



City of El Paso – City Plan Commission Staff Report

Case No: PZST16-00010
Application Type: Special Permit
CPC Hearing Date: June 2, 2016
Staff Planner: Alfredo Austin, 915-212-1604, austinaj@elpasotexas.gov
Location: 11400 Wilkinson Drive
Legal Description: Portion of Lot 1, Block 1, Radco Industrial Park, City of El Paso, El Paso County, Texas
Acreage: 0.06-acre
Rep District: 7
Existing Zoning: C-4 (Commercial)
Existing Use: Vacant lot
C/SC/SP/ZBA/LNC: N/A
Request: Special Permit to allow a Personal Wireless Service Facility (PWSF) with modified separation between PWSF antenna support structures.
Proposed Use: Ground-mounted PWSF
Property Owner: Noe S Castillo
Representative: Keith Fisher

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Commercial development
South: C-4 (Commercial) / Commercial development
East: C-4 (Commercial) / Vacant lot
West: C-4 (Commercial) / Commercial development

PLAN EL PASO DESIGNATION: G-4, Suburban (Walkable) (East Planning Area)

NEAREST PARK: Marty Robbins Park (6,689 feet)

NEAREST SCHOOL: Myrtle Cooper Elementary School (5,653 feet)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association
Las Palmas Neighborhood Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on May 18, 2016. The Planning Division did not receive any communication in opposition to the proposed special permit.

APPLICATION BACKGROUND

The El Paso Historic Landmark Commission at its regular meeting scheduled on June 15, 2015, reviewed and approved plans submitted for a Certificate of Appropriateness for the construction of a 75'-0" high telecommunications facility with the modification that the landscape plan submitted to the Historic Landmark Commission on June 15, 2015 will be included as part of the approved plan. The Commission finds that the proposed scope of work will not adversely affect the architectural or historical significance of the Austin Terrace historic district.

APPLICATION DESCRIPTION

The applicant is requesting a special permit to allow a Personal Wireless Service Facility (PWSF) with modified separation between PWSF antenna support structures as required by El Paso City Code Section 20.10.455F. The site plan shows a 2500 sq. ft. lease area for a 66-foot high structure with antennas and

service equipment enclosure. The antennas and support structure will be camouflaged as a palm tree. The proposed PWSF meets all setback and height requirements for a location in a commercial district. An access easement is proposed from Pendale Road.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of the special permit for a Personal Wireless Service Facility (PWSF) with modified separation between PWSF antenna support structures as it meets all the requirements of 20.10.455 PWSF, 20.04.320 Special Permit, and 20.04.150 Detailed Site Development Plan.

ANALYSIS

20.10.455.F Personal Wireless Service Facility (PWSF)

F. C-3, C-4 and C-5 Commercial Districts.

1. Ground-mounted PWSF antenna support structures with appurtenant equipment storage facilities are permitted with the following restrictions:

a. Setbacks. The PWSF antenna support structure shall meet the yard standards of the district, except that a setback of one foot for each foot of height, measured from the PWSF antenna support structure base to any abutting property line of property in a residential or apartment zoning district shall be required. In the case where a right-of-way or easement separates the property from a residential zoning district, the width of such right-of-way or easement shall be included in meeting the setback requirement; provided, however, that the setback from the property line shall never be less than that required in the district yard standards.

b. Separation Between PWSF Antenna Support Structures. The minimum separation distance between ground-mounted PWSF antenna support structures shall be one-half mile, except as provided in subsection (F)(1)(c). Separation distance shall be measured by drawing or following a straight line between the base of any existing PWSF antenna support structure and the proposed base of a new PWSF antenna support structure.

