

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

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

**AGENDA DATE:** Introduction: May 19, 2015  
Public Hearing: June 9, 2015

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

**DISTRICT(S) AFFECTED:** 6

**SUBJECT:**

An Ordinance changing the zoning of portions of Tracts 7A, 8C, 9 and 10, Block 55, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-3 (Commercial) and imposing a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Applicant: City of El Paso/EPW/PSB: 1154 Hawkins Boulevard, **PZRZ14-00042 (District 6)**

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation with condition (4-1 Vote)

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

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

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

**DEPARTMENT HEAD:**

Mathew S. McElroy  
Director, Planning and Inspections Department

**APPROVED FOR AGENDA:**

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

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

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

**AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF TRACTS 7A, 8C, 9, AND 10, BLOCK 55, YSLETA GRANT SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-3 (COMMERCIAL) AND IMPOSING A CONDITION. 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 *Portions of Tracts 7A, 8C, 9, and 10, Block 55, Ysleta Grant Surveys, 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 and Farm)** to **C-3 (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 condition which is necessitated by and attributable to the intensity of use 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:

*That a 6 foot decorative rock wall with a combination of rock and wrought iron consisting of 2 foot wall and 4 foot wrought iron shall be required adjacent to the parkland areas along the southerly lot boundary of the subject property.*

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 \_\_\_\_\_, 2015.

**THE CITY OF EL PASO**

\_\_\_\_\_  
Oscar Lesser  
Mayor

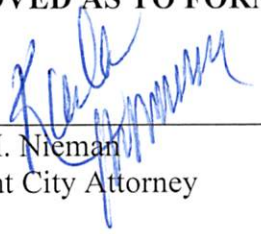
**ATTEST:**

\_\_\_\_\_  
Richarda D. Momsen  
City Clerk

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

**Zoning Case No: PZRZ14-00042**

**APPROVED AS TO FORM:**

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

**APPROVED AS TO CONTENT:**

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

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

**Zoning Case No: PZRZ14-00042**



## **MEMORANDUM**

**DATE:** May 12, 2015

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

**FROM:** Arturo Rubio, Lead Planner

**SUBJECT: PZRZ14-00042**

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The City Plan Commission (CPC) on March 12, 2015, voted **4-1** to recommend approval of the rezoning request from R-F (Ranch and Farm) to C-3 (Commercial) subject to the approval of a comprehensive plan amendment prior to the rezoning request proceeding to City Council and the following condition:

*That a 6 foot decorative rock wall with a combination of rock and wrought iron consisting of 2 foot wall and 4 foot wrought iron shall be required adjacent to the parkland areas along the southerly lot boundary of the subject property.*

The CPC found that the rezoning is not in conformance with Plan El Paso-Future Land Use Map Designation at this time; however, they are recommending approval of the rezoning request subject to the approval of a comprehensive plan amendment prior to the rezoning item proceeding to City Council. The proposed development is compatible with adjacent land uses to the north, east and west of the subject property. The CPC also determined that the rezoning and comprehensive plan amendment does protect the best interest, health, safety, and welfare of the public in general; and the rezoning and comprehensive plan amendment will have no negative effect on the natural environment, social economic conditions, and property values in the vicinity and the city as a whole.

The Planning Division did not receive any communication in support or opposition to the rezoning request.

**Property Owners/Applicant:** City of El Paso/EPW/PSB  
**Representative:** Lupe Cuellar/Alma De Anda

**Attachments:** Staff Report



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

**Case No:** PZRZ14-00042  
**Application Type:** Rezoning  
**CPC Hearing Date:** March 12, 2015  
**Staff Planner:** Arturo Rubio, 915-212-1613, rubioax@elpasotexas.gov

**Location:** South of Gateway East Boulevard and East of Zaragoza Road  
**Legal Description:** Portions of Tracts 7A, 8C, 9, and 10, Block 55, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas  
**Acreage:** 9.24 acres  
**Rep District:** 6  
**Current Zoning:** R-F (Ranch and Farm)

**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** N/A  
**Request:** From R-F (Ranch and Farm) to C-3 (Commercial)  
**Proposed Use:** Commercial Development

**Property Owner:** City of El Paso/EPWU/PSB  
**Representative:** Lupe Cuellar/Rudy Valdez

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

**North:** C-4 (Commercial)/Hotel/Restaurants/Car Dealership  
**South:** R-F (Ranch and Farm)/Blackie Chesher Regional Park  
**East:** C-4/c (Commercial/condition) / Vacant / C-3 (Commercial) / Vacant  
**West:** C-4/c/sc (Commercial/condition/special contract)/Gas Station/Automotive sales

