

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

AGENDA DATE: May 10, 2022
PUBLIC HEARING DATE: June 7, 2022

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

DISTRICT(S) AFFECTED: District 6

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 Tract 1C, Block 1 and Tract 1A, Block 2, Ysleta Grant, 9879 North Loop Drive, City of El Paso, El Paso County, Texas from R-F (Ranch and 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.

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: 9879 North Loop Drive
Applicant: Hunt Eastlake Industrial, LLC. PZRZ21-00017

BACKGROUND / DISCUSSION:

The applicant is requesting to rezone from R-F (Ranch and Farm) to C-4 (Commercial) to allow for warehouse and industrial development. City Plan Commission recommended 8-0 to approve the proposed rezoning with four conditions on April 21, 2022. The Mission Valley Civic Association President and Corridor 20 Civic Association President were present and spoke in favor of this item at the CPC hearing. As of May 2, 2022, the Planning Division did not receive any communications in support or opposition to the request from the public. 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 TRACT 1C, BLOCK 1 AND TRACT 1A, BLOCK 2, YSLETA GRANT, 9879 NORTH LOOP DRIVE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND 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, that the zoning of *Tract 1C, Block 1 and Tract 1A, Block 2, Ysleta Grant, 9879 North Loop Drive 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 **C-4/c (Commercial/condition)**, 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 change in intensity generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

1. Prior to the issuance of building permits a detailed site development plan shall be submitted and approved as per the El Paso City Code.
2. Access for semi-trailer trucks and cabs shall be prohibited to and from Via Maria Drive. Upon the extension and construction of Via Maria northeasterly toward Interstate-10, access for semi-trailer trucks and cabs to and from Via Maria Drive shall be authorized.
3. That prior to issuance of any certificates of occupancy, a six foot (6') high combination masonry/wrought iron wall be constructed along the property line abutting Via Maria Drive.
4. That prior to issuance of any certificates of occupancy, a temporary traffic barricade be installed on Via Maria Drive where it intersects with North Loop Drive.

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:

ATTEST:

Laura D. Prine
City Clerk

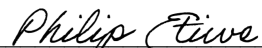
Oscar Leoser
Mayor

APPROVED AS TO FORM:



Wendi N. Vineyard
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip F. Etiwe, Director
Planning & Inspections Department

ORDINANCE NO. _____

Zoning Case No: PZRZ21-00017

Tract 1C, Block 1 and Tract 1A, Block 2,
Ysleta Grant,
City of El Paso, El Paso County, Texas
June 14, 2021

METES AND BOUNDS DESCRIPTION

North Loop Drive
Exhibit "A"

FIELD NOTE DESCRIPTION of Tract 1C, Block 1 and Tract 1A, Block 2, Ysleta Grant, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows:

COMMENCING FOR REFERENCE at a set iron rod located at the common boundary corner of Tract 1A, Block 2, Ysleta Grant and Tract 13A, Block 5, Socorro Grant, same being the northerly right-of-way line of North Loop Drive and the **POINT OF BEGINNING** of the herein described parcel;

THENCE, leaving said common boundary corner and along the northerly right-of-way line of North Loop Drive, North $38^{\circ}11'22''$ West, a distance of 710.71 feet to a found iron rod for corner at the easterly right-of-way of Via Maria Drive;

THENCE, leaving said northerly right-of-way line of North Loop Drive and along the easterly right-of-way of Via Maria Drive, North $32^{\circ}02'00''$ East, a distance of 651.02 feet to a found iron rod for corner at the southerly right-of-way line of Mesa Drain;

THENCE, leaving said easterly right-of-way of Via Maria Drive and along the southerly right-of-way line of Mesa Drain, South $39^{\circ}39'41''$ East, a distance of 772.45 feet to a found iron rod for corner at the common boundary corner of Tract 1A, Block 2, Ysleta Grant and Tract 13A, Block 5, Socorro Grant;

THENCE, leaving said southerly right-of-way line of Mesa Drain and along the common boundary line of Tracts 1A and 13A, South $37^{\circ}42'59''$ West, a distance of 652.09 feet to the **POINT OF BEGINNING** of the herein described parcel and containing 463,461.69 square feet or 10.6396 acres of land more or less.

