

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

AGENDA DATE: November 22, 2022
PUBLIC HEARING DATE: December 13, 2022

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

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 Tracts 1, 7A, 19A, and portions of Tracts 11,12,13,14,15,16, and 17, Block 53, Ysleta Grant and portions of Tracts 12A, 13A, 14B, and 15A, Socorro Grant Block 24, 10001 Southside Road, City of El Paso, El Paso County, Texas from R-F (Ranch and Farm) to M-2 (Heavy Manufacturing). 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: 10001 Southside Road
Applicant: El Paso Water - PZRZ22-00031

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from R-F (Ranch and Farm) to M-2 (Heavy Manufacturing) to allow for public major utility use (water and wastewater treatment facilities) expansions. City Plan Commission recommended 8-0 to approve the proposed rezoning on November 3, 2022. As of November 14, 2022, the Planning Division has not received communication in support or opposition to the 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? X YES ___ NO

PRIMARY DEPARTMENT: Planning & Inspections, Planning Division

SECONDARY DEPARTMENT: N/A

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE ZONING OF TRACTS 1, 7A, 19A, AND PORTIONS OF TRACTS 11, 12, 13, 14, 15, 16, AND 17, BLOCK 53, YSLETA GRANT AND PORTIONS OF TRACTS 12A, 13A, 14B, AND 15A, SOCORRO GRANT BLOCK 24, 10001 SOUTHSIDE ROAD, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO M-2 (HEAVY MANUFACTURING). 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 Tracts 1, 7A, 19A, and portions of Tracts 11, 12, 13, 14, 15, 16, and 17, Block 53, Ysleta Grant and portions of Tracts 12A, 13A, 14B, and 15A, Socorro Grant Block 24, 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 **M-2 (Heavy Manufacturing)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso be revised accordingly, and that special permit 87-03 adopted May 5, 1987 is hereby rescinded.

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 _____, 2022.


THE CITY OF EL PASO

Oscar Leeser, Mayor

ATTEST:


Laura D. Prine, City Clerk

APPROVED AS TO FORM:



Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

22-1007-2994 | 1212715

Template Rezoning Ordinance Full Lot No Conditions

JG

EXHIBIT "A"

Prepared For: CEA Group
July 6, 2022

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being Tracts 1, 7A, 19A, and portions of Tracts 11, 12, 13, 14, 15, 16, and 17, Block 53, Ysleta Grant and portions of Tracts 12A, 13A, 14B and 15A, Socorro Grant Block 24, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

THE TRUE POINT OF BEGINNING being a set ½" rebar with cap marked TX 5152 for northwesterly corner of Tract 7A, Block 53, Ysleta Grant as described in special warranty deed from El Paso County Water Improvement District No. 1 to The City of El Paso in Volume 3409, Page 874, Real Property Records of El Paso County, Texas with coordinate values of Y=10,619,446.18, X= 432,345.82 in the Texas State Plane Coordinate System, Central Zone 4203, NAD 83, U.S. Survey feet, from which an existing City Monument at the centerline intersection of Pan American Drive and Oro Verde Drive in Pan American Center for Industry Unit One as recorded in Volume 42, Page 2, Plat Records El Paso County, Texas bears North 28°16'17" East (N25°18'30"E, Vol. 3409, Pg. 874) a distance of 5328.69 feet; and a found bridge nail on the centerline of the U.S. levee IBC sta. 24+676.96 bears, South 57°48'30" West a distance of 138.38 feet;

Thence along the southerly right of way line of the Riverside Canal as described in Volume 3409, page 874, Real Property Records of El Paso County, Texas the following 5 courses:

1. South 86°22'59" East (S89°30'47"E, Vol. 3409, Pg. 874) a distance of 1004.60 feet to a set 1/2" rebar with cap marked TX 5152;
2. South 73°41'42" East (S78°49'30"E, Vol. 3409, Pg 874) a distance of 259.44 feet to a set 1/2" rebar with cap marked TX 5152;
3. South 68°30'11" East (S71°37'59"E, Vol. 3409, Pg 874) a distance of 281.77 feet to a set 1/2" rebar with cap marked TX 5152;
4. South 63°12'51" East (S68°20'39"E, Vol. 3409, Pg 874) a distance of 214.67 feet to a set 1/2" rebar with cap marked TX 5152;
5. South 55°14'53" East a distance of 445.67 feet to a set 1/2" rebar with cap marked TX 5152 on the westerly right of way line of the Riverside canal;