**PLAN EL PASO DESIGNATION:** O-1, Preserve (Mission Valley Plan Area)

**NEAREST PARK:** Blackie Chesher Regional Park (Directly adjacent)

**NEAREST SCHOOL:** Del Valle Elementary School (4,136 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Mission Valley Civic Association

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on February 10, 2015. 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). The request is to allow for commercial development not permitted in the R-F (Ranch and Farm) district. The subject property is 9.24 acres in size and is currently vacant. The conceptual plan shows an open lot for commercial development that will utilize the close proximity to a major arterial and freeway to provide for a wide range of types of commercial activity to surrounding community areas. Access to the subject property is proposed from Zaragoza and Gateway East.

## **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 condition:

*That a 6' foot decorative rock wall with a combination of rock and wrought iron consisting of 2' foot wall and 4' foot wrought iron shall be required adjacent to the parkland areas along the southerly lot boundary of the subject property.*

The recommendation is based on the compatibility of existing commercial zone districts to the North of the subject property. Currently the C-3 (Commercial) district does not comply with Plan El Paso Land Use Map Designation O-1 Preserve in the Mission Valley Planning Area. A comprehensive plan amendment application is in process for review and approval prior to rezoning request proceeding to City Council.

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

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

O-1 – Preserve: Publicly owned land such as the Franklin Mountains and Hueco Tanks State Parks, all City and County parks and public drainage areas, and cemeteries (even if private). These lands will not be developed due to their ownership and current use. This item will require an amendment to Plan El Paso Comprehensive Plan.

The purpose of the C-3 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 Division - Transportation**

No objections

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.

### **El Paso Department of Transportation**

No objections

### **Texas Department of Transportation**

Future developments on these 2 lots will have to be submitted to TxDOT for Access, and Grading and Drainage plan review and approval. Please notify requestor of zoning change if this process.

I presented this rezoning request to the TxDOT Access Management Committee (AMC). The Advance Project Development office advised that there is a schematic with some right of way at the SE quadrant of Gateway East and Zaragoza that is planned to be used for future TxDOT improvements. AMC recommends further discussing with the City to meet the schematic needs. If you have any questions about the schematic please contact Godwin Ubanyionwu, P.E.

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

Recommend approval

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

No comments received

## **Fire Department**

EPFD does not have any adverse comments for PZRZ14-00042/43

## **El Paso Water Utilities**

EPWU does not object to this request.

### **EPWU-PSB Comments**

#### **Water:**

1. There is an existing 36-inch diameter water transmission main along the eastside of Zaragoza Road fronting Parcel 1. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
2. There is an existing 20-inch diameter water transmission main along the Westside of IH10 fronting Parcel 2. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
3. There is an existing 12-inch diameter water main along the Westside of IH10 that extends northwest from Alza Drive and dead-ends at the southern property line of Parcel 2.
4. Water service to the subject property requires the extension of the above described 12-inch diameter water main along the entire frontage of the subject properties and creating a looped system by connecting to the existing 20-inch diameter water main along IH10.
5. EPWU records indicate a 4-inch vacant meter connection for Parcel 1. The service address for the meter is 1150 Zaragoza Road.

#### **Sanitary Sewer:**

6. There are no sanitary sewer mains along Zaragoza Road nor IH10 fronting the subject properties.
7. There is an existing 33-inch diameter sanitary sewer main along the Bluff Channel, immediately west of Parcel 1. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations. Sewer service for Parcel 1 requires the extension of a sewer main along an easement to connect to a manhole on the exiting 33-inch sewer main.
8. There is an existing 12-inch diameter sewer main along Alza Drive. Sewer service for Parcel 2 requires the extension of a sewer main along the Bluff Channel right-of-way or within an easement south of the subject property to connect to the above described main on Alza Drive.

#### **General:**

9. IH10 and Zaragoza Road are Texas Department of Transportation (TxDOT) rights-of-way. All proposed water and sanitary sewer work to be performed within IH10 and Zaragoza Road rights-of-way requires written permission from TxDOT.
10. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy. 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 easements) without the written consent of EPWU-PSB. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.
11. EPWU-PSB requires a new service application to provide additional services. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (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

**Sun Metro**

Sun Metro does not oppose this request. Route 69 provides services to a bus stop directly west of the subject property along Zaragoza Rd. Recommends the construction of sidewalks to permit pedestrian access to mass transit opportunities.

