



## *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZDS14-00033  
**Application Type:** Detailed Site Development Plan Review  
**CPC Hearing Date:** January 8, 2015  
**Staff Planner:** Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov  
**Location:** 9520 Socorro Road and 320 – 340 Americas Avenue  
**Legal Description:** Lot 1, 2 and 4, Miles Subdivision Unit 1, City of El Paso, El Paso County, Texas  
**Acreage:** 2.274 acres  
**Rep District:** 6  
**Current Zoning:** C-4/h/c (Commercial/historic/condition) & C-4/c (Commercial/condition)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** Conditions imposed by Ordinance No. 11068, dated July 7, 1992  
**Request:** Detailed Site Development Plan Review  
**Proposed Use:** Convenience Store with Gas Pumps  
**Property Owner:** Southwest Convenience Stores LCC & Miles El Paso Investments LTD  
**Representative:** Frank Flores-Villarruel, ADC Inc.

### **SURROUNDING ZONING AND LAND USE**

**North:** C-3/h/c (Commercial/historic/condition) & C-3/c (Commercial/condition) / Americas Avenue  
**South:** C-4/h/c (Commercial/historic/condition) & C-4/c (Commercial/condition) / Warehousing  
**East:** C-3/h/c (Commercial/historic/condition) & C-3/h/sc (Commercial/historic/special contract) / Gas Station and Restaurant  
**West:** C-4/c (Commercial/condition) / Warehousing

**PLAN EL PASO DESIGNATION:** G-7 Industrial and/or Railyards (Mission Valley Planning Area)

**NEAREST PARK:** J.P. Caribe Park (2,206 feet)

**NEAREST SCHOOL:** Camino Real Middle School (4,011 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Mission Valley Civic Association

### **NEIGHBORHOOD INPUT**

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, *Notice* of the El Paso City Code.

### **CASE HISTORY**

On November 24, 2014, the architectural appropriateness of the proposed development was approved by the Historic Landmark Commission.

On July 7, 1992, City Council approved Ordinance No. 11068 (Attachment 5), rezoning the subject property to C-4 (Commercial) and imposed conditions by a special contract as follows:

1. *Submitting a subdivision plat for review and filing of record, prior to the issuance of building permits.*

Condition #1 has been satisfied.

2. *Submitting a detailed site development plan for review and approval by the City Plan Commission and the Mayor and City Council, prior to the issuance of building permits.*

This Detailed Site Development Plan Review application is being submitted in fulfillment of this condition.

3. *Providing a 25' building setback on the northerly boundary of Parcel 1, specifically abutting Lots 1-5, Block 4, and Lot 14, Block 5, Teresa Gardens Subdivision.*

Condition #3 does not apply.

4. *Providing a 5' landscaping strip immediately adjacent to Lots 1-5, Block 4, and Lot 14, Block 5, Teresa Gardens Subdivision, and within the 25' building setback consisting of drought tolerant trees which are a minimum of six feet in height at the time of planting, prior to issuance of any certificates of occupancy within Parcel 1.*

Condition #4 does not apply.

5. *Coordinating with the Department of Traffic and Transportation and the Texas Department of Transportation on the location and design of deceleration lanes along Socorro Rd. adjacent to Parcels 1 and 2, and providing additional right-of-way for such deceleration lanes if needed.*

TxDOT and EPDOT have recommended approval and approval with conditions, respectively.

### **APPLICATION DESCRIPTION**

The detailed site development plan shows a 4,958 sq. ft. building on a currently vacant 2.274 acre parcel. The proposed use is a convenience store and gas station. The development requires 20 parking spaces and proposes 20 parking spaces, including ADA accessible parking and bicycle parking. The applicant has proposed to dedicate sidewalk, parkway, and deceleration and acceleration lanes along Socorro Road. Access to the subject property is proposed from Socorro Road and Americas Avenue.

