

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

AGENDA DATE: October 22, 2024
PUBLIC HEARING DATE: November 12, 2024

CONTACT PERSON(S) NAME AND PHONE NUMBER: Philip F. Etiwe, (915) 212-1553
Luis Zamora, (915) 212-1552

DISTRICT(S) AFFECTED: District 7

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

SUBGOAL: 3.2 Improve the visual impression of the community

SUBJECT:

An Ordinance amending condition No.1 and releasing conditions No. 3, and No. 4 placed on property by Ordinance No. 019219 which changed the zoning of a portion of Lot 1, Block 1, Inglewood Subdivision, City of El Paso, El Paso County, Texas. The penalty is as provided for in Chapter 20.24 of the El Paso City Code.

The proposed condition release and amendment 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: 551 Inglewood
Applicant: Inglewood Properties, LLC, PZCR24-00002

BACKGROUND / DISCUSSION:

The applicant is requesting to amend condition No. 1 and release conditions No. 3 and No 4 imposed by Ordinance No. 019219, dated August 17, 2021 on the subject property. On October 17, 2024, the City Plan Commission recommended 4-2 to approve the request to amend and release conditions. As of October 21, 2024, the Planning Division has not received any communication in support or opposition to the condition amendment and release request, additionally three persons spoke at the City Plan Commission meeting; 1 in favor and 2 provided comments of inquiry. 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

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

DEPARTMENT HEAD:

Philip Etiwe

ORDINANCE NO. _____

AN ORDINANCE AMENDING CONDITION NO. 1 AND RELEASING CONDITIONS NO. 3 AND NO. 4 PLACED ON PROPERTY BY ORDINANCE NO. 019219 WHICH CHANGED THE ZONING OF LOT 1, BLOCK 1, INGLEWOOD SUBDIVISION, CITY OF EL PASO, EL PASO COUNTY, TEXAS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the zoning of the property described as *LOT 1, BLOCK 1, INGLEWOOD SUBDIVISION, City of El Paso, El Paso County, Texas*, was changed by Ordinance No. 019219 approved by City Council on AUGUST 17, 2021; and,

WHEREAS, the rezoning was subject to certain zoning conditions, and

WHEREAS, placement of such conditions were necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, the owner (applicant) submitted an application requesting the amendment of condition No. 1 and removal of conditions No. 3 and No. 4 because these conditions have been satisfied or are no longer applicable; and,

WHEREAS, a public hearing regarding removal of the conditions was held before the City Plan Commission, and the Commission recommended approval of the release of conditions No. 1, No. 3, and No. 4; and,

WHEREAS, the City Council of the City of El Paso has determined that the release of certain conditions will protect the best interest, health, safety, and welfare of the public in general.

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

That zoning conditions No. 1, No. 3, and No. 4 imposed by Ordinance No. 019219 approved by City Council on *AUGUST 17, 2021*, on land identified as Lot 1, Block 1, Inglewood Subdivision be amended and released because the conditions have been satisfied or are no longer necessary.

Condition No. 1 to be amended as follows:

1. *THAT INGLEWOOD SHALL BE BUILT TO COMPLIANCE WITH THE CITY'S ADOPTED STREET DESIGN MANUAL PRIOR TO HAVING INGRESS/EGRESS TO INGLEWOOD DRIVE.*

Conditions to be released:

3. *THE JUAN DE HERRERA LATERAL CROSSING SHALL BE CONSTRUCTED PRIOR TO ISSUANCE OF ANY BUILDING PERMITS.*

ORDINANCE NO. _____

PZCR24-00002

22-1007-2940.001|1189111

Zoning Condition ReleasePZCR22-00001 1837 Grandview | Ordinance Release
RTA

4. *THAT A DETAILED SITE DEVELOPMENT PLAN BE SUBMITTED AND APPROVED AS PER SECTION 20.04.150 OF THE EL PASO CITY CODE PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS.*

Except as herein amended, Ordinance No. 019219 shall remain in full force and effect.