**Parks and Recreation Department**

No objections

Recommend the following condition adjacent to the park be revised to include the following detail:

- 2. That a 6' foot decorative rock wall with a combination of rock and wrought iron consisting of 2' foot wall and 4' wrought iron shall be required adjacent to any residential zone or use and parkland areas.*

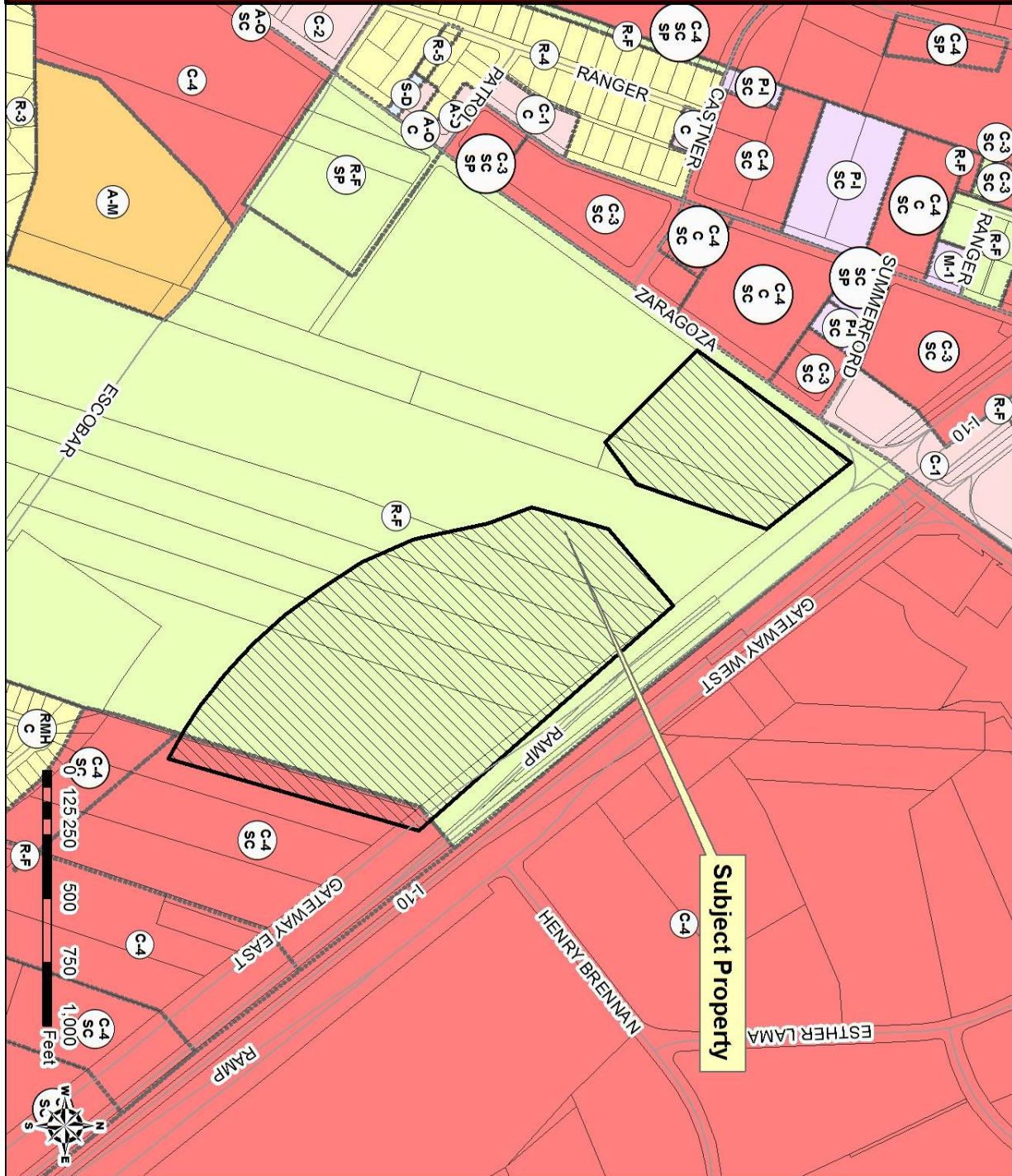
**Attachments**

Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Plan

# PZRZ14-00042 & PZRZ14-00043





ATTACHMENT 2: AERIAL MAP

PZRZ14-00042 & PZRZ14-00043





**PROPOSED ROAD LAYOUT**

**STATIONING:** 10+00, 10+20, 10+40, 10+60, 10+80, 11+00, 11+20, 11+40, 11+60, 11+80, 12+00, 12+20, 12+40, 12+60, 12+80, 13+00, 13+20, 13+40, 13+60, 13+80, 14+00, 14+20, 14+40, 14+60, 14+80, 15+00, 15+20, 15+40, 15+60, 15+80, 16+00, 16+20, 16+40, 16+60, 16+80, 17+00, 17+20, 17+40, 17+60, 17+80, 18+00, 18+20, 18+40, 18+60, 18+80, 19+00, 19+20, 19+40, 19+60, 19+80, 20+00, 20+20, 20+40, 20+60, 20+80, 21+00, 21+20, 21+40, 21+60, 21+80, 22+00, 22+20, 22+40, 22+60, 22+80, 23+00, 23+20, 23+40, 23+60, 23+80, 24+00, 24+20, 24+40, 24+60, 24+80, 25+00, 25+20, 25+40, 25+60, 25+80, 26+00, 26+20, 26+40, 26+60, 26+80, 27+00, 27+20, 27+40, 27+60, 27+80, 28+00, 28+20, 28+40, 28+60, 28+80, 29+00, 29+20, 29+40, 29+60, 29+80, 30+00, 30+20, 30+40, 30+60, 30+80, 31+00, 31+20, 31+40, 31+60, 31+80, 32+00, 32+20, 32+40, 32+60, 32+80, 33+00, 33+20, 33+40, 33+60, 33+80, 34+00, 34+20, 34+40, 34+60, 34+80, 35+00, 35+20, 35+40, 35+60, 35+80, 36+00, 36+20, 36+40, 36+60, 36+80, 37+00, 37+20, 37+40, 37+60, 37+80, 38+00, 38+20, 38+40, 38+60, 38+80, 39+00, 39+20, 39+40, 39+60, 39+80, 40+00, 40+20, 40+40, 40+60, 40+80, 41+00, 41+20, 41+40, 41+60, 41+80, 42+00, 42+20, 42+40, 42+60, 42+80, 43+00, 43+20, 43+40, 43+60, 43+80, 44+00, 44+20, 44+40, 44+60, 44+80, 45+00, 45+20, 45+40, 45+60, 45+80, 46+00, 46+20, 46+40, 46+60, 46+80, 47+00, 47+20, 47+40, 47+60, 47+80, 48+00, 48+20, 48+40, 48+60, 48+80, 49+00, 49+20, 49+40, 49+60, 49+80, 50+00, 50+20, 50+40, 50+60, 50+80, 51+00, 51+20, 51+40, 51+60, 51+80, 52+00, 52+20, 52+40, 52+60, 52+80, 53+00, 53+20, 53+40, 53+60, 53+80, 54+00, 54+20, 54+40, 54+60, 54+80, 55+00, 55+20, 55+40, 55+60, 55+80, 56+00, 56+20, 56+40, 56+60, 56+80, 57+00, 57+20, 57+40, 57+60, 57+80, 58+00, 