

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

DEPARTMENT: Planning & Inspections, Planning Division

AGENDA DATE: December 15, 2020

PUBLIC HEARING DATE: January 5, 2021

CONTACT PERSON NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Andrew Salloum, (915) 212-1603

DISTRICT(S) AFFECTED: 1

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 a portion of Lot 1, Block 1, El Paso West, City of El Paso, El Paso County, Texas from M-1 (Light Manufacturing) to C-4 (Commercial). The penalty being as provided in Chapter 20.24 of the El Paso City Code.

The proposed 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: South of Paseo Del Norte Boulevard and West of Northwestern Drive
Applicants: FSW Investments LP
PZRZ20-00021

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone the subject property from M-1 (Light Manufacturing) to C-4 (Commercial) to allow for a commercial development. City Plan Commission recommended 8-0 to approve the proposed rezoning on October 29, 2020. As of November 17, 2020, the Planning Division has not received any communication in support or opposition to the rezoning request. See attached staff report for additional information.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:

Philip F. Etiwe – Planning and Inspections Director

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 1, BLOCK 1, EL PASO WEST, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM M-1 (LIGHT MANUFACTURING) TO C-4 (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, the zoning of a portion of Lot 1, Block 1, El Paso West, located in the City of El Paso, El Paso County, Texas, more particularly described as **Exhibit “A”**, be changed from **M-1 (Light Manufacturing)** to **C-4 (Commercial)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso, attached as **Exhibit “B”**, 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 _____, 2020.

THE CITY OF EL PASO


Dee Margo, Mayor

ATTEST:

Laura D. Prine, City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:



Leslie B. Jean-Pierre
Assistant City Attorney

Philip F. Etiwe, Director
Planning & Inspections Department

(Exhibits on the following pages)

EXHIBIT "A"

Property description: A 1.296-acre portion of Lot 1, Block 1, El Paso West, El Paso, El Paso County, Texas

METES AND BOUNDS DESCRIPTION

The parcel of land herein described is a 1.296-acre portion of Lot 1, Block 1, El Paso West (Book 57, Page 5, Plat Records, El Paso County, Texas), El Paso, El Paso County, Texas, and is more particularly described by metes and bounds as follows:

COMMENCING at a city monument at the centerline P.I. of Northwestern Drive (90-foot right-of-way, El Paso West) opposite El Paso West; Thence, North $8^{\circ}03'06''$ West, along said centerline, a distance of 1225.85 feet, from which a city monument at the centerline P.I. of Northwestern Drive (90-foot right-of-way, dedication deed dated September 24, 1984, in Book 1547, Page 589, Deed Records, El Paso County, Texas) opposite Plexxar South (Book 72, Page 32, Plat Records, El Paso County, Texas) bears North $8^{\circ}03'06''$ West, a distance of 1236.83 feet; Thence, South $81^{\circ}56'54''$ West, a distance of 45.00 feet to a 5/8" rebar with cap marked "RPLS 4178" set at the intersection of the westerly right-of-way of Northwestern Drive and the northerly boundary of that certain parcel of land described July 17, 1998, in Book 3406, Page 1016, Deed Records, El Paso County, Texas for the **POINT OF BEGINNING** of this description;

THENCE, South $81^{\circ}56'54''$ West, along said northerly boundary, a distance of 205.16 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the easterly boundary of that certain parcel of land described March 5, 2019, in Clerk's File No. 20190015536, Deed Records, El Paso County, Texas;

THENCE, North $7^{\circ}54'07''$ West, along said boundary, a distance of 276.89 feet to a chiseled "X" set on the common boundary between Lot 1, Block 1, El Paso West and the the southerly right-of-way of Paseo Del Norte Boulevard (120-foot right-of-way, formerly Artcraft Road, El Paso West);

THENCE, 28.49 feet along said boundary and along the arc of a curve to the right, having a radius of 4743.37 feet, a central angle of $0^{\circ}20'39''$, and a chord which bears North $81^{\circ}46'34''$ East, a distance of 28.49 feet to a set 5/8" rebar with cap marked "RPLS 4178";

THENCE, North $81^{\circ}56'54''$ East, continuing along said boundary, a distance of 140.95 feet to a set 5/8" rebar with cap marked "RPLS 4178";

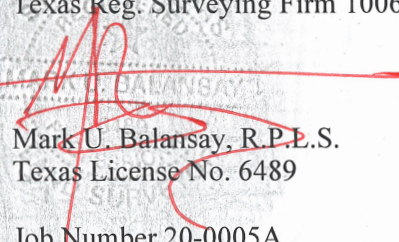
THENCE, 54.98 feet continuing along said boundary and along the arc of a curve to the right, having a radius of 35.00 feet, a central angle of $90^{\circ}00'00''$, and a chord which bears South $53^{\circ}03'06''$ East, a distance of 49.50 feet to a 5/8" rebar with cap marked "RPLS 4178" set on the common boundary between Lot 1, Block 1, El Paso West and the westerly right-of-way of Northwestern Drive;

THENCE, South $8^{\circ}03'06''$ East, along said boundary, a distance of 241.97 feet to the **POINT OF BEGINNING** of this description.

Said parcel of land contains 1.296 acres (56,460 square feet) of land more or less.

NOTE: A PLAT OF EVEN DATE HERewith ACCOMPANIES THIS DESCRIPTION.

