

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

**DEPARTMENT:** City Development Department

**AGENDA DATE:** Introduction: September 24, 2013  
Public Hearing: October 15, 2013

**CONTACT PERSON/PHONE:** Michael McElroy, (915) 541-4238, [mcelroyms@elpasotexas.gov](mailto:mcelroyms@elpasotexas.gov)

**DISTRICT(S) AFFECTED:** 8

**SUBJECT:**

An Ordinance changing the zoning of a Portion of Lot 27, Lots 28 to 32, Block 54, Bassett Addition, and All of Blocks 55 & 56 and CLSD Streets BTW, 2201 Mills, City of El Paso, El Paso County, Texas, from M-1 (Manufacturing) to C-4 (Commercial), and imposing a condition. The Penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 2201 Mills. Property Owner: E.P.I.L.D., Inc. PZRZ13-00016 (District 8)

**BACKGROUND / DISCUSSION:**

Staff report attached.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**BOARD / COMMISSION ACTION:**

City Plan Commission (CPC) – Approval Recommendation (5-0)

\*\*\*\*\*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 A PORTION OF LOT 27, LOTS 28 TO 32, BLOCK 54, BASSETT ADDITION, AND ALL OF BLOCKS 55 & 56 AND CLSD STREETS BTW, 2201 MILLS, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (MANUFACTURING) 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 *a Portion of Lot 27, Lots 28 to 32, Block 54, Bassett Addition, and All of Blocks 55 & 56 and CLSD Streets BTW, 2201 Mills, 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 **M-1 (Manufacturing)** 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 increased density and vehicular traffic upon the surrounding traditional neighborhood 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:

*The following uses shall be prohibited:*

- a. Contractor Yard (Large or Small)*
- b. Auto sales, service, or storage*
- c. Commercial fueling station.*

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 \_\_\_\_\_, 2013.**

**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Oscar Leaser  
Mayor

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

**(SIGNATURES CONTINUE ON FOLLOWING PAGE)**

**APPROVED AS TO FORM:**

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Karla M. Nieman  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

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Mathew S. McElroy, Director  
City Development Department

# Exhibit "A"

## PROPERTY DESCRIPTION

### 2021 MILLS

Description of a 2.6562 acre parcel of land being the easterly 16.8 feet of lot 27 and all of lots 28 to 32 in fractional Block 54, all of lots 17 to 32 in fractional Block 55, all of lots 17 to 31 in fractional Block 56, the 70 foot strip (formerly walnut street) lying between fractional Blocks 54 and 55, the 70 foot strip (formerly palm street) lying between fractional Blocks 55 and 56, Bassett Addition, City of El Paso, El Paso County, Texas. SAVE AND EXCEPT a strip 12.5 feet wide along the northerly side of each and all of said tracts above described, said strip occupied by a spur track of the Galveston, Harrisburg & San Antonio RR. Co., or the Texas and New Orleans RR. Co., being a portion of the strip of land conveyed to the Galveston, Harrisburg & San Antonio RR. Co., by El Paso Sash & Door Company by deed dated 3-30-1917, of record in book 286, page 508, of the deed records of El Paso County, Texas. Said 2.6562 acre parcel of land being that same parcel recorded in book 3399, page 631, El Paso County Clerks Deed Records, said map of Bassett Addition recorded in book 5, page 21 and 21A, Plat Records, El Paso County, Texas and described as follows;

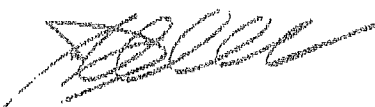
Commencing for reference at a city monument found 10' north and east of the centerline intersection of Texas Avenue (72' wide) and Walnut Street (70' wide), said monument located North 53°00'00" East a distance of 470.00' from a city monument found 10' north and east of the centerline intersection of said Texas Avenue and Willow Street (70' wide), said monument also located South 53°00'00" West a distance of 470.00' from a city monument found 10' north and east of the centerline intersection of said Texas Avenue and Palm Street (70' wide); Thence, along a line 10' easterly of and parallel with said centerline of Walnut Street, North 37°00'00" West a distance of 320.00' to the centerline of Mills Avenue (72' wide); Thence with said centerline of Mills Avenue, South 53°00'00" West a distance of 186.80' to a point; Thence, leaving said centerline, North 37°00'00" West a distance of 36.00' to a PK nail set at the southwesterly corner of this parcel and also marking the southeasterly corner of that parcel described in 2058, page 77, said PK nail also lying on the northerly ROW line of Mills Avenue, and being the "Point Of Beginning";