### **PLANNING DIVISION RECOMMENDATION**

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

### **ANALYSIS**

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

*A detailed site development plan review is required due a condition imposed on the subject property. Ordinance No. 11068 requires that a detailed site development plan be approved by the City Plan Commission and the El Paso City Council.*

20.04.150 Procedure.

- C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:
  1. The site is two acres or less in size, and
  2. The site plan contains no more than two buildings, and
  3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
  4. The city's department of transportation has no concerns with access or restriction of access

- to the site; and,
5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping in excess of what is required under the city code or any zoning condition. If the zoning administrator does not approve an applicant's detailed site development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

*This detailed site development plan is not eligible for administrative approval as the condition requires approval by the City Plan Commission and the El Paso City Council.*

- D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.
  1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
  2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
  3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
  4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
  5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

*Planning Staff has reviewed the detailed site development plan and recommends approval as it meets all of the requirements.*

#### **Plan El Paso- Future Land Use Map Designation**

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

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 rail yards which could be redeveloped as mix-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Regional Commercial) district is to provide commercial uses intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. 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.

**COMMENTS:**

**Planning and Inspections Department - Planning Division – Transportation**

No objections. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

**Planning and Inspections Department – Plan Review**

No objections to proposed DSDP. Preliminary approval recommended for DSDP due to Socorro And South Americas being TxDot right of ways. Upon submittal construction document will need to comply with all applicable provisions of the IBC, TAS and local landscape code.

**Planning and Inspections Department - Land Development**

No objections.

**Planning and Inspections Department - Landscape**

No objections.

**El Paso Department of Transportation (EPDOT)**

Recommend approval with conditions. EPDOT offers no objection to the site plan if EPDOT recommendations are incorporated into the approval and right-a-way is dedicated.

1. EPDOT recommends that the dedication of right-of-way and improvements on said and adjacent right of ways be accepted for maintenance by the City prior to the issuance of any Certificate of Occupancy.
2. EPDOT recommends that dimensions of the proposed right-of-way dedication be illustrated on the site plan.
3. EPDOT recommends coordination with TxDot.

**Fire Department**

Recommend Approval. Please note that hydrant placement and or requirements are not being reviewed at this time.

**Texas Department of Transportation (TxDOT)**

Recommend Approval.

**El Paso Water Utilities**

EPWU does not object to this request.

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

**Water:**

1. There is an existing 12-inch diameter water main along South Americas Avenue that is available for service, the water main is located approximately 10-ft north of the Americas Avenue northern right-of-way line.
2. There is an existing 6-inch diameter water main extending along Socorro Road that is available for service, the water main is located approximately 3.5-ft west from the center line of the right-of-way.
3. Previous water pressure from fire hydrant #2303 located approximately 260-ft south from the southeast corner of the subject property line has yield a static pressure of 98 (psi), a residual pressure of 75 (psi), and a discharge of 1,126 gallons per minute.
4. 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 8-inch diameter sewer main within an existing 20-foot wide easement along the frontage of Lot 2 and the southeast corner of Lot 1. This sewer main is located approximately 16-feet west from the eastern property line. The sewer main dead-ends in a manhole located 10-feet north of the common boundary line of Lot 1 and Lot 2.

