



City of El Paso – City Plan Commission Staff Report

Case No: PZDS14-00003
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: March 13, 2014
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: 1140 Burgundy Drive
Legal Description: A portion of Lot 3, Block 10, I-10 Industrial Park Replat “A”, City of El Paso, El Paso County, Texas

Acreage: 1.1498 acres
Rep District: 6
Existing Use: Vacant
Existing Zoning: C-4/sc (Commercial/special contract)
C/SC/SP/ZBA/LNC: SC: Ordinance No. 5643 dated November 20, 1975 (see Attachment #5)
Request: Detailed Site Plan Review per Ordinance No. 5643 dated November 20, 1975
Proposed Use: Office Warehouse

Property Owner: Ruben Cepeda Mendoza
Representative: Eric Perea, New Republic Architects

SURROUNDING ZONING AND LAND USE

North: C-4/sc (Commercial/special contract) / Office
South: M-1/sc (Light Manufacturing/ special contract) / Vacant
East: C-3 (Commercial) / Drainage Channel
West: M-1/sc (Light Manufacturing/ special contract) / Manufacturing

THE PLAN FOR EL PASO DESIGNATION: G-7, Industrial and/or Railyards

NEAREST PARK: Blackie Chesher Park (3,687 feet)

NEAREST SCHOOL: Del Valle Elementary (4,569 feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area. This was verified through community development department data on recognized neighborhood associations.

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 20, 1975, City Council approved the rezoning request for the subject property from R-F (Ranch and Farm) to C-4 (Commercial) and imposed the following conditions by Ordinance No. 5643 (see Attachment #5):

1. *No building permit shall be issued for construction on the property until First Party has met the following requirements:*
 - a. *Complete and detailed architectural and site development plans of the proposed development on the property must be approved by the City Plan Commission of the City of El Paso; (satisfied by this submittal)*

- b. *A subdivision plat of the property must be approved by the City Plan Commission of the City of El Paso and filed for records. (satisfied)*
- 2. *No Certificates of occupancy and compliance shall be issued for any buildings constructed on the property until First Party has, at no cost to the City, constructed a facility for on-site ponding of storm waters on the property. Such facility shall be constructed in accordance with plans and specifications to be approved by the Director of Public Works and the City engineer of the City of El Paso. No certificates of occupancy and compliance shall be issued until the Director of Public Works and the City Engineer have certificated that First Party has satisfactorily completed such facility. (satisfied)*
- 3. *The part of the property described as Parcel 1 in Exhibit "A" and all buildings located thereon shall comply with the following standards:*
 - a. *All yards so, may be used for access, service, on-site parking, landscaping or other open use, except that: the ten feet abutting any front or side street shall be landscaped and maintained in an aesthetically attractive manner. This landscaping may be accomplished by the use of greenery, trees, grass, and shrubs, or by the use of such materials as crushed stone, cactus, lava rock, or similar materials. (shown on the site plan)*
 - b. *On-site employee parking shall be provided at the rate of one car space for each two employees on the largest shift. (doesn't apply)*
 - c. *On-site loading and customer parking shall be provided as required by Section 25-43 of the El Paso City Code. (doesn't apply)*
 - d. *Boundary screening-a solid masonry wall at least six feet and not more than eight feet in height shall be built along all property lines of that portion of the property which is development or is being used for manufacturing, business, industrial, or accessory uses, which abut any residential or apartment district, except: (doesn't apply)*
 - 1. *along front property lines;*
 - 2. *where a lower height is required to permit visibility at intersections and driveways;*
 - 3. *alongside street property lines in which case the fence must be located behind the required landscaping.*
 - e. *Outdoor storage must be screened from any abutting public street or other abutting property by a solid masonry wall not less than six feet nor more then eight feet in height. This screening must be located behind any required landscaping. (applies if used)*

APPLICATION DESCRIPTION

The request is for a Detailed Site Development Plan Review as required by Ordinance No. 5643 (see Attachment #5). The detailed site development plan shows a new 14,432 square foot 1-story office warehouse structure. The office warehouse shows a building 24 feet in height. The development requires a minimum of 15 parking spaces and the applicant is providing 31 parking spaces and 7 bicycle spaces. Access to the subject property is proposed from Burgundy Drive.

