City of El Paso – City Plan Commission Staff Report

Case No:	PZCR15-00002
Application Type:	Condition Release
CPC Hearing Date:	May 21, 2015
Staff Planner:	Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location:	135 North Resler Drive
Legal Description:	Parcel 1: Portion of Tract 10J, A.F. Miller Survey No. 211, City of El Paso, El Paso County, Texas Parcel 2: Portion of Tract 10J, A.F. Miller Survey No. 211, City of El Paso, El Paso County, Texas
Acreage:	Parcel 1: 1.8303 acres Parcel 2: 0.4157
Rep District:	8
Existing Zoning:	P-R 2/sc (Planned Residential II/special contract)
Existing Use:	Vacant
C/SC/SP/ZBA/LNC:	Special contract attached to Ordinance No. 8058, dated May 29, 1984
Request:	Release of special contract attached to Ordinance No. 8058, dated May 29, 1984 (Related to PZCR15-00002)
Proposed Use:	Self-storage and light retail
Property Owner:	Armour Self Storage I, Limited Partnership
Representative:	Etzold & Co (David Etzold)

SURROUNDING ZONING AND LAND USE

North: R-3 (Residential) / Single-family dwellings
South: C-1/sc (Commercial/Special contract) and C-2/sc (Commercial/special contract) / Retail
East: A-2/sc (Apartment/Special contract) & A-2 (Apartment) & C-3/sc (Commercial/special contract) / Single-family dwellings & Funeral Home
West: R-3 (Residential) / Single-family dwelling

PLAN EL PASO DESIGNATION: O-2, Natural (Northwest Planning Area)
NEAREST PARK: Irwin J. Lambka Park (2,609 feet)
NEAREST SCHOOL: Coronado High School (1,313 feet)

NEIGHBORHOOD ASSOCIATIONS

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

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on April 29, 2015. There have been no communications in support or opposition to the proposed rezoning.

CASE HISTORY

Ordinance 8058, approved by City Council on May 29, 1984, rezoned the property from A-2 (Apartment) to PR-II (Planned Residential 2) and imposed conditions through a special contract. The special contract limited the height of the (then) proposed apartments, and also prohibits the connection of Majorca Court to Mesa Street (Attachment 5).

APPLICATION DESCRIPTION

The request is release On July 10, 1984, City Council rezoned the property from A-2 (Apartments) to P-R II (Planned Residential 2). A special contract attached to rezoning Ordinance No. 8058 imposed conditions as follows:

1. *The roof height of the proposed apartments will not be higher than the rock fences of the houses on Alto Rey; and*
2. *There will be no connection of Majorca Court to Mesa Street.*

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of releasing the special contract conditions as the conditions are no longer applicable to any proposed or expected development.

Plan El Paso-Future Land Use Map Designation

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

G-4 – Suburban (Walkable): This sector applies to modern single use residential subdivisions and office parks, large schools and parks, and suburban shopping centers. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

O-2 – Natural: Foothills, bosques, wetlands, critical arroyos, and other natural features owned by private or public entities but currently without protected status. Examples include the Castner Range and private tracts in and around the Franklin Mountains and Hueco Tanks State Parks. City regulations and policy decisions should help keep these lands in their natural state for drainage, natural habitat, and scenic protection. Public acquisition should be considered.

The purpose of the C-2 (Commercial) district is to provide goods or render services which are used in support of the community's trade and service establishments and serving multi-neighborhoods. Permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

COMMENTS:

Planning and Inspections Department – Planning Division - Transportation

No objections.

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 - Land Development

No objection.

Planning and Inspections Department – Plan Review

No objection.

Planning and Inspections Department - Landscaping

No objection.

El Paso Fire Department

Recommend Approval.