Carlos M. Jimenez
R.P.L.S. # 3950
CAD Consulting Co.
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9879 North Loop Drive

City Plan Commission — April 21, 2022

REZONING



CASE NUMBER: PZRZ21-00017
CASE MANAGER: Andrew Salloum, (915) 212-1603, SalloumAM@elpasotexas.gov
PROPERTY OWNER: Hunt Eastlake Industrial, LLC
REPRESENTATIVE: CEA Group
LOCATION: 9879 North Loop Drive (District 6)
PROPERTY AREA: 10.55 acres
REQUEST: Rezone from R-F (Ranch and Farm) to C-4 (Commercial)
RELATED APPLICATIONS: PLCP21-00004 Comprehensive Plan Amendment
PUBLIC INPUT: None received as of April 14, 2022

SUMMARY OF REQUEST: The applicant is requesting to rezone from R-F (Ranch and Farm) to C-4 (Commercial) to allow for general warehouse and industrial development.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **APPROVAL WITH CONDITIONS** of the request. The recommendation is based on the compatibility of the proposed zoning district with the surrounding residential and commercial districts in the immediate area. The proposed rezoning is consistent with *Plan El Paso*, the City's adopted Comprehensive Plan. The conditions are the following:

1. Prior to the issuance of building permits a detailed site development plan shall be submitted and approved as per the El Paso City Code.
2. Access for semi-trailer trucks and cabs shall be prohibited to and from Via Maria Drive. Upon the extension and construction of Via Maria northeasterly toward Interstate-10, access for semi-trailer trucks and cabs to and from Via Maria Drive shall be authorized.
3. That prior to issuance of any certificates of occupancy, a six foot (6') high combination masonry/wrought iron wall be constructed along the property line abutting Via Maria Drive.
4. That prior to issuance of any certificates of occupancy, a temporary traffic barricade be installed on Via Maria Drive where it intersects with North Loop Drive.