58+20, 58+40, 58+60, 58+80, 59+00, 59+20, 59+40, 59+60, 59+80, 60+00, 60+20, 60+40, 60+60, 60+80, 61+00, 61+20, 61+40, 61+60, 61+80, 62+00, 62+20, 62+40, 62+60, 62+80, 63+00, 63+20, 63+40, 63+60, 63+80, 64+00, 64+20, 64+40, 64+60, 64+80, 65+00, 65+20, 65+40, 65+60, 65+80, 66+00, 66+20, 66+40, 66+60, 66+80, 67+00, 67+20, 67+40, 67+60, 67+80, 68+00, 68+20, 68+40, 68+60, 68+80, 69+00, 69+20, 69+40, 69+60, 69+80, 70+00, 70+20, 70+40, 70+60, 70+80, 71+00, 71+20, 71+40, 71+60, 71+80, 72+00, 72+20, 72+40, 72+60, 72+80, 73+00, 73+20, 73+40, 73+60, 73+80, 74+00, 74+20, 74+40, 74+60, 74+80, 75+00, 75+20, 75+40, 75+60, 75+80, 76+00, 76+20, 76+40, 76+60, 76+80, 77+00, 77+20, 77+40, 77+60, 77+80, 78+00, 78+20, 78+40, 78+60, 78+80, 79+00, 79+20, 79+40, 79+60, 79+80, 80+00, 80+20, 80+40, 80+60, 80+80, 81+00, 81+20, 81+40, 81+60, 81+80, 82+00, 82+20, 82+40, 82+60, 82+80, 83+00, 83+20, 83+40, 83+60, 83+80, 84+00, 84+20, 84+40, 84+60, 84+80, 85+00, 85+20, 85+40, 85+60, 85+80, 86+00, 86+20, 86+40, 86+60, 86+80, 87+00, 87+20, 87+40, 87+60, 87+80, 88+00, 88+20, 88+40, 88+60, 88+80, 89+00, 89+20, 89+40, 89+60, 89+80, 90+00, 90+20, 90+40, 90+60, 90+80, 91+00, 91+20, 91+40, 91+60, 91+80, 92+00, 92+20, 92+40, 92+60, 92+80, 93+00, 93+20, 93+40, 93+60, 93+80, 94+00, 94+20, 94+40, 94+60, 94+80, 95+00, 95+20, 95+40, 95+60, 95+80, 96+00, 96+20, 96+40, 96+60, 96+80, 97+00, 97+20, 97+40, 97+60, 97+80, 98+00, 98+20, 98+40, 98+60, 98+80, 99+00, 99+20, 99+40, 99+60, 99+80, 100+00, 100+20, 100+40, 100+60, 100+80, 101+00, 101+20, 101+40, 101+60, 101+80, 102+00, 102+20, 102+40, 102+60, 102+80, 103+00, 103+20, 103+40, 103+60, 103+80, 104+00, 104+20, 104+40, 104+60, 104+80, 105+00, 105+20, 105+40, 105+60, 105+80, 106+00, 106+20, 106+40, 106+60, 106+80, 107+00, 107+20, 107+40, 107+60, 107+80, 108+00, 108+20, 108+40, 108+60, 108+80, 109+00, 109+20, 109+40, 109+60, 109+80, 110+00, 110+20, 110+40, 110+60, 110+80, 111+00, 111+20, 111+40, 111+60, 111+80, 112+00, 112+20, 112+40, 112+60, 112+80, 113+00, 113+20, 113+40, 113+60, 113+80, 114+00, 114+20, 114+40, 114+60, 114+80, 115+00, 115+20, 115+40, 115+60, 115+80, 116+00, 116+20, 116+40, 116+60, 116+80, 117+00, 117+20, 117+40, 117+60, 117+80, 118+00, 118+20, 118+40, 118+60, 118+80, 119+00, 119+20, 119+40, 119+60, 119+80, 120+00, 120+20, 120+40, 120+60, 120+80, 1