ROBERT SEIPEL ASSOCIATES, INC.
Professional Land Surveyors
Texas Reg. Surveying Firm 10060500


Mark U. Balansay, R.P.L.S.
Texas License No. 6489

Job Number 20-0005A
May 12, 2020

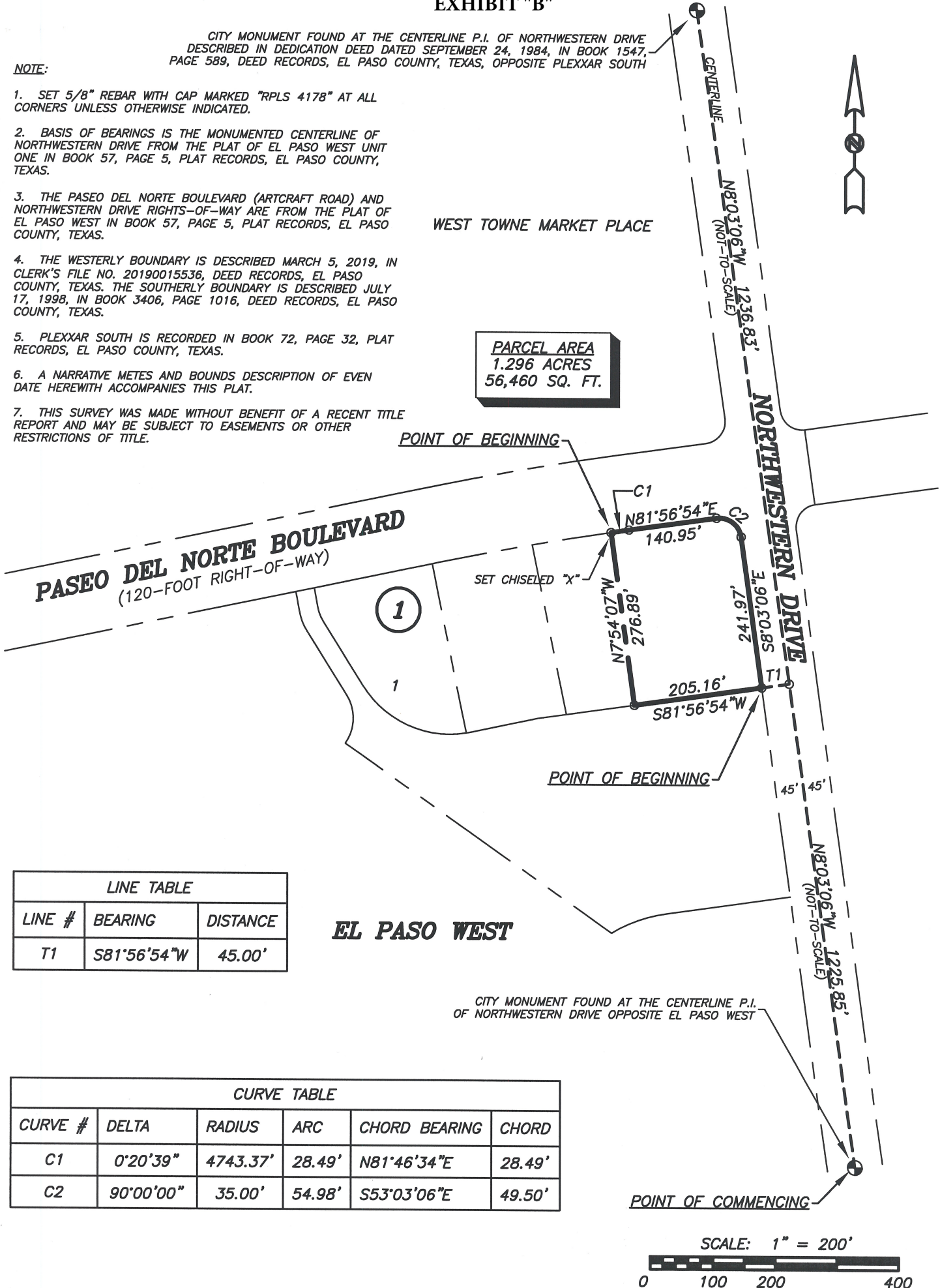
EXHIBIT "B"

CITY MONUMENT FOUND AT THE CENTERLINE P.I. OF NORTHWESTERN DRIVE DESCRIBED IN DEDICATION DEED DATED SEPTEMBER 24, 1984, IN BOOK 1547, PAGE 589, DEED RECORDS, EL PASO COUNTY, TEXAS, OPPOSITE PLEXXAR SOUTH

NOTE:

1. SET 5/8" REBAR WITH CAP MARKED "RPLS 4178" AT ALL CORNERS UNLESS OTHERWISE INDICATED.
2. BASIS OF BEARINGS IS THE MONUMENTED CENTERLINE OF NORTHWESTERN DRIVE FROM THE PLAT OF EL PASO WEST UNIT ONE IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
3. THE PASEO DEL NORTE BOULEVARD (ARTCRAFT ROAD) AND NORTHWESTERN DRIVE RIGHTS-OF-WAY ARE FROM THE PLAT OF EL PASO WEST IN BOOK 57, PAGE 5, PLAT RECORDS, EL PASO COUNTY, TEXAS.
4. THE WESTERLY BOUNDARY IS DESCRIBED MARCH 5, 2019, IN CLERK'S FILE NO. 20190015536, DEED RECORDS, EL PASO COUNTY, TEXAS. THE SOUTHERLY BOUNDARY IS DESCRIBED JULY 17, 1998, IN BOOK 3406, PAGE 1016, DEED RECORDS, EL PASO COUNTY, TEXAS.
5. PLEXXAR SOUTH IS RECORDED IN BOOK 72, PAGE 32, PLAT RECORDS, EL PASO COUNTY, TEXAS.
6. A NARRATIVE METES AND BOUNDS DESCRIPTION OF EVEN DATE HERewith ACCOMPANIES THIS PLAT.
7. THIS SURVEY WAS MADE WITHOUT BENEFIT OF A RECENT TITLE REPORT AND MAY BE SUBJECT TO EASEMENTS OR OTHER RESTRICTIONS OF TITLE.