ADOPTED this _____ day of _____, 2024.

THE CITY OF EL PASO:

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Russell Abeln

Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

PZCR24-00002

551 Inglewood

City Plan Commission — October 17, 2024



CASE NUMBER: PZCR24-00002
CASE MANAGER: Luis Zamora, (915) 212-1552, ZamoraLF@elpasotexas.gov
PROPERTY OWNER: Inglewood Properties, LLC
REPRESENTATIVE: H2O Terra
LOCATION: 551 Inglewood Drive (District 7)
PROPERTY AREA: 20.46 acres
REQUEST: Amend and Release certain conditions imposed by Ordinance No. 019219
RELATED APPLICATIONS: None
PUBLIC INPUT: None received as of October 10, 2024

SUMMARY OF REQUEST: The applicant is requesting to amend and release certain conditions imposed by Ordinance No. 019219, dated August 17, 2021 on the subject property.

SUMMARY OF STAFF'S RECOMMENDATION: Staff recommends **APPROVAL** of the condition amendment and release request. This recommendation would allow for future development of the property consistent with the intent of the policies of G-7, Industrial and/or Railyards future land use designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

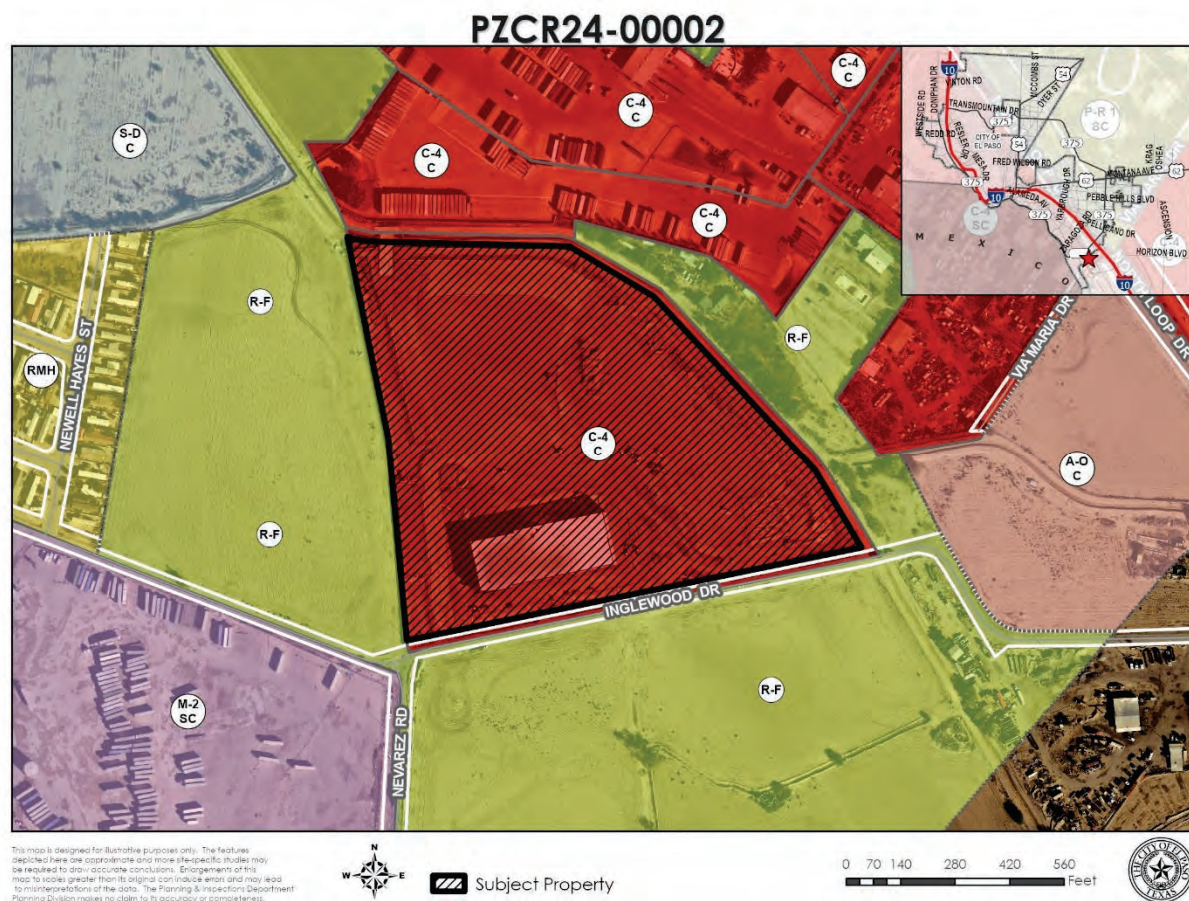


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to amend and release certain conditions imposed by Ordinance No. 19219, dated August 17, 2021 to allow the continued use of a distribution warehouse. With the improvement of Inglewood Drive to City standards by the property owner and the surrounding developments, the existing zoning conditions are no longer applicable or have been satisfied. The size of the property is 20.46 acres and is currently used as a distribution warehouse. The detailed site development plan shows a general warehouse building and heavy truck parking lot with main access to the property provided from Inglewood Drive.

PREVIOUS CASE HISTORY: On August 17, 2021, City Council approved of the rezoning of the subject property from R-F (Ranch and Farm) to C-4 (Commercial) with the following conditions imposed by Ordinance No. 019219:

1. *Access for semi-trailer trucks and cabs shall be prohibited to and from Inglewood Drive.*
2. *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 fifteen feet (15') on center along the property lines adjacent to residential or apartment 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.*
3. *The Juan De Herrera Lateral crossing shall be constructed prior to issuance of any building permits.*
4. *That a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permits.*

The applicant is proposing to amend condition No. 1 as follows:

1. *That Inglewood be built to compliance with the city's adopted street design manual prior to heavy trucks having ingress/egress to Inglewood drive.*

The applicant is also requesting to release conditions No. 3 and No. 4 in their entirety because the conditions have been satisfied.

