

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

**AGENDA DATE:** February 27, 2024  
**PUBLIC HEARING DATE:** March 26, 2024

**CONTACT PERSON(S) NAME AND PHONE NUMBER:** Philip F. Etiwe, (915) 212-1553  
Saul J. G. Pina, (915) 212-1612

**DISTRICT(S) AFFECTED:** District 7

**STRATEGIC GOAL:** #3 Promote the Visual Image of El Paso

**SUBGOAL:** 3.2 Set one standard for infrastructure across the city

**SUBJECT:**

An Ordinance changing the zoning of Lot 32, Block 14-C, Vista Del Sol Unit 10, Replat B, 1150 Vista De Oro Drive, City of El Paso, El Paso County Texas from P-I (Planned Industrial) to C-3 (Commercial), and imposing conditions. The penalty is as provided for 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: 1150 Vista De Oro Drive  
Applicant: Rogers Properties, LLC., PZRZ23-00032

**BACKGROUND / DISCUSSION:**

The applicant is requesting to rezone the subject property from P-I (Planned Industrial) to C-3 (Commercial) to allow for a public school. City Plan Commission recommended 5-2 to approve the proposed rezoning with two (2) conditions on January 25, 2024. As of February 13, 2024, the Planning Division received one (1) phone call and one (1) email in support to the rezoning request. See attached staff report for additional information.

**PRIOR COUNCIL ACTION:**

N/A

**AMOUNT AND SOURCE OF FUNDING:**

N/A

**HAVE ALL AFFECTED DEPARTMENTS BEEN NOTIFIED?  YES  NO**

**PRIMARY DEPARTMENT:** Planning & Inspections, Planning Division

**SECONDARY DEPARTMENT:** N/A

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

**DEPARTMENT HEAD:**

*Kevin Smith* for Philip Etiwe

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

**AN ORDINANCE CHANGING THE ZONING OF LOT 32, BLOCK 14-C, VISTA DEL SOL UNIT 10, REPLAT B, 1150 VISTA DE ORO DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM P-I (PLANNED INDUSTRIAL) TO C-3 (COMMERCIAL), AND IMPOSING CONDITIONS. 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 **Lot 32, Block 14-C, Vista Del Sol Unit 10, Replat B, 1150 Vista De Oro Drive**, located in the City of El Paso, El Paso County, Texas, be changed from **P-I (Planned Industrial)** 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 conditions which are necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the residents of the City:

1. That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer 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 or any certificates of completion.
2. That a detailed site development plan be reviewed and approved per City Code prior to the issuance of any certificates of occupancy or certificates of completion. At the time of the detailed site development plan review, the traffic engineer shall review and determine if a Traffic Impact Analysis (TIA) will be required. If required, the TIA shall be approved prior to the issuance of any certificates of occupancy or certificates of completion.

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 \_\_\_\_\_, 2024.

**THE CITY OF EL PASO**

**ATTEST:**

\_\_\_\_\_  
Oscar Leeser  
Mayor


\_\_\_\_\_  
Laura D. Prine  
City Clerk

*(Additional signatures on following page)*


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

**PZRZ23-00032**

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Jesus A. Quintanilla  
Assistant City Attorney

**APPROVED AS TO CONTENT:**

 for  
\_\_\_\_\_  
Philip F. Etiwe, Director  
Planning & Inspections Department

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

**PZRZ23-00032**

# 1150 Vista De Oro

City Plan Commission — January 25, 2024

REZONING



<b>CASE NUMBER:</b>	<b>PZRZ23-00032 REVISED</b>
<b>CASE MANAGER:</b>	Saul J. G. Pina, (915) 212-1612, <a href="mailto:PinaSJ@elpasotexas.gov">PinaSJ@elpasotexas.gov</a>
<b>PROPERTY OWNER:</b>	Rogers Properties, LLC
<b>REPRESENTATIVE:</b>	Conde, Inc.
<b>LOCATION:</b>	1150 Vista De Oro Dr. (District 7)
<b>PROPERTY AREA:</b>	1.83 acres
<b>REQUEST:</b>	Rezone from P-I (Planned Industrial) to C-3 (Commercial)
<b>RELATED APPLICATIONS:</b>	None
<b>PUBLIC INPUT:</b>	One (1) phone call and one (1) email in support as of January 25, 2024

**SUMMARY OF REQUEST:** The applicant is requesting to rezone the subject property from P-I (Planned Industrial) to C-3 (Commercial) to allow for the use of public school.

