



City of El Paso – City Plan Commission Staff Report

Case No: PZDS14-00017
Application Type: Detailed Site Plan Review
CPC Hearing Date: May 22, 2014
Staff Planner: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
Location: South of Montoya Lane and West of Luckett Court
Legal Description: Portion of Lot 1, Block 1, Miramonte Industrial Park Unit 1, Replat A, City of El Paso, El Paso County, Texas
Acreage: 7.81 acres
Rep District: 1
Current Zoning: P-I/sc (Planned-Industrial/special contract)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Yes; Special contract (see attachment 4)
Request: Detailed Site Development Plan Review
Property Owner: Suntrack LTD
Representative: Roe Engineering

SURROUNDING ZONING AND LAND USE

North: P-I/sc (Planned Industrial/Special contract) / Milk Bottling & Manufacturing
South: P-R II/Special contract (Planned-Residential 2/Special contract) / Single Family Homes
East: P-I/sc (Planned Industrial/Special contract) / Manufacturing
West: P-R I (Planned Residential 1) / Single Family Homes

PLAN EL PASO DESIGNATION: G-7, Industrial and/or Railyard (Northwest Planning Area)

NEAREST PARK: Little River (3,242feet)

NEAREST SCHOOL: Herrera Elementary (4,668 feet)

NEIGHBORHOOD ASSOCIATIONS

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

NEIGHBORHOOD INPUT

Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, *Notice*.

APPLICATION HISTORY

Upon annexation the subject property was zoned to I-D (Industrial-District) by Ordinance 4926 on September 14, 1972, which included a special contract (see attachment 4). The contract included platting, drainage improvements, and railroad improvements conditions. The conditions for platting and railroad improvements have been complied with. The condition for approval of drainage plans before building permits will be addressed at the building permits stage and is not a requirement for this case. The property was subsequently rezoned to its current zoning of P-I (Planned-Industrial) by Ordinance No. 6725 approved on September 25, 1979 (see attachment 5).

APPLICATION DESCRIPTION

The detailed site plan proposes a development consisting of five warehouse buildings and a self-storage facility totaling 58,797 sq. ft. A centralized loading dock is situated within the middle of the development to serve the surrounding structures. Forty parking spaces are required and 189 are proposed, to include 16 bicycle spaces. Access is proposed from Luckett Court and Montoya Lane.

CITY DEVELOPMENT DEPARTMENT -PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets 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.

Detailed Site Development Plan review is required for development in the Planned Industrial (P-I) zone district per Section 20.10.360(E).

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 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 have reviewed the detailed site development plan which meets the requirements and, therefore, recommend approval.

20.10.360(E). Planned Industrial (P-I)

1. **Compatibility with Nearby Properties.** The industrial development shall be designed to promote harmonious relationships with surrounding adjacent and nearby properties, developed and undeveloped, and to this end may employ such design techniques as may be appropriate to a particular case, including location of permitted elements, orientation, spacing and setback of buildings, maintenance of natural vegetation, location of access points, size and location of signs, open spaces and parking area, grading, landscaping and services.
2. **Enclosed Buildings.** All uses shall be conducted within a completely enclosed building of permanent and durable construction, with no open storage of raw, in process, or finished material and supplies or waste material. Finished or semi-finished products manufactured on the premises may be stored in the open if screened from the street or other abutting property by a solid masonry wall not less than six feet or more than eight feet in height. This screening must be located behind any required landscaping. Screening may be

waived by the city council where it is found the screening will not serve the purpose of blocking the view from a street or from a more restrictive zoning district.

3. Parking. Adequate parking space shall be provided off the street for all employees and visitors to the building, if necessary, in excess of the minimum requirements of Chapter 20.14. No parking shall be permitted in the required front yard or within ten feet of the boundary of any residential district and no storage of materials, equipment, or products shall be permitted in any part of a required front yard.
4. Loading.
 - a. Off-street loading space for individual uses shall be provided in accord with the provisions of Chapter 20.14. Loading operations shall be conducted within a building or screened from general public view from a front street where possible, but may be conducted at the side or rear of buildings whether or not facing a street.
 - b. Where an industrial tract abuts railroad property containing a spur track on the rear or side property line, railroad loading docks or the building itself may extend to the property line for the purpose of receiving service from the railroad spur tracks.
5. Paved Areas. Service drives or other areas shall be provided for off-street loading and in such a way that in the process of loading or unloading, no truck will block the passage of other vehicles on the service drive or extend into any fire lane or other public or private drive or street used for traffic circulation. The drives, parking areas, loading areas, and walks shall be paved with hard, all-weather surface material meeting applicable specifications of Chapter 20.14.