Note: Condition no. 2 shall remain in effect.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed development is consistent with the adjacent commercial and manufacturing districts within its vicinity and meets the established character of its surrounding neighborhood. Further, the proposed development meets the intent of G-7, (Industrial), Future Land Use Designation in the Mission Valley Planning area. The nearest park is Caribe Park (1.9 miles) and the nearest school is Del Valle High School (2.4 miles).

COMPLIANCE WITH <i>PLAN EL PASO</i>/REZONING POLICY – When evaluating whether a proposed condition release 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><u>G-7, Industrial and/or Railyard:</u> 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 subject property is proposed to be developed into a general warehouse and heavy truck (sales, storage, repair, and rental, which is in character with the future land use designation of <i>Plan El Paso</i>.</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 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.</p>	<p>Yes, the development is a permitted use in the C-4 (Commercial) zone district. Surrounding properties are zoned C-4 (Commercial), M-2 (Manufacturing), and R-F (Ranch-Farm). Properties to the north, south, and west and southwest feature similar commercial and manufacturing uses.</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 and condition release 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 commercial development supplements the character within the G-7, Industrial designation of <i>Plan El Paso</i>. The property is located on Inglewood Drive which is classified as a collector on the City of El Paso's Major Thoroughfare Plan.</p>
<p>THE PROPOSED ZONING DISTRICT'S EFFECT ON THE PROPERTY AND SURROUNDING PROPERTY, AFTER EVALUATING THE FOLLOWING FACTORS:</p>	
<p>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.</p>	<p>None. The subject property is not located within any historic districts nor any other special designation areas.</p>
<p>Potential Adverse Effects: Potential adverse effects that might be caused by approval or denial of the requested condition release.</p>	<p>No. There are no anticipated adverse impacts.</p>
<p>Natural Environment: Anticipated effects on the natural environment.</p>	<p>The subject property does not involve green field or environmentally sensitive land or arroyo disturbance.</p>
<p>Stability: Whether the area is stable or in transition.</p>	<p>The area is in transition from O3, Agriculture to G-7, Industrial as per the Future Land Use designation of <i>Plan El Paso</i>. The most recent rezoning was for a property to the north in August 2021 from R-F (Ranch-Farm) to C-4 (Commercial). Additionally, in June 2022, the property to the northeast located on North Loop Drive was rezoned from R-F (Ranch and Farm) to C-4 (Commercial).</p>
<p>Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.</p>	<p>The area is in transition from inactive agricultural uses for the property to commercial uses. The proposed zoning supplements the character within the existing commercial and manufacturing development within its vicinity.</p>