El Paso Water Utilities

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

Water:

1. There is an existing 24-inch D.I. water transmission main that extends along the 5-foot PSB easement parallel to the south boundary of the subject property. No connections are allowed to transmission main, as per the El Paso Water Utilities- Public Service Board Rules and regulations.
2. There is an existing 12-inch C.I. water distribution main that extends along Resler Dr. and it is located approximately 61-ft east of the right of way. This water main is available for service.
3. There is an existing 8-inch A.C water distribution main that extends along Majorca CT. and dead-ends at the intersection of Majorca Ct. and Windsong Dr. This water main is available for service.

Sanitary Sewer:

There is an existing 12-inch PVC sanitary sewer main along Resler Dr. from Arroyo Seco St. to Alto Rey Dr. This sanitary sewer main is located approximately 101-feet east of the right-of way of the subject property and it is approximately 5.72 feet deep. This existing sanitary sewer mains are available for service. The extension of a sanitary sewer main along Resler Dr. is required to serve the subject property.

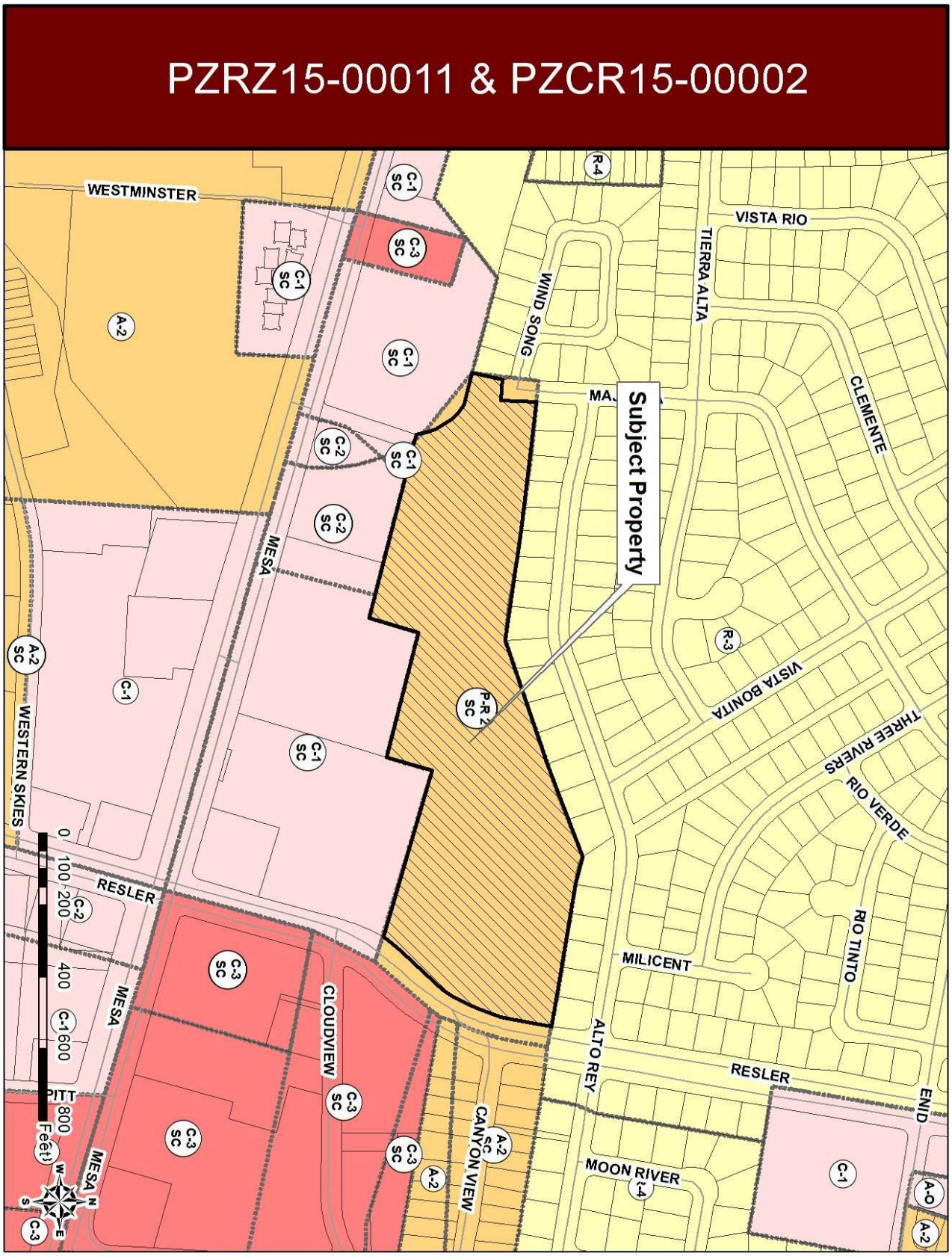
General:

1. No building, reservoir, structure, parking stalls or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced EPWU-PSB easements without the written consent of EPWU-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 sign or structure.
2. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWU-PSB Easement Policy. The PSB easements shall be improved to allow the operation of EPWU maintenance vehicles. EPWU-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.
3. EPWU requires a new service application to provide service to the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items if applicable are required at the time of application: (1) hard copy of subdivision plat; (2) finalized set of improvement plans, including grading and drainage; (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.

Attachments

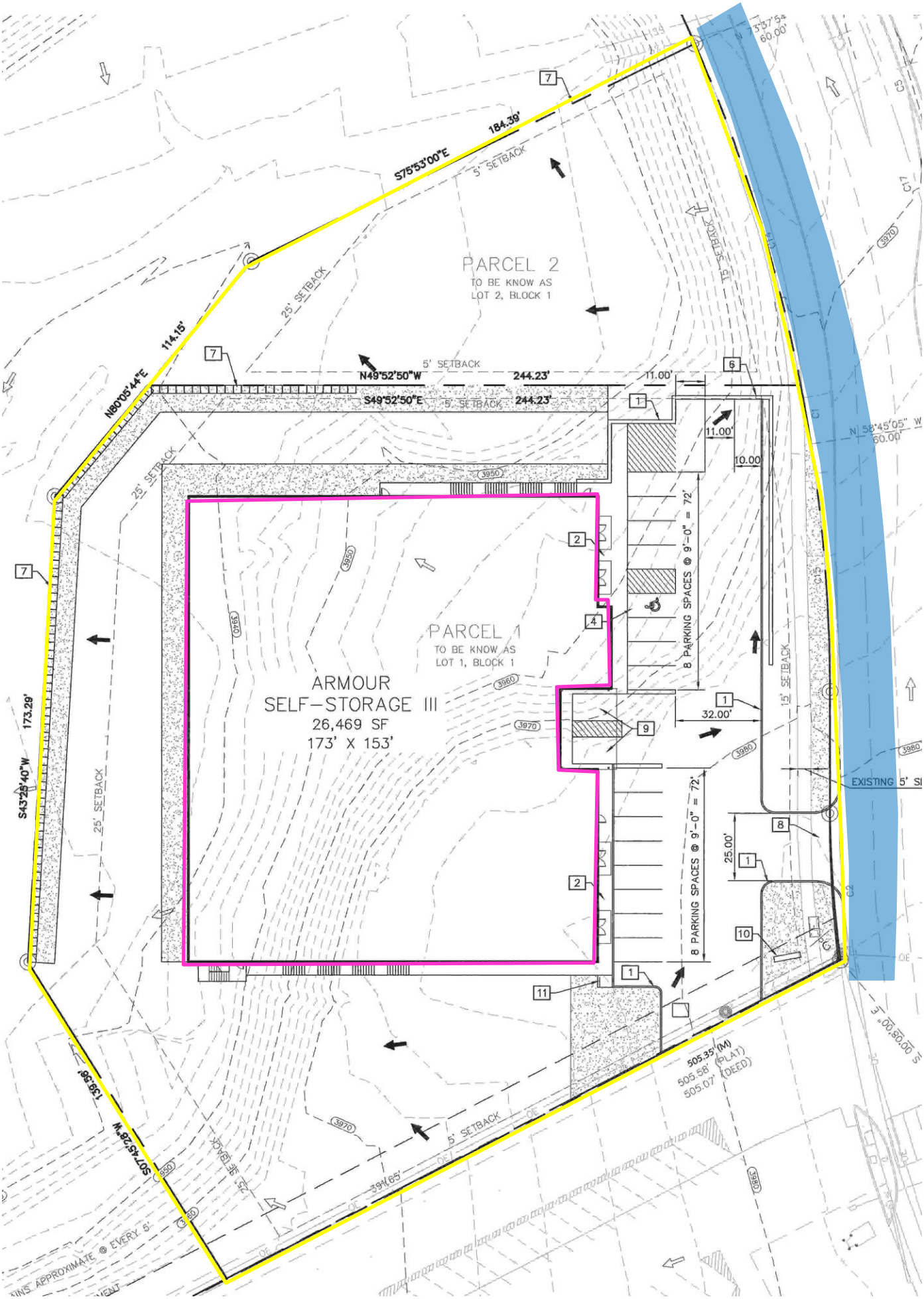
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 8058