**General:**

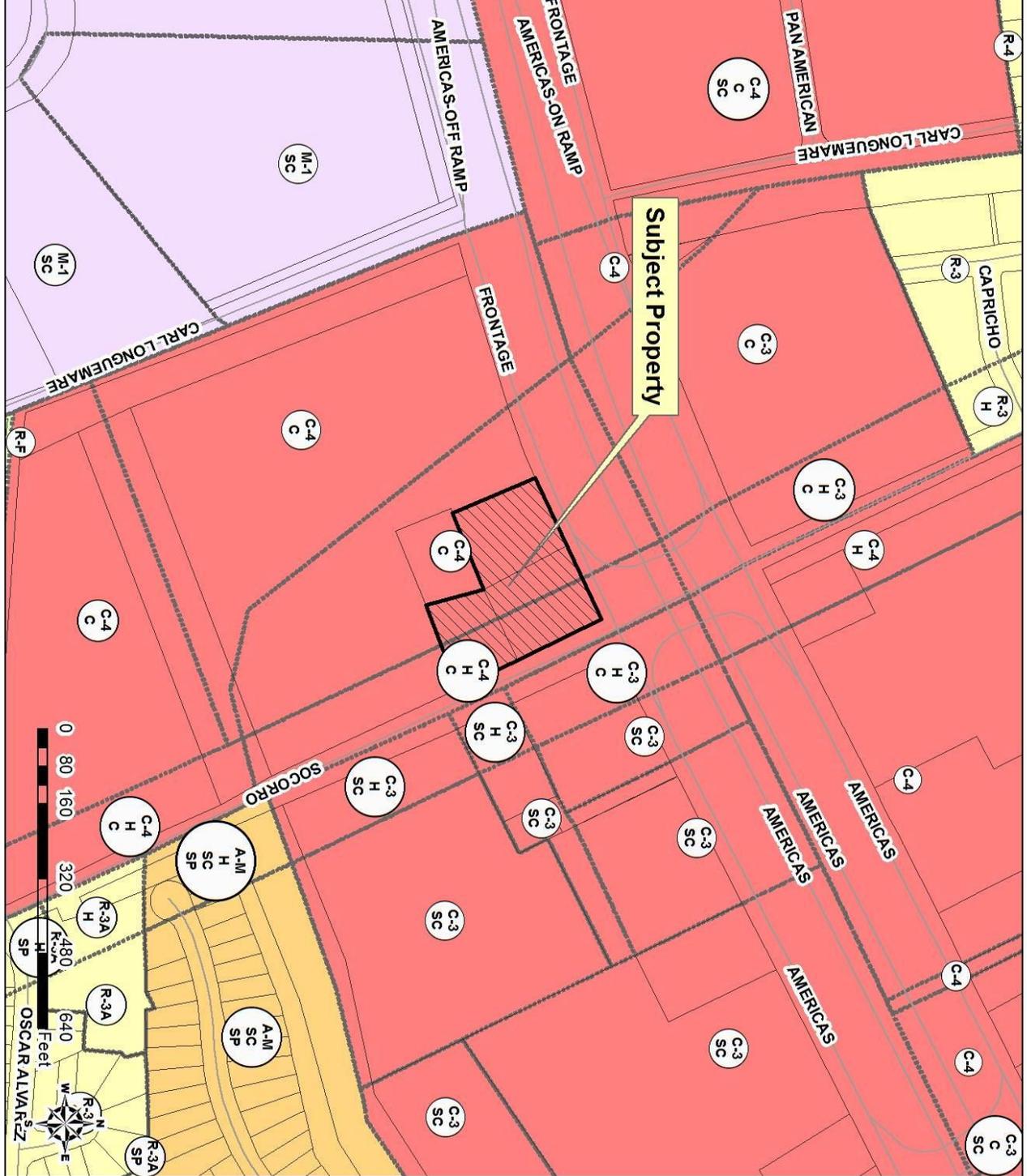
1. No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB. EPWU-PSB requires access to the existing/proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.
2. Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.
3. EPWU-PSB requires access to the water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.
4. EPWU 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 EPWU – 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.