The detailed site development plan complies with these site design considerations.

Plan El Paso-Future Land Use Map Designation

All applications for a 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 P-I (Planned Industrial) district is to establish an industrial environment for certain types of manufacturing, business or industrial uses which are compatible with any adjacent land use by performance, appearance, and general operating characteristics. Regulations are designed so that all operations and activities, specifically including but not limited to, the storage of materials of all kinds are conducted within a building or appropriately screened.

COMMENTS:

City Development 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.

City Development Department - Land Development

No Objection.

City Development Department – Building & Development Permitting

Recommend approval with the condition that the final DSDP provides the total number of parking spaces being provided on the site and that the landscape calculations be modified to reflect the landscape are being provided to include canopy trees, frontage trees etc.

El Paso Fire Department

Recommend "APPROVAL" of "Site Plan" as presented. *****NOTE *****PZDS14-00017 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, Number of dwelling units in Multi-family 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". *****NOTE ***** The Fire Planning Division has reviewed the submitted "Site Plan" as per requirements of the Zoning Code Section 20.04.160 Content of application for the following: The determination of this review is that this DOES comply with regulations set forth in the El Paso Zoning Code.

El Paso Water Utilities

EPWU does not object to this request.

EPWU-PSB Comments

Water

1. Along Montoya Road fronting the subject Property there is an existing twelve (12) inch diameter water main. This main is available for service.
2. Along Lockett Court fronting the subject Property there is an existing eight (8) inch diameter water main. This main is available for service.
3. Previous water pressure readings conducted on fire hydrant number 3797 located at the corner of Montoya Road and Lockett Court have yielded a static pressure of 70 pounds per square inch (psi), residual pressure of 60 psi, discharge of 1,278 gallons per minute (gpm).

Sanitary Sewer

1. Along Montoya Road fronting the subject Property there is an existing eight (8) inch diameter sanitary sewer main. This main is available for service.
2. Along Lockett Court fronting the subject Property there is an existing eight (8) inch diameter sanitary sewer main. This main is available for service.

General

1. If the Development of this Property requires public fire hydrants, public water mains and sanitary sewer mains within private Property, easements will be required in order to accommodate the described public facilities. The proposed easement shall comply with the EPWU-PSB Easement Policy. Additionally, anchor easements for the proposed public fire hydrants shall have minimum dimensions of 10 feet by 10 feet.
2. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.
3. Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.
4. The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within easements 24 hours a day, seven (7) days a week.
5. 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.
6. If the City of El Paso Fire Department requires additional fire hydrants on public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or

adjustments of water and sanitary sewer lines and appurtenances.

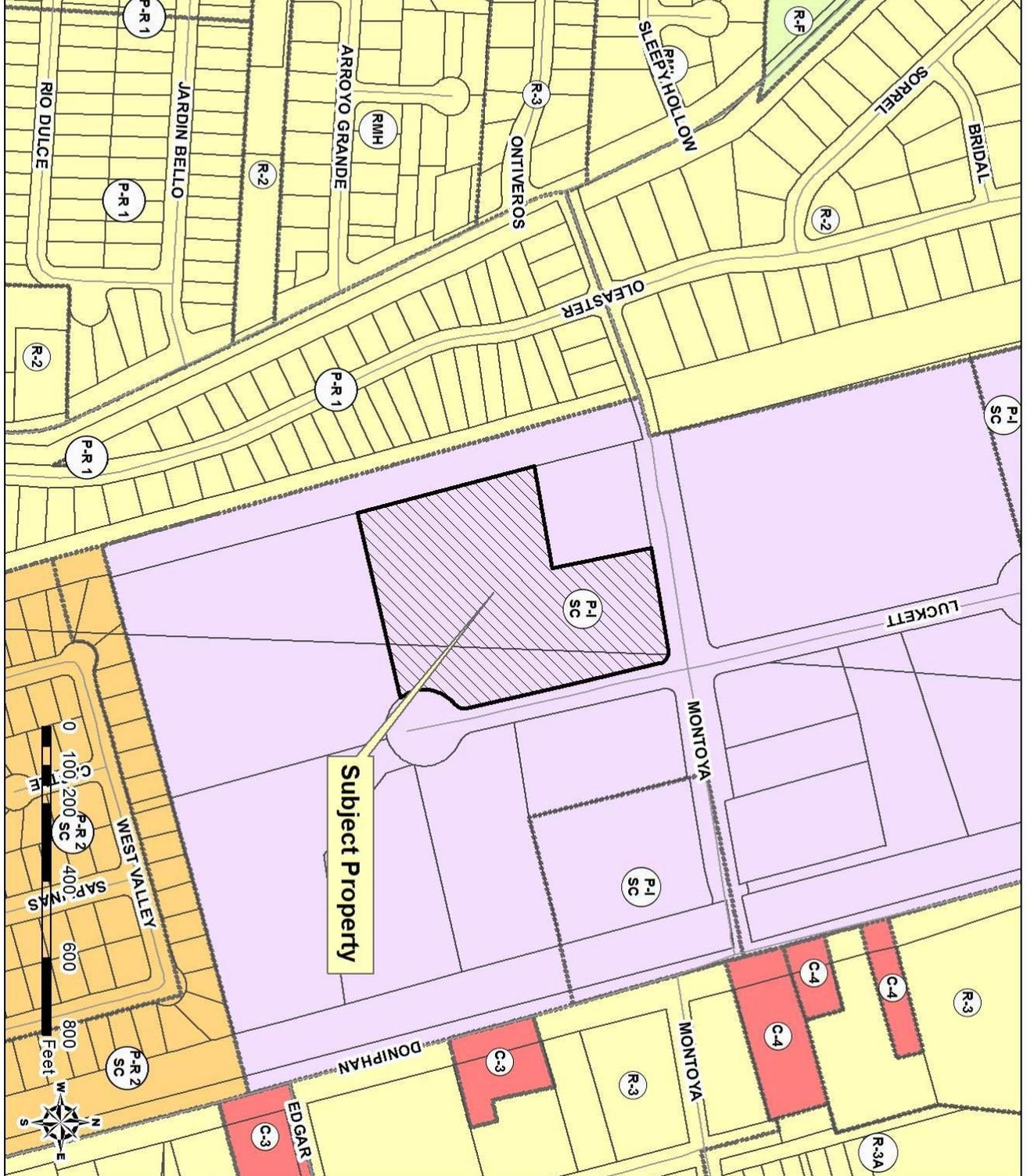
7. EPWU requires a new service application to initialize the design of the water and sanitary sewer main extensions to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision 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.