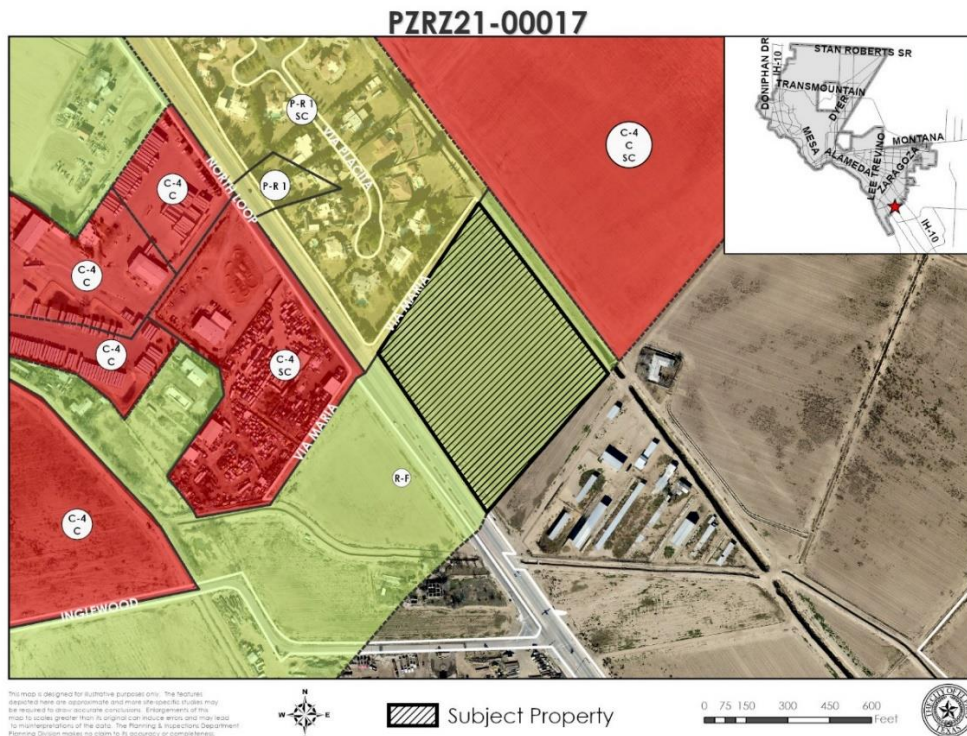


Figure A. Subject Property & Immediate Surroundings

DESCRIPTION OF REQUEST: The applicant is requesting to rezone from R-F (Ranch and Farm) to C-4 (Commercial) to allow for proposed general warehouse and industrial development. The conceptual site plan shows a new 130,000 square-foot warehouse and industrial building. Access to the subject property is proposed from North Loop Drive.

COMPATIBILITY WITH NEIGHBORHOOD CHARACTER: The proposed C-4 district is consistent with the surrounding residential and heavy commercial districts in the immediate area, and consistent with the established character of the neighborhood. This development is part of a much larger area within the abutting City of Socorro which is currently zoned for light industrial uses. Furthermore, the proposed development meets the intent of the proposed G-7, Industrial and/or Railyards designation of *Plan El Paso* in the Mission Valley planning area.

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 subject property and the proposed developments meet the intent of the proposed G-7 Industrial and/or Railyards Future Land Use designation of <i>Plan El Paso</i>. The proposed development is adjacent to residential and commercial lots; therefore, has the potential to repurpose the lot for commercial and industrial employment for the area.</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. 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 the commercial development in the neighborhood. Commercial uses are common and appropriate in this sector. The surrounding properties are zoned P-R I (Planned-Residential I) and C-4 (Commercial). Therefore, the proposed development has the potential to provide employment opportunities.</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:	
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.	Yes, the property is located on North Loop Drive which is classified as a major arterial on the City of El Paso's Major Thoroughfare Plan. Additionally, Via Maria Drive is designated a minor arterial as per the City of El Paso's Major Thoroughfare Plan. It will need to be improved as required at the subdivision stage since it is substandard.
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.	N/A. 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 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 in transition and the proposed development is compatible with the existing commercial zoning properties to the north.
Socioeconomic & Physical Conditions: Any changed social, economic, or physical conditions that make the existing zoning no longer suitable for the property.	The area is in transition from inactive agricultural uses for the property. The established neighborhood is comprised of a mix of residential and commercial development. There have been recent rezoning requests for this area to the northwest and northeast in 1982 and 2021, respectively.

ADEQUACY OF PUBLIC FACILITIES, SERVICES AND INFRASTRUCTURE: The subject property borders North Loop Drive, which is designated a major arterial as per the City of El Paso's Major Thoroughfare Plan. Access is proposed from North Loop Drive and is adequate to serve the development. Additionally, Via Maria Drive is designated a minor arterial as per the City of El Paso's Major Thoroughfare Plan. It will need to be improved as required at the subdivision stage since it is substandard.

SUMMARY OF DEPARTMENTAL REVIEW COMMENTS: No objections to the proposed rezoning. Per Streets and Maintenance Department, the traffic impact analysis (TIA) can be deferred to the platting/subdivision stage, however, a Detailed Site Development Plan (DSDP) will be needed during the platting/subdivision stage when the TIA requirement will be determined. Applicant is responsible for obtaining all applicable permits and approvals prior to construction.

