

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

AGENDA DATE: November 7, 2023

PUBLIC HEARING: December 5, 2023

CONTACT PERSON(S) NAME AND PHONE NUMBER: Karina Brascalla, (915) 212 - 1750
Elizabeth Triggs, (915) 212 - 0094

DISTRICT(S) AFFECTED: District 4

STRATEGIC GOAL: Goal 1 - Create an Environment Conducive to Strong, Sustainable Economic Development.

Goal 3 – Promote the Visual Image of El Paso

SUBJECT:

An ordinance releasing all conditions placed on property by Ordinance No. 19274 which changed the zoning of Tract 3, Section 3 and Tract 1, Section 4, Block 80, Township 1, Texas & Pacific Railway Company Surveys, 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 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: 7000 Stan Roberts

Applicant: City of El Paso, PZCR23-00005

BACKGROUND / DISCUSSION:

The proposed condition release removes all conditions placed on future development of the City-owned subject property located at 7000 Stan Roberts, south of the New Mexico State Line and Northwest of the intersection of U.S.-54 and Stan Robert Dr.

The conditions in question were originally placed on the property as a condition to its rezoning from R-F (Ranch Farm) to M-2 (Heavy Manufacturing) in 2021. At the time of the rezoning/upzoning, several conditions were placed on the property to protect nearby current and future land uses from the intensity and negative externalities potentially produced by a future use compatible with a Heavy Manufacturing/Industrial zoning district. of any future M-2 land use.

However, the condition release currently proposed is being requested in conjunction with a downzoning of the property from M-2 (Heavy Manufacturing) to C-4 (Commercial). The proposed rezoning of the City-owned property is part of an economic development strategy to secure development of the 1,000+ acre property in a manner that maximizes use of the property while minimizing its impact on current and future surrounding land uses.

More specifically, the proposed zoning classification of C-4 (Commercial) permits less intense land use with fewer external impacts to surrounding properties relative to M-2 (Heavy Manufacturing), negating the need for the conditions previously placed on the property as part of the previous upzoning process.

Release of the conditions is crucial from an economic development perspective because current conditions on the property are cost prohibitive to new development, significantly and negatively impacting the sale price and developability of the property. Downzoning to a less intense zoning district protects surrounding properties from negative externalities by reducing the impact of those externalities, thereby reducing the need for development conditions and increasing the probability of future development by a capital intensive and/or large employer.

PRIOR COUNCIL ACTION:

On December 14, 2021, City Council approved a rezoning from R-F (Ranch-Farm) to M-2 (Heavy Manufacturing) with conditions.

AMOUNT AND SOURCE OF FUNDING:

N/A

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

DEPARTMENT HEAD:



(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

ORDINANCE NO. _____

AN ORDINANCE RELEASING ALL CONDITIONS PLACED ON PROPERTY BY ORDINANCE NO. 19274 WHICH CHANGED THE ZONING OF TRACT 3, SECTION 3 AND TRACT 1, SECTION 4, BLOCK 80, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, 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 TRACT 3, SECTION 3 AND TRACT 1, SECTION 4, BLOCK 80, TOWNSHIP 1, TEXAS & PACIFIC RAILWAY COMPANY SURVEYS, City of El Paso, El Paso County, Texas, was changed by Ordinance No. 19274 approved by City Council on DECEMBER 14, 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 removal all of the conditions because these conditions have been satisfied or are current requirement of the City Code; 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 all conditions; 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 all of the zoning conditions imposed by Ordinance No. 19274 approved by City Council on *DECEMBER 14, 2021*, on the portion of land identified in Exhibit "A" be released because the conditions have been satisfied and are no longer necessary, or are current requirements of the City Code.

Conditions as follows:

1. Prior to the issuance of building permits, a detailed site development plan shall be reviewed and approved by city council; and,
2. Prior to the issuance of building permits, a twenty-five (25) foot, irrigated landscaped buffer shall be installed and maintained along the entirety of the southerly property line along the subject property's frontage on stan roberts street. The buffer shall contain two rows, spaced

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Stan Roberts Sr.

RTA

twenty (20) feet apart, of native, medium or large deciduous trees chosen from the cities plant list of two (2) inch caliper and ten (10) feet in height. Within the rows, the trees shall be spaced every thirty (30) feet on center. Fifteen (15) percent of the shrubs required by the landscape ordinance shall be located within this buffer; and,

3. The parkway abutting the subject property along stan roberts right-of-way shall be ten (10) feet and the sidewalk abutting the stan roberts right-of-way shall be constructed as a ten (10) foot hike and bike facility; and,

4. Prior to the issuance of building permits, a twenty-five (25) foot, irrigated landscaped buffer shall be installed and maintained along the entirety of the northerly property line. The buffer shall contain two rows, spaced twenty (20) feet apart, of medium or large native deciduous trees chosen from the cities plant list of two (2) inch caliper and ten (10) feet in height. Within the rows, the trees shall be spaced every thirty (30) feet on center; and,

5. Prior to the issuance of building permits, a combination masonry-wrought iron wall of three (3) feet in height of masonry and a minimum of three (3) additional feet of wrought iron shall be constructed and maintained along the entirety of the property line abutting the stan roberts right-of-way; and,

6. Prior to the issuance of building permits, a masonry wall of eight (8) feet in height shall be constructed along the entirety of subject property's northerly property line; and

7. All manufacturing, processing, repair, or storage uses shall maintain a five-hundred (500) foot setback from the property line along portions of the subject property that abut or are across the right-of-way from any residential zones or uses. Office uses may be located within this setback; and,

8. Prior to the issuance of certificates of occupancy, a masonry wall of eight (8) feet in height shall be constructed and maintained around any outdoor storage areas and industrial or manufacturing operations on the subject property.

9. The following uses shall be prohibited on the subject property:

- a. Sanitary landfills;
- b. Penal facilities, correctional facilities, and detention centers;
- c. Automobile wrecking yards;
- d. Shooting ranges.

10. All light poles within 20 feet of property line along stan roberts and the property line adjacent to new mexican state line shall not exceed 28 feet in height. All light fixtures shall be shielded and maintained in such a manner that the shielding is effective as described in the definition in el paso city code 18.18.060 for full cutoff light fixtures.

ADOPTED this _____ day of _____, 2023.

THE CITY OF EL PASO

Oscar Leeser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Russell Abeln

Russell T. Abeln
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Philip Etiwe

Philip F. Etiwe, Director
Planning & Inspections Department