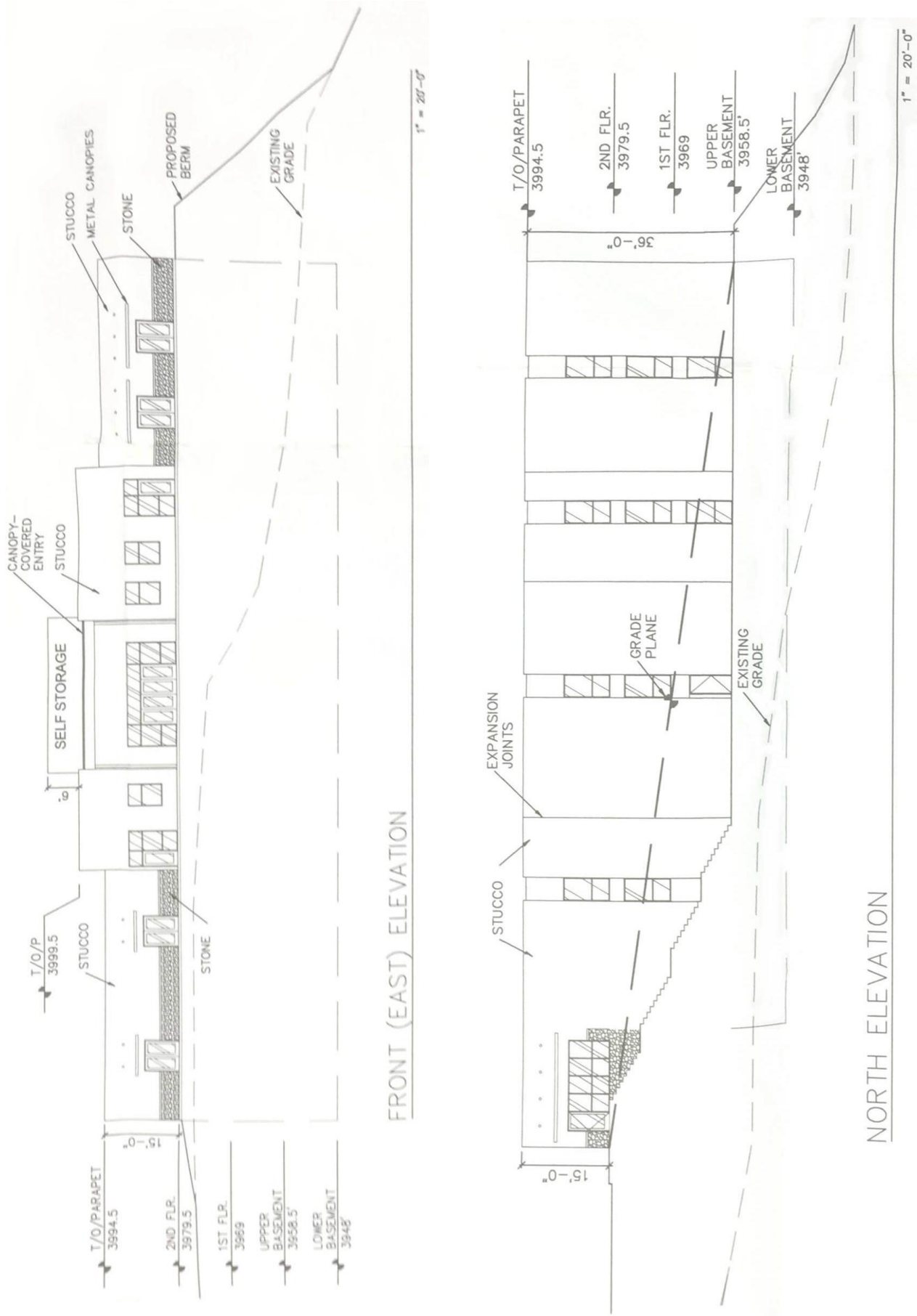
ATTACHMENT 1: LOCATION MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE PLAN