Thence along said right of way line, South 51°56'34" East a distance of 563.38 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said right of way line, South 45°34'38" East a distance of 876.65 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said right of way line, South 39°37'16" East a distance of 2807.06 feet to a set 1/2" rebar with cap marked TX 5152 on the northerly right of way line of the Riverside Intercepting Drain;

Thence along said right of way line, South 85°52'38" West a distance of 1312.84 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said right of way line, South 85°42'38" West a distance of 881.58 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said right of way line, North 66°57'37" West a distance of 431.02 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said right of way line, North 48°38'56" West a distance of 1035.17 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said right of way line, North 38°52'41" West a distance of 423.36 feet to a set 1/2" rebar with cap marked TX 5152 on the westerly line of Tract 15, Block 53, Ysleta Grant;

Thence along said line, North 31°31'36" West a distance of 286.09 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along the westerly line of Tracts 11,12,13,14 and 15, Block 53, Ysleta Grant, North 25°01'06" West a distance of 2178.50 feet to a set 1/2" rebar with cap marked TX 5152 on the westerly line of Tract 7, Block 53, Ysleta Grant as described in Volume 3409, page 874, Real Property Records of El Paso County, Texas;


Thence along said line, North 25°13'08" West (N28°20'56"W, Vol. 3049, Pg. 874) a distance of 235.01 feet to a set 1/2" rebar with cap marked TX 5152;

Thence along said line, North 26°53'16" West (N30°01'03"W, Vol. 3049, Pg. 874) a distance of 292.60 feet to the "TRUE POINT OF BEGINNING" and containing 8,799,630 Square feet or 202.01 Acres of land more or less.

Note:

A drawing of even date accompanies this description.

Bearings referenced to the State Plane Coordinate System, Central Zone (4203) North American Datum of 1983, Unit of measure is U.S. Survey foot adjusted to surface with a scale factor of 1.0002276371.


Ron R. Conde
R.P.L.S. No 5152



CONDE INC.

ENGINEERING / LAND SURVEYING / PLANNING
6080 SURETY DRIVE / SUITE 100 / EL PASO, TEXAS 79905
(915) 592-0283 FAX (915) 592-0286 FIRM NO. 10078100