Attachments

1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
- 4: Special contract dated September 14, 1972
- 5: Ordinance No. 6725

ATTACHMENT 1: ZONING MAP

PZDS14-00017

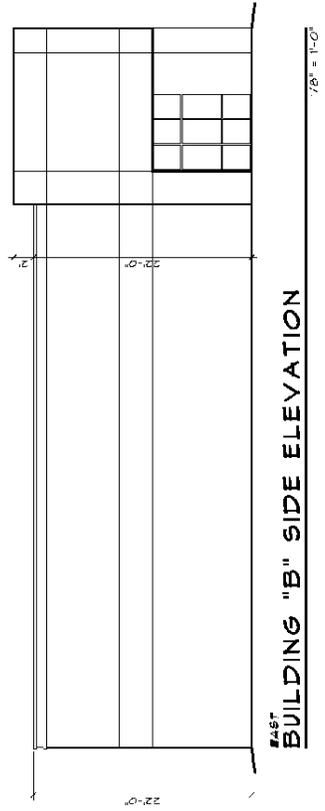
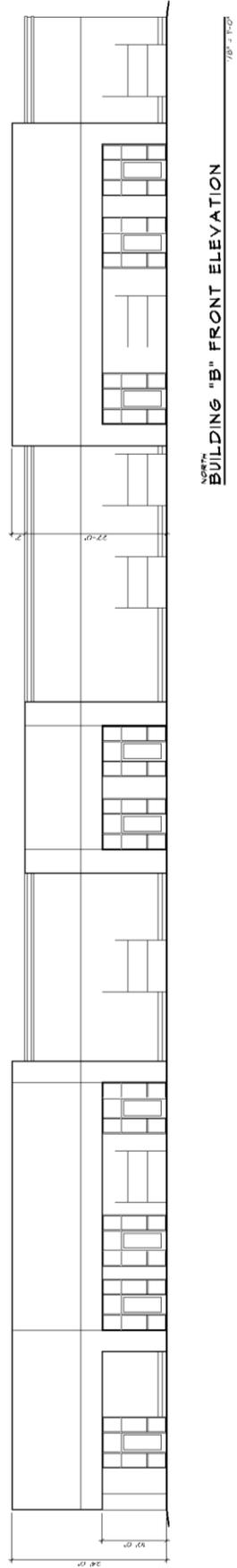


ATTACHMENT 2: AERIAL MAP

PZDS14-00017



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN (CONTINUED)



CONTRACT

This contract, made this 12th day of September, 1972, by and between the Santa Fe Land Improvement Company, a California corporation, First Party; Milton D. Feinberg and Stephen L. Feinberg, Second Parties; and the City of El Paso, Third Party, witnesseth:

(1) First Party is the owner of the hereinafter described land, situated in El Paso County, Texas, and Second Parties have an option to purchase the land, which is now under interim zoning:

Parcel 1:

Tract 3, Block 6, Upper Valley Surveys, more particularly described as: beginning at the northwest corner of Tract 3, Block 6 of the Upper Valley Surveys, said corner being the point of intersection of the southerly right of way line of Redd Road with the easterly right of way line of the Montoya Drain;

Thence North 89° 55' East along said southerly right of way line a distance of 2690.20 feet to the northeast corner of said Tract 3 being on the west line of the Rio Grande, El Paso, and Santa Fe Railroad right of way;

Thence South 18° 20' East along said westerly right of way line a distance of 138.30 feet;

Thence South 0° 10' West a distance of 376.40 feet to the southeast corner of said Tract;

Thence west along the southerly boundary of said Tract a distance of 2737.90 feet to its southwest corner being on said easterly right of way line;

Thence North 0° 40' East along said easterly right of way line a distance of 503.50 feet to the point of beginning, said parcel containing 31.692 acres of land, more or less.

Parcel 2:

Tracts 4, 5, 6, 7, 8 and 24, Block 6, Upper Valley Surveys, more particularly described as:

Beginning at the southeast corner of Tract 4, Block 6 of the Upper Valley Surveys, said corner being the point of intersection of the northerly right of way line of Redd Road with the westerly line of the Rio Grande, El Paso, and Santa Fe Railroad right of way;

Thence South 89° 55' West along said northerly right of way line a distance of 2676.80 feet to the southwest corner of said Tract 4, being on the easterly right of way line of the Montoya Drain;

Thence North 0° 40' East along said easterly right of way line a distance of 808.10 feet to the southwest corner of Tract 5 of said Block 6;

Partial Release of Restrictions - 3-3-77

*Ord # 7926
Case 122.3376*

ATTACHMENT 4: SPECIAL CONTRACT DATED SEPTEMBER 14, 1972 (CONTINUED)

Thence North 16° 42' East continuing along said easterly right of way line a distance of 874.00 feet to the northwest corner of said Tract 5;

Thence North 17° 52' East continuing along said easterly right of way line a distance of 659.00 feet;

Thence continuing along said easterly right of way line North 10° 24' East a distance of 197.80 feet;

Thence North 4° 06' West continuing on said easterly right of way line a distance of 196.00 feet;

Thence continuing along said easterly right of way line North 18° 24' West a distance of 1758.90 feet to the northwest corner of Tract 3 in said Block 6 being at the point of intersection of said easterly right of way line of the Montoya Drain with the southerly right of way line of a road (40 feet right of way);

Thence North 77° 36' East along said southerly right of way line a distance of 1153.04 feet to its intersection with the west boundary of Tract 24 of said Block 6;

Thence North 18° 20' West along said west boundary a distance of 141.50 feet to the northwest corner of said Tract 24;

Thence North 71° 40' East along the north boundary of said Tract 24 a distance of 100.00 feet to its intersection with said westerly right of way line and being the northeast corner of said Tract 24;

Thence South 18° 20' East along said railroad's westerly right of way line a distance of 4994.40 feet to the point of beginning, said parcel containing 179.218 acres of land, more or less.

Parcel 3:

Tracts 1 and 2, Block 12, Upper Valley Surveys, more particularly described as:

Beginning at the northeast corner of Tract 1, Block 12 of the Upper Valley Surveys, said corner being on the westerly line of the Rio Grande, El Paso & Santa Fe Railroad right of way;

Thence South 18° 20' East along said westerly right of way line a distance of 534.5 feet;

Thence South 71° 46' West a distance of 100.00 feet;

Thence South 18° 26' East a distance of 99.3 feet to a point on the northerly right of way line of a road (40' right of way);

Thence South 77° 36' West along said northerly right of way line a distance of 1154.60 feet to the southwest corner of Tract 2 of said Block 12 being on the easterly right of way line of the Montoya Drain;

Thence North 18° 24' West along said easterly right of way line a distance of 928.00 feet to the northwest corner of said Tract 2;

Thence South $89^{\circ} 48'$ East along the north boundary of said Tracts 1 and 2, being common to the south right of way line of a drain (70 feet right of way), a distance of 1316.70 feet to the point of beginning, said parcel containing 23.806 acres of land, more or less.