## Recommendation/Public Input

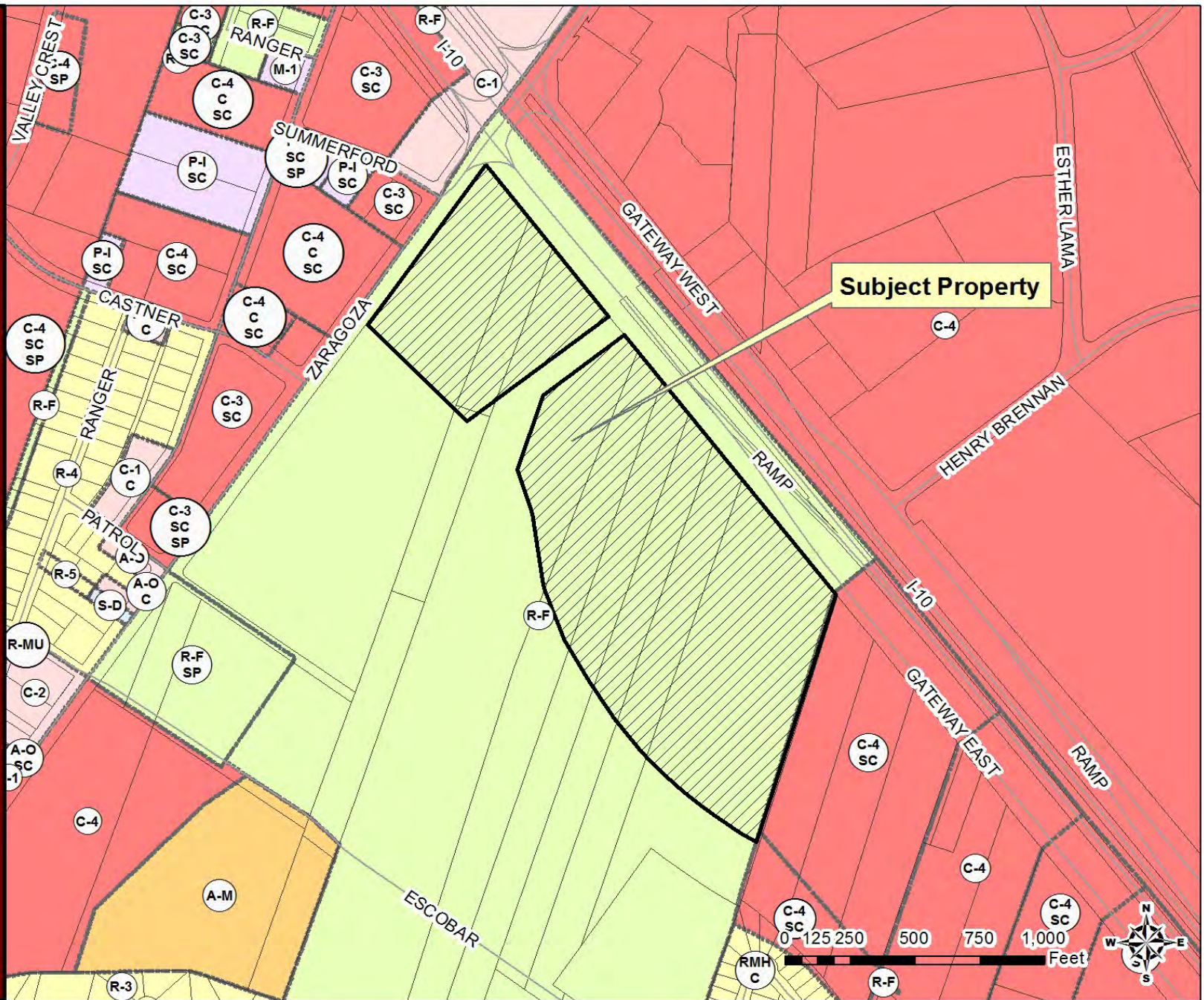
- Planning Division recommendation: Approval
- CPC Vote: Approval Recommendation (4-1) with one condition on each request.  
On the 9 acre lot: A 6 foot decorative rock-wrought iron combination wall adjacent to the park  
On the 31 acre lot: A detailed site development plan required to be reviewed and approved by CPC prior to the issuance of an building permits.
- Public Input: No communications received in support or opposition to the Rezoning request.