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: In addition to access to North Loop through the existing lateral bridge crossing, the development will have semi-tractor trailer access to Inglewood Drive, which is designated as a collector in the City's MTP. All appropriate infrastructure shall be installed in conjunction with surrounding developments, which will include sidewalks, water and sewer extensions, stormwater drainage, and roadway improvements.

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

PUBLIC COMMENT: The subject property lies within the Mission Valley Civic and Corridor 20 Civic Association both notified prior to submittal of the Condition Release Application. A meeting was held between staff, the applicant, and representatives of the applicable neighborhood associations (Mission Valley Civic and Corridor 20 Civic Association) on September 4, 2024. Public notices were mailed to property owners within 300 feet on October 3, 2024. As of October 10, 2024, the Planning Division did not receive any communication in support or opposition to the condition release request.

RELATED APPLICATIONS: N/A

CITY PLAN COMMISSION OPTIONS:

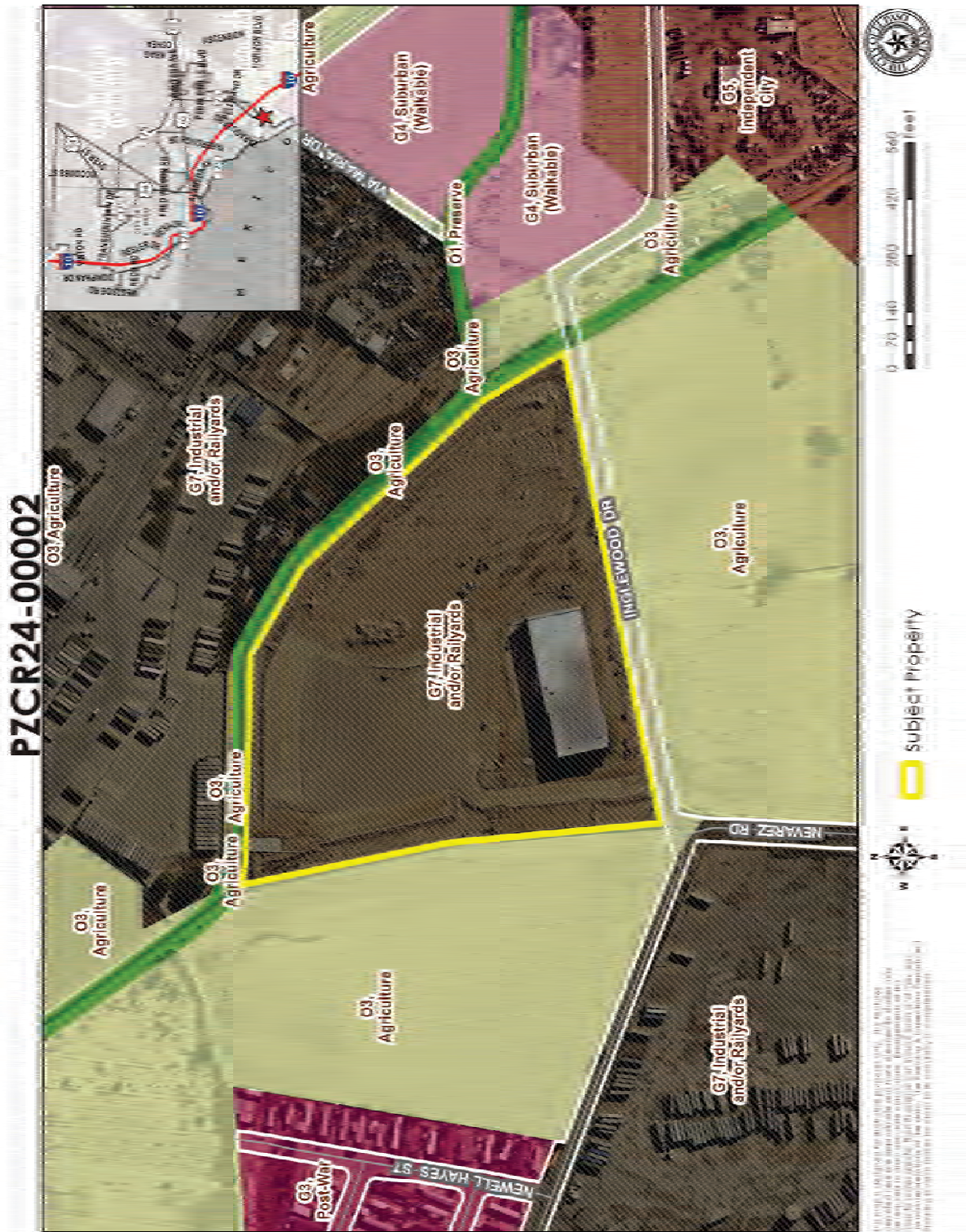
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission (CPC) has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