PUBLIC COMMENT: The subject property lies within the boundaries of the Mission Valley Civic Association and Corridor 20 Civic Association, which were notified by the applicant prior to submittal of the Rezoning Application. The Planning & Inspections Department of the City of El Paso, in conjunction with the office of Representative Claudia Rodriguez, held a virtual community meetings January 24, 2022 providing information on the proposed rezoning however no residents from the community attended the meeting. As required, public notices were mailed to property owners within 300 feet on February 10, 2022. Additionally, on March 14, 2022 the applicants met with the

presidents of the Corridor 20 Civic Association and Mission Valley Civic Association. A follow up meeting was held on April 13, 2022. As of April 14, 2022, the Planning Division did not receive any communication in support or opposition to the request from the public.

RELATED APPLICATIONS: PLCP21-00004 Comprehensive Plan Amendment.

CITY PLAN COMMISSION OPTIONS:

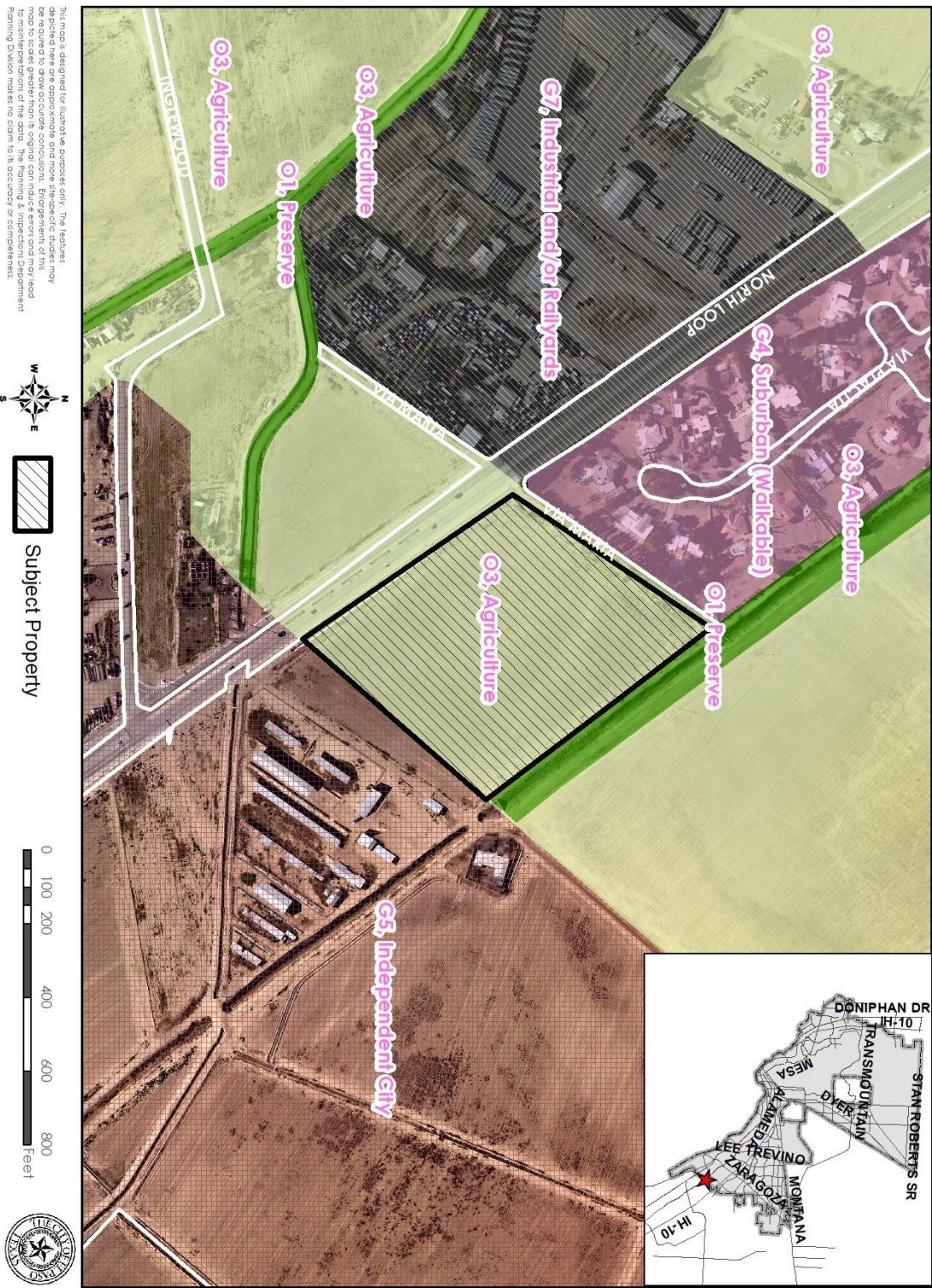
The purpose of the Zoning Ordinance is to promote the health, safety, morals and general welfare of the City. The City Plan Commission has the authority to advise City Council on Zoning matters. In evaluating the request, the CPC may take any of the following actions:

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.

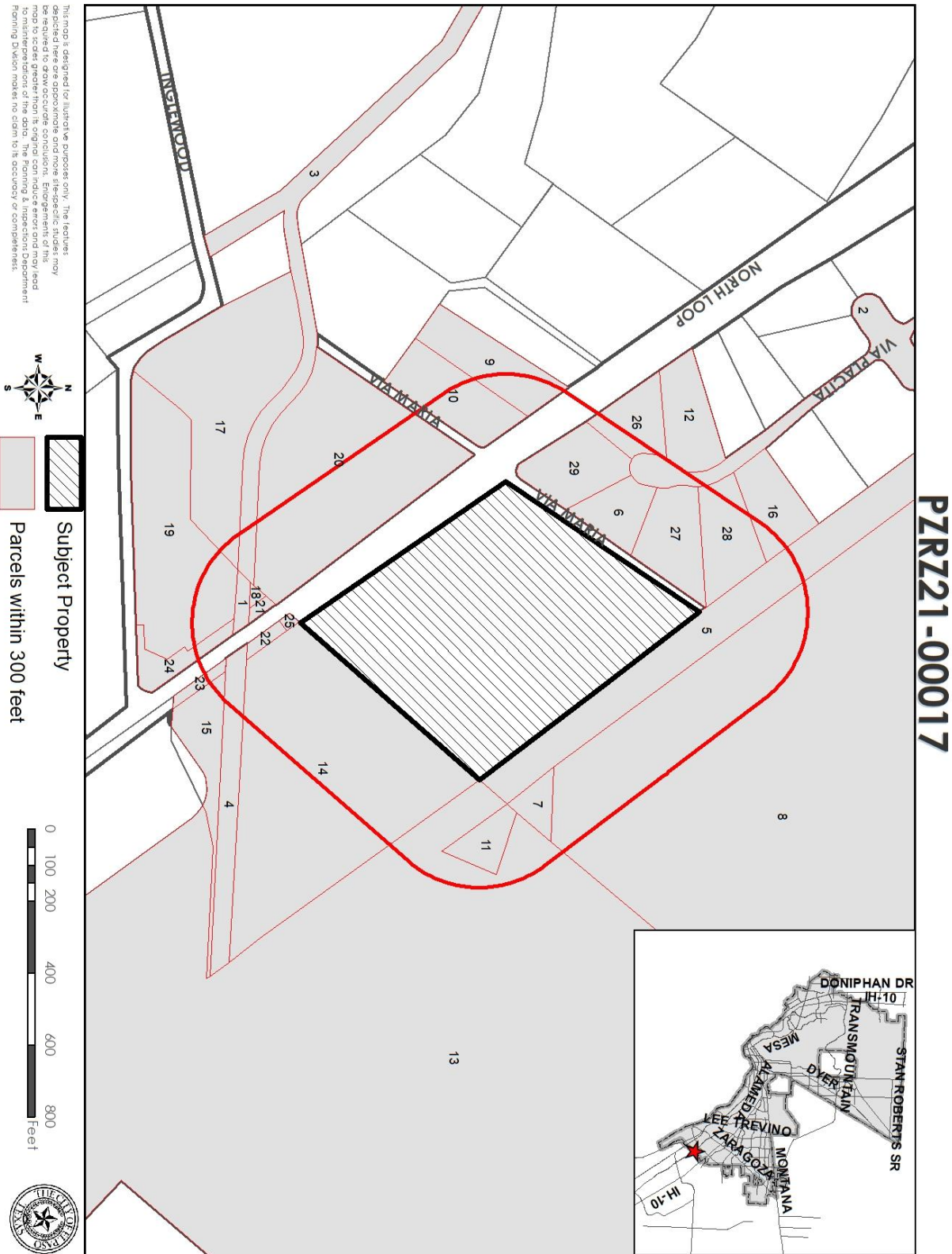
ATTACHMENTS:

1. Future Land Use Map
2. Neighborhood Notification Boundary Map
3. Conceptual Site Plan
4. Department Comments

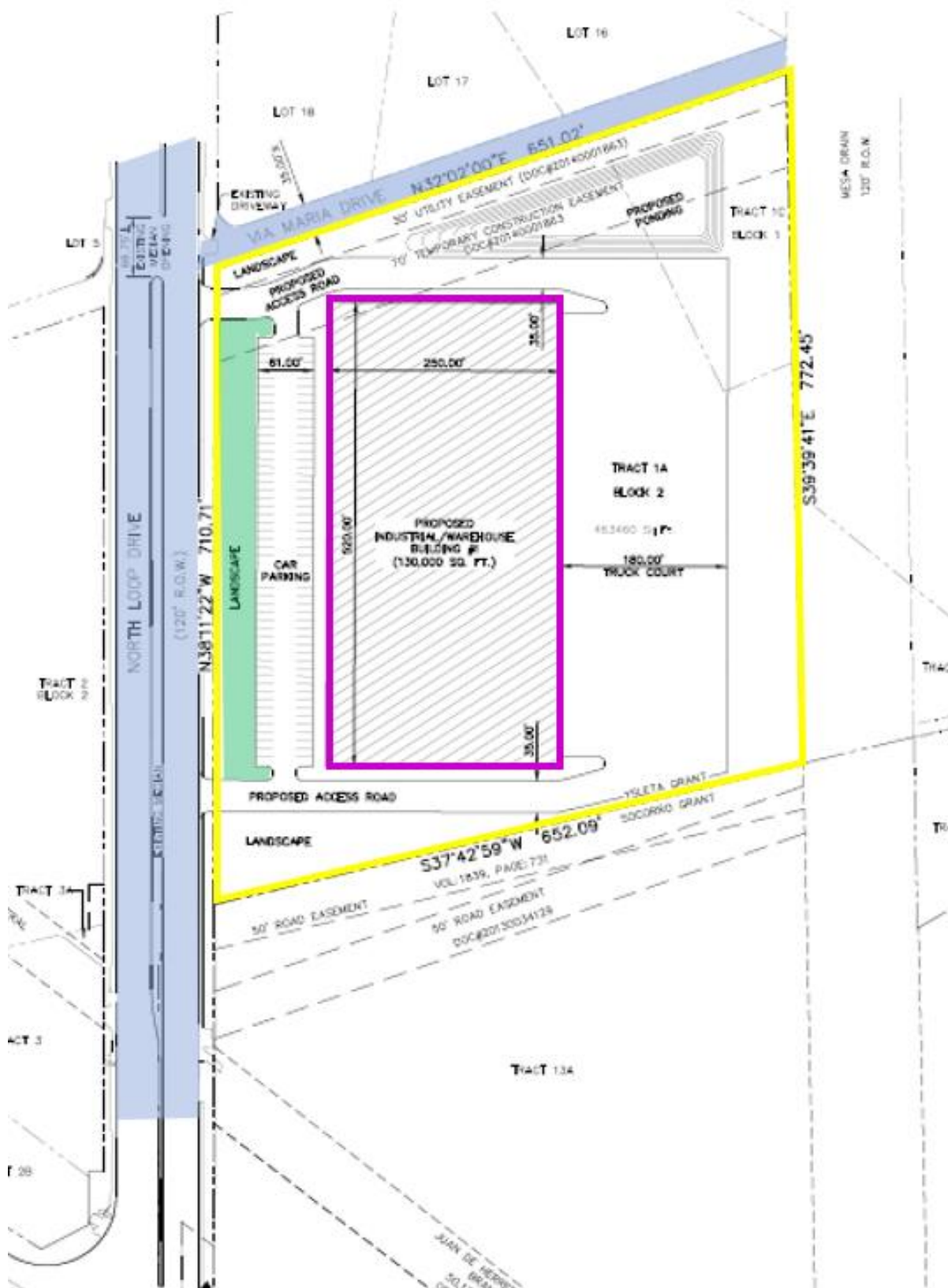
ATTACHMENT 1



ATTACHMENT 2



ATTACHMENT 3



ATTACHMENT 4

Planning and Inspections Department – Planning Division

Staff recommends APPROVAL WITH CONDITIONS of the request. The recommendation is based on the compatibility of the proposed zoning district with the surrounding residential and commercial districts in the immediate area. The proposed rezoning is consistent with Plan El Paso, the City's adopted Comprehensive Plan. The conditions are the following:

1. Prior to the issuance of building permits a detailed site development plan shall be submitted and approved as per the El Paso City Code.
2. Access for semi-trailer trucks and cabs shall be prohibited to and from Via Maria Drive.

Planning and Inspections Department – Plan Review

No objections to rezoning.

Planning and Inspections Department – Land Development

No objections to rezoning.

Street and Maintenance Department

The TIA can be deferred to the platting/subdivision stage, however, a DSDP will be needed during the platting/subdivision stage when the TIA requirement will be determined.

Note: All driveway and sidewalk improvements shall be constructed in current compliance with all applicable City of El Paso Municipal Codes / Ordinances

Texas Department of Transportation (TxDOT)

- Please adhere to the TxDOT access management manual for driveway spacing minimums (the minimum spacing is 360 feet for this location)

-Submit for a TxDOT permit for all work on state ROW

Note: the comments will be addressed at Subdivision stage.

Fire Department

No adverse comments.

Sun Metro

No objections.

El Paso Water

El Paso Water (EPWU) does not object to this request.

North Loop Rd. is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within North Loop Rd. right-of-way requires written permission from TxDOT.

