

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

DEPARTMENT: City Development Department, Planning Division

AGENDA DATE: Introduction: May 20, 2014
Public Hearing: June 17, 2014

CONTACT PERSON/PHONE: Nelson Ortiz, (915) 212-1606, ortiznx@elpasotexas.gov

DISTRICT(S) AFFECTED: 6

SUBJECT:

An Ordinance changing the zoning of all of Tract 20-B4, Block 55, Ysleta Grant, 9350 Escobar Drive, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to C-4 (Commercial), and imposing a condition. The penalty is as provided for in Chapter 20.24 of The El Paso City Code. Property owner: Jacob Peters, Location: 9350 Escobar Drive, **PZRZ14-00006**

BACKGROUND / DISCUSSION:

Staff report attached.

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

City Plan Commission (CPC) – Approval Recommendation (6-0)


*****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 ALL OF TRACT 20-B4, BLOCK 55, YSLETA GRANT, 9350 ESCOBAR DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4 (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 *all of Tract 20-B4, Block 55, Ysleta Grant, 9350 Escobar Drive, 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-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 condition which is necessitated by and attributable to the intensity generated by the change of zoning in order to protect the health, safety and welfare of the residents of this City:

That the property include a 15 foot landscaping buffer within the setback with high-profile native trees of at least three (3) inch caliper and ten (10) feet in height shall be placed at ten (10) feet on center along the southerly property line adjacent to any residential use or zone. The landscape buffer shall be in addition to the landscape requirements of Title 18 of the El Paso City Code, shall be irrigated and maintained by the property owner at all times, and shall be installed prior to the issuance of any certificates of occupancy.

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: PZRZ14-00006

THE CITY OF EL PASO

ATTEST:

Richarda Duffy Momsen
City Clerk

Oscar Leeson
Mayor

APPROVED AS TO FORM:

Kala M. Nieman
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Director
City Development Department

ORDINANCE NO. _____

Zoning Case No: PZRZ14-00006

EXHIBIT A

Being all of Tract 20-B4, Block 55
Ysleta Grant,
City of El Paso, El Paso County, Texas
November 18, 2013

METES AND BOUNDS DESCRIPTION

9350 Escobar Drive
Exhibit "A"

FIELD NOTE DESCRIPTION of a parcel of land being all of Tract 20-B4, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a found city monument located at centerline intersection of Escobar Drive and Alzo Drive, **THENCE**, leaving said centerline intersection and along the centerline of Escobar Drive, North $55^{\circ}30'00''$ West, a distance 509.27 feet to a point, **THENCE**, leaving said centerline, South $15^{\circ}57'00''$ West a distance of 42.53 feet to the **POINT OF BEGINNING** of the herein described parcel;

THENCE, South $15^{\circ}57'00''$ West, a distance of 640.01 feet to a point;

THENCE, North $31^{\circ}42'00''$ West, a distance of 173.72 feet to a point;

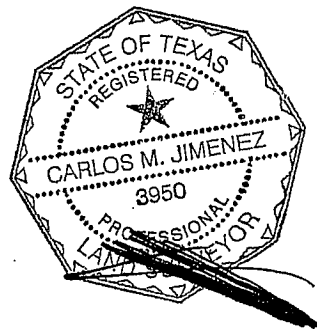
THENCE, North $64^{\circ}27'00''$ West, a distance of 20.78 feet to a point;

THENCE, North $15^{\circ}57'00''$ East, a distance of 596.56 feet to a point;

THENCE, 166.24 feet along the arc of a curve to the left, whose radius is 1,453.40 feet, whose interior angle is $06^{\circ}33'13''$, whose chord bears South $47^{\circ}39'20''$ East, a distance of 166.15 feet to the **POINT OF BEGINNING** of the herein described lot and containing 90,573.42 square feet or 2.0793 Acres of land more or less.

Carlos M. Jimenez
Registered Professional Land Surveyor
Texas No. 3950

CAD CONSULTING COMPANY.
1790 Lee Trevino Suite # 503
El Paso, Texas 79936
(915) 633-6422
13-2615.wpd



MEMORANDUM

DATE: May 20, 2014

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

FROM: Nelson Ortiz, Planner

SUBJECT: PZRZ14-00006

The City Plan Commission (CPC), on April 10, 2014, voted 6-0 to recommend **approval** of rezoning the subject property from R-F (Ranch and Farm) to C-4 (Commercial) with the following condition:

That the property include a 15 foot landscaping buffer within the setback with high-profile native trees of at least three (3) inch caliper and ten (10) feet in height shall be placed at ten (10) feet on center along the southerly property line adjacent to any residential use or zone. The landscaped buffer shall be in addition to the landscape requirements of Title 18 of the El Paso City Code, shall be irrigated and maintained by the property owner at all times, and shall be installed prior to the issuance of any certificates of occupancy.

The CPC found that the rezoning is in conformance with the 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 one letter in opposition to this request and is attachment 4 in the staff report.