FRONT (EAST) ELEVATION
1" = 20'-0"
SELF STORAGE
CANOPY-COVERED ENTRY
STUCCO
METAL CANOPIES
STONE
PROPOSED BERM
EXISTING GRADE
T/O/P 3999.5
T/O/PARAPET 3994.5
2ND FLR. 3979.5
1ST FLR. 3969
UPPER BASEMENT 3958.5'
LOWER BASEMENT 3948'
15'-0"
NORTH ELEVATION
1" = 20'-0"
T/O/PARAPET 3994.5
2ND FLR. 3979.5
1ST FLR. 3969
UPPER BASEMENT 3958.5'
LOWER BASEMENT 3948'
36'-0"
EXPANSION JOINTS
GRADE PLANE
EXISTING GRADE
STUCCO
15'-0"

008107

AN ORDINANCE AMENDING ORDINANCE NO. 008058
WHICH REZONED A PORTION OF TRACT 10J, A. F. MILLER SURVEY #211,
THE PENALTY BEING AS PROVIDED
IN SECTION 25-96 OF THE EL PASO CITY CODE

WHEREAS, Ordinance 008058 passed and approved on May 29, 1984, contained a clerical error in the description of the property rezoned PR-II (Planned/Residential), and

WHEREAS, it is necessary to correct the error and verify the property description;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Ordinance 008058 is hereby amended to read as follows:

That the zoning of Tract 10J and a portion of Tract 10A, A.F. Miller Survey #211, as more particularly described by metes and bounds in the attached Exhibit "A" made a part hereof by reference, be changed to PR-II (Planned/Residential) District within the meaning of the zoning ordinance and the zoning map of the City be revised accordingly.

PASSED AND APPROVED this 10th day of July, 1984.

Jonathan W Rogers
Mayor

ATTEST:
City Clerk

APPROVED AS TO FORM:
Assistant City Attorney

APPROVED AS TO CONTENT:
Planning Department

I certify that the zoning map has been revised to reflect the amendment of ordinance 8107
By ... Date 7-11-84

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISED: E8 E9
7-11-84 COUNTER
7-11-84 ORIGINAL
7-11-84 Bldg. Inspection
7-11-84 CONTROL

008107

PROPERTY DESCRIPTION

Description of a parcel of land being all of Tract 10J, AND A PORTION OF TRACT 10A, A. F. Miller Survey Number 211, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Beginning at a point, said point being the southeasterly lot corner of Lot 1, Block 13, Coronado Terrace;

Thence South 06° 15' 40" West along the westerly right-of-way line of Resler Drive a distance of 86.95 feet;

Thence continuing along the aforesaid right-of-way line and along the arc of a curve to the right whose radius is 599.08 feet, whose interior angle is 33° 45' 40 and whose long chord bears South 23° 08' 30" West a distance of 347.92 feet;

Thence South 40° 01' 20" West along the aforesaid right-of-way line a distance of 44.42 feet;

Thence continuing along the aforesaid right-of-way line and along the arc of a curve to the left whose radius is 472.56 feet, whose interior angle is 06° 39' 26" and whose chord bears South 36° 41' 37" West a distance of 54.88 feet;