1. **Recommend Approval** of the condition release and amendment 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 condition release and amendment 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 condition release and amendment 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. Ordinance No. 19219, dated August 17, 2021
4. Department Comments
5. Neighborhood Notification Boundary Map

ATTACHMENT 1



[illegible]

ATTACHMENT 3

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ORDINANCE NO. 019219

AN ORDINANCE CHANGING THE ZONING OF TRACT 19B, BLOCK 2, YSLETA GRANT, CITY OF EL PASO, EL PASO COUNTY, TEXAS (YSLETA GRANT MAP, BLOCK 2, DECEMBER 1929) FROM R-F (RANCH-FARM) TO C-4/C (COMMERCIAL/CONDITION) 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, the zoning of Tract 19B, Block 2, Ysleta Grant, located in the City of El Paso, El Paso County, Texas, more particularly described by the metes and bounds attached as Exhibit "A", be changed from **R-F (Ranch-Farm)** to **C-4/c (Commercial/condition)**, as defined in Section 20.06.020, and that the zoning map of the City of El Paso, attached hereto as Exhibit "B", be revised accordingly; and

That the following Conditions are imposed:

1. Access for semi-trailer trucks and cabs shall be prohibited to and from Inglewood Drive.
2. 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 fifteen feet (15') on center along the property lines adjacent to residential or apartment 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.
3. The Juan De Herrera Lateral crossing shall be constructed prior to issuance of any building permits.
4. That a Detailed Site Development Plan be submitted and approved as per Section 20.04.150 of the El Paso City Code prior to the issuance of any building permits.

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 17th day of August, 2021.

THE CITY OF EL PASO

Oscar Leeser
Oscar Leeser, Mayor

ATTEST:

Laura D. Prine
Laura D. Prine, City Clerk

APPROVED AS TO FORM:

Russell T. Abeln
Russell T. Abeln
Assistant City Attorney

APPROVED AS TO CONTENT:

Philip F. Etwine
Philip F. Etwine, Director
Planning & Inspections Department

21-1007-2720/1073962 | RTA
Ordinance No. _____

019219

551 Inglewood Rd.
PZRZ21-00006

EXHIBIT A

Prepared for: Transborder, LLC
Tract 19B, Block 2,
Ysleta Grant
City of El Paso, El Paso County, Texas
W.O.#: 031218-4