Attachment:
Staff Report



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00006
Application Type: Rezoning
CPC Hearing Date: April 10, 2014
Staff Planner: Nelson Ortiz, 915-212-1606, ortiznx@elpasotexas.gov

Location: 9350 Escobar Drive
Legal Description: Being all of Tract 20-B4, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 2.0793
Rep District: 6
Current Zoning: R-F (Ranch and Farm)
Existing Use: Vacant (metal building to be removed)
C/SC/SP/ZBA/LNC: None
Request: From R-F (Ranch and Farm) to C-4 (Commercial)
Proposed Use: Motor-carrier terminal

Property Owner: Jacob Peters
Representative: Gabriel Mendez

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Semi-truck storage yard
South: R-5/sp/sc (Residential/ Special Permit/ Special Contract) / Single-Family Development
East: C-4 (Commercial) / M-1/sc (Light Manufacturing/ Special Contract) / Vacant
West: C-4 (Commercial) / Vacant / RMH/c (Residential Mobile Home/ Condition) / RMH development

PLAN EL PASO DESIGNATION: G-7, Industrial and/or Railyards

NEAREST PARK: Blackie Chesher Park (.252 mi.)

NEAREST SCHOOL: Del Valle Elementary School (.31 mi.)

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 11, 2014. The Planning Division received one letter (attachment 4) expressing opposition to the rezoning request citing the potential noise levels and environmental/health issues as the concerns.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-F (Ranch and Farm) to C-4 (Commercial). The subject property is 2.0793 acres in size and is mostly vacant with the exception of a small metal building currently slated for removal. The applicant intends to develop the property into a motor-carrier terminal for parking semi-trucks which is permitted in the C-4 zoning district. Access to the property is proposed from Escobar Drive. The detailed site development plan shows the removal of an existing metal building and the addition of a new metal warehouse for general storage. The proposed development is in line with the current land uses immediately surrounding the property as well as the future land use map designation.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-F (Ranch and Farm) to C-4 (Commercial) with the following condition:

- *That the property include a 15 foot landscaping buffer within the setback with high-profile native trees of at least three (3) inch caliper and ten (10) feet in height shall be placed at ten (10) feet on center along the southerly property line adjacent to any residential use or zone. The landscaped buffer shall be in addition to the landscape requirements of Title 18 of the El Paso City Code, shall be irrigated and maintained by the property owner at all times, and shall be installed prior to the issuance of any certificates of occupancy.*

The recommendation is based on the compatibility with the surrounding land uses, also zoned C-4 and M-1, and in compliance with the Plan El Paso future land use designation, G-7, Industrial and/or Railyards.

Plan El Paso - Future Land Use Map Designation

All applications for 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 mixed-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Commercial) district 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.

COMMENTS:

Planning Division - Transportation

A TIA will be required at the time of subdivision submittal.

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.

City Development Department – Plan Review (Building Permit and Inspections)

Upon submittal for building permits, the structure and site will need to comply with all applicable municipal and building codes.

City Development Department - Land Development

No comments received.

Fire Department

No objections to the rezoning request.

Police Department

No objections to the rezoning request.

El Paso Water Utilities

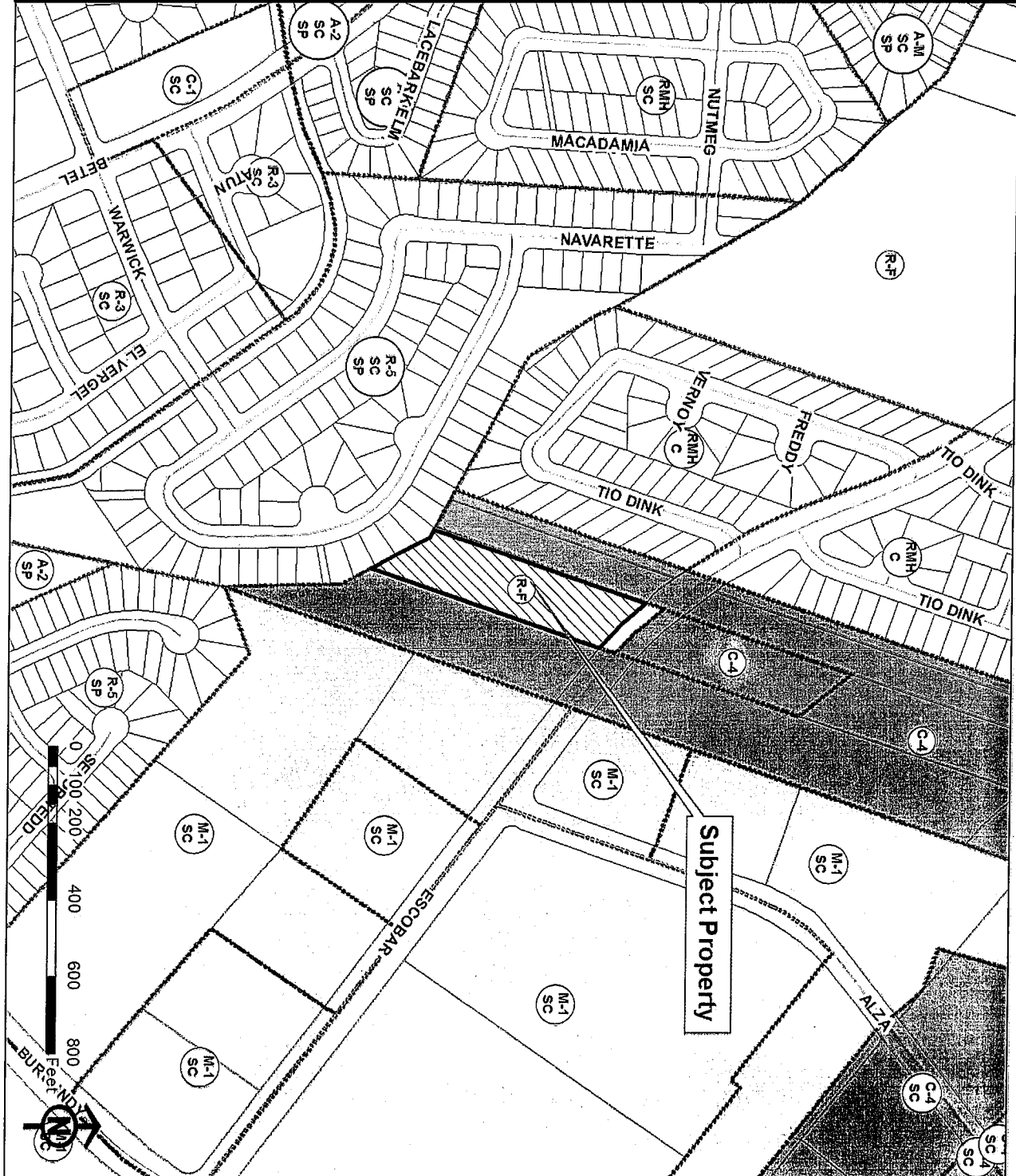
No comments received.