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.

Note: Detailed Site Development Plan review is required because of a condition imposed on the subject property.

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 sited 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.

Note: the detailed site development plan review is not eligible for administrative approval because the special contract condition existing on the subject property requires review and approval by the City Plan Commission.

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 which meets the requirements and is recommending approval.

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: 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 mixed-use communities if the rail yards were moved out of town.

The purpose of the C-4 (Commercial) 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.

COMMENTS:

Planning Division – Transportation

The Detailed Site Development Plan submitted meets the minimum parking requirements of Zoning Code Chapter 20.14, Appendix C.

General Note:

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.

City Development Department – Plan Review

Recommended approval.

City Development Department - Landscaping Review

Landscape plan is met the requirements.

City Development Department - Land Development

No objections.

Fire Department

Recommend Approval of Site Plan Application as presented. NOTE - PZDS14-00003. In accordance with the requirements of the Zoning Code Section 20.04.160 Content of application the Fire Planning Division has reviewed the submitted “Detailed Site Plan for the following: Elevations, Perspective of the building, Dimensions, square footage and height of all structures, and Driveways as applicable to following sections of the fire code; Sections 503 and Appendix D Fire Apparatus Access Roads, Section 903 Automatic Sprinkler Systems, Section 905 Standpipe Systems. When required as per section 905.3.1, 905.4 and 905.5 all fire protections system plans shall be submitted separately to Fire Plan Review for further requirements and comments. The Fire Planning Division has reviewed the submitted Preliminary Site Plan Application as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES Comply within the zoning regulations.

El Paso Water Utilities

We have reviewed the detailed site plan described above and provide the following comments:

1. EPWU does not object to this request.

EPWU-PSB Comments

Water

2. There is an existing 42 inch diameter water transmission main located approximately 11 feet east of the property's eastern boundary line. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations.
3. There is an existing 8-inch diameter water main that extends along Burgundy Dr. located approximately 10 feet east of the street centerline. This main is available for service.
4. Previous water pressure readings from fire hydrant number 8103 located at the south west corner of the property on Burgundy Dr. have yielded a static pressure of 60 pounds per square inch (psi), residual pressure of 40 psi and a discharge of 1,210 gallons per minute (gpm).

Sanitary Sewer:

5. There is an existing 8-inch diameter sanitary sewer main located approximately 5 feet west of the street centerline. This main is available for service.

General:

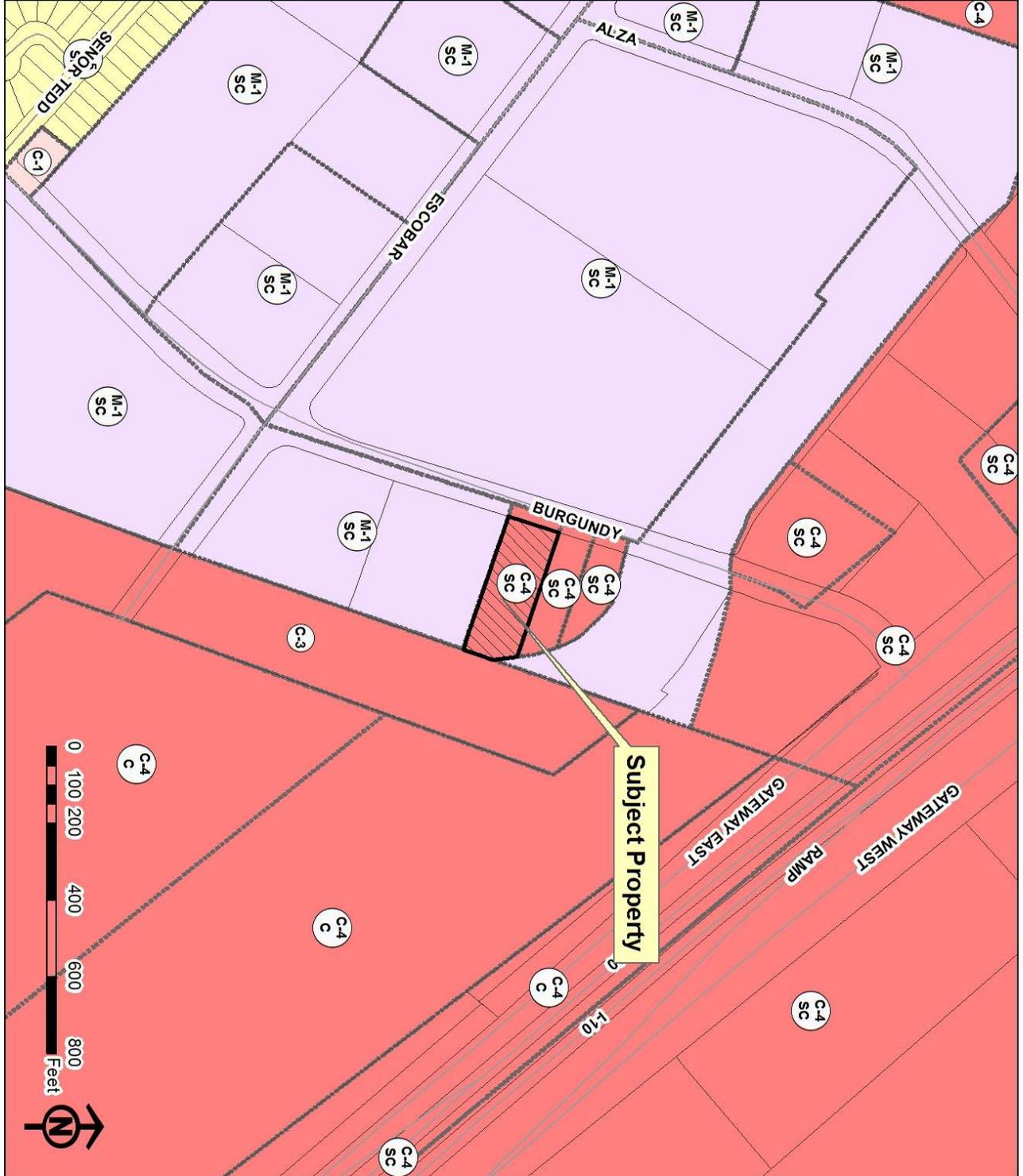
6. Application for water and sanitary sewer services should be made 6 to 8 weeks prior to construction to ensure water for construction work. New service applications are available at 1154 Hawkins, 3rd Floor. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current 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 Plan
4. Elevations
5. Ordinance No. 5643