METES AND BOUNDS

Description of a 20.539 acre parcel of land, more or less, being all of Tract 19B, Block 2, Ysleta Grant El Paso, El Paso County, Texas (Ysleta Grant Map, Block 2, December 1929). City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows to wit:

Commencing at an existing 1" iron pipe located on the northerly Right-of-Way of Inglewood Drive (Right-of-Way Varies) from which a 5/8" at northerly right-of-way line of Inglewood Drive and the most south westerly corner of Tract 16A, Block 2, Ysleta Grant, Thence North 75°01'00" East along said right-of-way of Inglewood Drive a distance of 81.90 feet to a 5/8" rebar with cap marked "5372" found on the common boundary line of Tract 16-A and 16-B, Block 2, Ysleta Grant, being the "True Point of Beginning;

Thence North 07°56'00" West along said boundary line a distance of 510.00 feet to point;

Thence continuing along said boundary line North 14°50'00" West a distance of 565.12 feet to a 5/8" rebar with cap marked 5372 found on the southerly right-of-way line of the Juan De Herrera Lateral (60-Foot Right-of-Way);

Thence South 86°46'00" East along said right-of-way line a distance of 148.49 feet to a 5/8" rebar with cap marked 5372 found on the southerly right-of-way line of the Juan De Herrera Lateral;

Thence continuing along said right-of-way North 86°54'00" East 396.00 feet to a 5/8" rebar with cap marked 5372 found on the southerly right-of-way line of the Juan De Herrera Lateral;

Thence continuing along said right-of-way South 65°36'00" East a distance of 257.90 feet to a 5/8" rebar with cap marked 5372 found on the southwesterly right-of-way line of the Juan De Herrera Lateral;

Thence continuing along said right-of-way South 46°07'00" East a distance of 652.80 feet to a 5/8" rebar with cap marked 5372 found on the southwesterly right-of-way line of the Juan De Herrera Lateral;

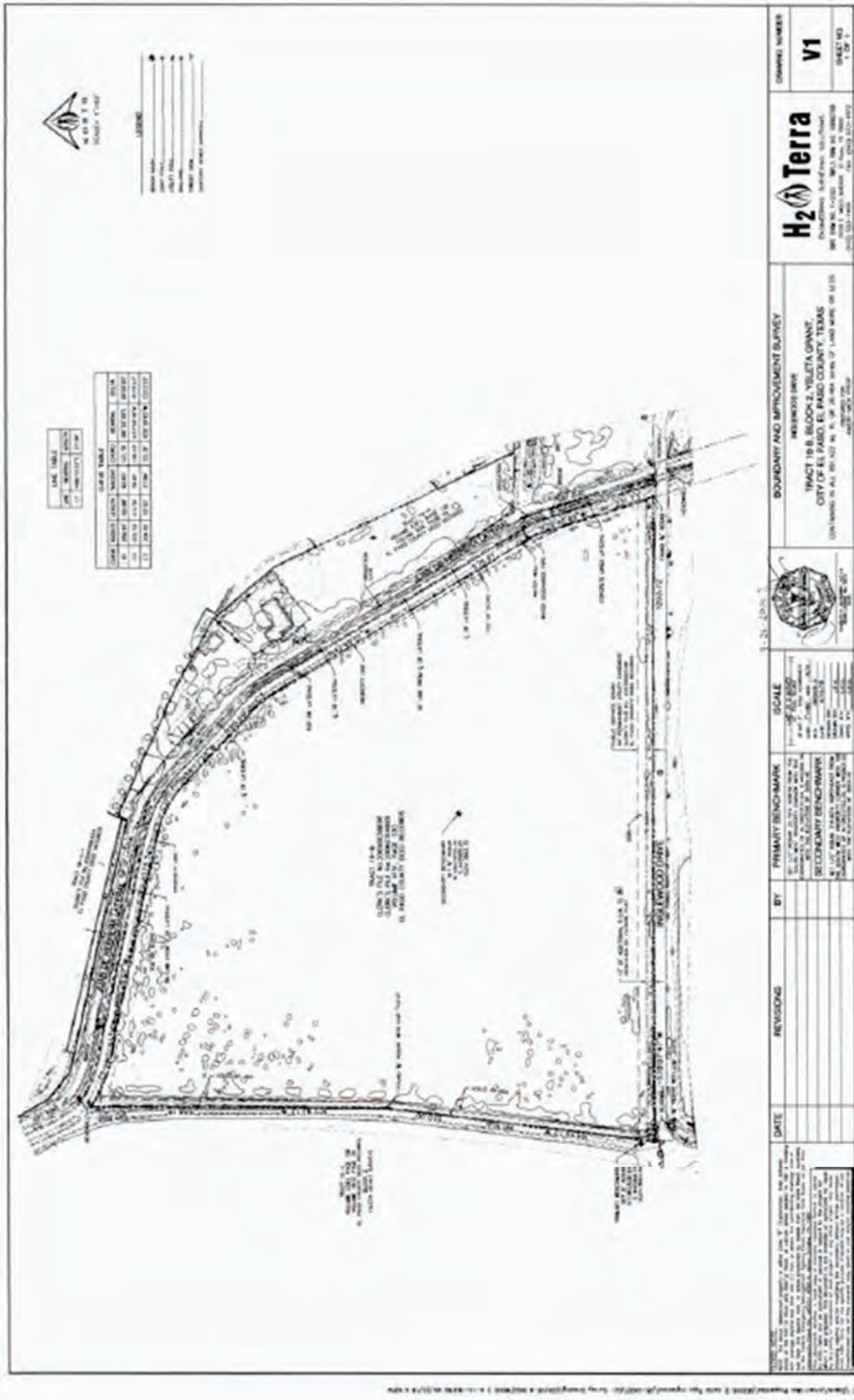
Thence continuing along said right-of-way South 33°01'00" East a distance of 232.30 feet to a 5/8" rebar found on the northerly right-of-way of Inglewood Drive (30-Foot Right-of-Way);