**Attachments**

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 11068

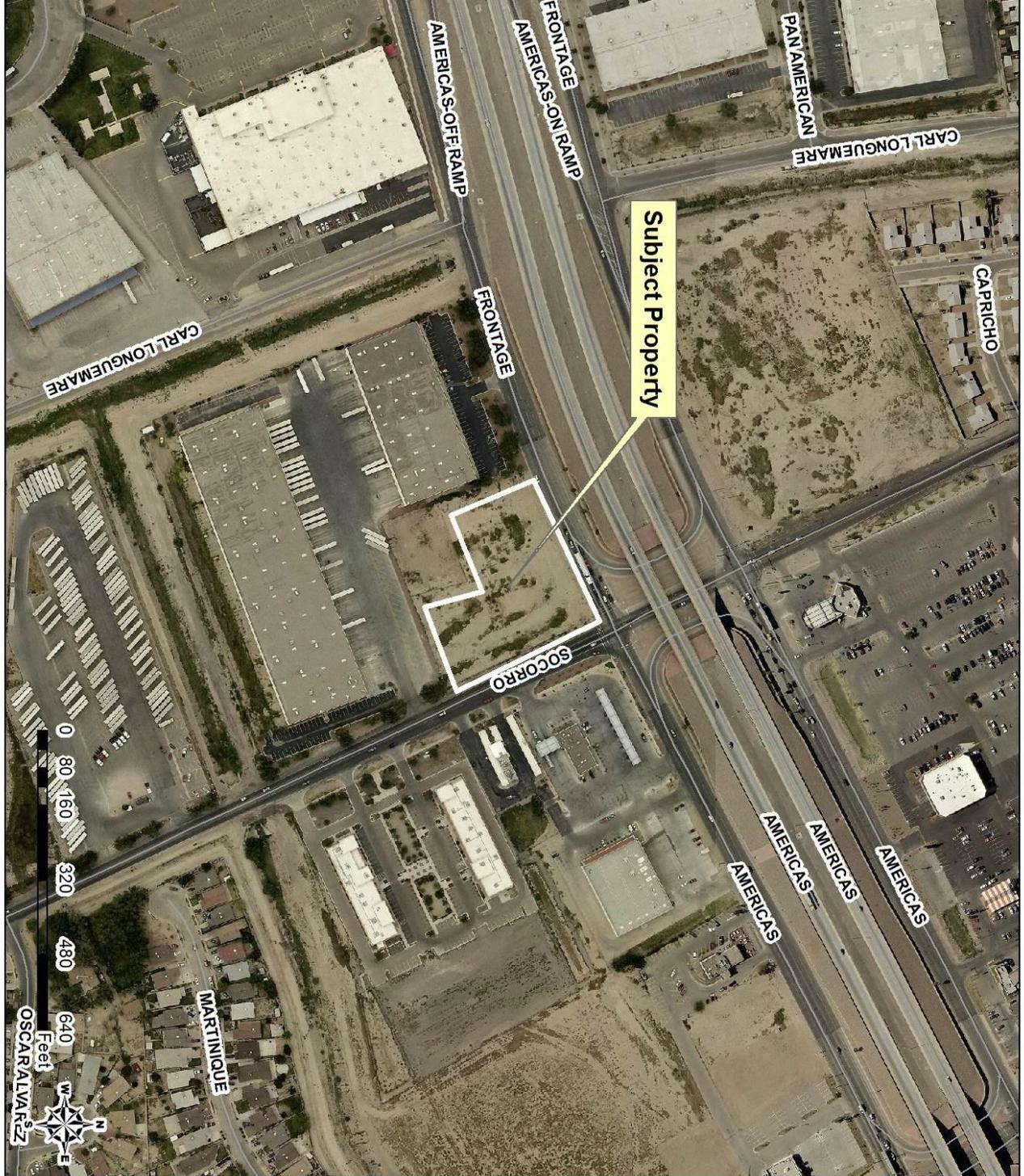
ATTACHMENT 1: ZONING MAP

PZDS14-00033