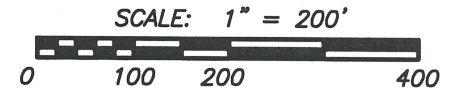
PARCEL AREA
1.296 ACRES
56,460 SQ. FT.



LINE TABLE		
LINE #	BEARING	DISTANCE
T1	S81°56'54"W	45.00'

EL PASO WEST

CURVE TABLE					
CURVE #	DELTA	RADIUS	ARC	CHORD BEARING	CHORD
C1	0°20'39"	4743.37'	28.49'	N81°46'34"E	28.49'
C2	90°00'00"	35.00'	54.98'	S53°03'06"E	49.50'



ROBERT SEIPEL ASSOCIATES, INC.
PROFESSIONAL LAND SURVEYORS

1845 NORTHWESTERN DR. SUITE C EL PASO, TX 79912 915-877-1928

A 1.296-ACRE PORTION OF LOT 1, BLOCK 1,
EL PASO WEST, EL PASO, EL PASO COUNTY, TEXAS.

TEXAS REG. SURVEYING FIRM 10060500

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DATE:	05-12-20
SCALE:	1" = 200'
DRAWN BY:	MUB
CHK'D BY:	
FB:	476
FILE #:	20-0005A
REVISED:	

South of Paseo Del Norte Boulevard and West of Northwestern Drive

REZONING



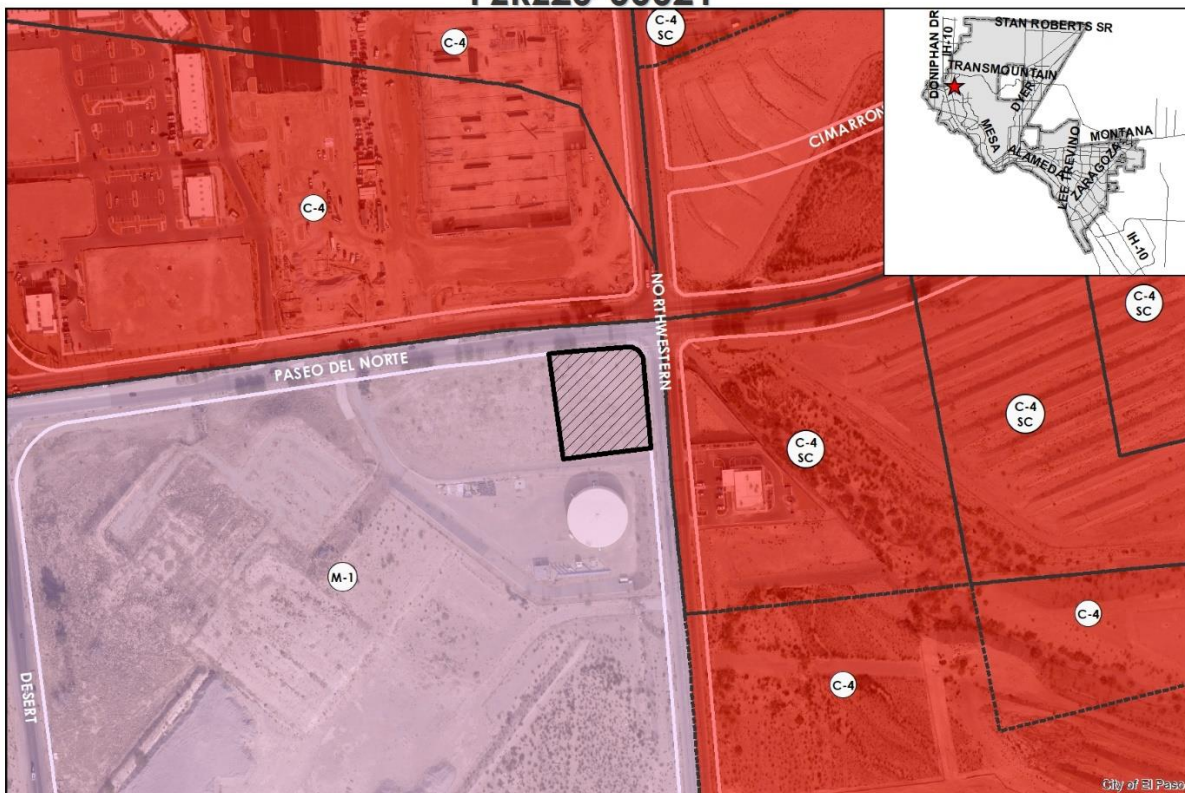
City Plan Commission — October 29, 2020 **(REVISED)**

CASE NUMBER:	PZRZ20-00021
CASE MANAGER:	Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER:	FSW Investments LP
REPRESENTATIVE:	Nancy Hayes, P.E.
LOCATION:	South of Paseo Del Norte Blvd. and West of Northwestern Dr. (District 1)
PROPERTY AREA:	1.296 acres
REQUEST:	Rezone from M-1 (Light Manufacturing) to C-4 (Commercial)
RELATED APPLICATIONS:	None
PUBLIC INPUT:	None

SUMMARY OF REQUEST: The applicant is requesting to rezone from M-1 (Light Manufacturing) to C-4 (Commercial) to allow for a commercial development.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL** of the request. The recommendation is based on the compatibility of the proposed zoning district with the surrounding light manufacturing and commercial districts in the immediate area. It is also based on the consistency of the request with *Plan El Paso*, the City's adopted Comprehensive Plan.

PZRZ20-00021



This map is designed for illustrative purposes only. The features depicted here are approximate and more site-specific studies may be required to draw accurate conclusions. Enlargements of this map to scales greater than its original can induce errors and may lead to misinterpretations of the data. The Planning & Inspections Department Planning Division makes no claim to its accuracy or completeness.



