



City of El Paso – City Plan Commission Staff Report

Case No: PZST15-00007
Application Type: Special Permit and Detailed Site Development Plan
CPC Hearing Date: April 23, 2015
Staff Planner: Andrew Salloum, (915) 212-1613, salloumam@elpasotexas.gov

Location: South of Borderland Road and West of Doniphan Drive
Legal Description: Tract 8-B-1, Block 11, Upper Valley Surveys, City of El Paso, El Paso County, Texas
Acreage: 6.3036 acres
Rep District: 1
Zoning: R-2/c (Residential/condition)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Condition: Ordinance No. 016845, dated February 26, 2008
Request: Special Permit to allow for volleyball club outdoor with restaurant
Proposed Use: Volleyball club outdoor with restaurant

Property Owner: TK Real Estate, LLC
Representative: Wright & Dalbin Architects

SURROUNDING ZONING AND LAND USE

North: ETJ/ Business office
South: R-2/c (Residential/condition) / Vacant
East: M-1 (Light Manufacturing) / Warehouse and Rio Grande River
West: R-2A/sp (Residential/special permit) / Single-family dwelling

PLAN EL PASO DESIGNATION: O3, Agriculture (Northwest Planning Area)

NEAREST PARK: Rio Grande River Trail #1 (143 feet)

NEAREST SCHOOL: Jose H. Damian Elementary School (1,826 feet)

NEIGHBORHOOD ASSOCIATIONS

Save the Valley
Upper Valley Improvement Association
Upper Mesa Hills Neighborhood Association
Coronado Neighborhood Association
Upper Valley Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 25, 2015. The Planning Division received a phone call in support of the special permit request.

CASE HISTORY

On February 26, 2008, City Council approved the rezoning request for the subject property from R-F (Ranch and Farm) to R-2 (Residential) and imposed a condition by Ordinance No. 016845 as follows: *that the maximum density does not exceed 2.5 dwelling units per acre.*

APPLICATION DESCRIPTION

The applicant is requesting a special permit and detailed site development plan approval to allow for a volleyball club outdoor with restaurant in an R-2 (Residential) district. The detailed site development plan shows a 3,510 square-foot restaurant along with 1,560 square-foot terrace and 3,510 square-foot pavilion

with 6 open volleyball courts and 6 covered volleyball courts. A volleyball club outdoor with restaurant is a permitted use in R-2 (Residential) district with the approval of a Special Permit as per Section 20.04.260. The proposed use requires a minimum of 114 parking spaces and the applicant is providing 138 parking spaces and 6 bicycle spaces. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is proposed from Borderland Road.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **denial** of the special permit and detailed site development plan review based on EPWU/PSB objections and incorrect parking calculation.

ANALYSIS

Volleyball club outdoor with restaurant is a permitted use in R-2 (Residential) zone district with an approved Special Permit and Detailed Site Development Plan as identified by the zone district use regulations.

20.04.260 Special permits generally

A. The City Council may by special permit after hearing and report by the city plan commission authorize the location of the uses subject to special permits identified in the district regulations.

20.04.320 Special permit approvals.

- A. Building and occupancy permits shall not be issued to any building or use identified in this title as requiring a special permit until after approval of such special permit by the city council.
- B. Building and occupancy permits shall not be issued for any building or use identified in this title as requiring an approved detailed site development plan as required by Article III, until such approval has been granted.
- C. No building or occupancy permit may be granted for the erection, rehabilitation, enlargement or demolition of any building in a designated historic area or for any building that is a designated historic landmark until prior approval has been granted by the historic landmark commission.
- D. The city council, after hearing and report by the city plan commission, may approve a special permit upon a finding that the proposed development meets the following minimum requirements necessary to protect the public health, safety and general welfare of the community:
 - 1. The proposed development complies, except to the extent waived, varied or modified pursuant to the provisions of this title, with all of the standards and conditions applicable in the zoning district in which it is proposed to be located; complies with any special standards applicable to the particular type of development being proposed, or to the particular area in which the development is proposed; complies with any special approvals required in connection with such development or area;
 - 2. The proposed development is in accordance with and in furtherance of the plan for El Paso, any special neighborhood plans or policies adopted by the city regarding the development area, or any approved concept plan;
 - 3. The proposed development is adequately served by and will not impose an undue burden upon the public improvements and rights-of-way by which it will be served or benefited, or which exist or are planned for installation within its boundaries or their immediate vicinity. A traffic impact study may be required to determine the effects of the proposed development on the public rights-of-way;
 - 4. Any impacts of the proposed development on adjacent property are adequately mitigated with the design, proposed construction and phasing of the site development;
 - 5. The design of the proposed development mitigates substantial environmental problems;
 - 6. The proposed development provides adequate landscaping and/or screening where needed to reduce visibility to adjacent uses;
 - 7. The proposed development is compatible with adjacent structures and uses;
 - 8. The proposed development is not materially detrimental to the enjoyment or valuation of the property adjacent to the site.

