

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

DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance changing the zoning of portions of Tracts 10, 11, 12, 13, 14B, 15B and 16, 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, **PZRZ14-00043 (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 10, 11, 12, 13, 14B, 15B AND 16, BLOCK 55, YSLETA GRANT SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-3 (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 *Portions of Tracts 10, 11, 12, 13, 14B, 15B, and 16, 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.

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 Leaser
Mayor

ATTEST:

Richarda D. Momsen
City Clerk

ORDINANCE NO. _____

Zoning Case No: PZRZ14-00043

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: PZRZ14-00043

MEMORANDUM

DATE: May 12, 2015

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

FROM: Arturo Rubio, Lead Planner

SUBJECT: PZRZ14-00043

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 prior to the issuance of any building permits, a detailed site development plan shall be reviewed per the El Paso City Code.

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/EPWU/PSB
Representative: Lupe Cuellar/Alma De Anda

Attachments: Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00043
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 10, 11, 12, 13, 14B, 15B, and 16, Block 55, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas
Acreage: 31.9 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 31.9 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) subject to approval of a comprehensive plan amendment with the following condition:

That prior to the issuance of any building permits a Detailed Site Development Plan shall be reviewed and approved by the City Plan Commission per the El Paso City Code.

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 the rezoning application approval.

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. The 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 furthering discussing with the City to meet the schematic needs. If you have any questions about the schematic please contact Godwin Ubanyionwu, P.E.

Planning and Inspections Department – Building & Development Permitting

Recommend approval

Planning and 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 that condition No. 2 be kept at 8' as it is adjacent to drainage structures.

Attachments

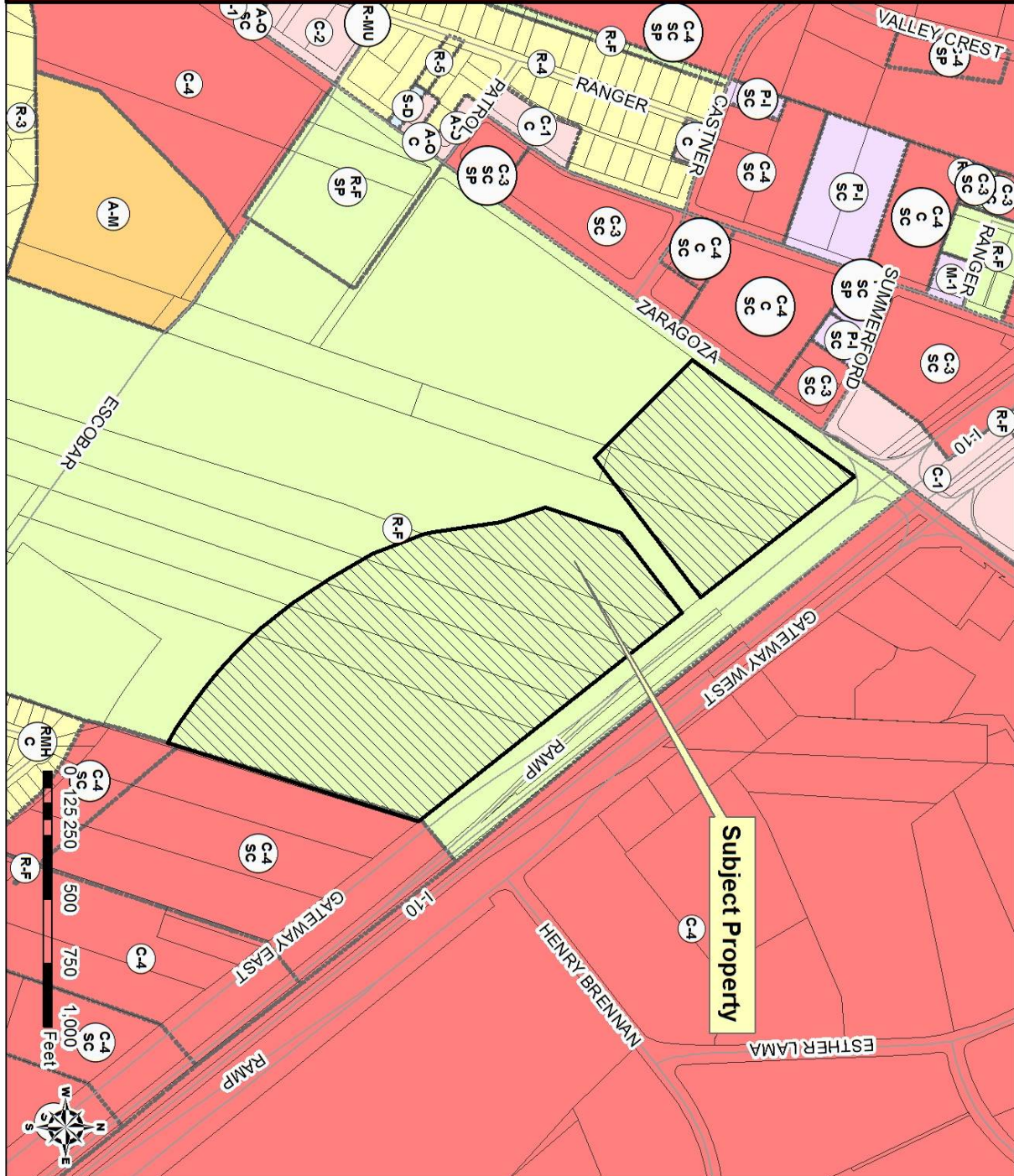
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Plan