Water:

There is an existing 12-inch diameter water main along North Loop Rd., approximately 5-feet south of the property. This main is available for Service.

Previous water pressure from fire hydrant #6634 located on North Loop Rd. approximately 270 feet east of the intersection of North Loop Rd. and Via Maria, has yielded a static pressure of 104 psi, a residual pressure of 90 psi, and a discharge of 1,061 gallons per minute. 13. 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 existing 60-inch sanitary sewer interceptor along a 25-foot PSB easement East of Via Maria Rd. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

There is a 48-inch diameter sanitary sewer interceptor along Via Maria, approximately 15 feet west of the property. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

There is a 60-inch diameter sanitary sewer interceptor along Mesa Drain, approximately 10 feet north of the property. No direct service connections are allowed to this main as per the El Paso Water – Public Service Board (EPWater-PSB) Rules and Regulations.

General:

Sanitary sewer main extensional along an easement will be required to provide service. Owner is responsible for main extension costs and easement acquisition and costs.

Mesa Drain is an El Paso County Water Improvement District No. 1 facility. Permits for installation of sanitary sewer main and manholes within the right of way are required. Owner/Developer is responsible for permit, survey and consideration fees.

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.

An application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current 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.

El Paso Water – Stormwater Engineering

The proposed pond shown shall be able to retain the runoff generated by a 100yr. storm event.

El Paso County Water Improvement District #1

EPCWID1 has no comments on the above mentioned item.