c. Modified Separation Between PWSF Antenna Support Structures. The minimum separation between ground-mounted PWSF antenna support structures may be reduced below one-half mile by city council upon approval of a special permit application if the city council finds that:

i. The applicant is reasonably unable to use property that is more than one-half mile from another PWSF antenna support structure and be able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

ii. The property on which the PWSF antenna support structure is to be located is the only reasonably available property for use within one-half mile of another PWSF antenna support structure that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

iii. The area designated by the applicant cannot be reasonably served in a manner that is technically feasible and commercially reasonable by locating additional antennas on the applicant's existing PWSF antenna support structures because such existing PWSF antenna support structures cannot safely support additional antennas;

iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable; and

- v. The applicant shall submit a list of addresses/locations showing all existing PWSF within a one-half mile radius of the proposed site and a map depicting such locations with the special permit application.
- d. Height Restriction. The PWSF antenna support structure and appurtenant antennas shall not exceed one hundred twenty-five feet in height, except as provided in subsection (F)(1)(e) or (F)(1)(f).
- e. Modified Height Restriction. If the applicant is collocating two or more antennas on a structure or if the structure is camouflaged, then the height for a PWSF antenna support structure and appurtenant antennas shall not exceed one hundred fifty feet.
- f. Special Permit for Additional Height in C-3 and C-4 Commercial Districts Only. The height for a ground-mounted PWSF antenna support structure and appurtenant antennas may be increased by city council upon approval of a special permit application, if the city council finds that:
 - i. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;
 - ii. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;
 - iii. The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and
 - iv. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.
- g. Camouflage and Screening.
 - i. All Ground-Mounted PWSF Shall be Camouflaged. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging, includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures in bell steeples or clock towers, or on similar alternative-design mounting structures.
 - ii. Metallic Surfaces Shall be Painted to Reduce Glare and Reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.
 - iii. Screening of antennas on PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and texturized to integrate with the architecture of the surrounding structure.
 - iv. Landscaping shall comply with all code requirements for landscaping.

h. Other Requirements. The following must accompany a request for a building permit or special permit:

i. A detailed plan showing the PWSF antennas support, antennas, and equipment in relation to the existing surroundings including screening, fencing, camouflage, off-street parking, and access from the PWSF antennas support site to the nearest public street;

ii. A verification letter that all required FAA and FCC approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant;

iii. Satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility accompanied by a verification letter that all required Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and

iv. The design of related support structures for new PWSF antenna support structures shall incorporate materials, colors, textures, screening, and camouflaging techniques that will blend them to the extent reasonably possible into the natural setting and surrounding structures. The applicant will be required to provide photographs of predevelopment views versus post-development illustrations, at ninety-degree angles for a full three hundred sixty-degree radius, shown to scale. The building official shall review and consider any of the five items above to mitigate negative visual impacts created by the proposed PWSF antenna support structure and may require reasonable revisions necessary to bring the application into compliance with one or more of the five items above.

i. A six-foot high screening fence or wall of other than chain-link shall be constructed around the base of an antenna support structure to provide for security. The gate which provides access to the antenna support shall remain locked at all times except when being used for access by maintenance personnel. Collocation or installation of additional antennas on an existing antenna support structure shall be permitted after review and approval by the building official of a structural recertification report prepared and sealed by a licensed professional engineer.

j. The access driveway and off-street parking spaces for use by maintenance vehicles shall be paved as approved by the building official.

k. Collocation or installation of additional antennas on an existing antenna support structure shall be permitted. A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.

2. Roof-mounted PWSF antenna support structures with appurtenant equipment storage facilities are permitted with the following restrictions:

a. Where Permitted. Roof-mounted PWSF antenna support structures shall only be permitted on commercial or mixed use structures or those residential structures consisting of five or more units.

b. Height Restriction. The PWSF antenna support structure and appurtenant antennas shall not exceed thirty feet in height above the existing roofline; except that when the property abuts a residential zoning district it shall not exceed ten feet in height above the existing roofline, except as provided in subsection (F)(2)(c).

c. **Modified Height Restriction.** The height for a roof-mounted PWSF antenna support structure and appurtenant antennas may be increased as follows:

i. Up to ten additional feet if the building exceeds forty-five feet in height or three stories, and up to twenty additional feet if the building exceeds sixty feet in height or five stories; or

ii. Up to a maximum height of thirty feet, measured from the existing roofline, on property abutting a residential zoning district, by approval of a special permit application, if the city council finds that:

(A) The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

(B) The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;

(C) The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and

(D) Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.

d. **Camouflage and Screening.**

i. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures in bell steeples or clock towers, or on similar alternative-design mounting structures.

ii. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.