Subject Property



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone the subject property from M-1 (Light Manufacturing) to C-4 (Commercial) to allow for a commercial development. The conceptual site plan shows a new commercial building. Access to the subject property is provided from Paseo Del Norte Boulevard and Northwestern Drive.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed district are consistent with the surrounding light manufacturing and regional commercial districts in the immediate area, and meet the established character of the neighborhood surrounding the subject property. Furthermore, the proposed development meets the intent of the G-7, Industrial and/or Railyards use designation of *Plan El Paso* in the Northwest planning area.

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
Criteria	Does the Request Comply?
<p>Future Land Use Map: Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p>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.</p>	<p>Yes, the subject property and the proposed developments meet the intent of the G-7, Industrial and/or Railyards Future Land Use designation of <i>Plan El Paso</i>. The proposed development is adjacent to commercial and contributes to the addition of missing commercial and manufacturing uses provided to surrounding commercial and light manufacturing neighborhoods within the area of the existing vacant lot and potentially reduces travel and infrastructure needs.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>C-4 (Commercial) District: The purpose of this districts 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. 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.</p>	<p>Yes, the proposed commercial development is consistent with light manufacturing and commercial uses in the neighborhood. Commercial uses are common and appropriate in this sector. The surrounding properties are zoned C-4 (Commercial) and M-1 (Light Manufacturing). The surrounding area uses vary from regional commercial shopping center, medical offices, restaurants, retails and minor motor vehicle repair.</p>
<p>Preferred Development Locations: Is the property in a “Compact Urban” area?</p>	<p>The lot is a corner between Paseo Del Norte Blvd. and Northwestern Dr., located along a major arterial and minor arterial respectively.</p>
THE PROPOSED ZONING DISTRICT’S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
<p>Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted</p>	<p>N/A. The proposed development is not within any historic districts or study area plan boundaries.</p>

COMPLIANCE WITH PLAN EL PASO/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
small areas plans, including land-use maps in those plans.	
Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested rezoning.	The proposed development is not anticipated to pose any adverse effects on the community. The proposed development will match development immediately surrounding the subject property.
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.	The area is stable and the proposed development is compatible with the existing light manufacturing and regional commercial zoning and uses of the surrounding properties.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The proposed development is within a newer subdivision that is considered stable. The established neighborhood is comprised of a regional shopping center, and minor motor vehicle repair, restaurant, and retail uses. There have been no recent rezoning requests for this area.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property borders Paseo Del Norte Boulevard and Northwestern Drive, which are designated a major arterial and minor arterial respectively as per the City of El Paso’s Major Thoroughfare Plan. Access is proposed from Paseo Del Norte Boulevard and Northwestern Drive. It is adequate to serve the proposed development.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to the proposed rezoning. There were no adverse comments received. Applicant is responsible for obtaining all applicable permits and approvals prior to construction.

PUBLIC COMMENT: The subject property lies within the boundaries of the El Paso Central Business Association and Sunrise Civic Group, both of which were notified prior to submittal of the Rezoning Application. Public notices were mailed to property owners within 300 feet on October 14, 2020. As of October 23, 2020, the Planning Division did not receive any communication in support or opposition to the rezoning request.

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 (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **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. **(Staff Recommendation)**
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. Conceptual Site Plan

ATTACHMENT 1

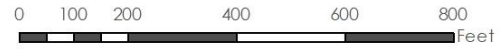
PZRZ20-00021



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 Subject Property



ATTACHMENT 2

Planning and Inspections Department – Planning Division

Recommend approval of the rezoning request.

Planning and Inspections Department – Plan Review

Recommend approval.

Planning and Inspections Department – Landscaping Division

Recommend approval.

Planning and Inspections Department – Land Development

No objections to proposed rezoning plan.

Street and Maintenance Department

Traffic Impact Analysis (TIA) is not required.

Fire Department

Recommend approval.

Sun Metro

No objections.