Attachments:

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Letter from the public

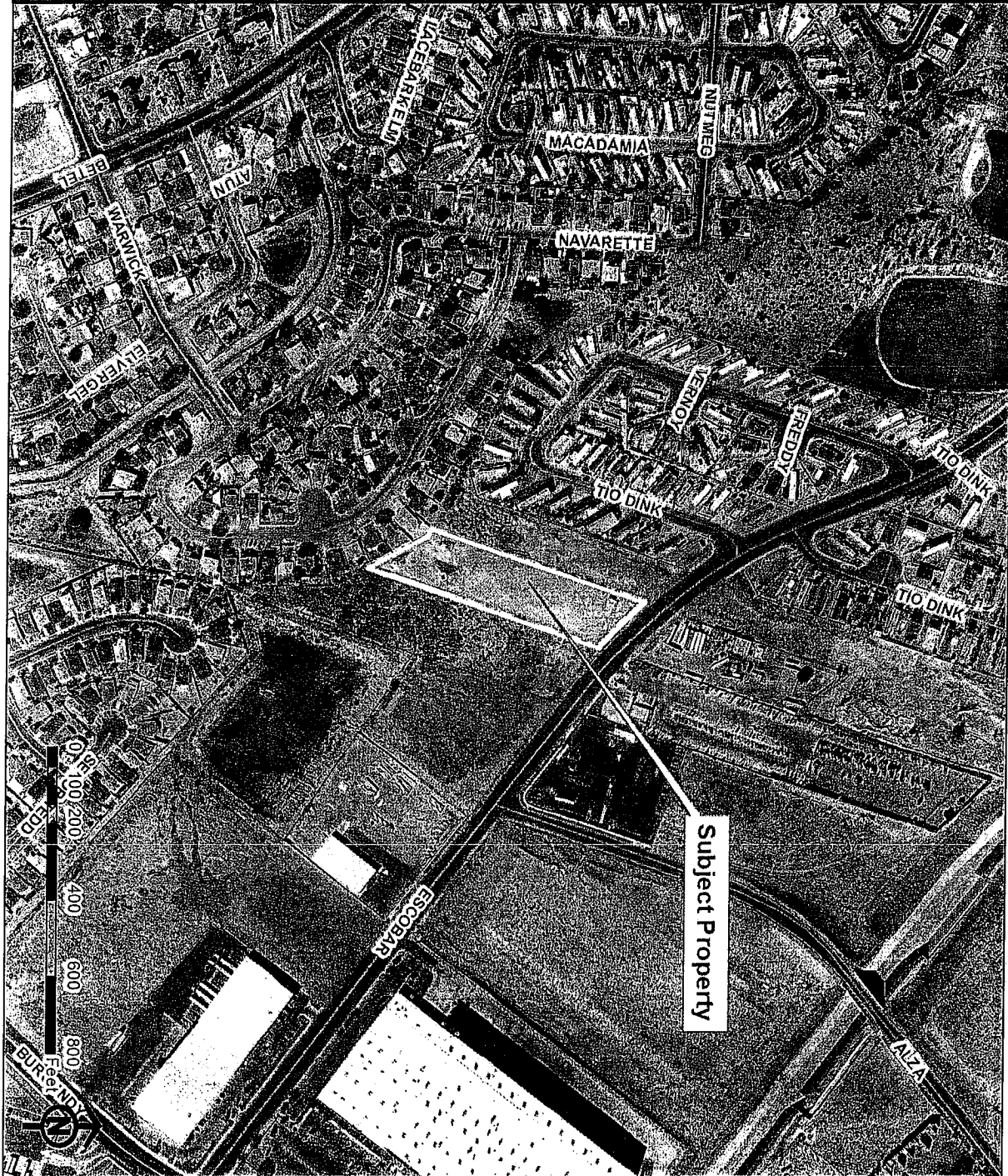
ATTACHMENT 1: ZONING MAP

PZRZ14-00006



ATTACHMENT 2: AERIAL MAP

PZRZ14-00006



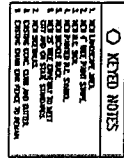
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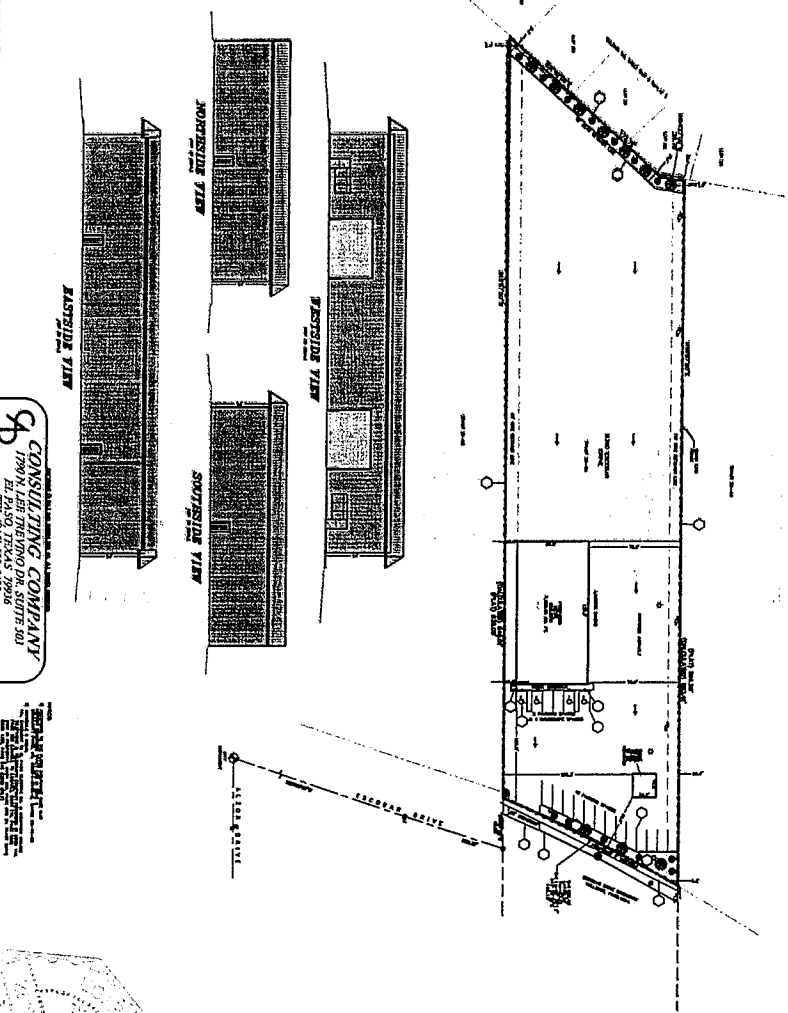
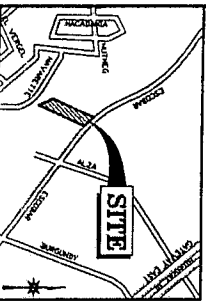
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DETAILED SITE DEVELOPMENT PLAN

BEING ALL OF TRACT NO-B, BLOCK 66
YSLITA GRANT
CITY OF EL PASO, EL PASO COUNTY, TEXAS
CONTAINING:
80.67342 SQ. FT.
OR 2.0783 ACRES ±



