. East, City of El Paso, El Paso County, Texas from P-I (Planned Industrial) to C-4 (Commercial), and imposing that a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permit. The penalty is as provided for in Chapter 20.24 of the El Paso City Code to allow the subject property the continued use of a ballroom and commercial retail with the following condition:

That a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permit.

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 condition release will not have negative effects on the natural environment, social economic conditions, property values in the vicinity, and the city as a whole.

Planning has not received any communication in support or opposition to the rezoning request; Notices sent to property owners within 300 feet on March 20, 2020.

Property Owner:

Kessler Commercial Properties LLC Kessler Commercial Properties LLC

Applicant: Representative:

Brock & Bustillos Inc.

Attachments: Staff Report

8600 Gateway Blvd E.

City Plan Commission — April 2, 2020



CASE NUMBER: PZRZ19-00033

CASE MANAGER: Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov

PROPERTY OWNER: Kessler Commercial Properties LLC

REPRESENTATIVE:Brock & Bustillos Inc.LOCATION:8600 Gateway Blvd. E

LEGAL DESCRIPTION: Portion of Lots 1 and 2, Pendale Industrial Unit A Replat, and Tracts 18D, 19D,

and 20, Block 54, Ysleta Grant, City of El Paso, El Paso County, Texas; (District:

7)

PROPERTY AREA: 12.98 acres

REQUEST: To rezone from P-I (Planned Industrial) to C-4 (Commercial) and approval

of the Detailed Site Development Plan

PUBLIC INPUT: Notices sent to property owners within 300 feet on March 20, 2020. Planning

has not received any calls in support or opposition to the rezoning request.

SUMMARY OF REQUEST: The property owner is to requesting rezone from P-I (Planned Industrial) to C-4 (Commercial) and approval of the Detailed Site Development Plan to allow the subject property the continued use of a ballroom and commercial retail with the following condition:

 That a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permit.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the rezoning request and of the Detailed Site Development Plan. The proposed development is consistent with the adjacent commercial development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-7, Industrial and/or Railyards use designation of *Plan El Paso* in the Mission Planning area.

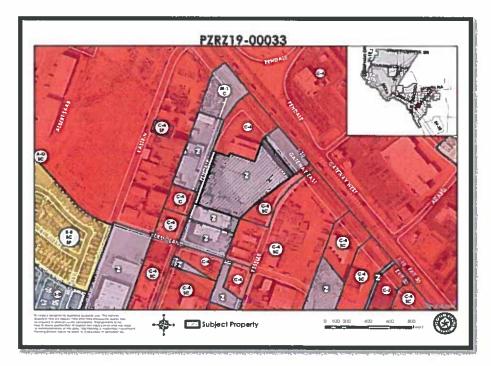


Figure A: Proposed plat with surrounding area

DESCRIPTION OF REQUEST: The property owner is to requesting rezone from P-I (Planned Industrial) to C-4 (Commercial) and approval of the Detailed Site Development Plan to allow the subject property the continued use of a ballroom and commercial retail. The property is located at 8600 Gateway Blvd. E. The area of the rezoning request is 12.98 acres in size. The detailed site development plan shows 73,898 sq. ft. of warehouse, 110,834 sq. ft. of commercial retail, and a 16,200 sq. ft. building for a ballroom.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the adjacent commercial development within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-7, Industrial and/or Railyards, use designation of *Plan El Paso*, in the Mission Valley Planning area.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning		
is in accordance with Plan El Paso, consider the following factors:		
Criteria	Does the Request Comply?	
Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property: G-7, Industrial and/or Railyards This sector applies to industrial parks, large freestanding 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 railyards, which could be redeveloped as mixed-use communities if the rail yards were moved out of town.	Yes, the proposed zoning is compatible with G-7, Industrial and/or Railyards Land Use designation. The proposed zoning will allow for commercial uses, which is consistent with other commercial establishments in the neighborhood. Commercial uses are common and welcomed in this sector. The surrounded properties are zoned C-1 (Commercial), C-4 (Commercial), C-4/sc (Commercial/special contract) and M-1/c (Manufacturing/condition). The surrounding area uses vary from professional offices, commercial retail, hotel, and automobile sales.	
Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:	Yes, the proposed development is a permitted use in the C-4 (Commercial) district. The existing development is compatible to the adjacent commercial lots.	
C-4 (Commercial) District:	331111313131	
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. Preferred Development Locations: is the property in	Ves the group of the state of t	
a "Compact Urban" area?	Yes, the proposed development meets the intent of the G-7, Industrial and/or Railyards use designation of <i>Plan El Paso</i> .	
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:		
Historic District or Special Designations & Study Area	N/A	
Plans: Any historic district or other special		
designations that may be applicable. Any adopted		
small areas plans, including land-use maps in those		
plans.		
Potential Adverse Effects: Potential adverse effects	The existing development does not represent any	
that might be caused by approval or denial of the	adverse effects on the community. It has the	
requested rezoning.	potential to maximize the use of an existing parcel	