El Paso Water

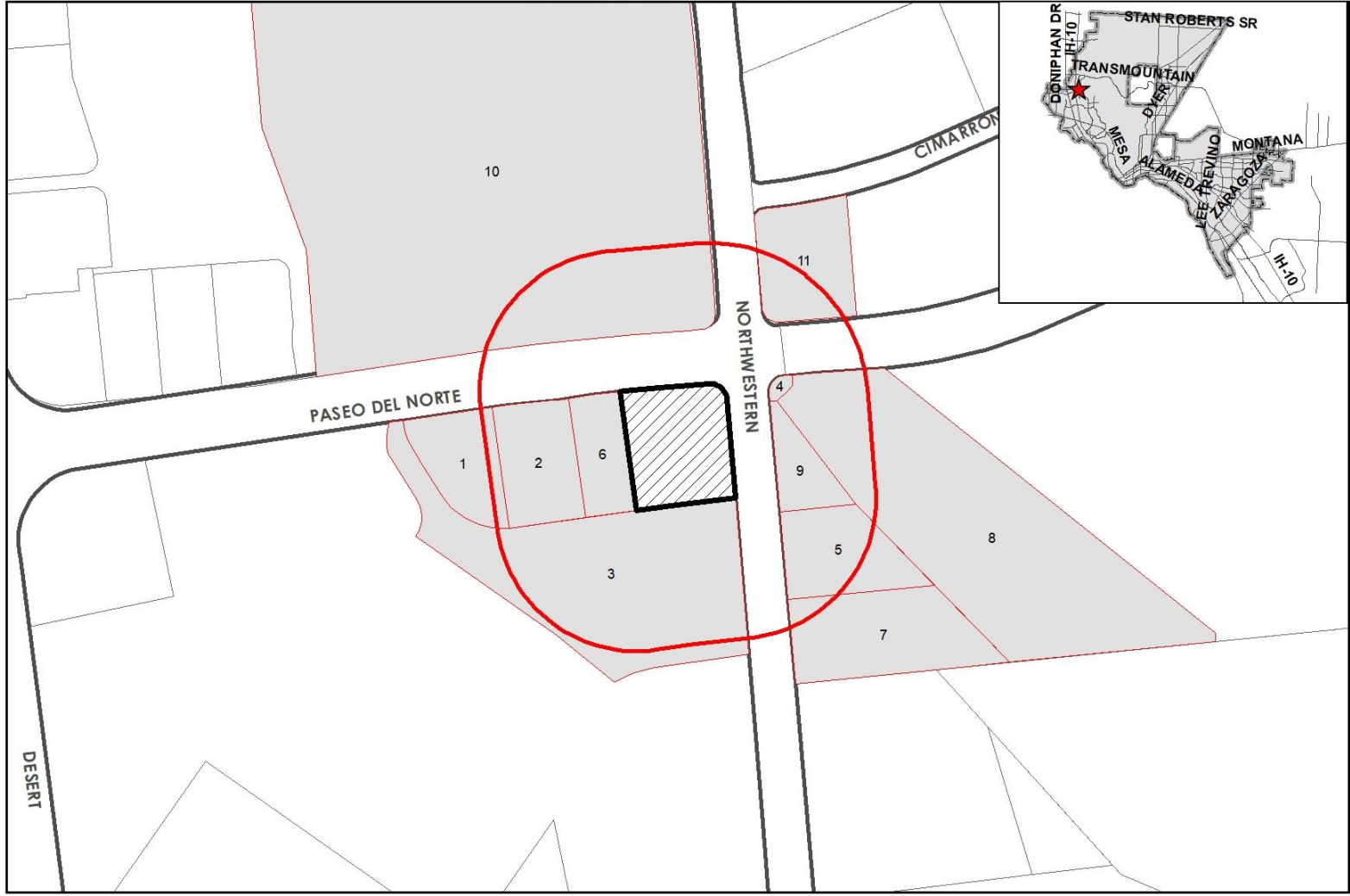
No comments received.

El Paso Water – Stormwater Engineering

As per Municipal Code: new developments and redevelopments are required to maintain the pre-development 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.

ATTACHMENT 3

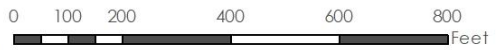
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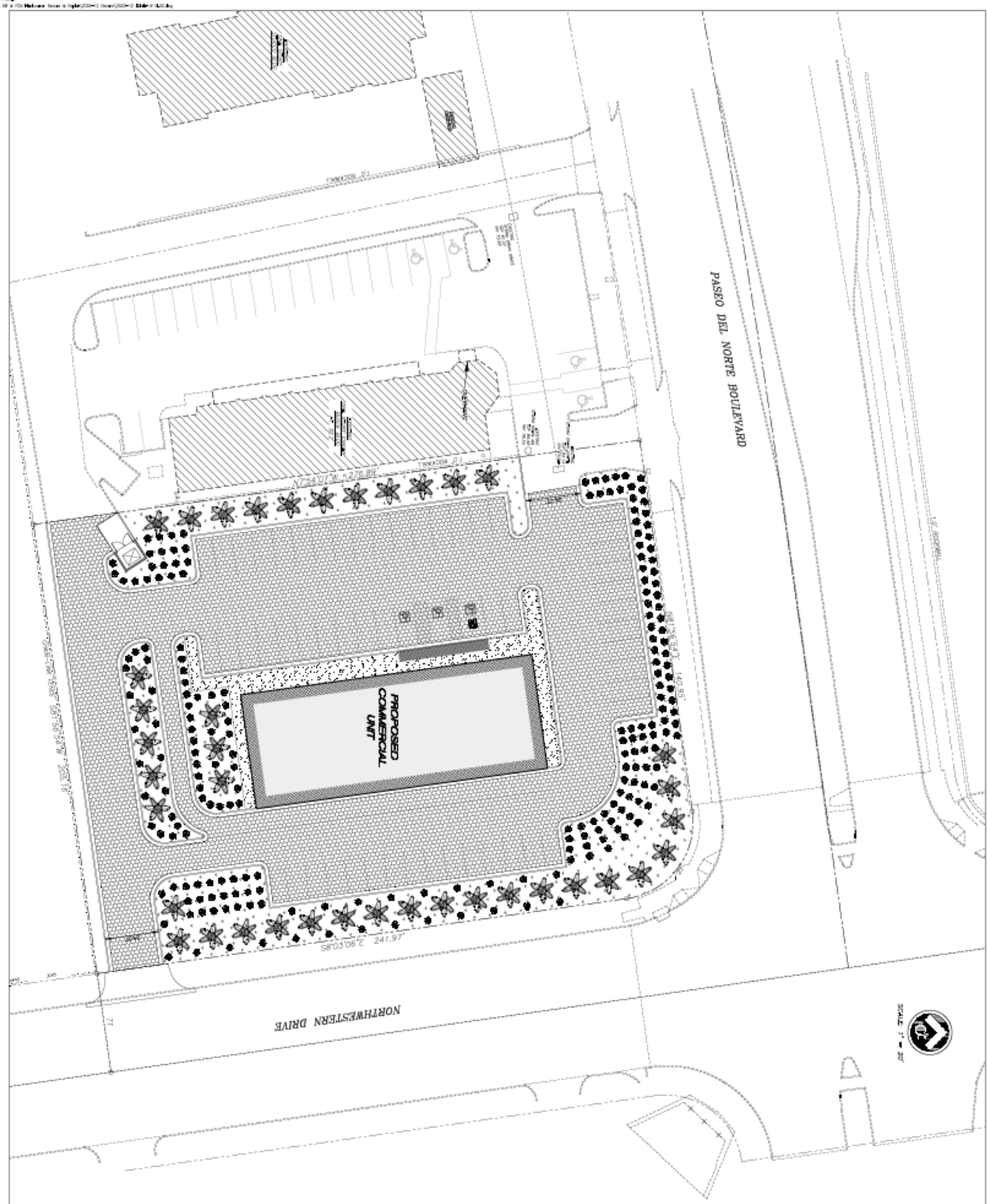
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 Subject Property
 Parcels within 300 feet