ATTACHMENT 1: ZONING MAP

PZRZ14-00042 & PZRZ14-00043

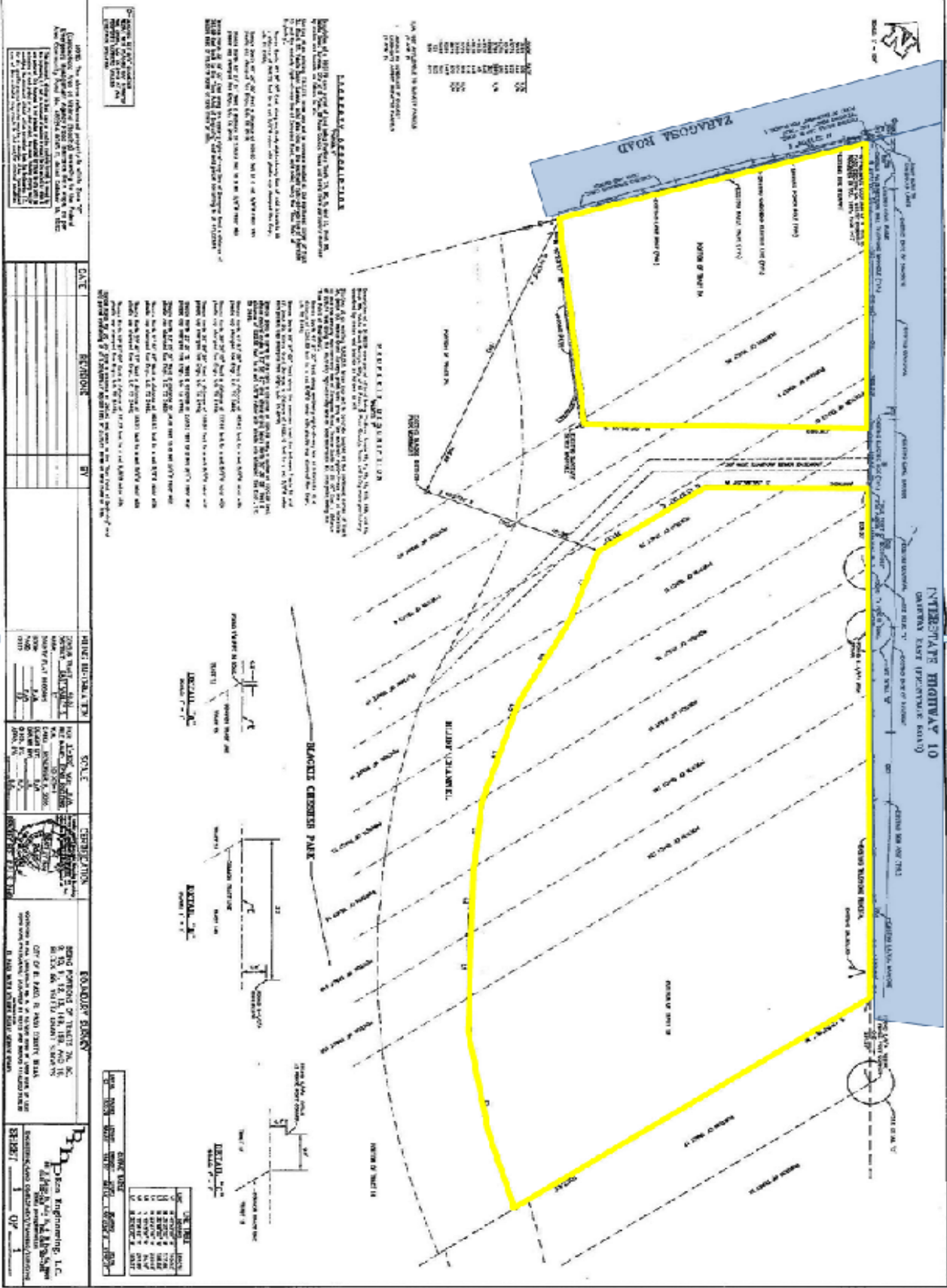


ATTACHMENT 2: AERIAL MAP

PZRZ14-00042 & PZRZ14-00043



ATTACHMENT 3: CONCEPTUAL PLAN





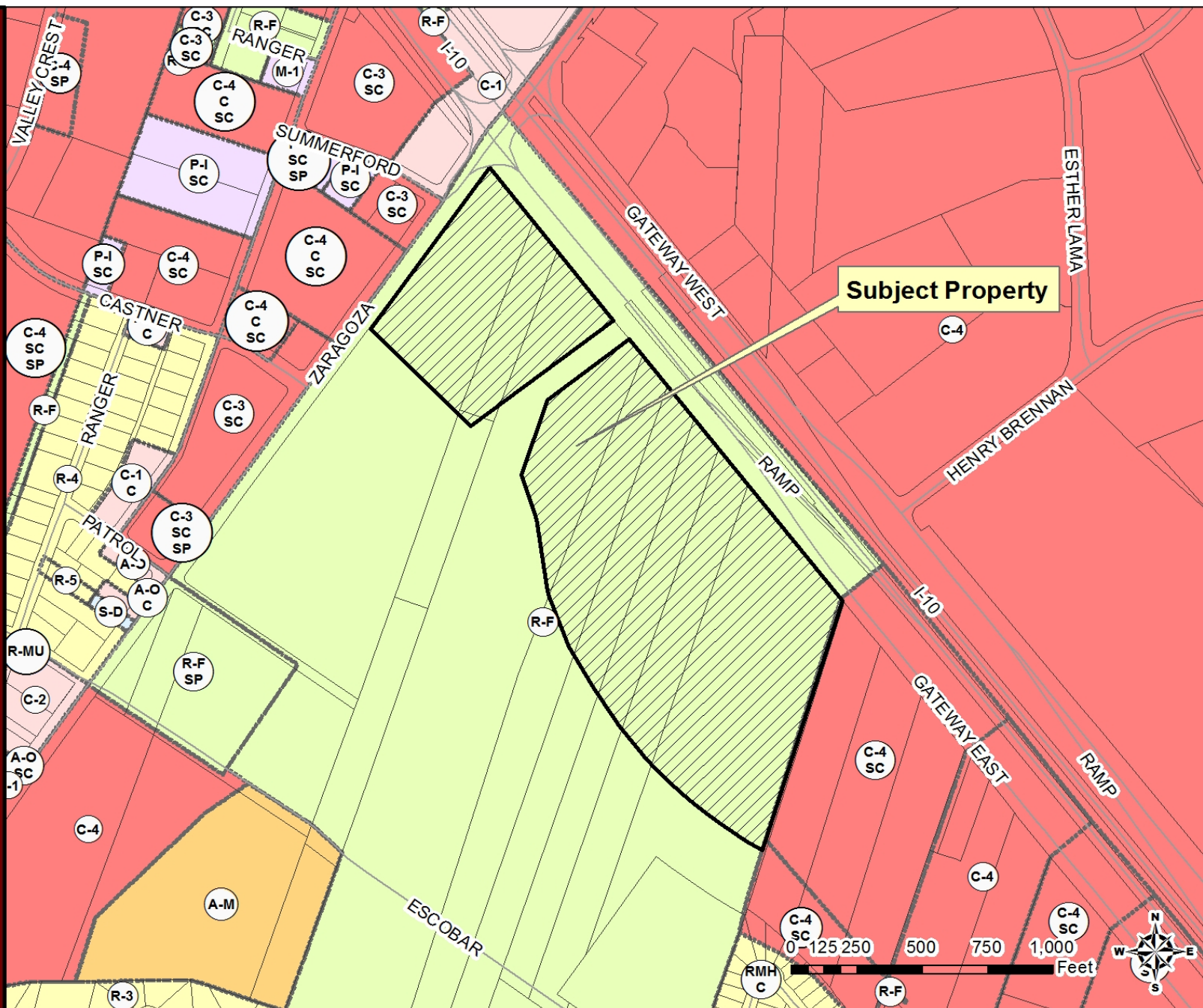