**SUMMARY OF STAFF'S RECOMMENDATION:** Staff recommends **APPROVAL with CONDITIONS** of the rezoning request. This recommendation is based on the consistency of the request with *Plan El Paso*, the City's adopted Comprehensive Plan, for the G-7, Industrial and/or Railyards future land use designation. The conditions being the following:

1. That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer 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 or certificates of completion.
2. That a detailed site development plan be reviewed and approved per City Code prior to the issuance of certificates of occupancy or certificates of completion. At the time of the detailed site development plan review, the traffic engineer shall review and determine if a Traffic Impact Analysis (TIA) will be required. If required, the TIA shall be approved prior to the issuance of any certificates of occupancy or certificates of completion.

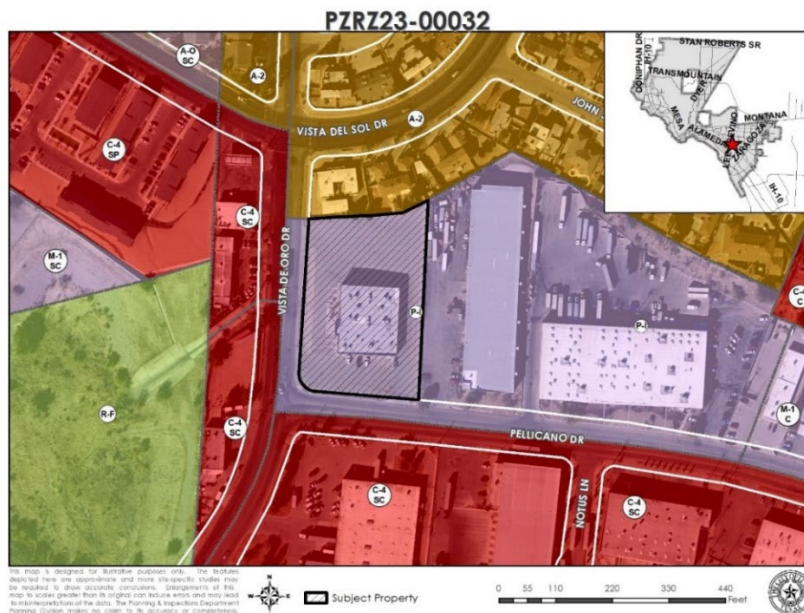


Figure A. Subject Property & Immediate Surroundings

**DESCRIPTION OF REQUEST:** The applicant is requesting to rezone the subject property from P-I (Planned Industrial) to C-3 (Commercial) to allow for the proposed use of school. The property is approximately 1.83 acres in size. The conceptual site plan shows a one (1) story building with an area of approximately 15,000 square feet. 105 parking spaces are to be proposed. The subject property will be accessible through Vista De Oro Drive and Pellicano Drive. The conceptual plan is not being reviewed for zoning requirements under Title 20 of El Paso City Code. Drainage, landscaping, and other requirements will be reviewed during the building permit stage.

**COMPATIBILITY WITH NEIGHBORHOOD CHARACTER:** The proposed rezoning is consistent with similar commercial uses within the area. Properties to the north include duplexes (two-family dwellings) zoned A-2 (Apartment); properties to the south include general warehouses zoned C-4 (Commercial); properties to the east include general warehouses, zoned P-I (Planned Industrial); and properties to the west include a motor vehicle repair, zoned C-4/sc (Commercial/special contract). The nearest school, El Paso Academy – East (9-12) Charter School, is 0.8 miles and the nearest park, Reese McCord Park, is 1.2 mile in proximity to the site.