10001 Southside Road

City Plan Commission — November 3, 2022

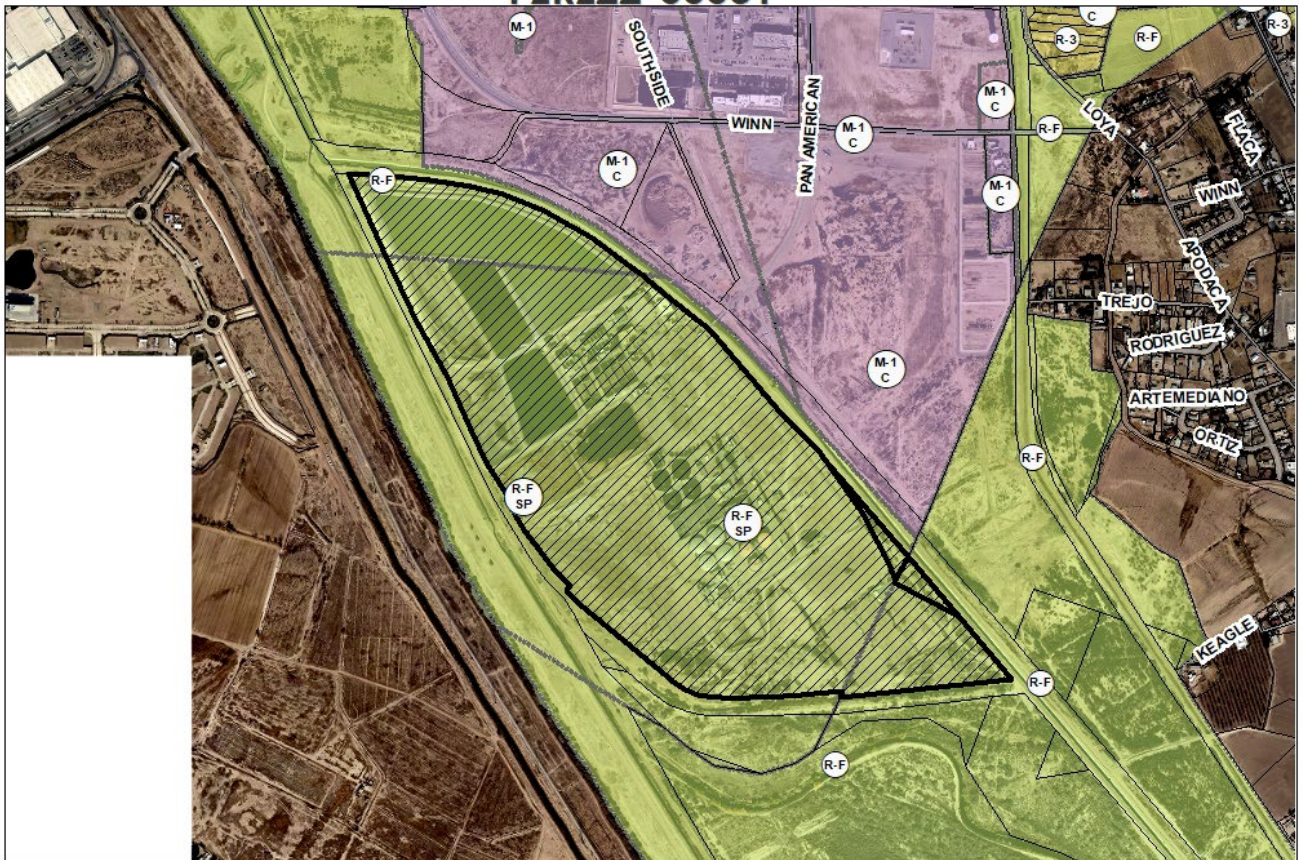


CASE NUMBER: PZRZ22-00031
CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER: El Paso Water
REPRESENTATIVE: CEA Group
LOCATION: 10001 Southside Road (District 7)
PROPERTY AREA: 202.01 acres
REQUEST: Rezone from R-F (Ranch and Farm) to M-2 (Heavy Manufacturing)
RELATED APPLICATIONS: None
PUBLIC INPUT: None received as of October 27, 2022

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-F (Ranch and Farm) to M-2 (Heavy Manufacturing) to allow for public major utility use (water and wastewater treatment facilities) expansions.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the request. The proposed zoning district is compatible with the manufacturing uses in the surrounding area and consistent with *Plan El Paso*, the City's Comprehensive Plan and the G-7, Industrial and/or Railyards future land use designation.

PZRZ22-00031



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



0 375 750 1,500 2,250 3,000 Feet



Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from R-F (Ranch and Farm) to M-2 (Heavy Manufacturing) to allow for public major utility use (water and wastewater treatment facilities) expansions. The land is owned by El Paso Water. Access to the subject property is provided from Pan American Drive.

PREVIOUS CASE HISTORY: On May 5, 1987, City Council made a motion to approve the Special Permit No. 87-03 to allow for a sewage treatment plant (see Attachment no. 4). The existing special permit designation will be repealed once the new rezoning designation request is approved.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed public utility use and the M-2 (Heavy Manufacturing) district are compatible with nearby M-1 (Light Manufacturing) to the north and east consisting of vacant lots and meets the established character of the neighborhood surrounding the subject property. The closest school is Socorro Middle School located 2.07 miles away and the closest park is Rio Bosque, designated as open space and located adjacent to the subject property.