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY — When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:	
	and meets the dimensional standards. No new construction is being proposed.
Natural Environment : Anticipated effects on the natural environment.	Subject property does not involve greenfield/ environmentally sensitive land or arroyo disturbance.
Stability: Whether the area is stable or in transition.	Yes, the proposed development is within an older area of the city, which represent stability within the G-7, Industrial and/or Railyards use designation of <i>Plan El Paso</i> .
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed use is permitted in the C-4 (commercial) district.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: 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.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to proposed rezoning. No reviewing departments had any negative comments. Applicant is responsible for obtaining all applicable permits and approvals prior to any construction or change in occupancy.

PUBLIC COMMENT: The proposed development lies within the Mission Valley Civic Association and Corridor 20 Civic Association. Notices sent to property owners within 300 feet on March 20, 2020. Planning has not received any calls or emails in support or opposition of the rezoning request.

RELATED APPLICATIONS: N/A

OTHER APPLICABLE FACTORS: Approval of the detailed site plan by the City Plan Commission (CPC) constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, Design Standards for Construction (DSC), and Drainage Design Manual (DDM). Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

CITY PLAN COMMISSION OPTIONS:

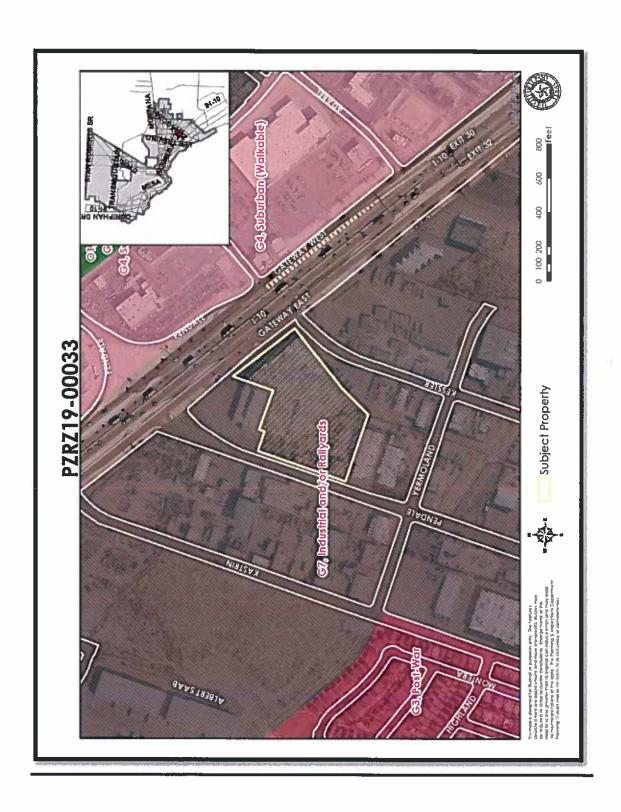
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

- 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.
- 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. Department Comments
- 3. Neighborhood Notification Boundary Map
- 4. Detailed Site Development Plan

Future Land Use Map



Department Comments

<u>Planning and Inspections Department</u>

No objections to the rezoning.

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.

Sun Metro:

Recommended approval

Fire Department:

Recommended approval

TxDof:

Please have developer coordinate with TXDQT for grading and drainage plan review and access request.