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

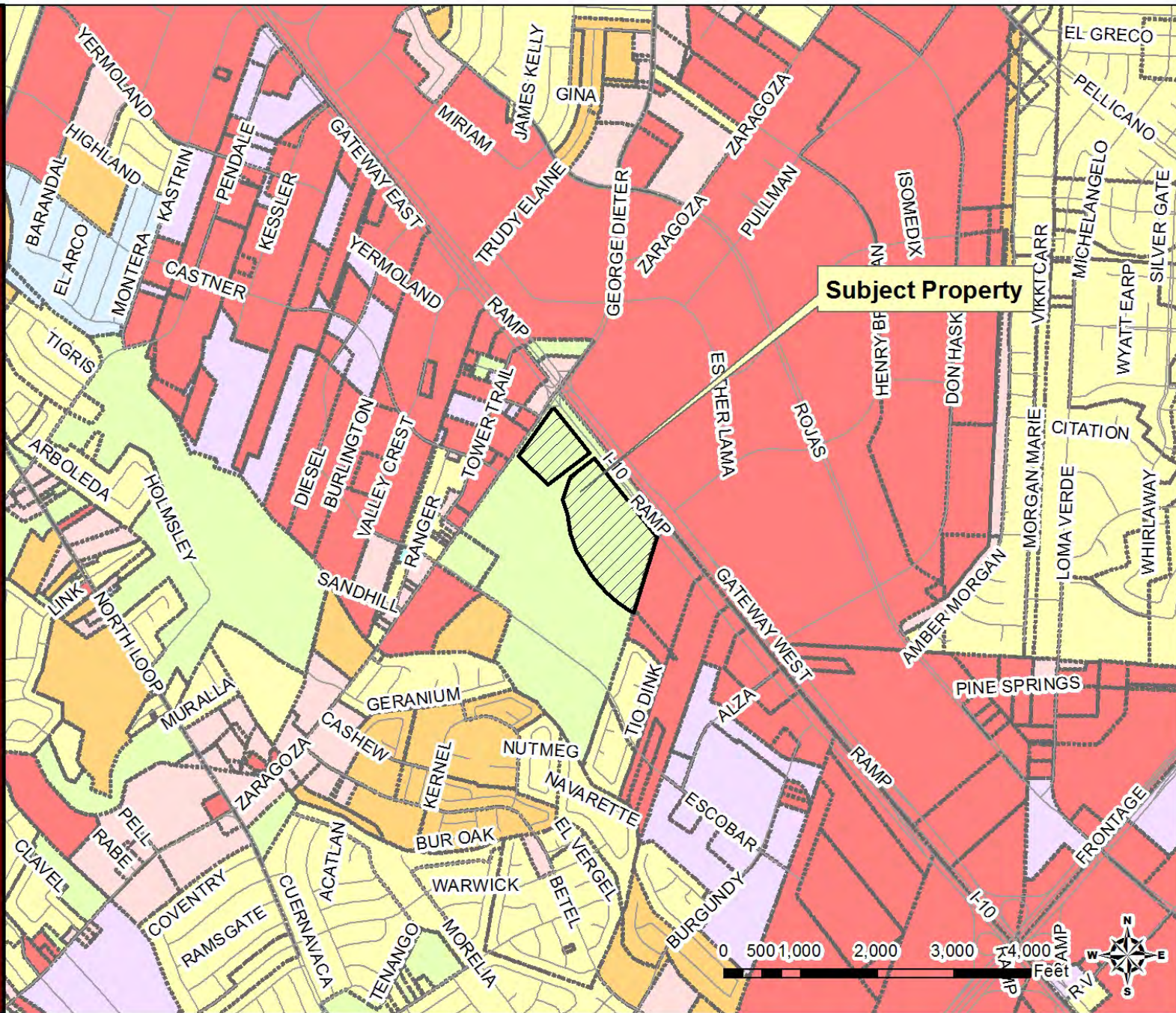
3.1 Provide business friendly permitting and inspection processes