<b>REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with Plan El Paso, consider the following factors:</b>	
<b>Criteria</b>	<b>Does the Request Comply?</b>
<p><b>Future Land Use Map:</b> Proposed zone change is compatible with the Future Land Use designation for the property:</p> <p><b>G-7, Industrial:</b> 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 proposed development is compatible with the future land use designation, due to the previous land use becoming obsolete. The proposed zoning district will integrate with the surrounding commercial and residential zoning districts and contribute to a mix of uses on the area.</p>
<p><b>Compatibility with Surroundings:</b> The proposed zoning district is compatible with those surrounding the site:</p> <p><b>C-3 (Commercial) District:</b> The purpose of this 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.</p>	<p>Yes. The proposed zoning is compatible with commercial uses as it will provide support services to the neighboring residential zoning districts.</p>
<p><b>Preferred Development Locations:</b> Located along an arterial (or greater street classification) or the intersection of two collectors (or greater street classification). The site for proposed rezoning is not located mid-block, resulting in it being the only property on the block with an alternative zoning district, density, use and/or land use.</p>	<p>Yes. Access to the subject property is provided from Vista De Oro Drive and Pellicano Drive. Both of these roadways are classified as a minor arterial under the City of El Paso’s Major Thoroughfare Plan (MTP). The classification of these roads is appropriate for the proposed development as these two (2) roadways connect to neighboring residential and commercial uses together with Interstate 10.</p>

<b>REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:</b>	
<b>THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</b>	
<b>Historic District or Special Designations &amp; Study Area Plans:</b> Any historic district or other special designations that may be applicable. Any adopted small area plans, including land-use maps in those plans.	None. The property is not located within any historic districts nor any other special designation areas.
<b>Potential Adverse Effects:</b> Potential adverse effects that might be caused by approval or denial of the requested rezoning.	None. There are no anticipated adverse impacts.
<b>Natural Environment:</b> Anticipated effects on the natural environment.	None. The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.
<b>Stability:</b> Whether the area is stable or in transition.	Yes. The area is stable, with most of the zoning districts being C-4 (Commercial). Commercial and industrial establishments are predominant in the area, with apartment zoning located to the north.
<b>Socioeconomic &amp; Physical Conditions:</b> Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	None.

**ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE:** The proposed development is accessible through Vista De Oro Drive and Pellicano Drive. Both roadways are classified as minor arterials on the City of El Paso’s Major Thoroughfare Plan (MTP) and are adequate for the connectivity to other low intensity commercial establishments. Improvements will be required to accommodate the proposed use to an existing development. The closest bus stop, located on Vista Del Sol Drive, is 0.06 miles in proximity to the proposed development.

**SUMMARY OF DEPARTMENTAL REVIEW COMMENTS:** No adverse comments were received for the rezoning request from the reviewing departments.

**PUBLIC COMMENT:** The subject property does not lie within any neighborhood associations. Notices were sent to property owners within 300 feet of the subject property on January 12, 2024. **As of January 25, 2024, the Planning Division received one (1) phone call and one (1) email in support of 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:

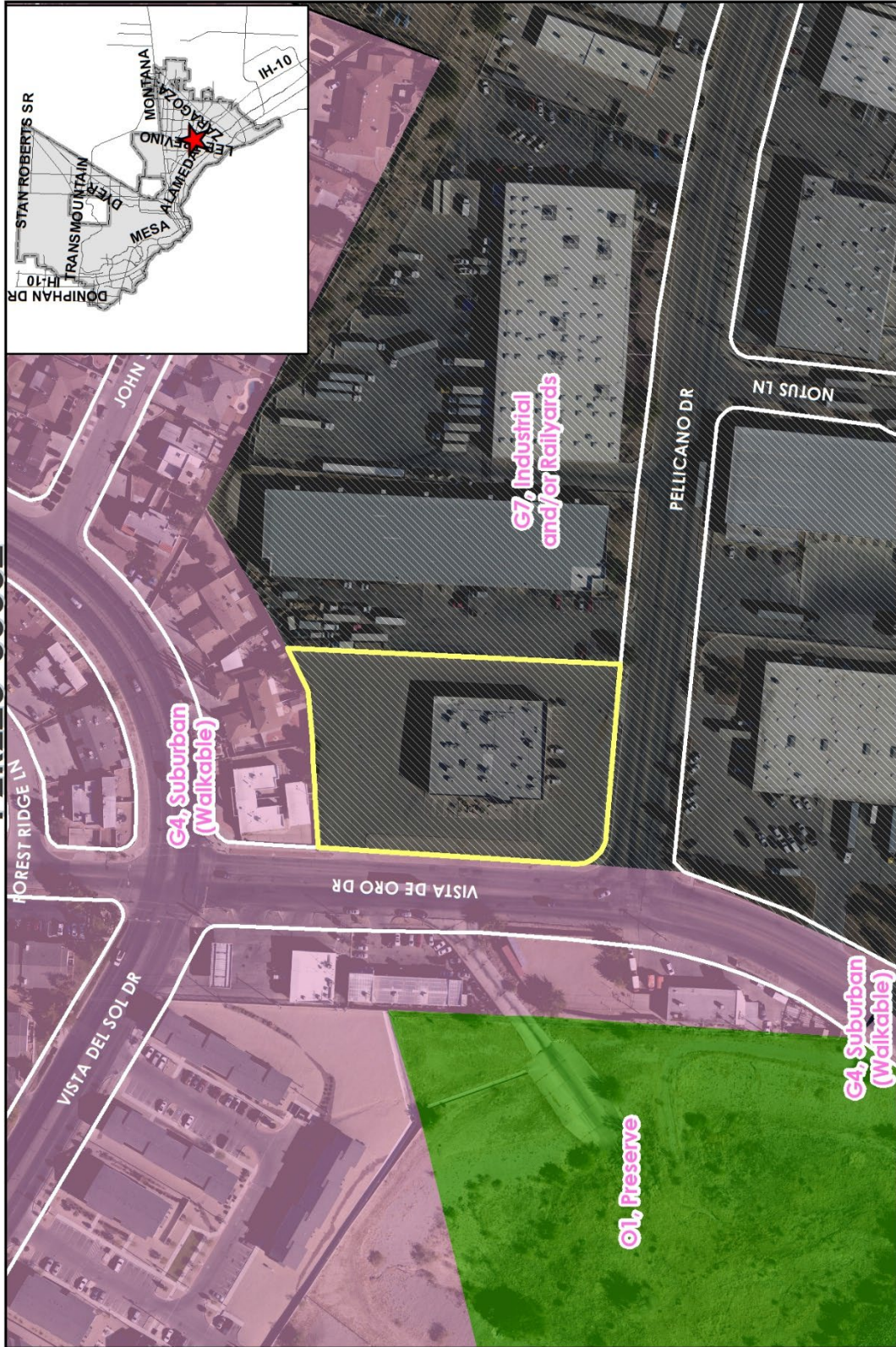
1. **Recommend Approval** of the rezoning request, finding that the request is in conformance with the review criteria of *Plan El Paso* as reflected in the Staff Report, or that the request is in conformance with other criteria that the CPC identifies from the Comprehensive Plan.
2. **Recommend Approval 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. **(Staff Recommendation)**
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. Conceptual Site Plan
3. Department Comments
4. Neighborhood Notification Boundary Map
5. Public Input