ATTACHMENT 4



1111



ITEM 4

Paseo Del Norte Blvd./Northwestern Dr. Rezoning

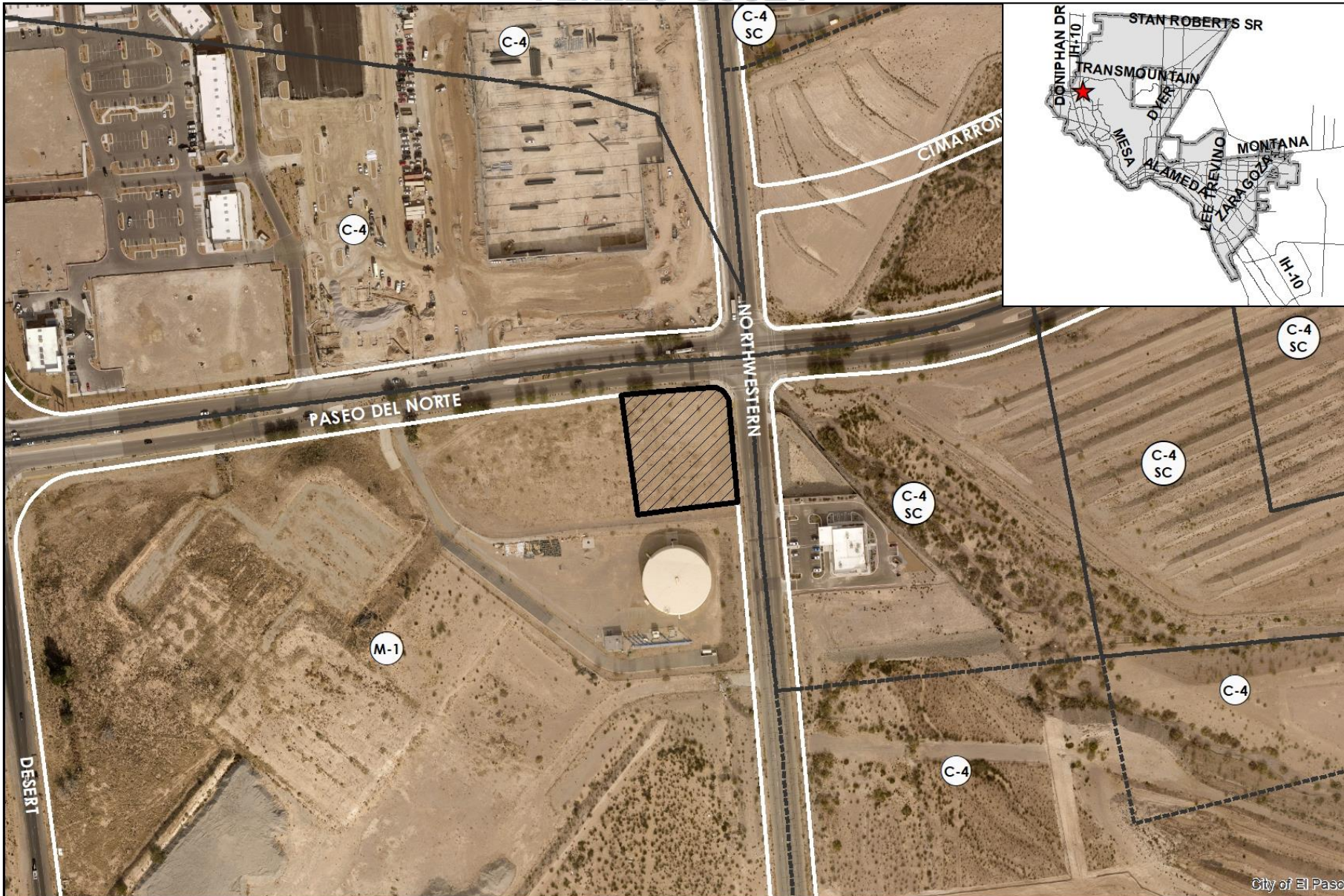
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Strategic Goal 3.