LARGEND	
	* TAIL
	* BULDER BECK
	* SEH
	* JACOB
	* PIRAN FELD
	* LARF FELD
	* CHAM LAR FELD



STATE OF TEXAS
COUNTY OF DALLAS
10030100001
86437
LICENSED PROFESSIONAL ENGINEER
PROFESSIONAL ENGINEER
1/23/14

CONSULTING COMPANY
1790 N. LEE TREVINO DR. SUITE 503
EL PASO, TEXAS 79936

THE UNIVERSITY OF CHICAGO

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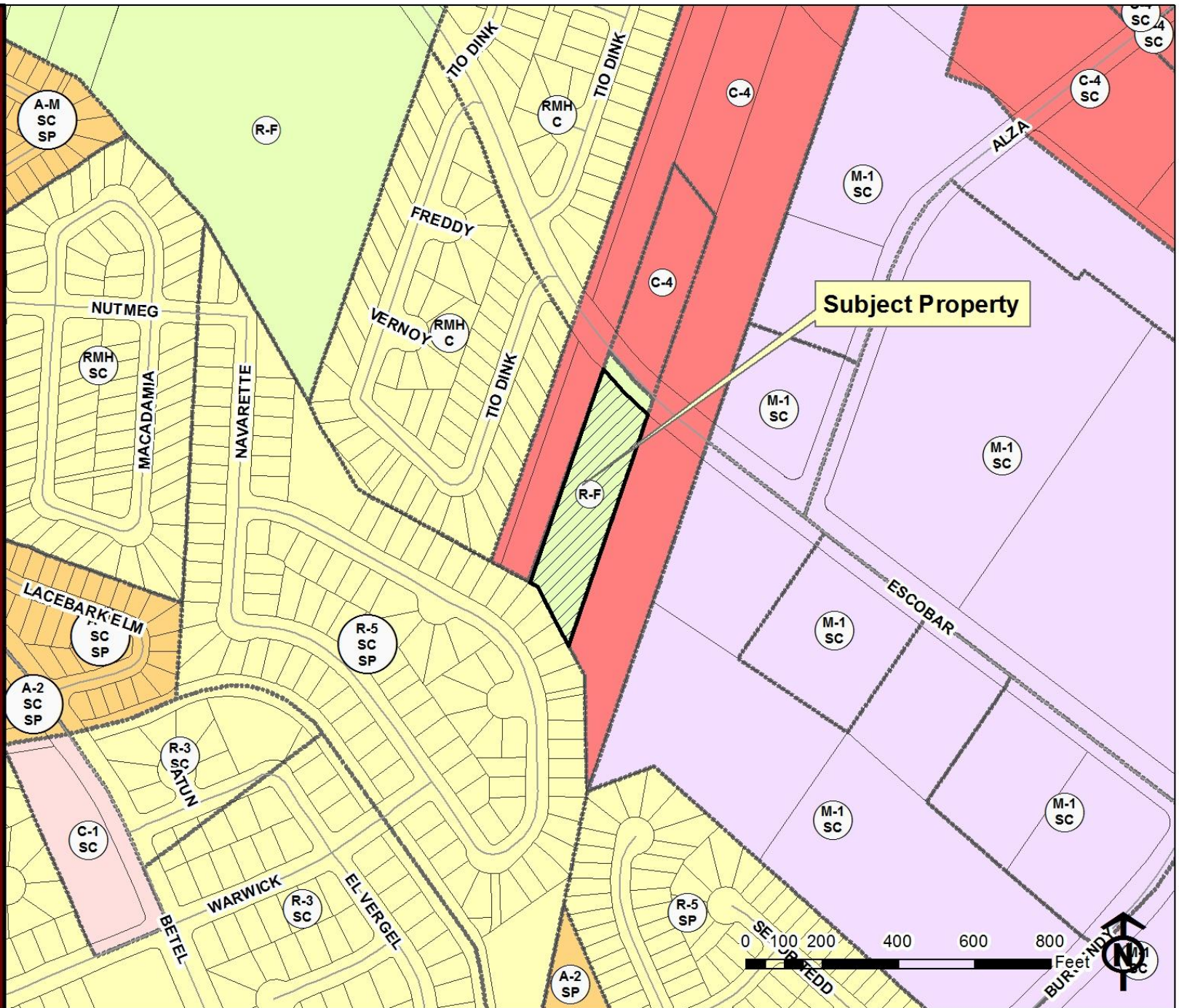
ATTACHMENT 4: LETTER FROM THE PUBLIC

Dear planning division

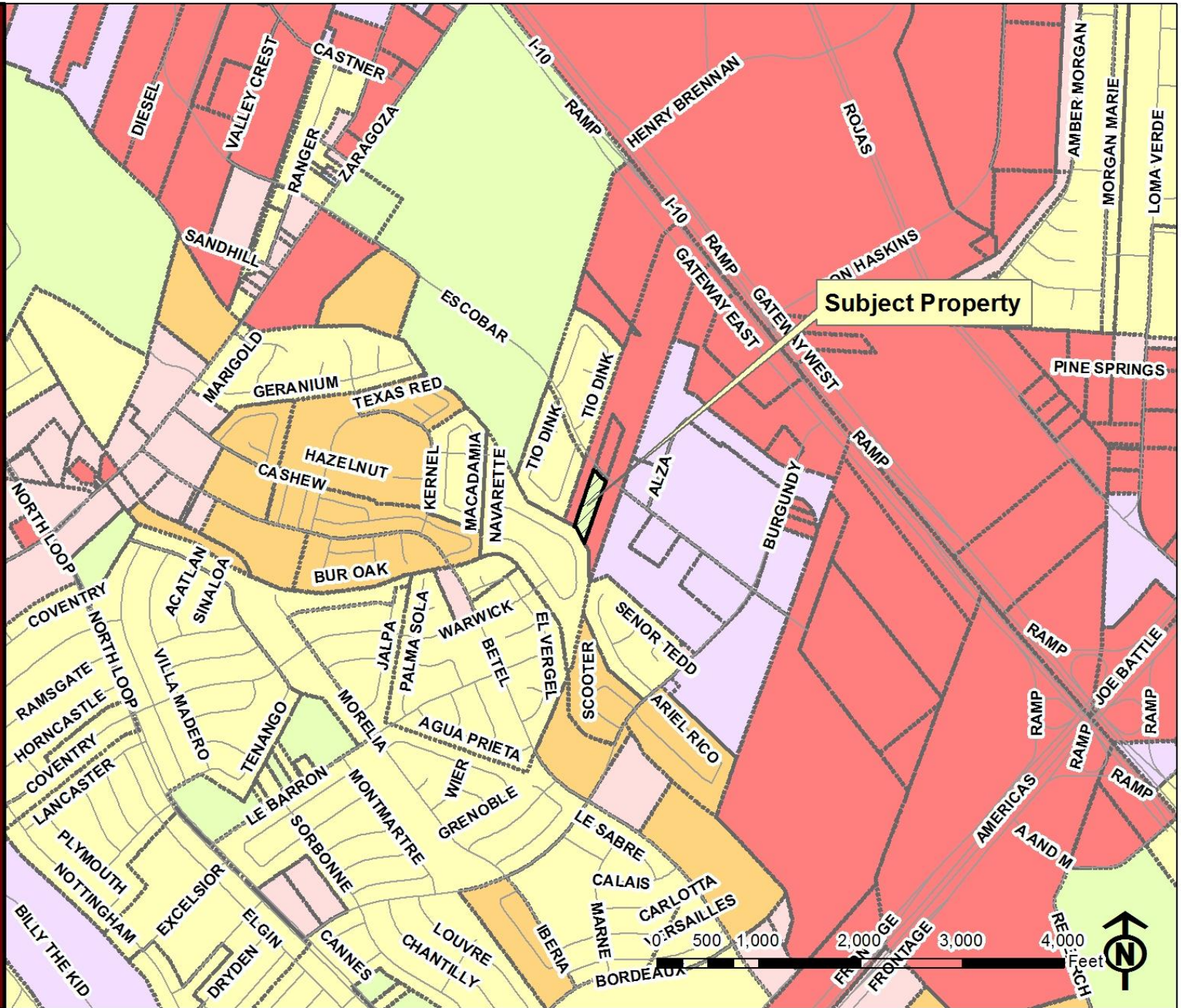
I am not in flavor of a truck terminal in back of my house . I believe the noise would not let people sleep with truck coming and going at all times of night and day. The smell of oil and diesel gasoline is not what I like to smell all day and night. It would be bad for my health . Weight of these large trucks would cause the dirt to shift and the rock walls to crumble in to pieces for they are very delicate and have fallen before when they put in the trail court . I had to paid for the repair of wall my self ,because they said , they were not to blame for allowing the rain water to draining into my backyard that caused the rock wall to fall. This happen to several neighbors. I am also worried that the rain would wash all that dirty oil and gasoline into are backyard. The trash would be dump into are backyards and wind would also carry trash into are yard.