3.2 Improve the visual impression of the community













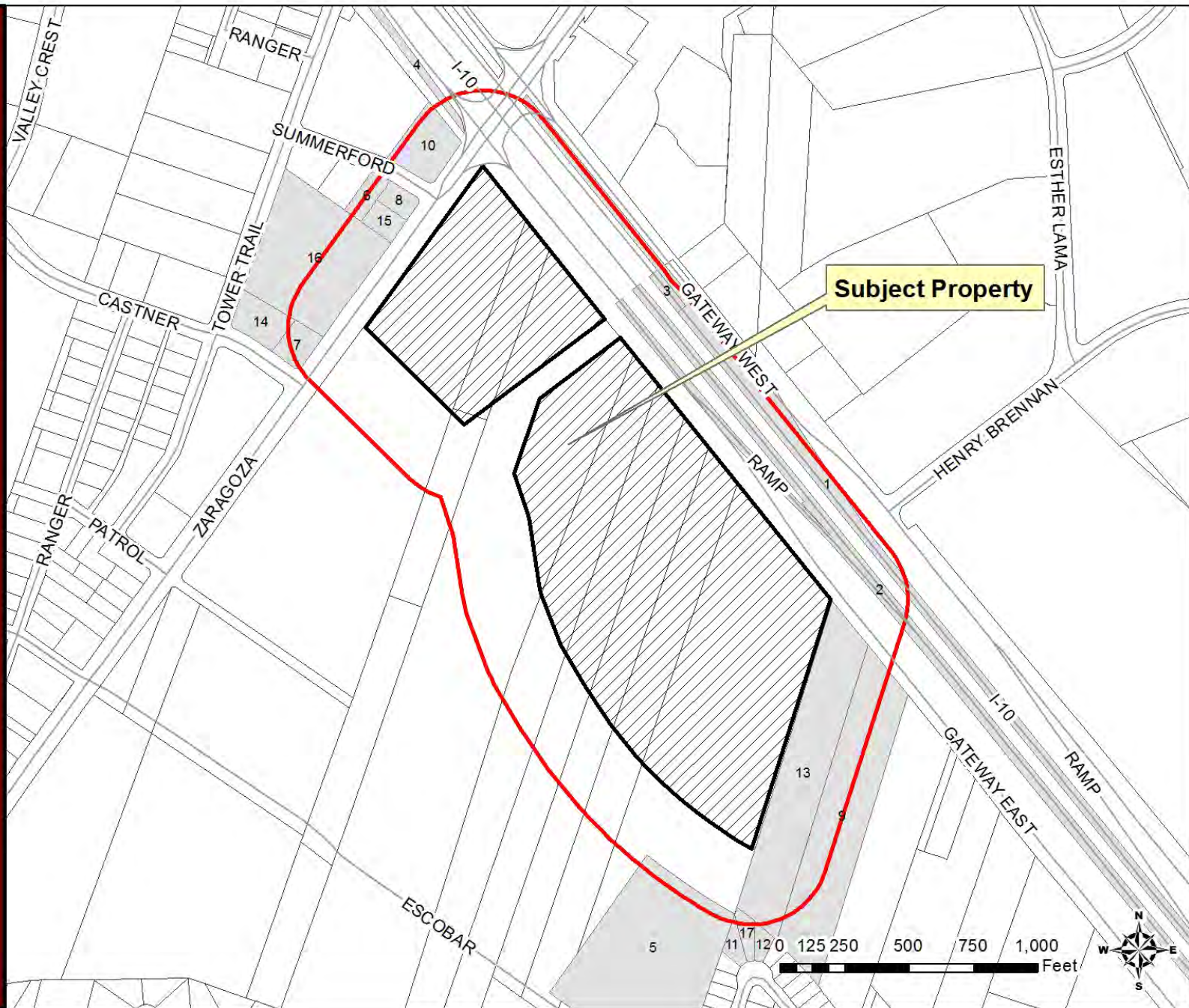




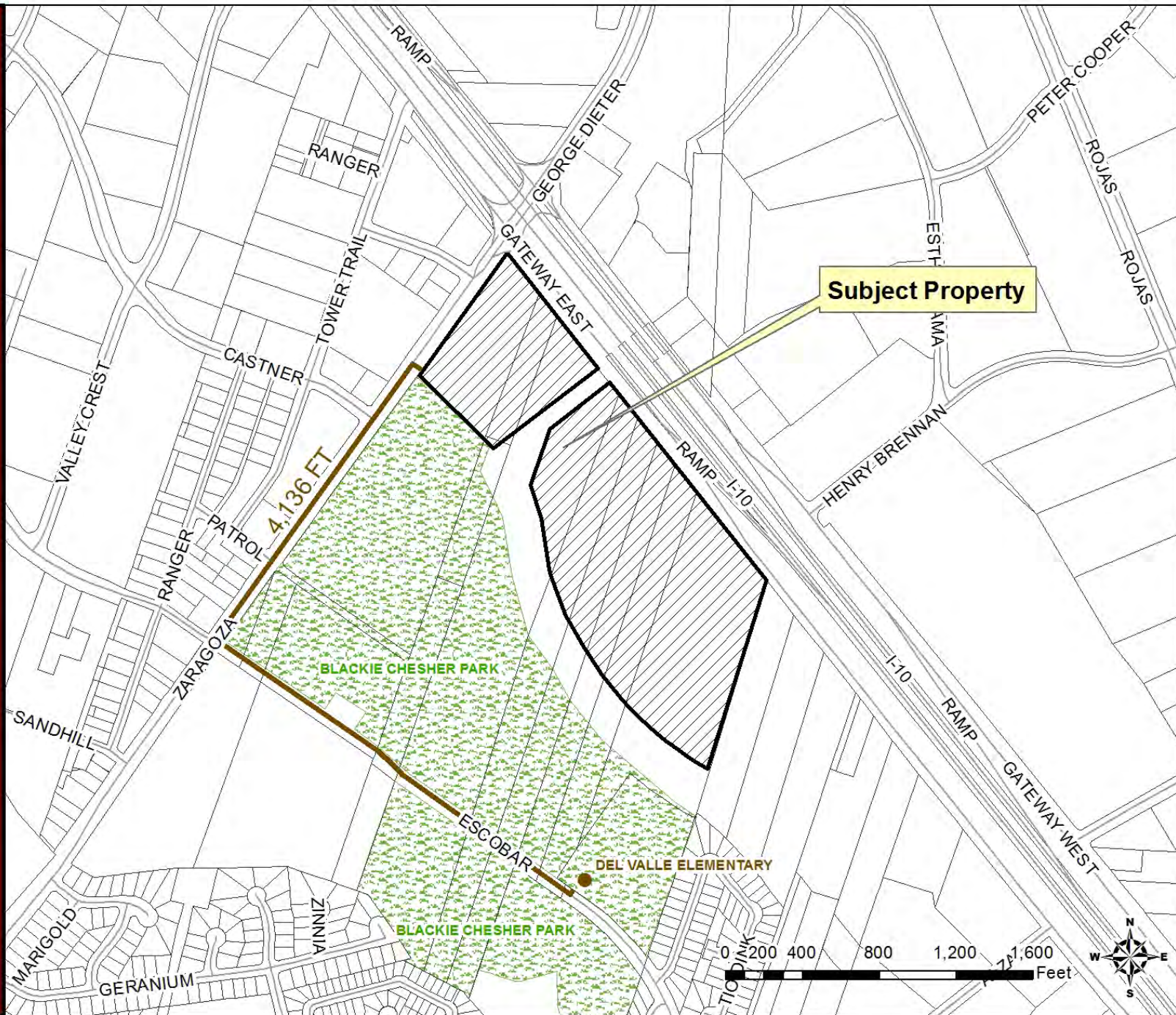


















**Subject Property**  
**9 acre lot**



**Subject Property**  
**31 acre lot**

North



East



## South Blackie Chesher Park



West