El Paso County Water Improvement District

EPCWID has no comments or objection to the attached case.

<u>Planning and Inspections Department - Land Development</u>

- 1. As per Municipal Code: new developments and redevelopments are required to maintain the predevelopment 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.
- 2. Show proposed drainage flow patterns on the preliminary plat and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision limits.

<u>Planning and Inspections Department – Landscaping Division</u>

Recommended approval.

El Paso Water:

EPWU-PSB does not object to this request.

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

<u>Water:</u>

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.

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.

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.

EPWU records indicate one active 2-inch and one active 1-inch domestic water service connection and a 10-inch fire line serving the subject property. The addresses for these services are 8600 Gateway East Blvd. and 1120 Pendale Rd.

Sewer:

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

There is an existing 18-inch diameter sanitary sewer main that extends along Gateway East Blvd. fronting the subject property. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

General:

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 offsite extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Stormwater:

- EPWater SW has reviewed the case distribution described above and has no objections to the proposal.
- However, if any improvements are done on this property, we recommend using principles of low impact & green infrastructure development (such as recessed landscaping, rainwater harvesting, and porous pavements) to reduce the amount of developed storm water runoff.

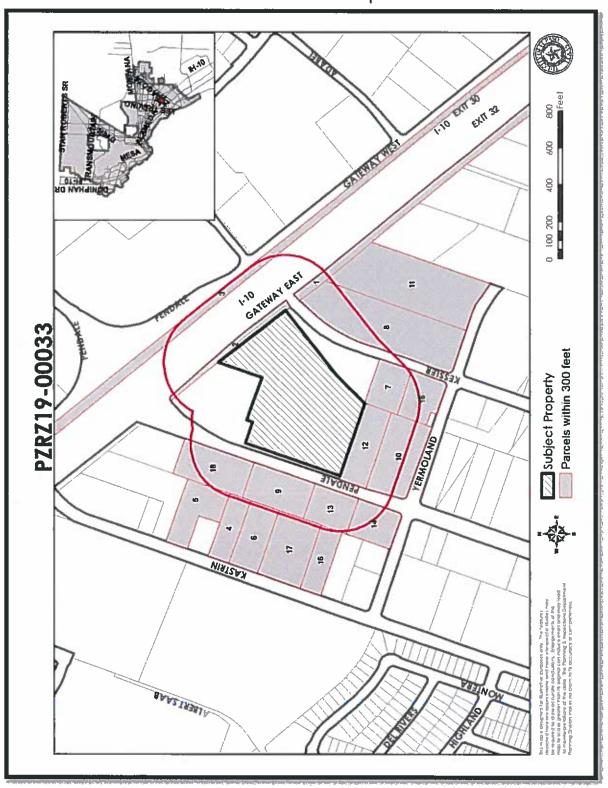
Texas Gas Service:

Texas Gas has no objections. Please contact Texas Gas if any active service lines need to be retired.

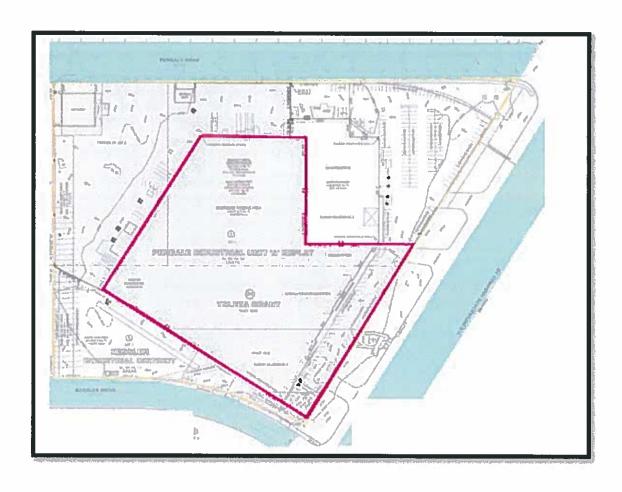
Police Department:

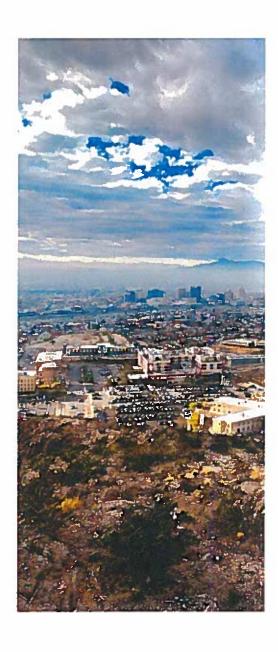
No comments. Thank you for the opportunity.