Sincerely
Armando Juarez
A concerted land owner

PZRZ14-000006



PZRZ14-00006



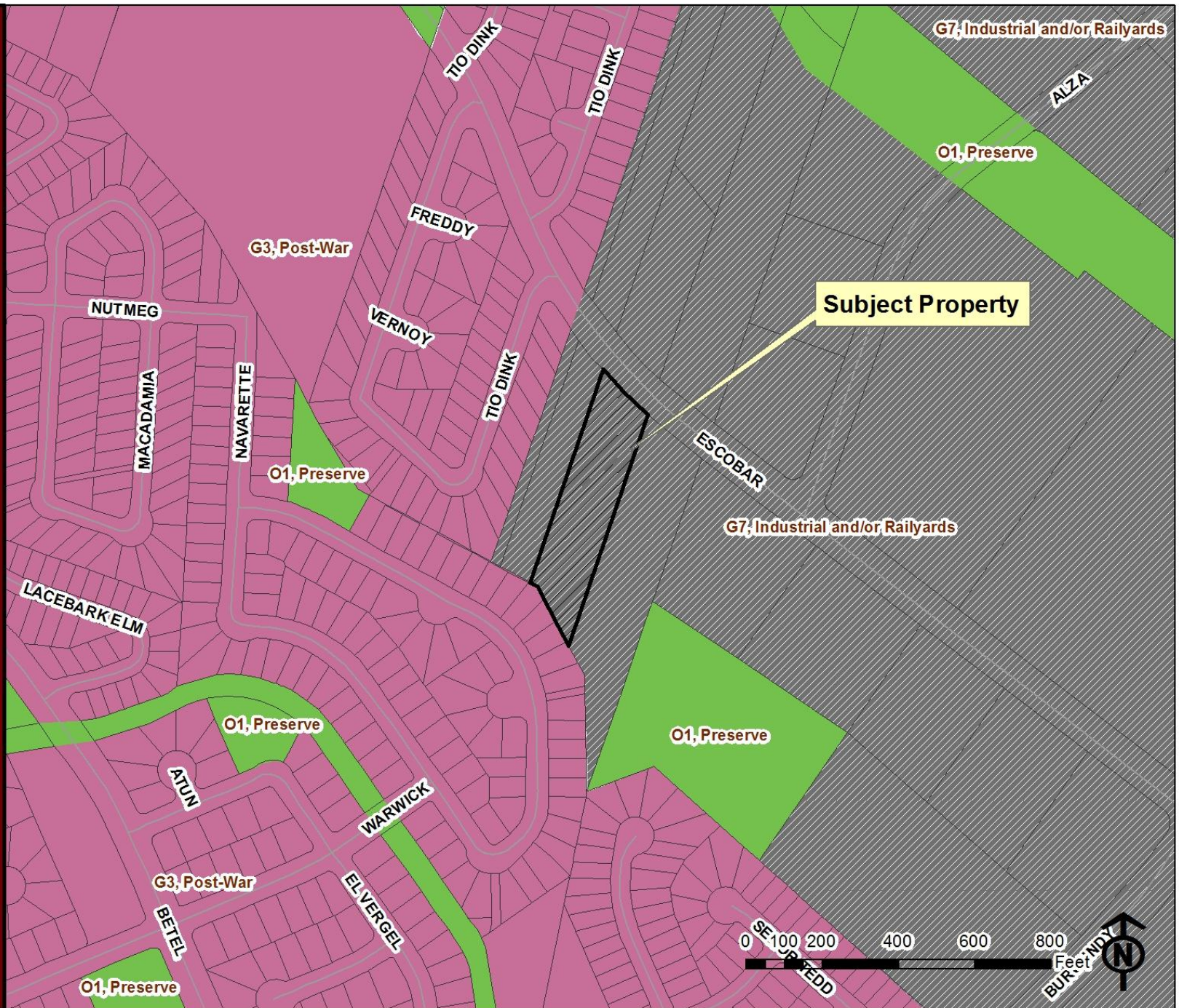
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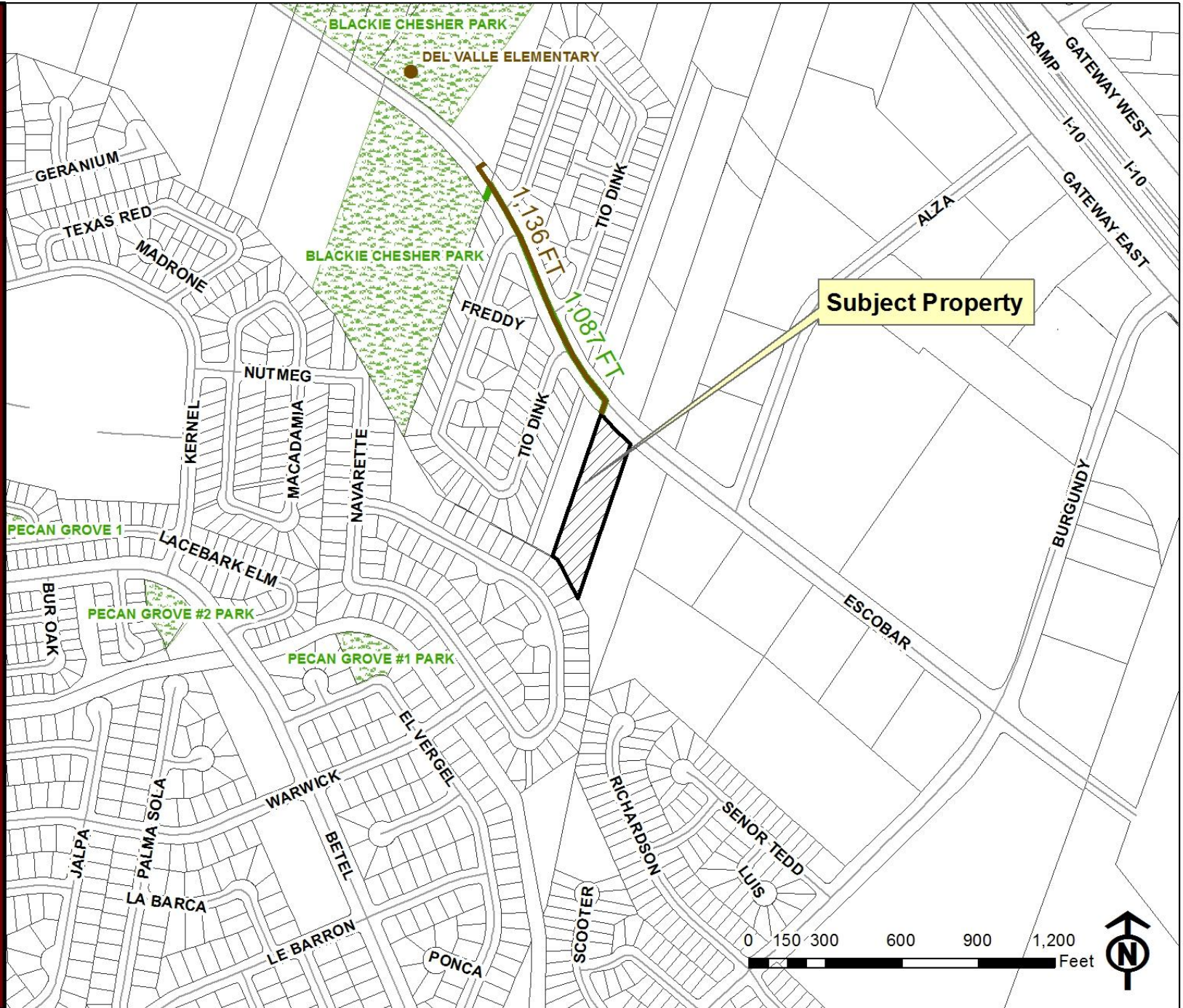