Promote the Visual Image of
El Paso



PZRZ20-00021

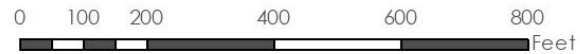


Aerial

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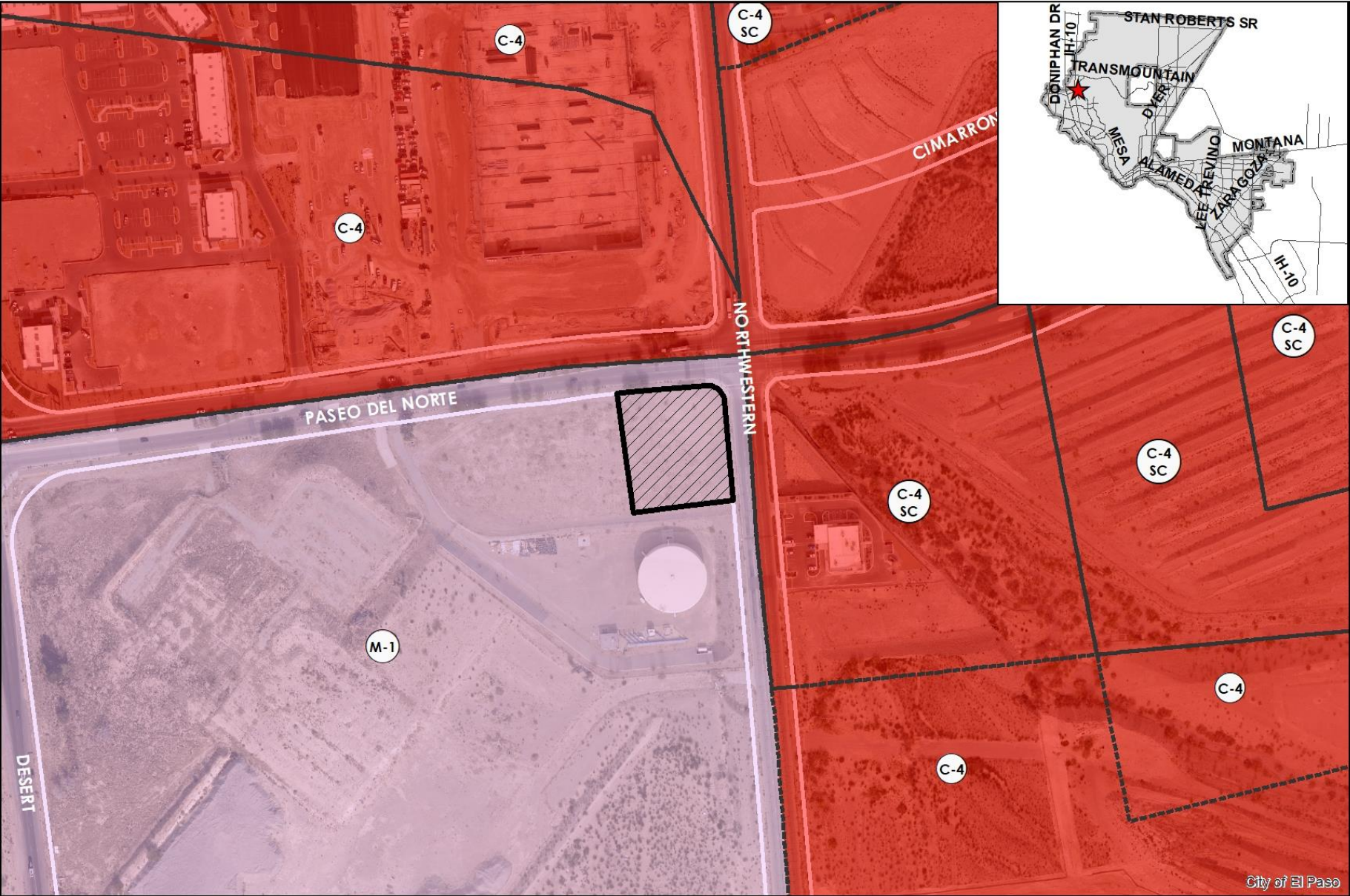
 Subject Property



PZRZ20-00021



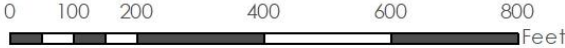
Existing Zoning



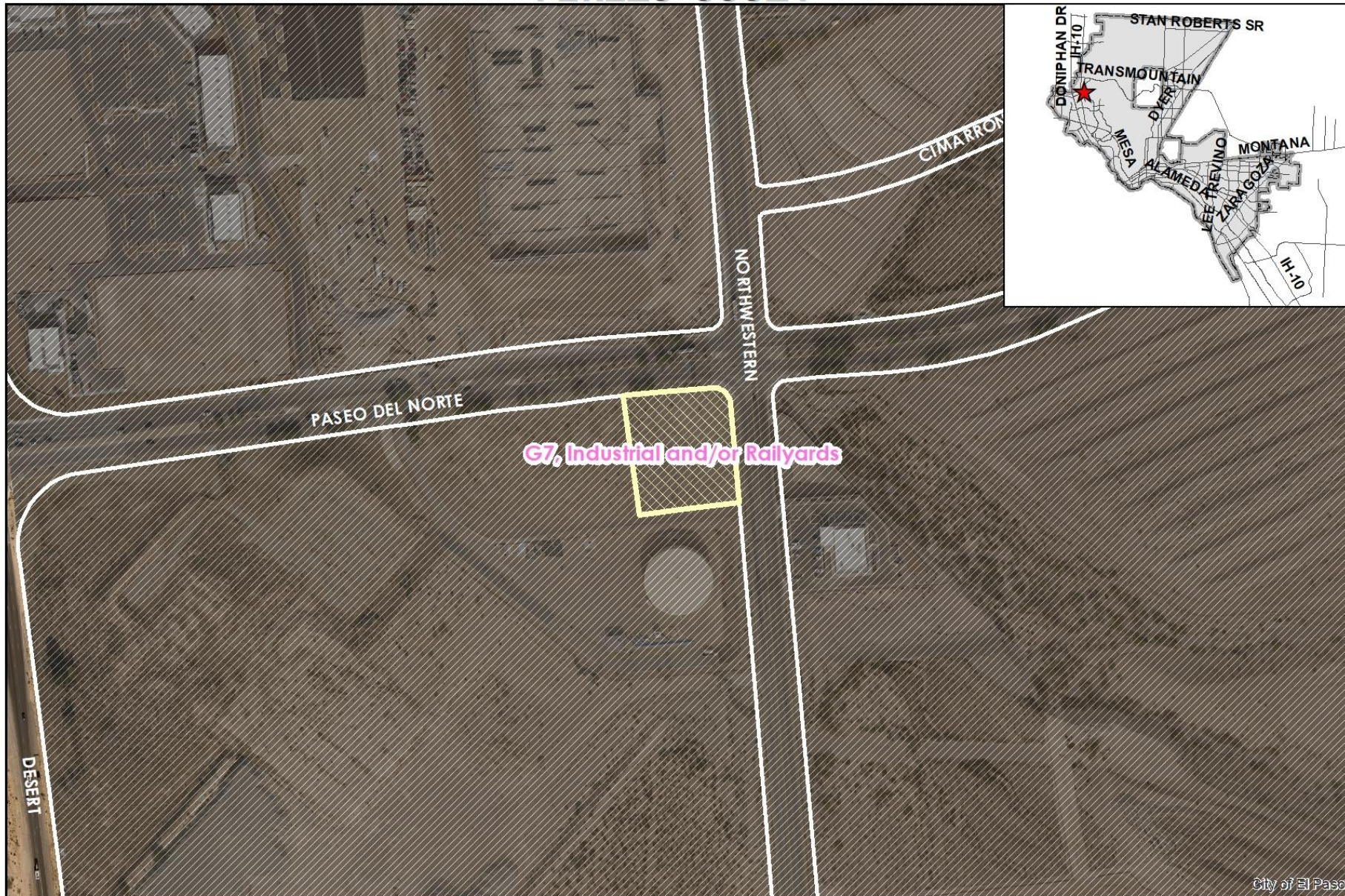
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 Subject Property