Recommendation/Public Input

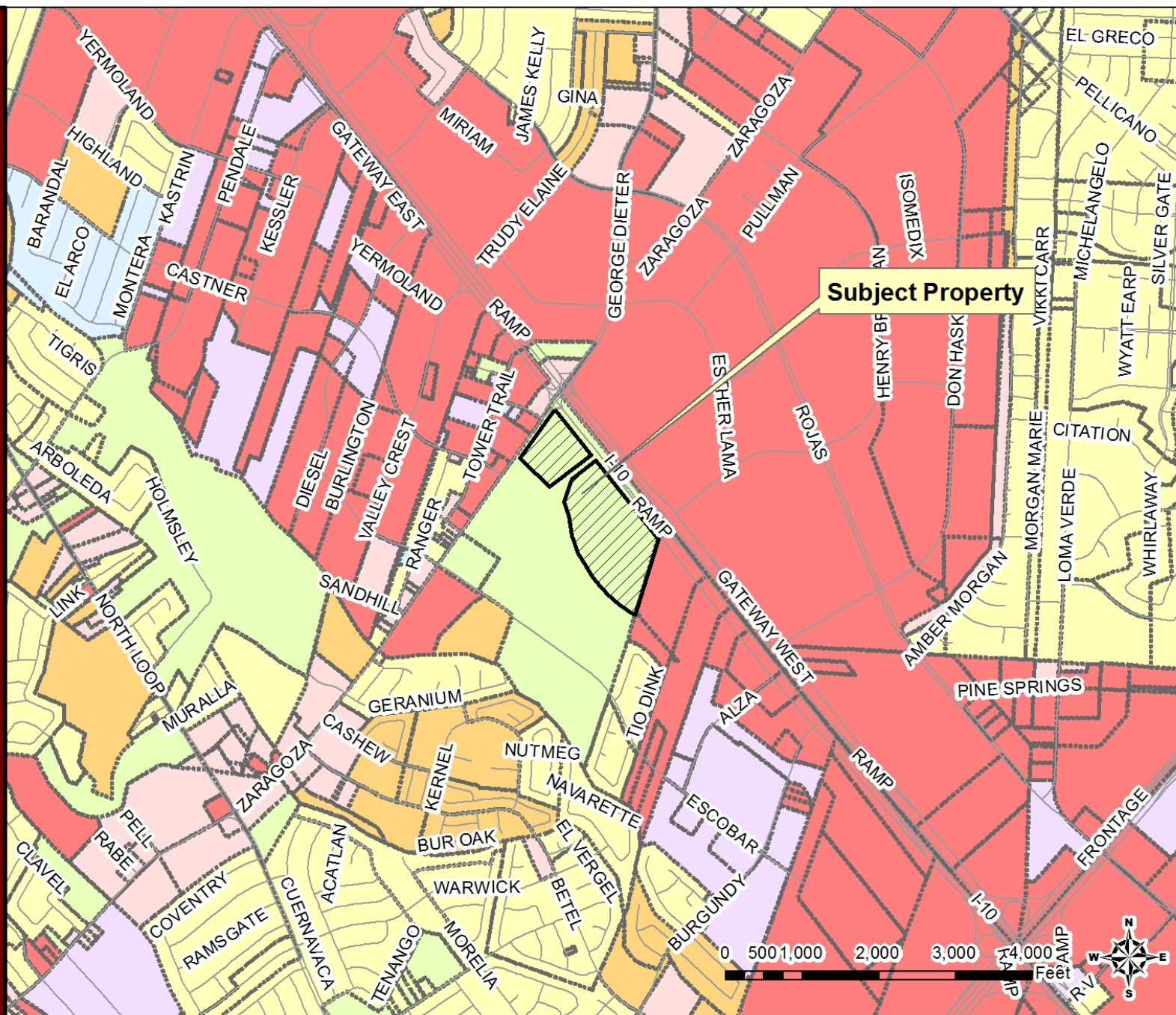
- Planning Division recommendation: Approval
- CPC Vote: Approval Recommendation (4-1) with one condition on each request.
On the 9 acre lot: A 6 foot decorative rock-wrought iron combination wall adjacent to the park
On the 31 acre lot: A detailed site development plan required to be reviewed and approved 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