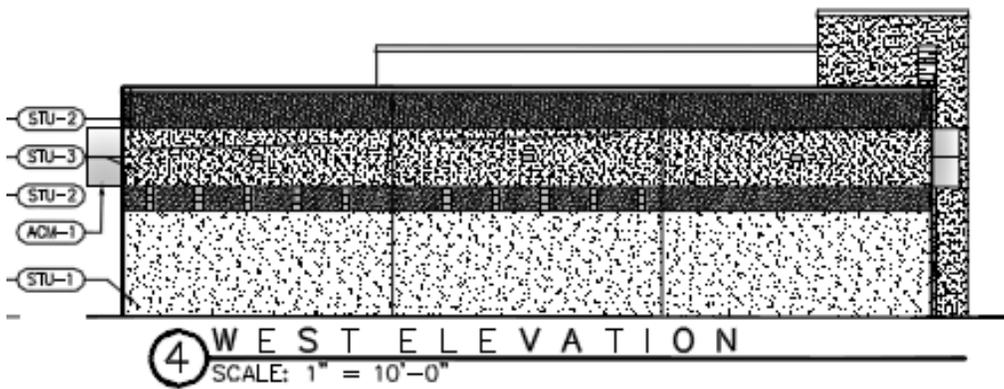
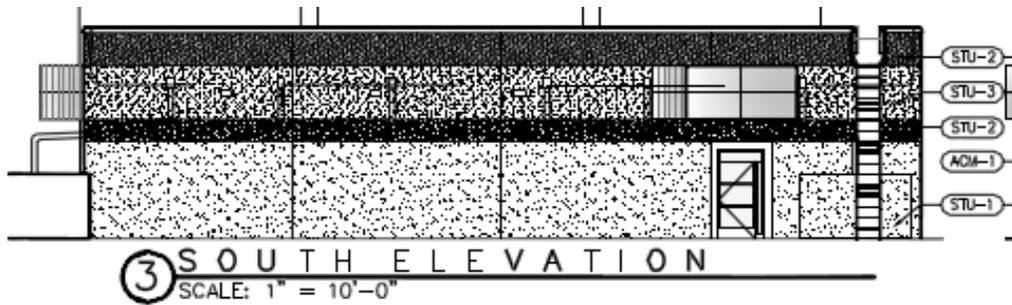
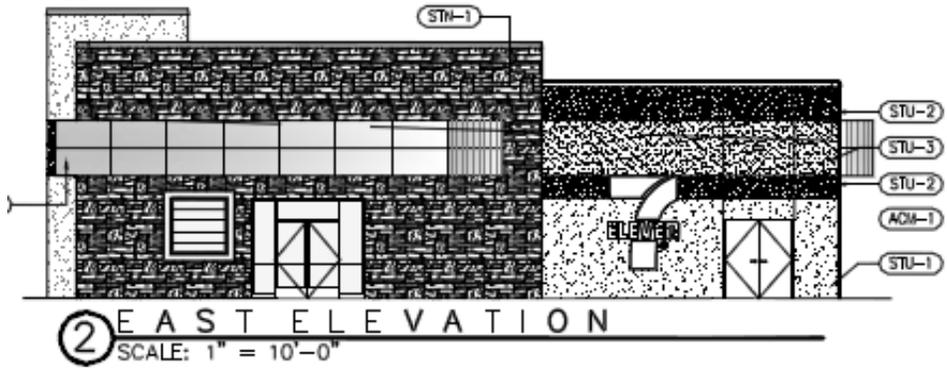
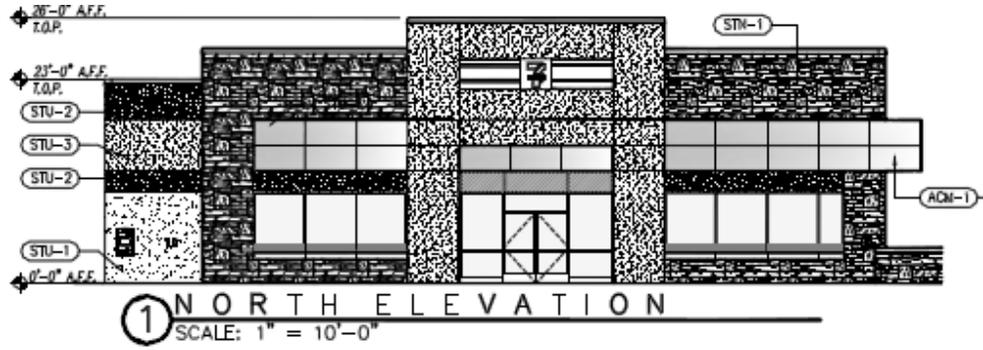
ATTACHMENT 2: AERIAL MAP