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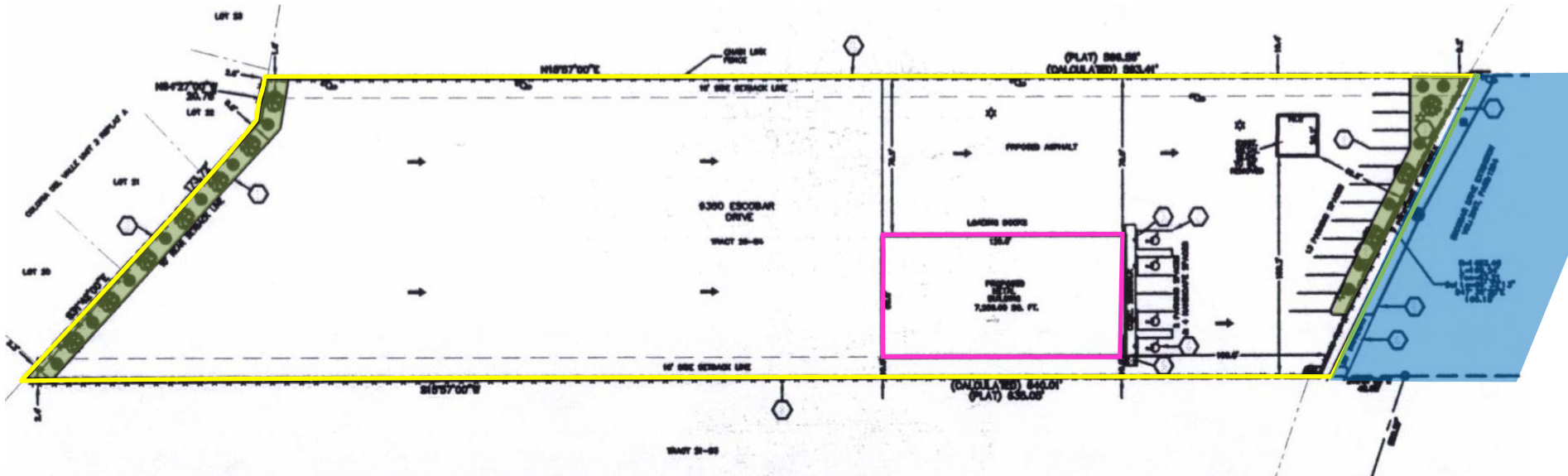
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Conceptual Site Development Plan