Notification Map



Detailed Site Development Plan





Recommendation | Public Input



City Plan Commission recommendation:

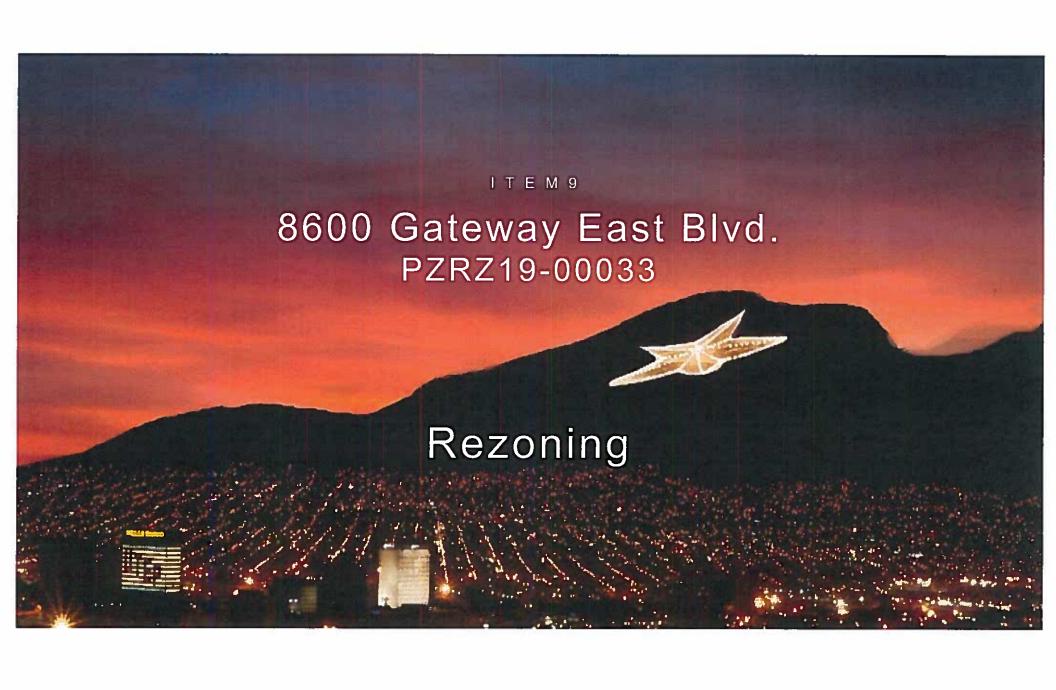
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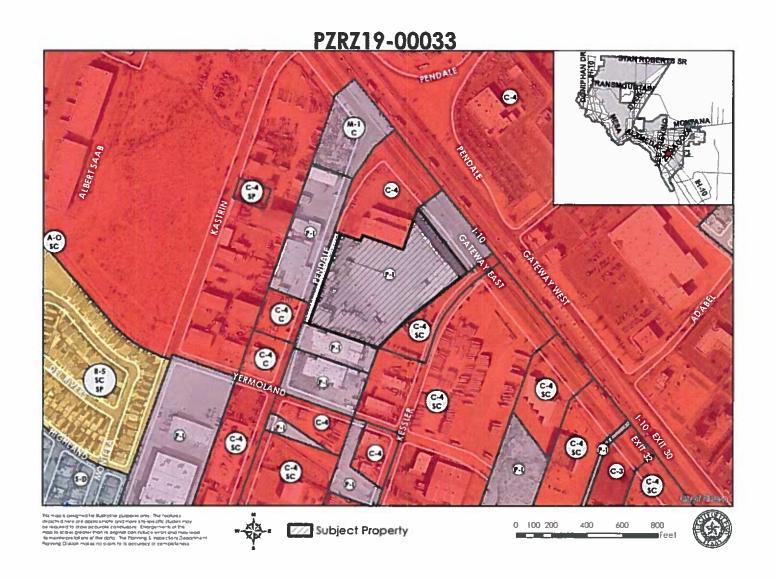
 That a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permit.