Thence North 77° 16' West a distance of 505.58 feet;

Thence South 12° 44' West a distance of 130.92 feet;

Thence North 77° 16' West a distance of 359.01 feet;

Thence South 12° 44' West a distance of 145.00 feet;

Thence North 77° 16' West a distance of 595.00 feet;

Thence North 47° 15' 03" West a distance of 137.11 feet;

Thence North 00° 02' 20" East a distance of 163.03 feet;

Thence South 67° 47' East along the southerly boundary line of Coronado Terrace Unit One a distance of 729.81 feet;

Thence North 67° 32' 48" East along the southerly boundary line of Coronado Terrace Unit One a distance of 635.96 feet;

Thence South 85° 19' 13" East along the southerly boundary line of Coronado Terrace Unit Four a distance of 477.24 feet to the POINT OF BEGINNING and containing in all 618,267.95 square feet or 14.19348 acrea of land more or less.

MENGEL ENGINEERING, INC.

George H. Mengel, R. P. S. #2172

December 27, 1983

566-1645

FROM R-3 & A-2 TO PR

"EXHIBIT A"

83 4923

008107

AN ORDINANCE AMENDING ORDINANCE NO. 008058
WHICH REZONED A PORTION OF TRACT 10J, A. F. MILLER SURVEY #211,
THE PENALTY BEING AS PROVIDED
IN SECTION 25-96 OF THE EL PASO CITY CODE

WHEREAS, Ordinance 008058 passed and approved on May 29, 1984, contained a clerical error in the description of the property rezoned PR-II (Planned/Residential), and

WHEREAS, it is necessary to correct the error and verify the property description;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Ordinance 008058 is hereby amended to read as follows:

That the zoning of Tract 10J and a portion of Tract 10A, A.F. Miller Survey #211, as more particularly described by metes and bounds in the attached Exhibit "A" made a part hereof by reference, be changed to PR-II (Planned/Residential) District within the meaning of the zoning ordinance and the zoning map of the City be revised accordingly.

PASSED AND APPROVED this 10th day of July, 1984.

Jonathan W Rogers
Mayor

ATTEST:
[signature]
City Clerk

APPROVED AS TO FORM:
Marcon Cullen-Maney
Assistant City Attorney

APPROVED AS TO CONTENT:
Raul Gonzalez
Planning Department

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN
L.D.
1-10-85 ZONING
1-10-85 COUNTER
1-10-85 Bldg. Inspection
1-10-85 CONTROL
Raul Gonzalez

I certify that the zoning map has been revised to reflect the amendment of ordinance #8107
By R Gonzalez Date 1-10-85

83-4922
JUL 11 1984
DEPARTMENT OF PLANNING

008107
~~Contract Pending~~
Contract 12/23/84

ORD. No. 8058

8058

009073

Date of Introduction 2-28-84

Date of ADOPTION 5-29-84

City Clerk

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 10J, A. F. MILLER SURVEY #211, THE PENALTY BEING AS PROVIDED IN SECTION 25-96 OF THE EL PASO CITY CODE

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

That the zoning of a portion of Tract 10J, A.F. Miller Survey #211, as more particularly described by metes and bounds in the attached Exhibit "A" made a part hereof by reference, be changed to P-R 2 PLANNED RESIDENTIAL DISTRICT II within the meaning of the zoning ordinance and the zoning map of the City be revised accordingly.

PASSED AND APPROVED this 29th day of May, 1984.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

APPROVED AS TO CONTENT:

Planning, Research and Development

83-4928

JUN -1 1984

DEPARTMENT

009073

8058

CONTRACT

THIS CONTRACT, made this 23rd day of December, 1984, by and between JANE B. PERRENOT; RODERICK J. FRASER and MARY A. FRASER; GERALD A. GEORGES and ANNE P. GEORGES; and CONSUMER INDUSTRIES, INC., First Parties, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning Tract 10J and a portion of Tract 10A, A.F. Miller Survey #211, City and County of El Paso, Texas, as more particularly described by metes and bounds in the attached Exhibit "A" made a part hereof by reference. To remove certain objections to such rezoning, First Parties covenant that if the property is rezoned to PR-II (Planned Residential) District within the meaning of the zoning ordinance of the City of El Paso, it shall be subject to the following restrictions, conditions and covenants:

1. The roof height of the proposed apartments will not be higher than the rock fences of the houses on Alto Rey; and
2. There will be no connection of Majorca Court to Mesa Street.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their 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.