- E. The applicant may request that the city plan commission waive one or more of the criteria based on its no applicability to the proposed development. The city plan commission, upon a recommendation of the planning official, shall make a determination on the no applicability of the criteria and shall render a finding based on such determination, and shall forward their recommendation to city council for final review and approval.

The application meets the requirements for special permit.

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.

Detailed Site Development Plan review is required as part of the special permit application.

20.04.150 Procedure.

- 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 storm water 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 it meets all requirements of Sections 20.04.320, Special Permit, and 20.04.150 Detailed Site Development Plan.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

O3 – Agriculture: Active farmland in the Rio Grande Valley. Changes to City codes and policies may limit plat and utility approvals beyond the City limits in a coordinated effort to protect significant portions of farmland.

The purpose of the R-2 (Residential) district is to promote and preserve residential development within the city to create basic neighborhood units. It is intended that the district regulations maintain a low density of dwelling units supporting a suburban-urban interface that permits developments utilizing varying lot configurations. The regulations of the districts will permit primarily single-family and two-family residential areas, and recreational and institutional uses incidental to and serving the neighborhood.

COMMENTS:

Planning and Inspections Department - Planning Division - Transportation

TIA is not required. The parking calculation is incorrect. The volleyball club outdoor with restaurant use parking requirements, are based on the number of courts: Min. 2.5/court and Max 3/court. Total minimum parking spaces = 30 and maximum parking spaces = 36.

Note:

All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Planning and Inspections Department – Building and Development Permitting

No objection to proposed special permit and DSDP At the time of submittal for building permits project will need to comply with all provisions of the IBC, TAS and local municipal code.

Planning and Inspections Department - Landscape Division

No objection to proposed special permit and DSDP At the time of submittal for building permits project will need to comply with all provisions of title 18.46 as applicable.

Planning and Inspections Department - Land Development

No objections.

Fire Department

The site plan does not adversely affect the Fire Department

Police Department

El Paso Police Department has no issues with this request.

Sun Metro

Sun Metro does not oppose this request. Recommends the construction of sidewalks to provide pedestrian access to mass transit options. Rt. 12 has a bus stop near the intersection of Borderland and Doniphan approximately 0.18 miles east of the subject property.

El Paso Water Utilities

1. EPWU objects to this request. The proposed restaurant building encroaches upon an existing 36-inch diameter water main further described in the water section of the comments. EPWU-PSB requires access to the water facilities and meter 24 hours a day, seven (7) days a week. No building, reservoir, structure, parking stalls or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained in the vicinity of the PSB facilities.

EPWU-PSB Comments

Water

2. There is an existing 12-inch diameter water main along the north side of Borderland Road fronting a portion of the subject property. This water main dead-ends approximately 240-feet east of the western property line. This main is available for service.

3. There is an existing 36-inch diameter water main located along a portion of Borderland Road that continues southeast through the northeast corner of the property approximately 200-feet east of the west property line

4. Also, there is an existing 3-inch diameter yard meter service located just north of the 36-inch diameter water main.

Sanitary Sewer

5. There are no gravity sanitary sewer mains fronting the subject property. Public sanitary sewer service is not available.

General

6. EPWU request that at the time of platting an easement is shown which will accommodate the 36-inch water main and meter.
7. EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of street improvement plans, including storm sewer; (3) digital copy of subdivision plat; (4) benchmark check; and (5) construction schedule. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The owner 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 Utilities - Stormwater Division

1. Provide an acceptable stormwater management plan in accordance with Section 19.19.030 of the current subdivision ordinance.
2. EPWU requires retention of all developed stormwater runoff within the subdivision. On the Drainage Plan, provide the existing/proposed capacity of the pond: any existing/proposed ponding area shall have enough capacity to hold the developed runoff for a designed 100-yr storm event.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan

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