# ATTACHMENT 1

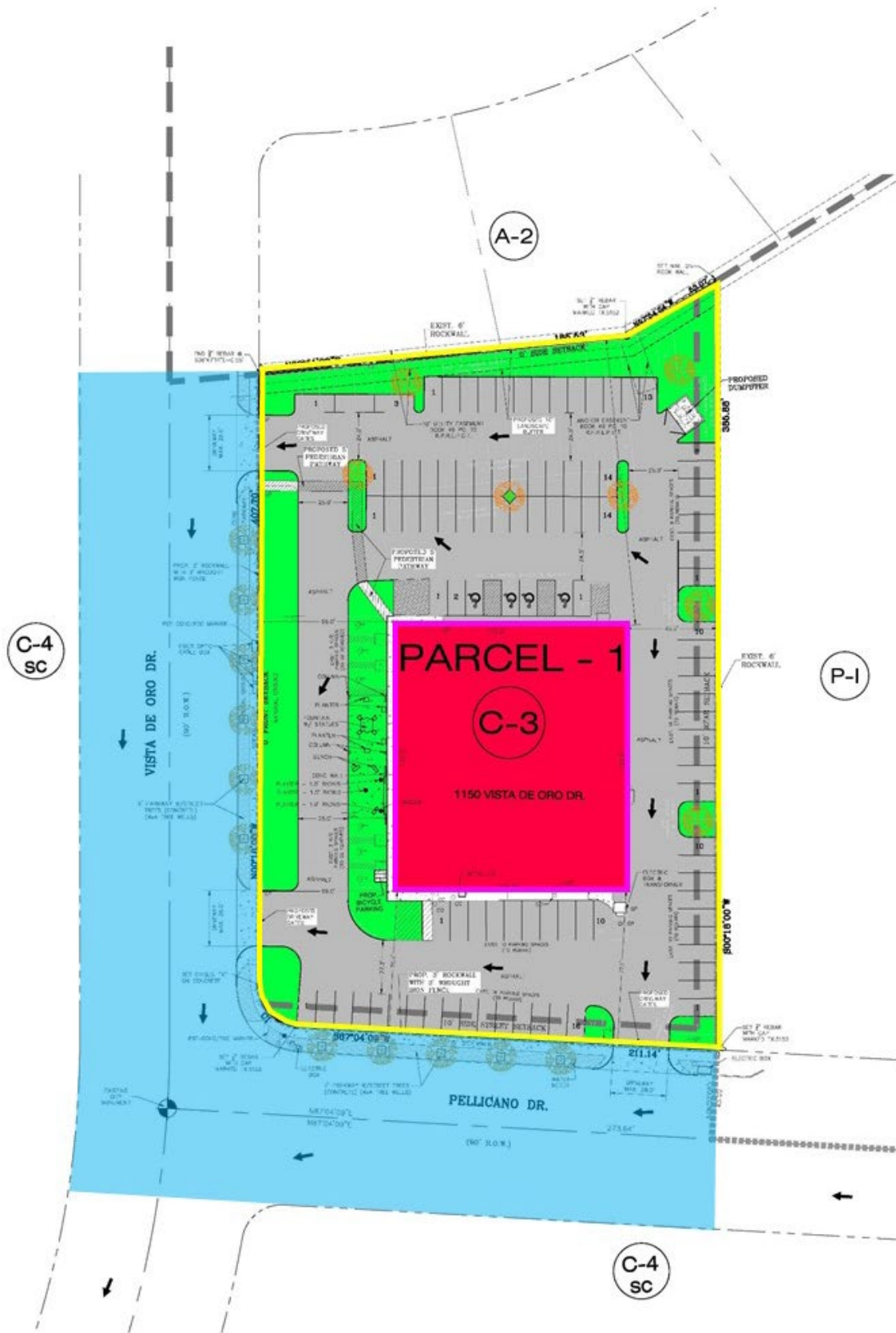
PZR23-00032



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.



# ATTACHMENT 2



# **ATTACHMENT 3**

## **Planning and Inspections Department - Planning Division**

Staff recommends **approval with conditions** of the rezoning request subject to the following:

1. That a ten-foot (10') landscaped buffer with high-profile native or naturalized trees of at least two-inch (2") caliper and ten feet (10') in height shall be placed at twenty feet (20') on center along the property lines adjacent to residential zone districts or uses. The landscaped buffer 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 or certificates of completion.
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## **Planning and Inspections Department – Plan Review & Landscaping Division**

Recommend approval:

1. The generalized site plan is not being reviewed for conformance due to conceptual nature.
2. No objections to proposed rezoning. At the time of submittal for building permit, the project will need to comply with all applicable provisions of the ICC, TAS and Municipal Code.