Thence, with the common boundary line of this parcel and said parcel described in 2058, page 77, North 37°00'00" West a distance of 199.49' to a PK nail set on the southerly line of said 12.5' strip of land described in book 286, page 508;

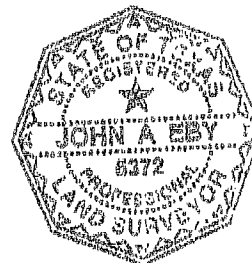
Thence, with said southerly line of said 12.5' strip of land described in book 286, page 508, along the arc of a curve to the right a distance of 1023.32', having a central angle of 10°20'43", a radius of 5667.50' and a chord that bears North 64°15'25" East a distance of 1021.93' to a PK nail set on said northerly ROW line of Mills Avenue;

Thence, with said northerly ROW line of Mills Avenue, South 53°00'00" West a distance of 1002.27' to the "Point Of Beginning" and containing 115,702 sq. ft. or 2.6562 acres.

Based on a field survey performed under my supervision and dated January 7, 2013

  
John A Eby, Texas R.P.L.S. 5372 NM PLS 17779

Paso Del Norte Surveying Inc.  
13998 Bradley Road  
El Paso, TX. 79938  
915-241-1541



## **MEMORANDUM**

**DATE:** September 9, 2013

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

**FROM:** Michael McElroy, Planner

**SUBJECT: PZRZ13-00016**

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The City Plan Commission (CPC) on August 8, 2013, voted **5-0** to recommend **APPROVAL** with a condition to rezone the subject property from M-1 (Manufacturing) to C-4 (Commercial).

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 is no opposition to this request.

**Attachments:** Staff Report



## ***City of El Paso – City Plan Commission Staff Report*** ***2nd REVISION***

**Case No:** PZRZ13-00016  
**Application Type** Rezoning  
**CPC Hearing Date** August 8, 2013  
**Staff Planner** Michael McElroy, (915) 541-4238, mcelroyms@elpasotexas.gov  
**Location** 2201 Mills Avenue  
**Legal Description** Portion of Lot 27, Lots 28 to 32, Block 54, Bassett Addition, and All of Blocks 55 & 56 and CLSD Streets BTW, City of El Paso, El Paso County, Texas  
**Acreage** 2.64 acres  
**Rep District** 8  
**Zoning** M-1 (Manufacturing)  
**Existing Use** Furniture Manufacturing  
**Request** M-1 (Manufacturing) to C-4 (Commercial)  
**Proposed Use** Furniture Manufacturing / Dance Hall (Related to PZST13-00011)  
**Property Owner** E.P.I.L.D., Inc.  
**Representative** Fred Dalbin

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

**North:** M-1 (Manufacturing) / Railroad  
**South:** M-1 (Manufacturing) / Single Family Residential  
**East:** M-1 (Manufacturing) / Railroad  
**West:** M-1 (Manufacturing) / Manufacturing / Storage

**PLAN EL PASO DESIGNATION:** G-2, Traditional Neighborhood (Central Planning Area)

**NEAREST PARK:** El Barrio Park (2,716 feet)

**NEAREST SCHOOL:** Beall Elementary (1,632 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

El Paso Central Business Association, Familias Unidas del Chamizal

### **NEIGHBORHOOD INPUT**

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 24, 2013. The Planning Division has not received any letters or phone calls in support or opposition of the rezoning request.