COMPLIANCE WITH <i>PLAN EL PASO</i>/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 railyards 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. The property to be rezoned is publicly owned and will continue to serve public utility use (water treatment plant) functions.</p>
<p>Compatibility with Surroundings: The proposed zoning district is compatible with those surrounding the site:</p> <p>M-2 (Heavy Manufacturing) District: The purpose of this district is to provide for the most intensive of industrial uses which may be characteristic of nuisance or hazardous conditions. It is intended that the districts will serve the entire city. The regulations of the districts will require reasonable standards for the protection and preservation of the compatibility of such uses and adjacent areas.</p>	<p>Yes. The proposed zoning district is compatible with the surrounding M-1 (Light Manufacturing) zone districts.</p>
<p>Preferred Development Locations: 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. The property has access from Pan American Drive which is classified as a local street per El Paso's Major Thoroughfare Plan (MTP). Pan American Drive is currently substandard and may require improvements prior to any development.</p>

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed rezoning is in accordance with <i>Plan El Paso</i>, consider the following factors:	
THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:	
Historic District or Special Designations & Study Area Plans: Any historic district or other special designations that may be applicable. Any adopted small areas plans, including land-use maps in those plans.	The proposed development is not within any historic districts or study area plan boundaries.
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 is compatible with development immediately surrounding the subject property.
Natural Environment: Anticipated effects on the natural environment.	The 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 M-1 (Light Manufacturing) zone districts 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.	None. The proposed development is within an older, stable area of the city.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The proposed development will have access to Pan American Drive which is designated as a local street as per El Paso's MTP. Southside Road is currently substandard and may require improvements prior to any development. The closest bus stop is Pan American Drive and Oro Verde Road located 1.21 miles.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No adverse comments from reviewing departments.

PUBLIC COMMENT: The subject property lies within the boundaries of Mission Valley Civic Association and Corridor 20 Civic Association which was notified of the rezoning application. Public notices were mailed to property owners within 300 feet of the subject property on October 20, 2022. As of October 27, 2022, the Planning Division has not received communication in support or opposition to the request.

RELATED APPLICATIONS: None.

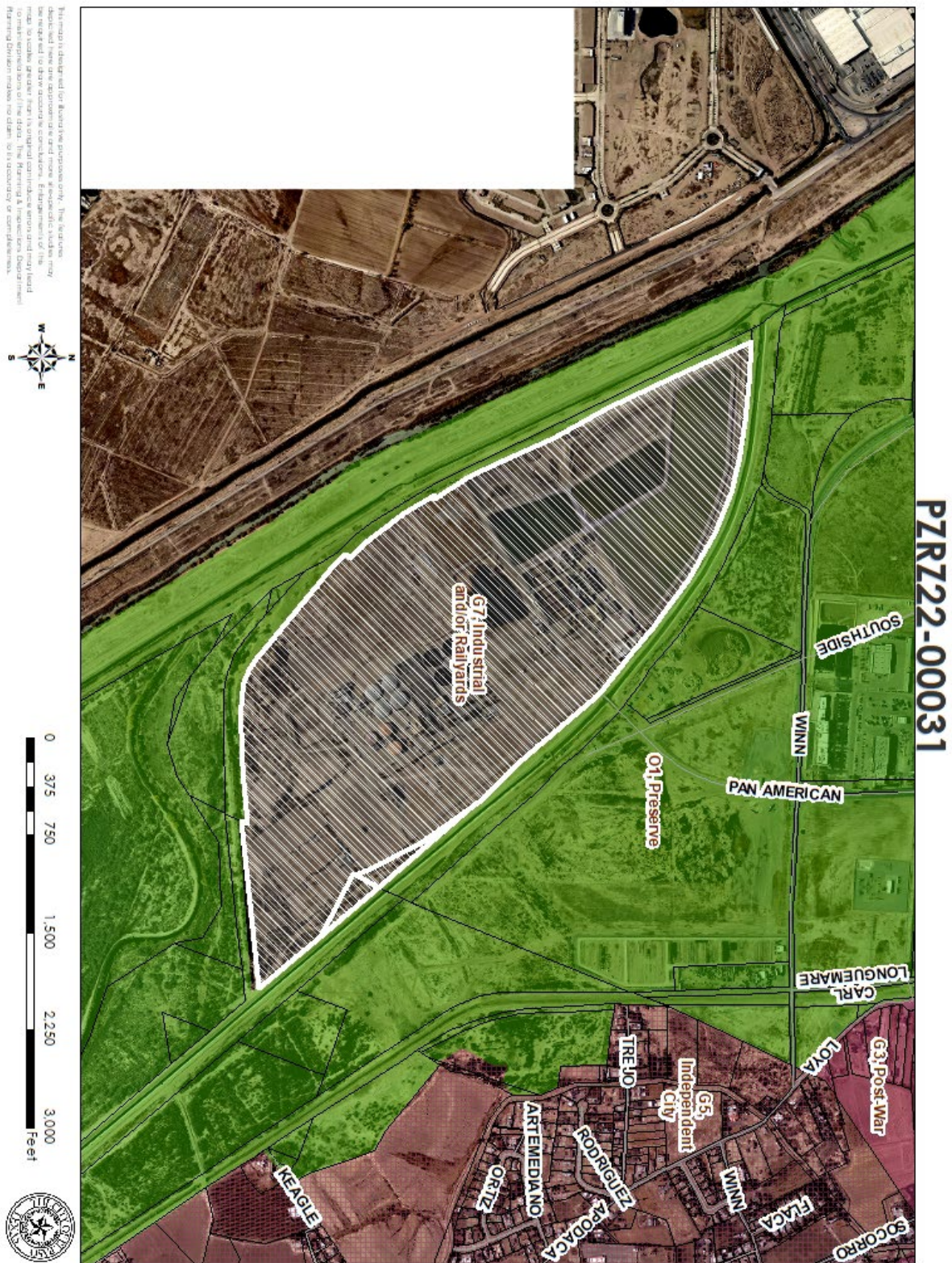
CITY PLAN COMMISSION OPTIONS: The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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. Detailed Site Plan
3. Department Comments
4. SP 87-03
5. Neighborhood Notification Boundary Map

ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3

Planning and Inspections Department - Planning Division

Staff recommends approval of the rezoning request.

Planning and Inspections Department – Plan Review & Landscaping Division

The generalized site plan is not being reviewed for conformance due to conceptual nature. No objections to proposed rezoning.

Note: 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

1. A portion of the property area will be in Flood zone in the future maps.
2. According to the Riverside International Industrial center re-plat A, they are modifying the Pan-American Drive direction.
3. Show proposed drainage flow patterns on the site plan and identify the discharge and/or storage location(s) for all storm-water runoff within the subdivision.

Note: Applicant to coordinate with Land Development at time of building permits.

Fire Department

No adverse comments.

Environment Services

No comments received.

Streets and Maintenance Department

No comments received.

Sun Metro

No comments received.

El Paso Water

EPWater does not object to this request.

Water:

There is an existing 12-inch diameter water main located along Pan American Drive. This water main is available for service.

There is an existing 48-inch diameter water main located along Pan American Drive. No direct service connections are allowed to this water main in accordance with El Paso Water – Public Service Board Rules and Regulations.

There is an existing 20-inch reclaimed water that extends along Pan American Drive.

Previous water pressure from fire hydrant #8018 located on Pan American Drive 245-feet south of Franklin Spur Drain, has yielded a static pressure of 100 psi, a residual pressure of 85 psi, and a discharge of 1,126 gallons per minute. The 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.

Sanitary Sewer:

There is an 8/12-inch diameter sanitary sewer main under construction along Pan American and the plant's access road.

There is an existing 60-inch sanitary sewer main along 60-feet PSB easement that comes from Carl Longuemare Road. No direct service connections are allowed to this water main in accordance with El Paso Water – Public Service Board Rules and Regulations.

There is an existing 72-inch sanitary sewer main along 60-feet PSB easement that comes from Carl Longuemare Road. No direct service connections are allowed to this water main in accordance with El Paso Water – Public Service Board Rules and Regulations.

General:

During the site improvement work, the Owner/Developer shall safeguard all existing water mains, sewer mains, and appurtenant structures. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities and is responsible for the cost of setting appurtenant structures to final grade.