## **Planning and Inspections Department – Land Development**

No objections to the proposed rezoning.

## **Fire Department**

No adverse comments.

## **Police Department**

No comments provided.

## **Environment Services**

No comments provided.

## **Streets and Maintenance Department**

Traffic Impact Analysis (TIA) is required.

***Note: Comment addressed by the proposed condition.***

## **Sun Metro**

No comments provided.

## **El Paso Water**

EPWater does not object to this request.

## **Water:**

There is an existing 12-inch diameter water main extending along Vista De Oro Dr. The water main is located approximately 20-ft west of the eastern right-of-way. This main is available for service.

There is an existing 12-inch diameter water main extending along Pellicano Dr. The water main is located approximately 21-ft south of the northern right-of-way. This main is available for service.

Previous water pressure readings from fire hydrant # 3627 located 619-feet east of the intersection of Vista De Oro Dr. and Pellicano Dr., have yielded a static pressure of 104 pounds per square inch, a residual pressure of 90 pounds

per square inch, and a discharge flow of 1443 gallons per minute. The lot owner should, for his own protection and at his own expense, install at the discharge side of each water meter a pressure regulator, strainer and relief valve, to be set for pressure as desired by the customer. The lot owner shall be responsible for the operation and maintenance of the above-described water pressure regulating device.

EPWater records indicate a 2-inch water meter serving the subject property. The service address for this meter is 1150 Vista Del Oro Dr.

**Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main extending along Vista Del Sol Dr. The sanitary sewer main is located approximately 40-ft west of the eastern right-of-way. This main is available for main service.

There is an existing 8-inch diameter sanitary sewer main extending along Pellicano Dr. The water main is located approximately 40-ft north of the southern right-of-way. This main is available for service.

**General:**

EPWater requires a new service application to provide additional service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. 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 EPWater – 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.

**Stormwater:**

EP Water-SW reviewed the property described above and provide the following comments:

EPWater-SW has no objections to this proposal. However, we recommend using principles of low impact development (such as recessed landscaping, rainwater harvesting, and porous pavement) to reduce the amount of developed stormwater runoff.