### **APPLICATION DESCRIPTION**

The property owner is requesting a rezoning from M-1 (Manufacturing) to C-4 (Commercial) to permit a ballroom and furniture manufacturing operation. The site plan shows an existing 80,000 sq. ft., two-story building currently serving as a furniture manufacturing plant. A 7,500 sq. ft. banquet hall, 1,963 sq. ft. kitchen, and 3,360 sq. ft. office area is proposed to occupy a portion of the structure. Access to the subject property is proposed from Mills Avenue.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **approval** of the rezoning from M-1 (Manufacturing) to C-4 (Commercial) with the following conditions:

1. A detailed site plan be approved per City Code before the issuance of building permits.
2. The following uses shall be prohibited:
  - a. Contractor Yard (Large or Small)
  - b. Auto sales, service, or storage
  - c. Commercial fueling station

The Future Land Use Map G-2 designation calls for a mix of uses neighborhood oriented uses. Urban development is predominately characterized by incremental transition. This rezoning is an initial and necessary step in the gradual transition from obsolete industrial uses to G-2 traditional neighborhood oriented commercial. Furthermore, the C-4 use is supported by the extensive C-4 uses in the immediate area, with such uses extending for almost half a mile to the south and well over a mile to the east. Lastly, the noise, vibration, noxious odors, and heavy truck traffic characterized by industrial uses will be minimized in this neighborhood in furtherance of the immediate quality of life as well as the well-being of future residents of this developing traditional neighborhood.

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

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

G-2 – Traditional Neighborhood: This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly face streets; schools, parks, and small shops are integrated with residential areas. This sector is well suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the C-4 (Regional Commercial) district is to provide 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.

#### **COMMENTS:**

##### **Planning Division - Transportation**

No objection to the proposed rezoning.

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

Landscape is not required for this request, however if the building footprint is increased after the zone change landscape shall be required as per 18.46

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

No objection

##### **El Paso Fire Department**

No objections

##### **El Paso Police Department**

The El Paso Police Department has no issues with this request

##### **El Paso Water Utilities**

EPWU does not object to this request.

**Water:**

Along Mills Street between Willow Street and Walnut Street there is an existing eight (8) inch diameter water main. Along Mills Street between Walnut Street and Poplar Street there is an existing twelve (12) inch diameter water main.

Immediately north of 2201 Mills between Interstate Highway No. 10 and the subject Property within the railway company property there is an existing eight (8) inch diameter water main. The alignment of this main is approximates the alignment of Walnut Street. This 8-inch diameter water main dead-ends immediately north of 2201 Mills.

Along Poplar Street between Mills Street and Texas Street there is an existing twelve (12) inch diameter water main.

Previous water pressure readings conducted on fire hydrant number 1579 located at the corner of Mills Street and Walnut Street have yielded a static pressure of 92 pounds per square inch (psi), residual pressure of 80 psi, discharge of 1,186 gallons per minute (gpm).

**Sanitary Sewer:**

Along Mills Street between Willow Street and Poplar Street there is an existing eight (8) inch diameter sanitary sewer main.

Within the railway company property north of the intersection of Poplar Street and Mills Avenue there are two ( 2 ) existing eighteen (18) inch diameter sanitary sewer mains. The alignment of both of these mains approximates the alignment of Poplar Street. South of the intersection of Poplar Street and Mills Avenue, both mains continue south along Poplar Street. No direct service connections are allowed to these mains as per the El Paso Water Utilities – Public Service Board Rules and Regulations.

**General**

As per EPWU-PSB Records 2201 Mills Avenue has a single two (2) inch diameter water service, and single eight ( 8 )inch diameter fire-fighting water service (fire line).

If the City of El Paso Fire Department requires additional fire hydrants on Public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Application for water and sanitary sewer 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, 3<sup>rd</sup> Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant 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.