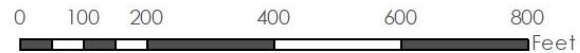
Future Land Use



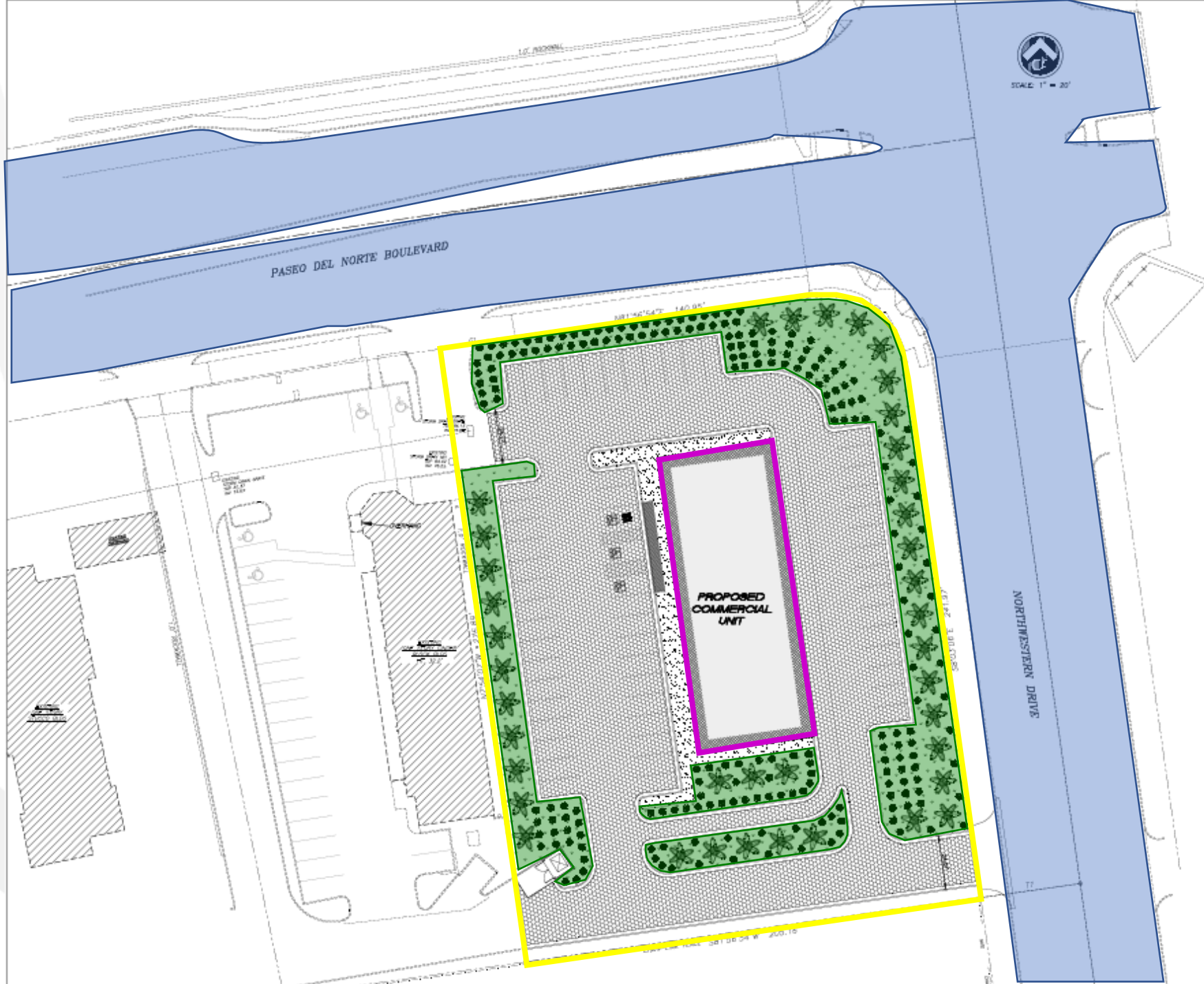
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 Subject Property



Conceptual Plan



Subject Property



Surrounding Development



W



N



E

S



Public Input

- Notices were mailed to property owners within 300 feet on October 14, 2020.
- The Planning Division has not received any communications in support nor opposition to the request.





Recommendation

- Staff recommend approval of the rezoning request



Mission

Deliver exceptional services to support a high quality of life and place for our community



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government



Values

Integrity, Respect, Excellence, Accountability, People