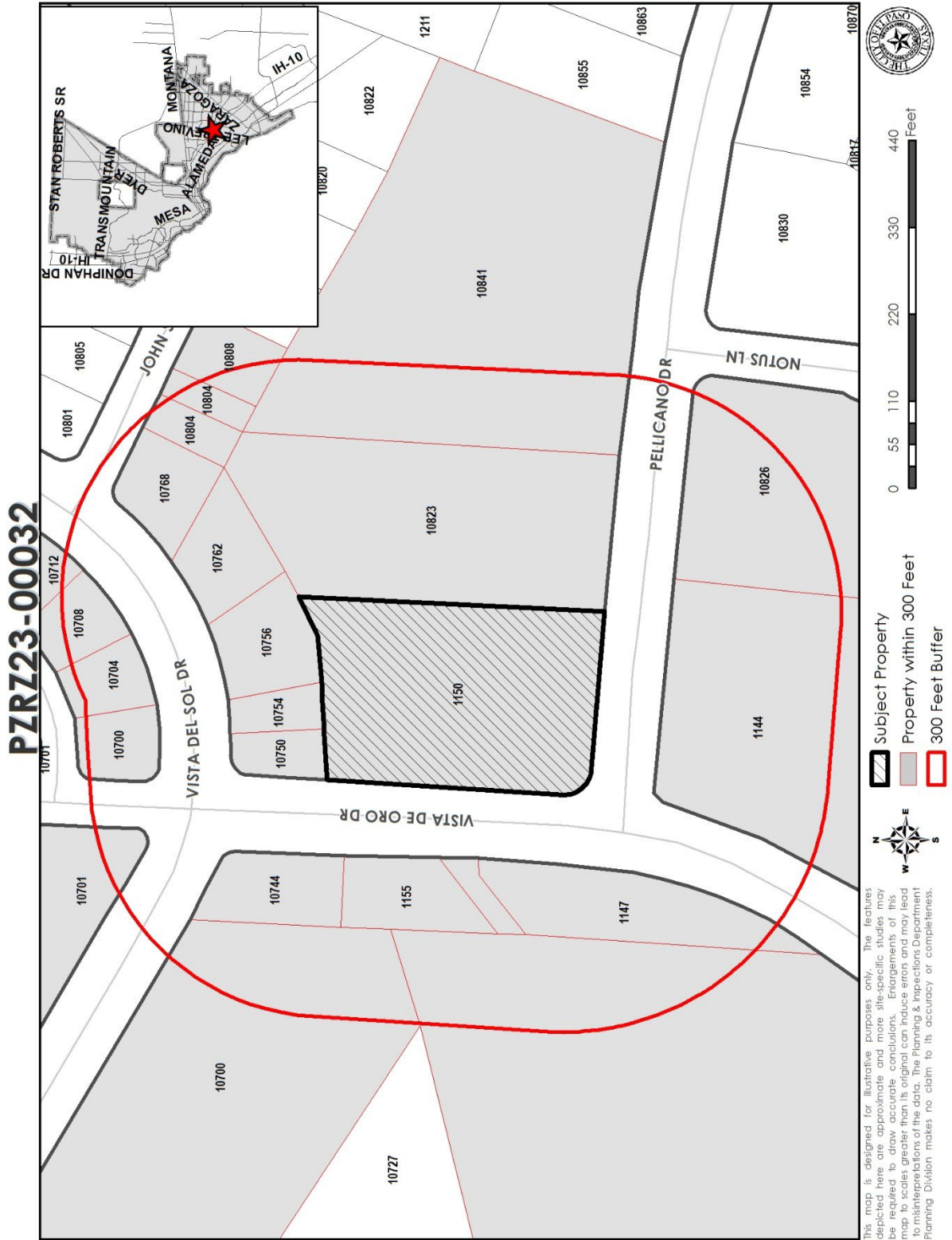
**Texas Department of Transportation**

No comments provided.

**El Paso County Water Improvement District No. 1**

No comments provided.

# ATTACHMENT 4



# **ATTACHMENT 5**

**From:** [Jim McKinley](#)  
**To:** [Pina, Saul J.](#)  
**Subject:** Case: PZRZ23-00036 - 1150 Vista De Oro Drive  
**Date:** Thursday, January 25, 2024 11:45:31 AM

You don't often get email from jim.mckinley@uncommonlogic.com. [Learn why this is important](#)

**CAUTION:** This email originated from outside of the City of El Paso. Do not click links or open attachments unless you recognize the sender and know the content is safe. If suspicious, use **Phish Alert** or forward to [SpamReport@elpasotexas.gov](mailto:SpamReport@elpasotexas.gov).

To whom it may concern,

This email concerns Case: PZRZ23-00036 - 1150 Vista De Oro Drive. My name is Jim McKinley, and I am the managing member of Pellicano Holdings, LLC. We own the property next door to the subject property. Our building address is: 10823 Pellicano Dr., El Paso, TX 79935.

The ownership of Pellicano Holdings, LLC is in favor of education and opening new schools. However, we are concerned given that our property and the property next to us are active warehouses with large trucks regularly coming, dropping things off, and picking stuff up. Will there be an issue with large trucks driving near a school?

If the school were to be approved, would that limit the use of our property in the future or bring new restrictions and/or rules on the existing warehouse? The warehouse has been on this site since 1982.

If having the zoning changed next door would bring about either safety issues with students or restrictions on the warehouse operations on our site, we would be against rezoning the 1150 Vista De Oro Drive property. However, if there are no safety concerns or additional restrictions/regulations on our property, then we are for the rezoning.

Thank you,

Jim McKinley  
Manager, Pellicano Holdings, LLC  
512-695-1752