**CITY PLAN COMMISSION OPTIONS**

The City Plan Commission may consider the following options and additional options that it identifies when reviewing the rezoning application:

1. Recommend approval of the application finding that the rezoning is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan

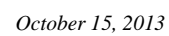


2. Recommend approval of the application with modifications to bring the rezoning into conformance with the review criteria in Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the rezoning does not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

**Attachments**

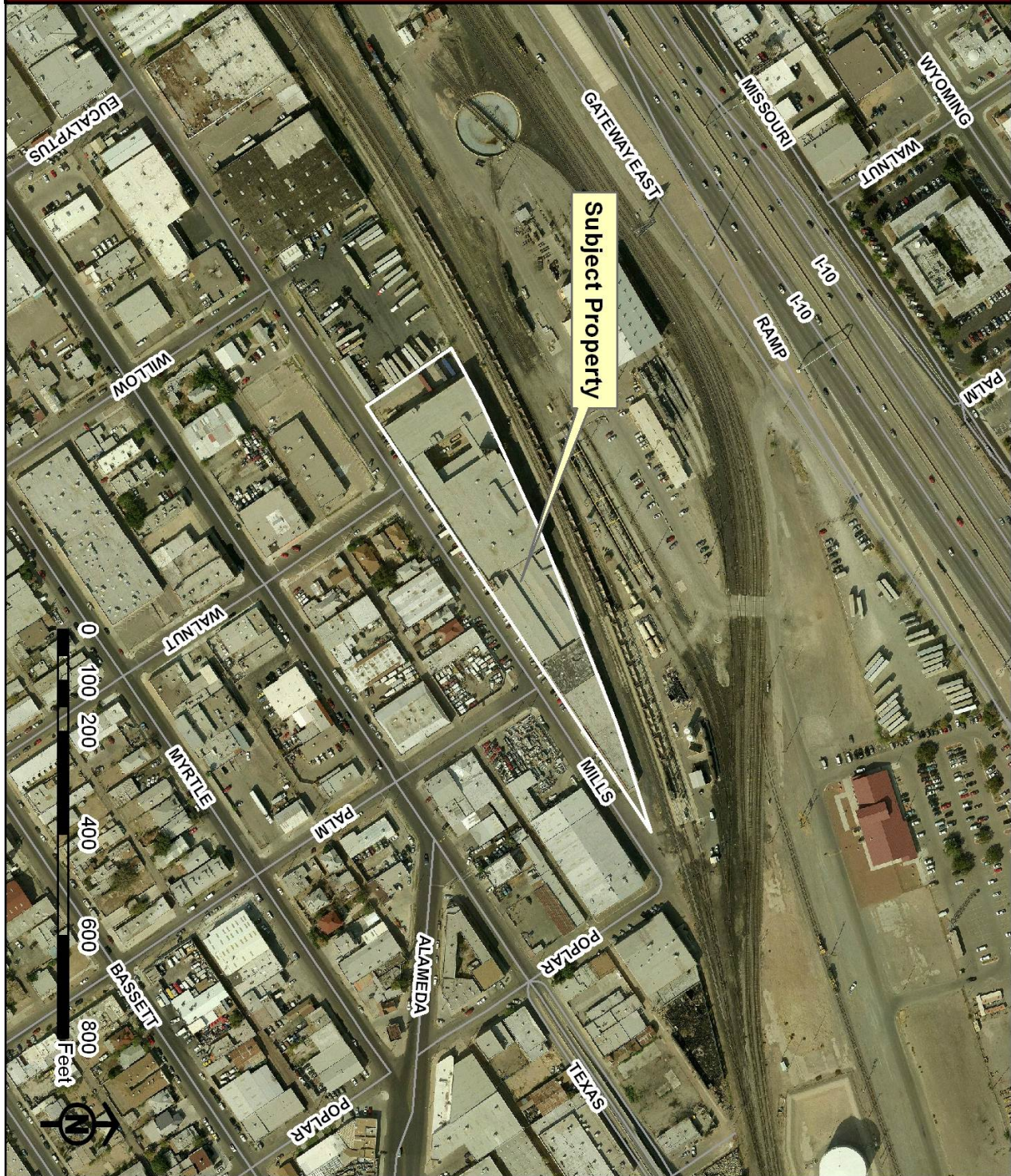
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

PZRZ13-00016





PZRZ13-00016





## ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