ATTACHMENT 1: ZONING MAP

PZDS14-00003

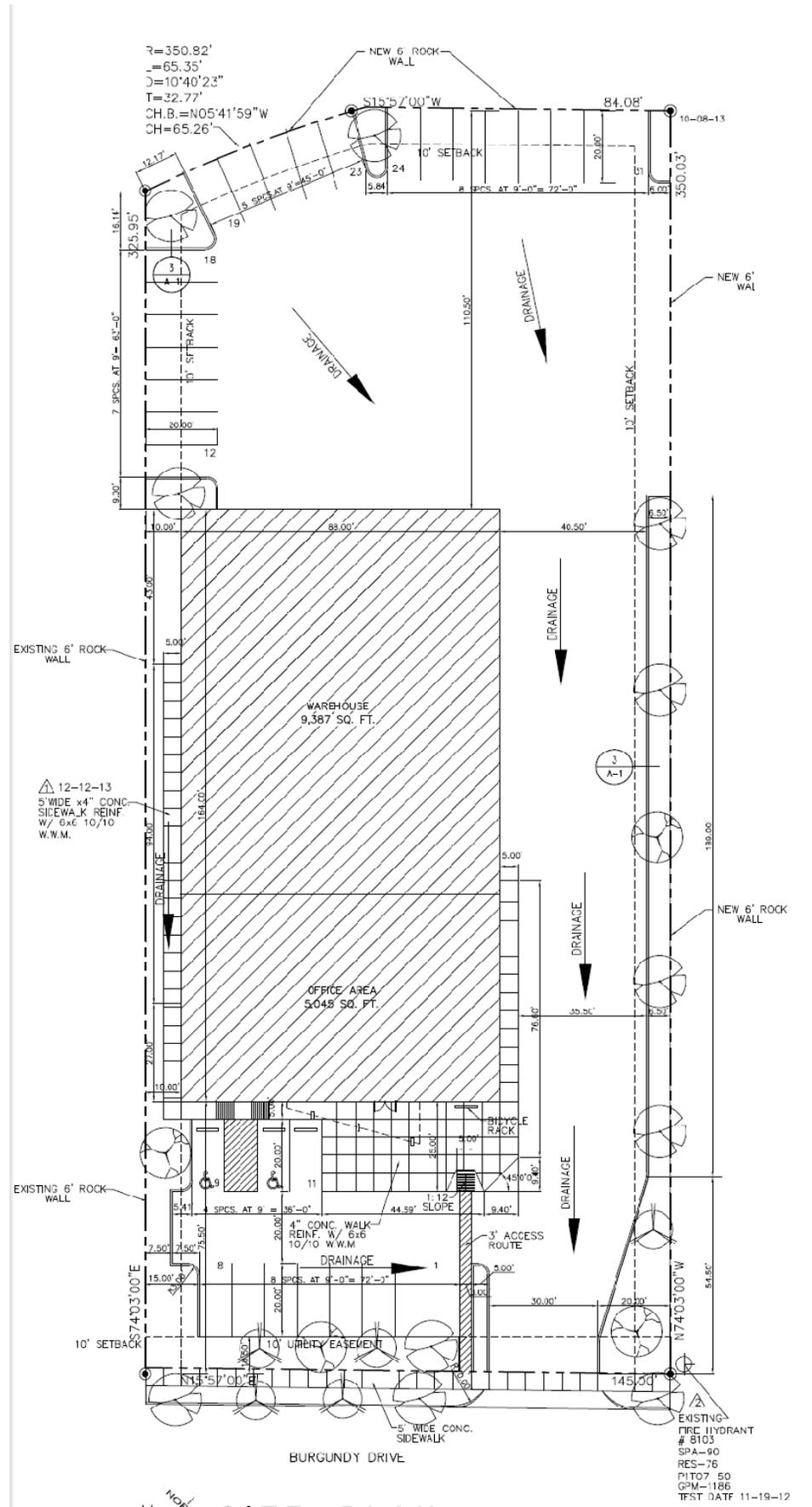


ATTACHMENT 2: AERIAL MAP

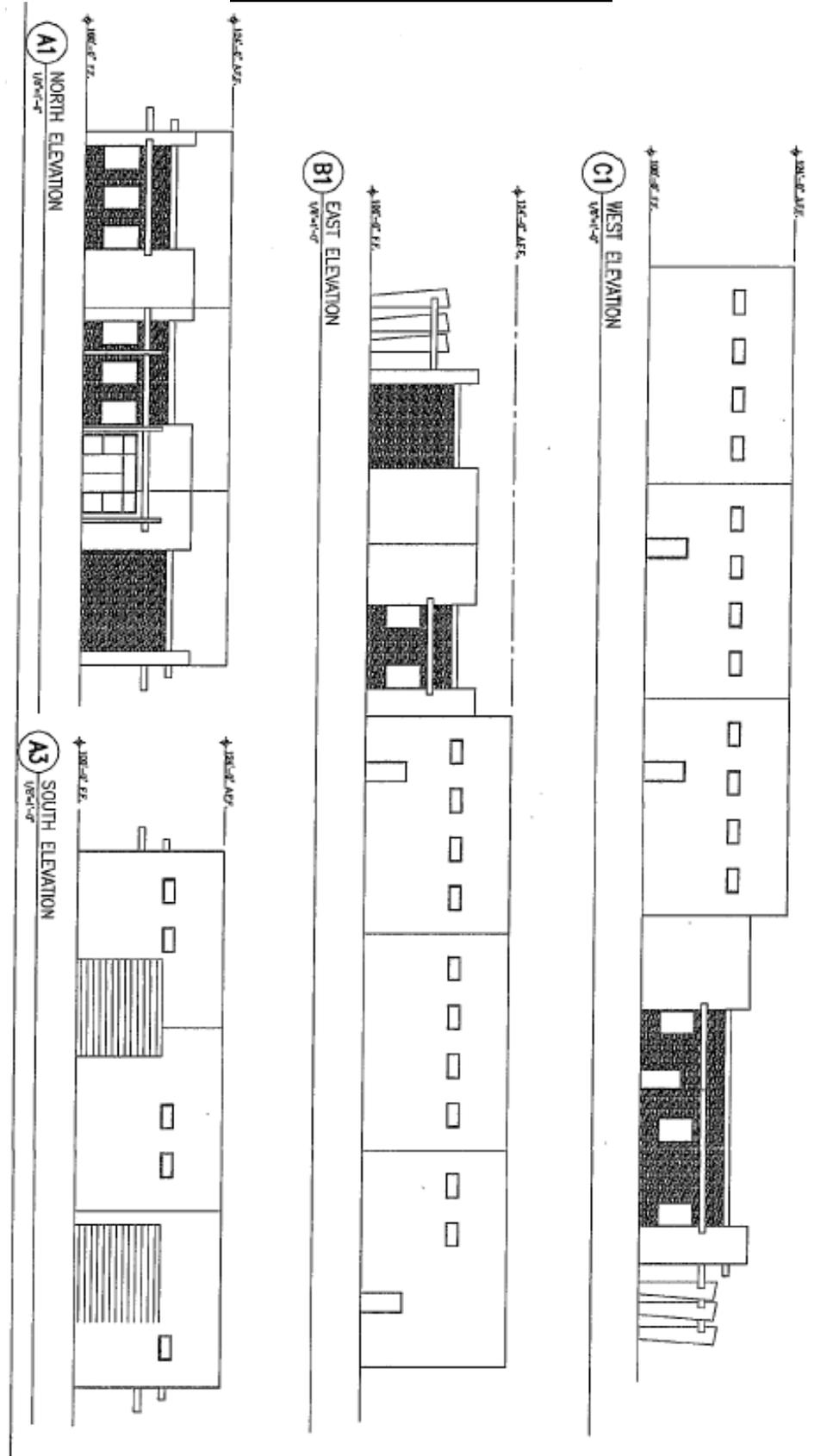
PZDS14-00003



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



ATTACHMENT 5: ORDINANCE NO. 5643

AN ORDINANCE CHANGING THE ZONING
OF TRACT 21A, BLOCK 55, YSLETA
GRANT, THE PENALTY BEING AS PRO-
VIDED IN SECTION 25-10 OF THE
EL PASO CITY CODE

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

That the zoning of Tract 21A, Block 55, Ysleta Grant, as more particularly described below by metes and bounds, be changed as indicated within the meaning of the Zoning Ordinance and the zoning map of the City be revised accordingly:

Parcel No. One, from F-R to C-4

Being the description of 24.51 acres of land out of Tract 21-A, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at the northwesterly corner of said Tract 21-A, also being the northeasterly corner of Tract 21-C of said Block 55;

Thence South $41^{\circ} 31' 00''$ East a distance of 2295.28 feet to the northeasterly corner of said Tract 21-A;

Thence South $15^{\circ} 57' 00''$ West a distance of 185.00 feet along the easterly boundary line of said Tract 21-A to a point;

Thence North $74^{\circ} 03' 00''$ West a distance of 395.00 feet to a point;