Parcel 4:

Tract 7B, Block 12, Upper Valley Surveys, more particularly described as:

Beginning at the northeast corner of Tract 7B, Block 12 of the Upper Valley Surveys, said corner being on the westerly line of the Rio Grande, El Paso, and Santa Fe Railroad right of way;

Thence South $18^{\circ} 20'$ East along said westerly right of way line a distance of 1054.70 feet to the southeast corner of said Tract 7B;

Thence North $89^{\circ} 48'$ West along the south boundary of said Tract 7B, being common to the north right of way line of a drain (70 feet right of way), a distance of 1316.12 feet to the southwest corner of said Tract being on the easterly right of way line of the Montoya Drain;

Thence North $17^{\circ} 24'$ West along said easterly right of way line a distance of 1049.10 feet to the northwest corner of said Tract;

Thence South $89^{\circ} 48'$ East along the north boundary of said Tract 7B a distance of 1298.10 feet to the point of beginning, said parcel containing 30.004 acres of land, more or less.

(2) Application has been made to the City of El Paso to zone the property herein designated as Parcel 1 as A-O, and Parcels 2, 3, and 4 as I-D.

To remove certain objections to the proposed zoning First Party and Second Parties agree that if the property is zoned as proposed it will be subject to the following covenants and restrictions, and no building or structure will be constructed on the land unless such covenants and restrictions are complied with:

(a) The plat and the deed restrictions referred to in Section 25-32.1(F)(1) of the El Paso City Code shall be subject to approval by both the City Plan Commission and the City Council. (Platting of both parcels will be required.) *(This last sentence released from restrictions 25-3-77) as it applies to the A-O parcels on the I-D parcels*

(b) In addition thereto, the restrictions set forth in Exhibit A attached hereto shall be filed concurrently with the plat.

(c) The design of the facilities for drainage of the site shall be

ATTACHMENT 4: SPECIAL CONTRACT DATED SEPTEMBER 14, 1972 (CONTINUED)

subject to approval by both the City Engineer and the City Council, and such drainage facilities shall be constructed before or concurrently with the construction of any building or structure.

(3) First Party has obtained from the Atchison, Topeka and Santa Fe Railway Company a commitment to provide automatic crossing gates and flashing signals at three grade crossings, traffic over which may be affected by the proposed zoning; and as a further inducement to the City Council to adopt the proposed zoning, a contract with the railroad providing for such traffic protection will be filed herewith, as a part of this transaction.

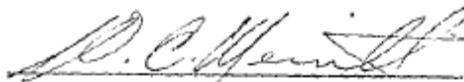
(4) This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First and Second Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement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

(5) 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, except the restrictions in Exhibit A, which after they have been filed for record may be changed only as provided in paragraph XVI thereof.

Witness the following signatures and seals:

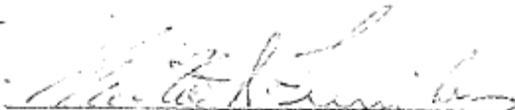
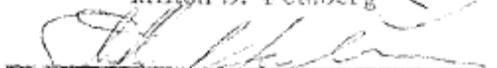
SANTA FE LAND IMPROVEMENT
COMPANY

by



LAND AND TAX AGENT

ATTEST:


P. C. Merrill
Asst. Secretary
Milton D. Feinberg
Stephen L. Feinberg

ATTACHMENT 5: ORDINANCE NO. 6725

6725

City of El Paso
Date
City Clerk

AN ORDINANCE ADOPTING A REVISED ZONING MAP OF THE CITY OF EL PASO, 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:

1. That pursuant to Section 25-8 of the El Paso City Code (Zoning District Maps - incorporated by reference) the following attached maps:

- a) The map, consisting of sheets 1 to 62, inclusive, captioned "Official Zoning Map Series, City of El Paso, Scale 1" = 300'," and bound together with a title-index sheet;
- b) The map, consisting of sheets 1 to 15, inclusive, captioned "Zoning Map Series Supplement, 1" = 600' series," and bound together with a title-index sheet;

which maps are made a part of this Ordinance by reference, be and are hereby adopted as the Revised Zoning Map of the City, and shall supersede all prior maps and revisions thereof.

2. That the use districts and area districts shall be as shown on said map; and all notations, references and other information shown on said maps are hereby made a part of the Zoning Ordinance and shall be considered as much a part of the same as if the matters and information set forth by said map were all fully described therein. Except as otherwise provided in the Zoning Ordinance, no building shall be used, erected, or structurally altered, except in conformity with the regulations provided in the Zoning Ordinance for the use and area districts in which such building is located as shown by such revised map.

PASSED AND APPROVED this 22 day of September, 1979.

ATTEST:

[Signature]
City Clerk

[Signature]
Mayor

APPROVED AS TO FORM:
[Signature]
City Attorney

6725