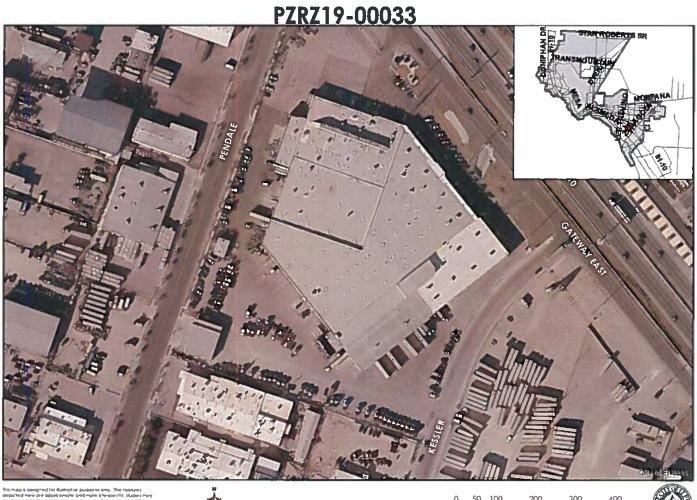
Public Input: N/A

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







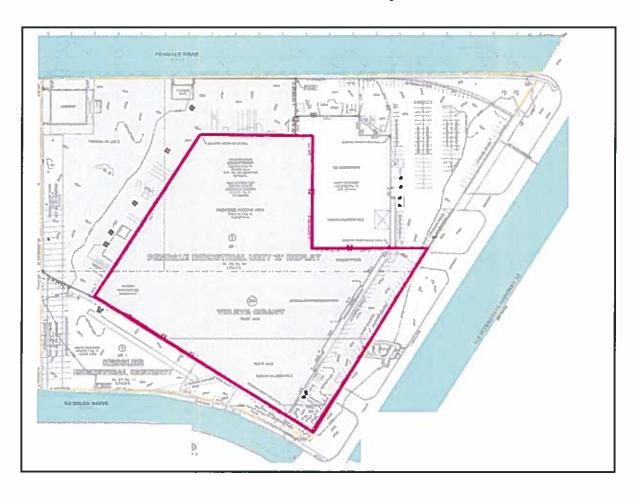
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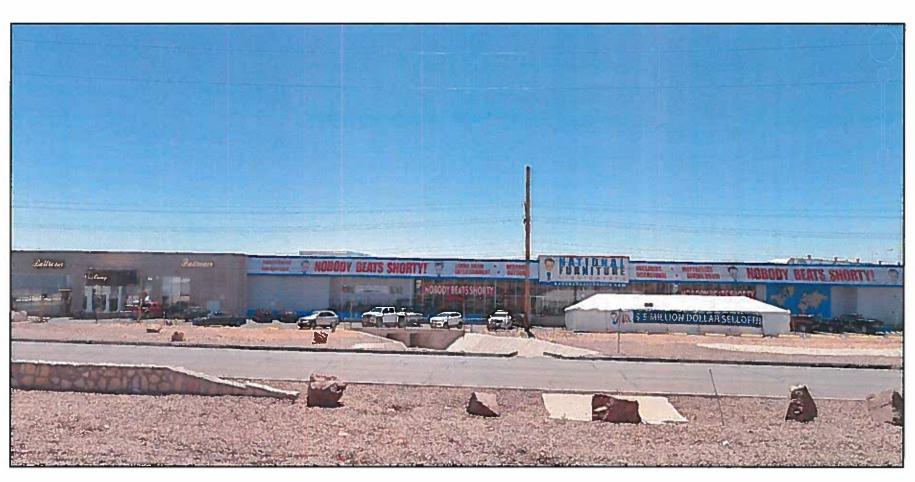
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Detailed Site Development Plan



Subject Property



6