Thence North $15^{\circ} 57' 00''$ East a distance of 30.17 feet to a point;

Thence North $65^{\circ} 30' 00''$ West a distance of 181.47 feet to a point;

Thence North $55^{\circ} 30' 00''$ West a distance of 950.00 feet to a point;

Thence North $74^{\circ} 03' 00''$ West a distance of 150.00 feet to a point;

Thence North $15^{\circ} 57' 00''$ East a distance of 400.00 feet to a point;

Thence North $74^{\circ} 03' 00''$ West a distance of 310.00 feet to a point on the boundary line between said Tracts 21-A and 21-C;

Thence North $15^{\circ} 57' 00''$ East a distance of 660.00 feet along the boundary line between said Tracts 21-A and 21-C to the point of beginning.

Parcel No. Two, from F-R to M-1

Being the description of 109.17 acres of land out of Tract 21-A, Block 55, Ysleta Grant, City of El Paso, El Paso County, Texas and being more fully described by metes and bounds as follows:

Beginning at a point on the boundary line between Tracts 21-A

75-3939

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared J. D. ABRAMS, Trustee and Managing Venturer of I-10 JOINT VENTURE, a partnership, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said partnership, and that he executed the said as the act of such partnership for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 31st day of October, 1975.

Robert M. McQuinn
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared _____, President of K. & D. DEVELOPMENT & CONSTRUCTION COMPANY, INC., a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 10th day of November, 1975.

Arthur J. [Signature]
Notary Public, El Paso County, Texas.

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared E. H. Baeza, Mayor Pro-Tem of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

Given under my hand and official seal this 20 day of November, 1975.

Angela A. [Signature]
Notary Public, El Paso County, Texas.

ANGELA C. GIBSON Notary Public
In and for the County of El Paso, Texas
My Commission Expires [Date]

and 21-C, Block 55, Ysleta Grant, said point bears South 15° 57'00" West a distance of 660.00 feet from the northerly common corner of said Tracts 21-A and 21-C;

Thence South 74°03'00" East a distance of 310.00 feet to a point;

Thence South 15°57'00" West a distance of 400.00 feet to a point;

Thence South 74°03'00" East a distance of 150.00 feet to a point;

Thence South 55°30'00" East a distance of 950.00 feet to a point;

Thence South 65°30'00" East a distance of 181.47 feet to a point;

Thence South 15°57'00" West a distance of 30.17 feet to a point;

Thence South 74°03'00" East a distance of 395.00 feet to a point on the easterly boundary line of said Tract 21-A;

Thence South 15°57'00" West a distance of 2932.90 feet along the easterly boundary line of said Tract 21-A to the southeasterly corner of said Tract 21-A;

Thence along the southerly boundary line of said Tract 21-A the following courses:

North 49°10'00" West a distance of 980.10 feet to a point;
North 42°03'00" East a distance of 464.60 feet to a point;
North 51°33'00" West a distance of 1197.70 feet to a point;
South 66°52'00" West a distance of 185.43 feet to the southerly common corner of Tracts 21-A and 21-B of said Block 55;

Thence North 15°57'00" East a distance of 2521.27 feet along the westerly boundary line of said Tract 21-A and the easterly boundary line of said Tracts 21-B and 21-C the point of beginning.

PASSED AND APPROVED this 20 day of November,

1975.

[Signature]
Mayor

ATTEST:

[Signature]
City Clerk

if the zoning map has been revised to

at the amendment of ordinance # 5643
[Signature] Date 12-15-75

I CERTIFY THAT THE FOLLOWING ZONING MAPS

WERE REVISION: A-0
12-3-75 COPIES
12-2-75 ORIGINAL
12-3-75 Blk. Inspection
12-3-75 CONTROL [Signature]

75-3939

CONTRACT

This contract, made this 31 day of October, 1975, by and between I-10 JOINT VENTURE, First Party, K. & D. DEVELOPMENT & CONSTRUCTION COMPANY, INC., a corporation, Second Party, and the CITY OF EL PASO, Third Party, witnesseth:

Application has been made to the City of El Paso for rezoning of Tract 21A, Block 55, Ysleta Grant in the City of El Paso, El Paso County, Texas, such property being more particularly described in Ordinance No. 5643 now pending before the City Council of the City of El Paso, a copy of which is attached hereto, marked Exhibit "A" and made a part hereof by reference. I-10 Joint Venture owns the property and is composed of J. D. Abrams, R. M. Dye, Jerry Williams, C. F. Opel, Inc., Landmark Development Company and K. & D. Development & Construction Company, Inc. J. D. Abrams is authorized by the Joint Venture to sign on its behalf as Trustee and Managing Venturer.

In order to remove certain objections to such rezoning, First Party covenants that if the property is rezoned as indicated in the attached ordinance, it shall be subject to the following restrictions, conditions and covenants:

1. No building permit shall be issued for construction on the property until First Party has met the following requirements:

(a) Complete and detailed architectural and site development plans of the proposed development on the property must be approved by the City Plan Commission of the City of El Paso;

(b) A subdivision plat of the property must be approved by the City Plan Commission of the City of El Paso and filed for record.

2. No certificates of occupancy and compliance shall be issued for any buildings constructed on the property until First Party has, at no cost to the City, constructed a facility

for on-site ponding of storm waters on the property. Such facility shall be constructed in accordance with plans and specifications to be approved by the Director of Public Works and the City Engineer of the City of El Paso. No certificates of occupancy and compliance shall be issued until the Director of Public Works and the City Engineer have certified that First Party has satisfactorily completed such facility.

3. The part of the property described as Parcel 1 in Exhibit "A" and all buildings located thereon shall comply with the following standards:

(a) All yards so, may be used for access, service, on-site parking, landscaping or other open use, except that: the ten feet abutting any front or side street shall be landscaped and maintained in an aesthetically attractive manner. This landscaping may be accomplished by the use of greenery, trees, grass, and shrubs, or by the use of such materials as crushed stone, cactus, lava rock, or similar materials.

(b) On-site employee parking shall be provided at the rate of one car space for each two employees on the largest shift.

(c) On-site loading and customer parking shall be provided as required by Section 25-43 of the El Paso City Code.

(d) Boundary screening-a solid masonry wall at least six feet and not more than eight feet in height shall be built along all property lines of that portion of the property which is developed or is being used for manufacturing, business, industrial, or accessory uses, which abut any residential or apartment district, except:

- (1) along front property lines;
- (2) where a lower height is required to permit visibility at intersections and driveways;
- (3) along side street property lines in which case the fence must be located behind the required landscaping.

(e) Outdoor storage must be screened from any abutting public street or other abutting property by a solid masonry wall not less than six feet nor more than eight feet in height. This screening must be located behind any required landscaping.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Party and its successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

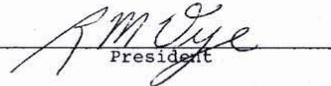
Second Party consents to this contract both as a member of I-10 Joint Venture and as the owner and holder of recorded liens on the property.

WITNESS the following signatures and seals:

I-10 JOINT VENTURE

By 
J.D. Abrams, Trustee and
Managing Venturer

K. & D. DEVELOPMENT & CONSTRUCTION
COMPANY, INC., a corporation

By 
President

ATTEST:

Secretary

THE CITY OF EL PASO

By 
Mayor *R.C. Fen*

ATTEST:


City Clerk

75-3939

75-3-

RESOLUTION

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

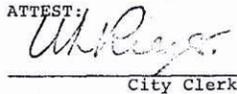
That the Mayor be authorized to sign a contract with I-10 JOINT VENTURE, et al., placing certain restrictions on property rezoned by Ordinance No. 5643.

ADOPTED this 20 day of November, 1975.



Mayor

ATTEST:



City Clerk

City Clerk

NOV 21 1975
DEPT. OF
PLANNING

75-3939