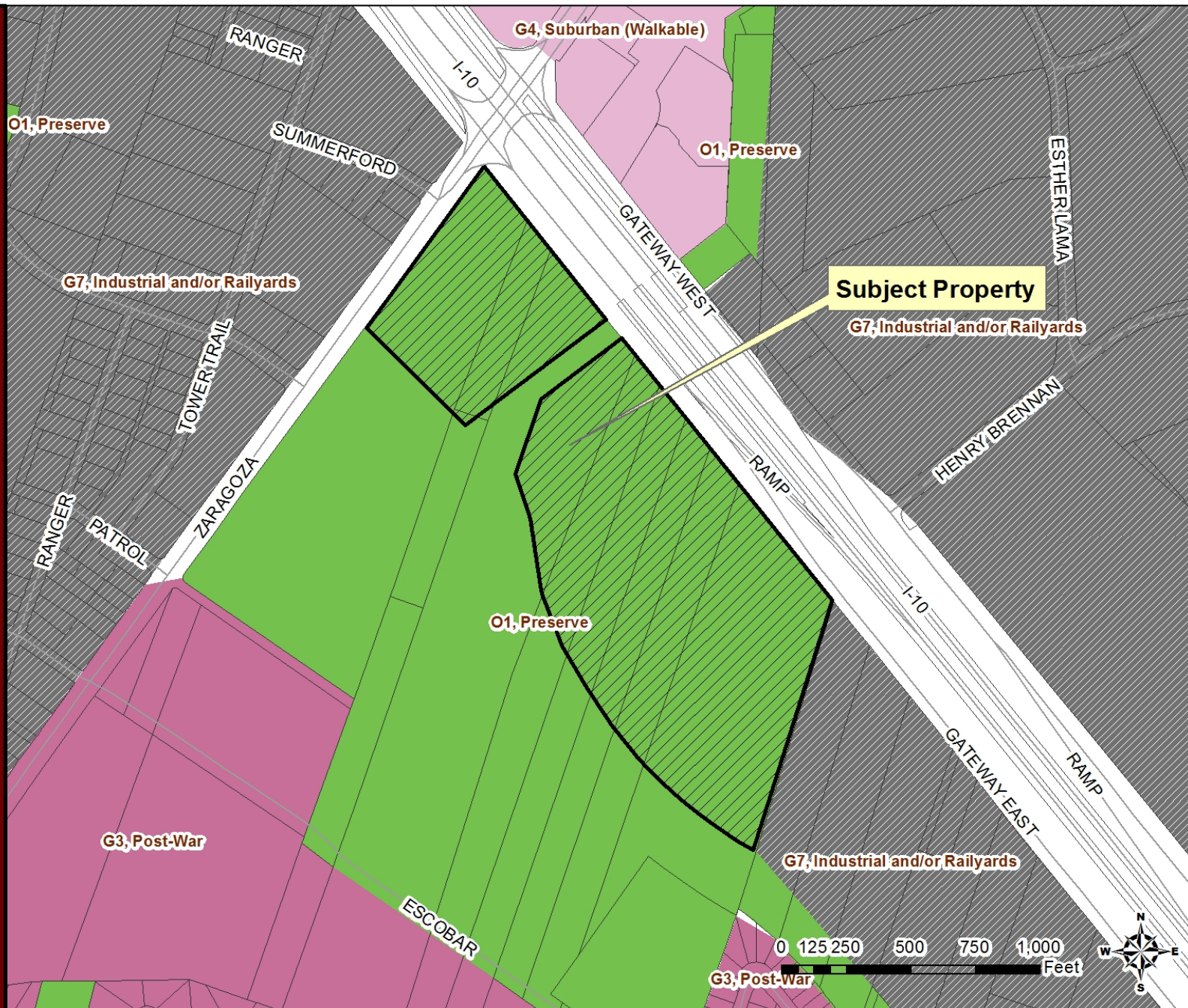


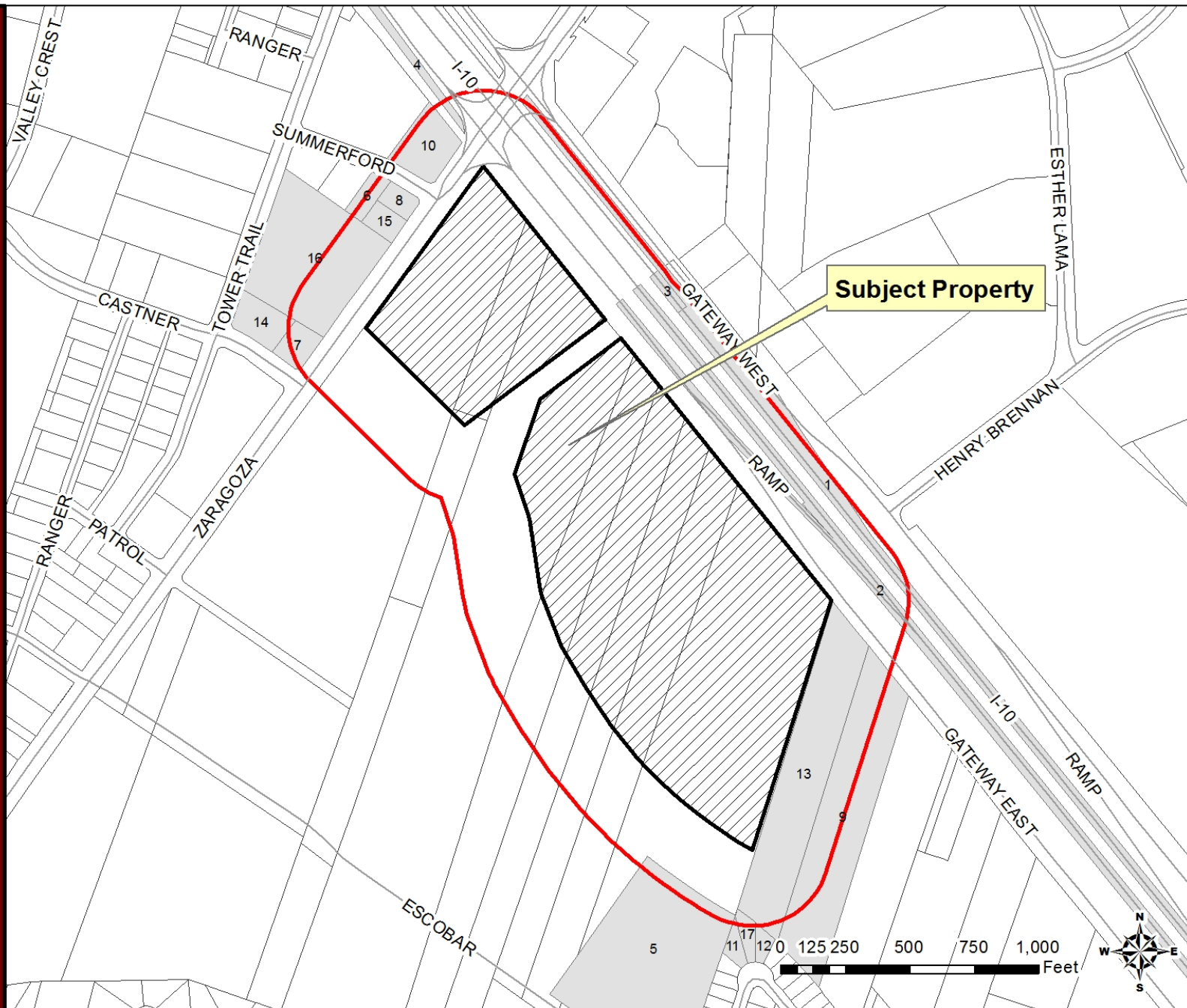