PZDS14-00033





**ATTACHMENT 4: ELEVATIONS**



ATTACHMENT 5: ORDINANCE NO. 11068

ORDINANCE NO. 011068

AN ORDINANCE CHANGING THE ZONING OF TRACTS 7A AND 8A, BLOCK 50, YSLETA GRANT AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of TRACTS 7A AND 8A, BLOCK 50, YSLETA GRANT, be changed from R-F (Ranch/Farm) to C-3 and C-4 (Commercial), within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That the property be subject to the following conditions which is necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-F (Ranch/Farm) to C-3 and C-4 (Commercial), in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

1. Submitting a subdivision plat for review and filing of record, prior to the issuance of building permits.
2. Submitting a detailed site development plan for review and approval by the City Plan Commission and the Mayor and City Council, prior to the issuance of building permits.
3. Providing a 25' building setback on the northerly boundary of Parcel 1, specifically abutting Lots 1-5, Block 4, and Lot 14, Block 5, Teresa Gardens Subdivision.
4. Providing a 5' landscaping strip immediately adjacent to Lots 1-5, Block 4, and Lot 14, Block 5, Teresa Gardens Subdivision, and within the 25' building setback consisting of drought tolerant trees which are a minimum of six feet in height at the time of planting, prior to issuance of any certificates of occupancy within Parcel 1.

Ordinance No. 011068 PAGE 1 OF 3

JUL 16 1992  
PLANNING DEPARTMENT

92-5714

ATTACHMENT 5: ORDINANCE NO. 11068 (CONTINUED)

- 5. Coordinating with the Department of Traffic and Transportation and the Texas Department of Transportation on the location and design of deceleration lanes along Socorro Rd. adjacent to Parcels 1 and 2, and providing additional right-of-way for such deceleration lanes if needed.

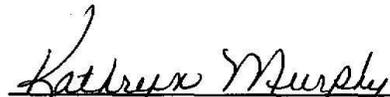
These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in their discretion without the consent of any third person who may be benefitted thereby, and without affecting the validity of this ordinance.

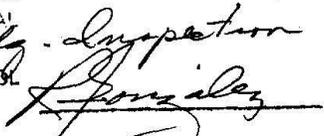
PASSED AND APPROVED this 7th day of July, 1992.

THE CITY OF EL PASO

  
 Mayor

ATTEST:

  
 Alternate City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS  
 HAVE BEEN REVISED: FX  
8-5-92 COUNTER  
8-4-92 ORIGINAL  
8-5-92 Bladg. Inspection  
8-5-92 CONTROL 

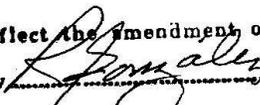
APPROVED AS TO FORM:

  
 Kimberley Mickelson,  
 Assistant City Attorney

APPROVED AS TO CONTENT:

  
 Patricia Garcia  
 Department of Planning, Research  
 and Development

Ordinance No. 011068

PAGE 2 OF 3 certify that the zoning map has been  
 reflect the amendment of ordinance FX  
 by  Date 8

ATTACHMENT 5: ORDINANCE NO. 11068 (CONTINUED)

ACKNOWLEDGMENT

THE STATE OF TEXAS )  
  )  
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 7<sup>th</sup> day of July, 1992, by WILLIAMS-TILNEY, as Mayor, of the CITY OF EL PASO.  
*TONY PONCE* *PRO-TEM*



*Lorena L. Thrower*  
Notary Public, State of Texas  
Notary's Printed or Typed Name:  
LORENA L. THROWER

My Commission Expires: \_\_\_\_\_

CAKMZ92-5714.ORD

CAKMIZNG-CND.ORD  
Rev. December 3, 1991, (82)

Ordinance No. 011068 PAGE 3 OF 3