No building, reservoir, structure, parking stalls or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWater-PSB easement without the written consent of EPWater-PSB. The Developer shall refrain from constructing rock walls, signs, buildings, curbs or any structure that will interfere with the access to the PSB easements. There shall be at least 5-foot setback from the easement line to any building, sign or structure. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWater-PSB Easement Policy. The PSB easements shall be improved to allow the operation of EPWater maintenance vehicles. EPWater-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.

EPWater requires a new service application to provide 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 Engineering

EPWater-SW has reviewed the request and has no objections to the proposal.

El Paso County 911 District

The 911 District has no comments/concerns regarding this zoning.

El Paso County Water Improvement District #1

No adverse comments.

ATTACHMENT 4

RESOLUTION GRANTING SPECIAL PERMIT NO. 87-03
A PORTION OF TRACTS 11-14, PLUS ALL OF TRACTS
1, 15, 16, 17 AND 19, BLOCK 53, YSLETA GRANT,
PURSUANT TO SECTION 20.04.260 (ZONING)
OF THE EL PASO CITY CODE.

WHEREAS, THE PUBLIC SERVICE BOARD has applied for a special permit under Section 20.04.260 (Zoning) of the El Paso City Code, to allow for a sewage treatment plant; and

WHEREAS, a report was made by the City Plan Commission and a public hearing was held regarding such application;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Council hereby grants a special permit under Section 20.04.260 of the El Paso City Code, to allow for a sewage treatment plant on the property located on a portion of Tracts 11-14, plus all of Tracts 1, 15, 16, 17 and 19, Block 53, Ysleta Grant, (North of Rio Grande River and west of Rio Bosque Park), City of El Paso, El Paso County, Texas, more particularly described by metes and bounds attached hereto and marked as Exhibit "A".

The City Council finds said property to be in a R-F (Ranch/Farm) District, and that sewage treatment plants are uses authorized by special permit in R-F (Ranch/Farm) districts under Section 20.10.040 (P) of the El Paso City Code.

This permit is issued subject to the development standards in the R-F (Ranch/Farm) District regulations and subject to the development being built in accordance with the approved site development plan. A copy of the approved site development plan, signed by the applicant, the Mayor and the Executive Secretary to the City Plan Commission, is attached hereto marked Exhibit "B" and made a part hereof by reference.

The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved site development plan and the standards identified in the R-F (Ranch/Farm) District regulations, and all

other requirements set forth in this resolution. Additionally, the applicant is required, upon the City's demand, to dedicate additional right-of-way and improve that portion of the following streets wherever they own the abutting land:

1. Winn Road, to 70' of right-of-way with 36' paving.
2. Southside Road, to 90' of right-of-way, improved to City standards.

Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

This permit shall automatically terminate if any of said conditions are not complied with and construction shall stop or occupancy shall be discontinued until any such violation ceases.

ADOPTED this 5th day of May, 1987.

ATTEST:

James G. Smith
City Clerk

Mayor

APPROVED AS TO FORM:

John R. Ball
Assistant City Attorney

APPROVED AS TO CONTENT:

James S. Olson
Department of Planning,
Research and Development

AGREEMENT

THE PUBLIC SERVICE BOARD, the Applicant referred to in the above resolution, hereby agrees to develop the above-described property in accordance with the approved site development plan and in accordance with the standards identified in the R-F (Ranch/Farm) District regulations, and subject to all other requirements set forth in this resolution.

EXECUTED this 3 day of June, 1987.

Clinton E. Lewis
PUBLIC SERVICE BOARD

ADDITIONAL SIGNATURES ON NEXT PAGE

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 3rd
day of JUNE, 1987, by CLINTON E WOLF,
as CHAIRMAN on behalf of the PUBLIC SERVICE BOARD,
as Applicant.

My Commission Expires:

5-31-89



Notary Public, State of Texas



MICHAEL J. BROWN
Notary Public, State of Texas
My Comm. Expires May 31, 1989.

ENG1:SP-87-03

ATTACHMENT 5