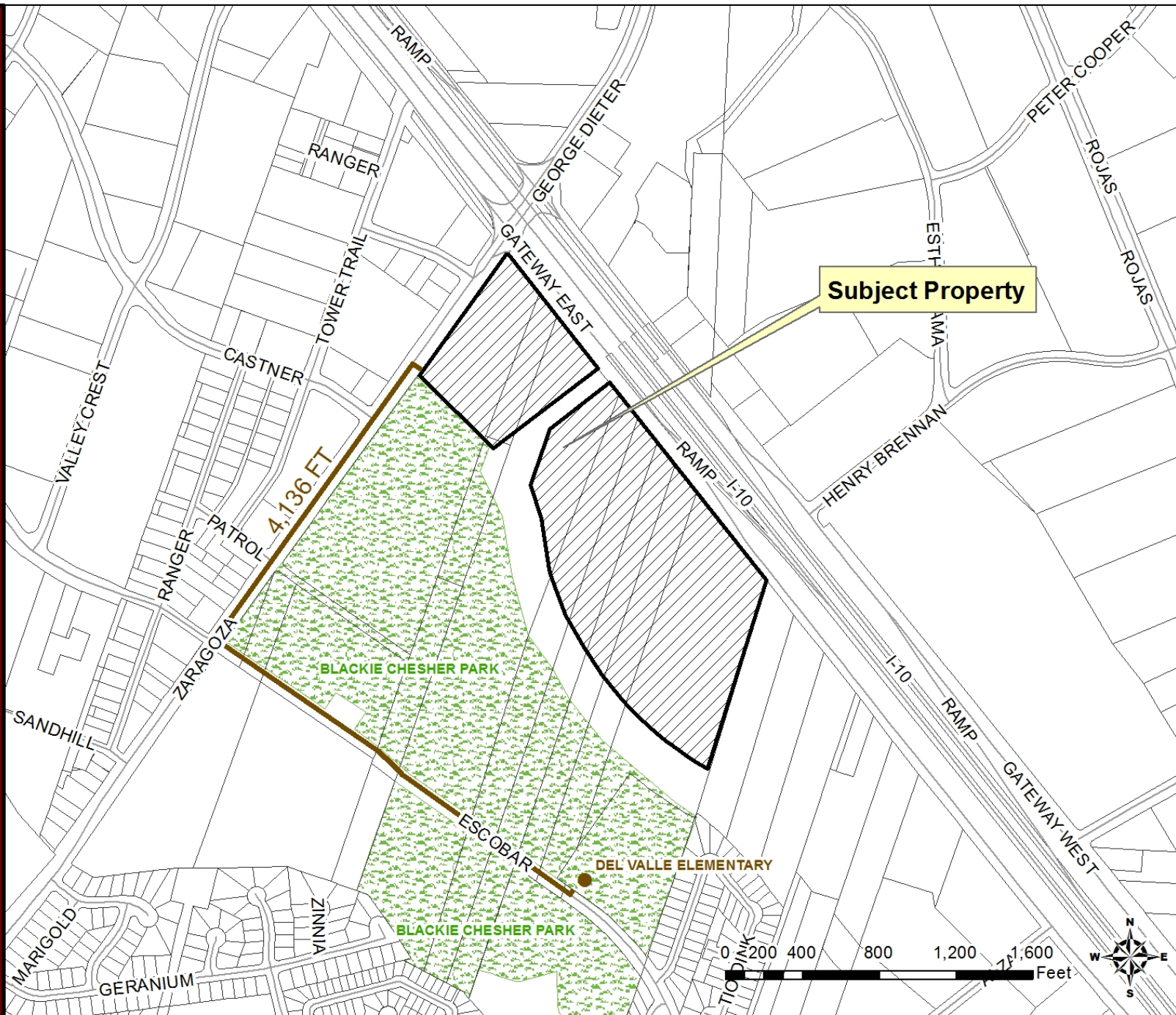


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**Subject Property
9 acre lot**

Subject Property
31 acre lot

North

East

South Blackie Chesher Park

West



16