Subject Property & South



North

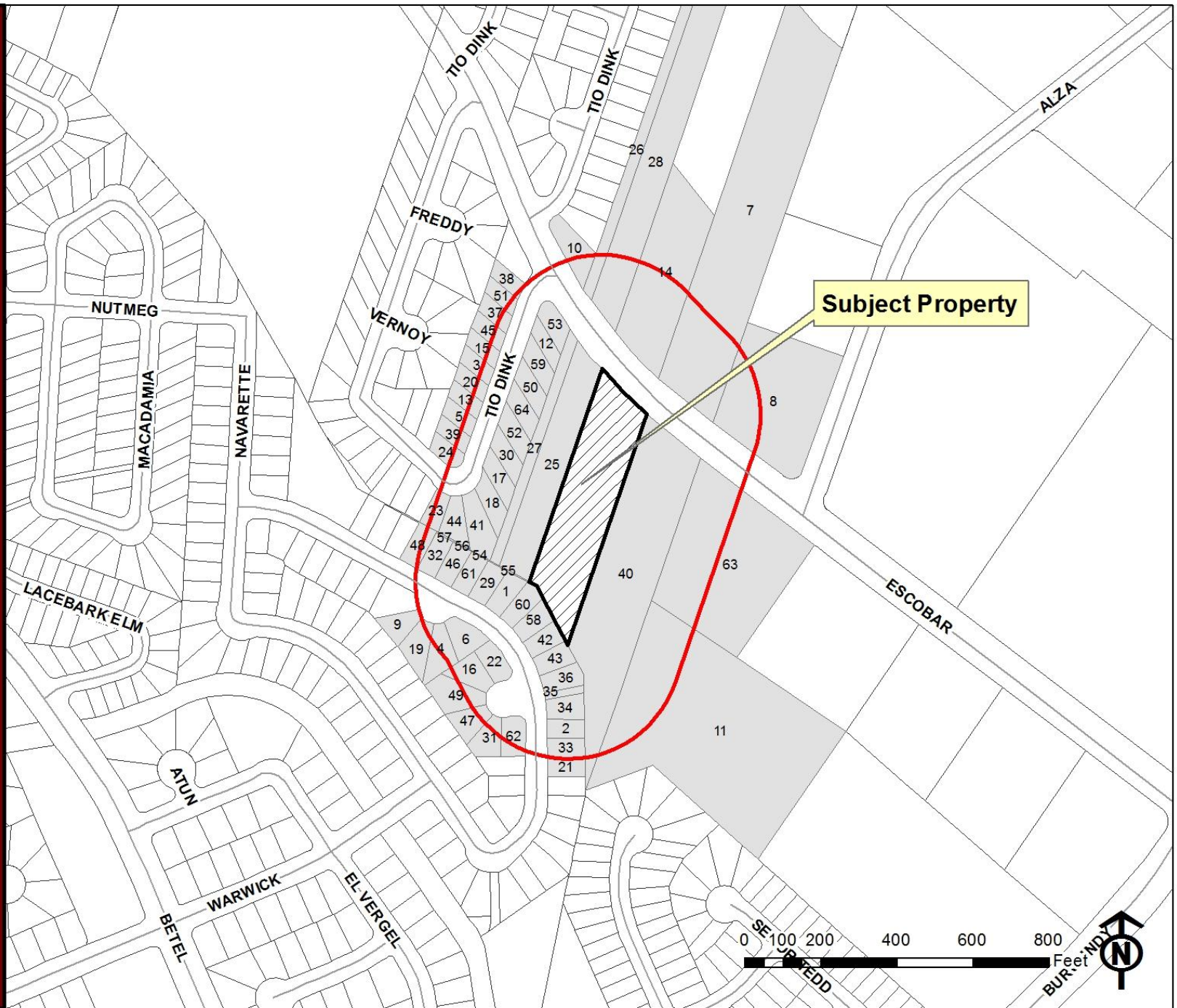


East



West

PZRZ14-00006



PZRZ14-000006