WITNESS THE FOLLOWING SIGNATURES AND SEAL:

FIRST PARTIES

Jane B. Perrenot
Jane B. Perrenot

Roderick J. Fraser
Roderick J. Fraser

Mary A. Fraser
Mary A. Fraser

83-4923
Ord. 8107 (7/10/84)

DEPARTMENT OF PLANNING

Gerald A. Georges

Anne P. Georges

Consumer Industries, Inc.

By _____

Title Pres.

ATTEST:

_____
Secretary

THE CITY OF EL PASO
Second Party

By _____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO CONTENT:

_____
Planning, Research and Development

APPROVED AS TO FORM:

_____
Assistant City Attorney

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 31st day of December, 1984, by Jane B. Perrenot..

_____
Notary Public, State of Texas
BETTY LOU APPLEBY

My Commission Expires:
June 30, 1988

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 31st day of December, 1984, by Roderick J. Fraser and Mary A. Fraser.

_____
Notary Public, State of Texas
BETTY LOU APPLEBY

My Commission Expires
June 30, 1988

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 31st day of December, 1984, by Gerald A. Georges and Anne P. Georges.

_____
Notary Public, State of Texas
BETTY LOU APPLEBY

My Commission Expires:
June 30, 1988

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 21st day of December, 1984, by Richard B. Perrenot representative for Consumer Industries, Inc.

Notary Public, State of Texas
BETTY LOU BOPLOW

My Commission Expires:

June 30, 1988

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 8th day of January, 1984, by JONATHAN W. ROGERS, as Mayor of the City of El Paso.

Notary Public, State of Texas

My Commission Expires:

6/30/88

PROPERTY DESCRIPTION

Description of a parcel of land being all of Tract 10J, AND A PORTION OF TRACT 10A, A. F. Miller Survey Number 211, City of El Paso, El Paso County, Texas and being more particularly described by metes and bounds as follows to wit:

Beginning at a point, said point being the southeasterly lot corner of Lot 1, Block 13, Coronado Terrace [illegible]

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Thence continuing along the aforesaid right-of-way line and along the arc of a curve to the right whose radius is 599.08 feet, whose interior angle is 33° 45' 40 and whose long chord bears South 23° 08' 30" West a distance of 347.92 feet;

Thence South 40° 01' 20" West along the aforesaid right-of-way line a distance of 44.42 feet;

Thence continuing along the aforesaid right-of-way line and along the arc of a curve to the left whose radius is 472.56 feet, whose interior angle is 06° 39' 26" and whose chord bears South 36° 41' 37" West a distance of 54.88 feet;

Thence North 77° 16' West a distance of 505.58 feet;

Thence South 12° 44' West a distance of 130.92 feet;

Thence North 77° 16' West a distance of 359.01 feet;

Thence South 12° 44' West a distance of 145.00 feet;

Thence North 77° 16' West a distance of 595.00 feet;

Thence North 47° 15' 03" West a distance of 137.11 feet;

Thence North 00° 02' 20" East a distance of 163.03 feet;

Thence South 67° 47' East along the southerly boundary line of Coronado Terrace Unit One a distance of 729.81 feet;

Thence North 67° 32' 48" East along the southerly boundary line of Coronado Terrace Unit One a distance of 635.96 feet;

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MENGEL ENGINEERING, INC.

George H. Mengel, R. P. S. #2172

December 27, 1983

566-7645

FROM R-3 & ~~A-2~~ TO PR2

"EXHIBIT A"

73 4923