Thence South 75°01'00" West a distance of 1201.40 feet to the "True Point of Beginning for Tract 19-B; and containing in all 894.692 square feet or 20.539 acres of land more or less.

01 1.24 10.00 (W) HJG
c HAILES & GUTIERREZ, R.P.L.S. 5572
H2O Terra, L.L.C.



EXHIBIT B



ATTACHMENT 4

Planning and Inspections Department - Planning Division

Staff recommends **APPROVAL** of the condition release and amendment request. This recommendation would allow for future development of the property consistent with the intent of the policies of G-7, Industrial and/or Railyards future land use designation of *Plan El Paso*, the City's adopted Comprehensive Plan.

Planning and Inspections Department – Plan Review & Landscaping Division

Recommended approval.

Planning and Inspections Department – Land Development

No objections to condition release.

Fire Department

No adverse comments.

Streets and Maintenance Department

Developer shall reconstruct road partially along Inglewood Dr adjacent to property. No objections to application.

Texas Department of Transportation (TxDOT)

No comments received.

Sun Metro

Sun Metro currently does not service the immediate area. Does not affect Sun Metro transit services.

El Paso Water

No comments received.

El Paso County 911 District

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

El Paso County Water Improvement District #1

The item is not within the boundaries of EPCWID1.

El Paso Electric Company

We have no comments for the rezoning for Inglewood Drive.

Texas Gas Service

No adverse comments.

PZCR24-00002

This map is designed for illustrative purposes only. The features depicted here are approximations and more site-specific studies may be required to draw accurate conclusions. Engagements of this map to scales greater than 1:10,000 can induce errors and may lead to misinterpretation of the information presented. The Planning Division makes no claim to its accuracy or completeness.

Subject Property
300 Feet Notice Area
Notified Properties

0 70 140 210 280 350 420 490 560 Feet

NEVAREZ RD
 INDIAN WOOD DR
 NEWELL-HAYES ST

El Paso, Texas