iii. Screening of antennas on roof-mounted PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and texturized to integrate with the architecture of the surrounding structure. Screening is not required on PWSF where the height of the roofline exceeds thirty-five feet. Screening may be waived by the building official on buildings where the height of the roofline is thirty-five feet or less based on evidence provided by the applicant that the roof cannot structurally support the screen.

e. **Other Requirements.** The following must accompany a request for a building permit:

- i. A detailed plan showing the PWSF antenna support structure, antennas and appurtenant equipment in relation to the surroundings including screening, fencing and camouflage; and
 - ii. A verification letter that all required FAA and FCC approvals have been requested and that site-specific structural engineering report for the support structure and the roof and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant.
 - f. Increase in Elevation. Increase in elevation, not to exceed thirty feet, of an existing permitted PWSF antenna support structure shall be permitted only to allow for collocation of additional antennas. A structural recertification report for both the structure and the roof, prepared and sealed by a licensed professional engineer, shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.
3. Facility-mounted PWSF antennas and equipment storage facilities are permitted subject to the following restrictions:
- a. Where Permitted. Antennas may only be mounted on functioning facility-structures whose primary purpose is, and will continue to be, a use other than as a PWSF antenna support structure.
 - b. Height Restriction. New facility-mounted PWSF shall not exceed one hundred twenty-five feet in height. An existing facility-structure may be replaced for structural purposes, however the use shall not be changed to another use, and the new facility-structure shall not exceed one hundred twenty-five feet in height.
 - c. Modified Height Restriction. The height for a facility-mounted PWSF antenna support structure may be increased up to twenty-five feet on an existing facility to accommodate collocation of additional antennas, however in no instance shall the height exceed one hundred twenty-five feet, which shall include the height of the facility-structure.
 - d. Facility-Mounted PWSF Shall be Painted to Integrate and Blend with the Facility-Structure. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.
 - e. Other Requirements. The following must accompany a request for a building permit:
 - i. A detailed plan showing the facility structure, antenna structures and equipment in relation to the existing surroundings, including screening, fencing, off-street parking and access from the facility structures site to the nearest public street;
 - ii. A verification letter that all required FAA and FCC approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and
 - iii. The applicant shall provide documentation to the building permits and inspections division that the applicant has the permission from the structure owner to install the antenna(s) on the structure.
 - f. Collocation. Collocation or installation of additional antennas on an existing facility structure shall be permitted. A structural recertification report, prepared and sealed by a licensed professional engineer, shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.

The application meets the requirements for PWSF.

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 verified that 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:

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 use.

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 and Inspections Department – Planning Division - Transportation

No objections to proposed special permit

Planning and Inspections Department – Plan Review

No objections to proposed special permit

Planning and Inspections Department - Landscaping Division

No objections to proposed special permit

Planning and Inspections Department - Land Development

We have reviewed subject plans and recommend that the applicant addresses the following comments.

1. Proposed access driveway from Pendale ROW must comply with (Design Standards for Construction Section 6-17) minimum 25' made of concrete with sidewalk portion, etc.
2. Driveway apron radius shall not encroach abutting property line.

3. Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Police Department

No objections to proposed special permit.

Fire Department

Fire Department does not oppose this request.

Sun Metro

Sun Metro does not oppose this request.

El Paso Water Utilities

We have reviewed the request described above and provide the following comments:

1. EPWU does not object to this request.

Water:

2. There is an existing 8-inch diameter water main extending along Wilkinson Drive located approximately 20-feet south from the northern right-of-way line. This water main is available for service.
3. There is an existing 12-inch diameter water main extending along Pendale Road located approximately 35-feet west from the eastern right-of-way line. This water main is available for service.
4. EPWU records indicate one (1) 3/4" service meters on the property with 11400 Wilkinson Drive as the service address.
5. Previous water pressure readings from fire hydrant # 5202 located at Wilkinson Drive and NW Corner of Pendale Road, have yielded a static pressure of 90 (psi), a residual pressure of 82 (psi), and a discharge of 1,300 gallons per minute.
6. 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:

7. There is an existing 8-inch diameter sanitary sewer main extending along Wilkinson Drive located approximately 25' north from the property line. This sanitary sewer main is available for service.
8. There is an existing 12-inch diameter sanitary sewer main extending along Pendale Road located approximately 40' east from the western property line. This sanitary sewer main is available for service.

General:

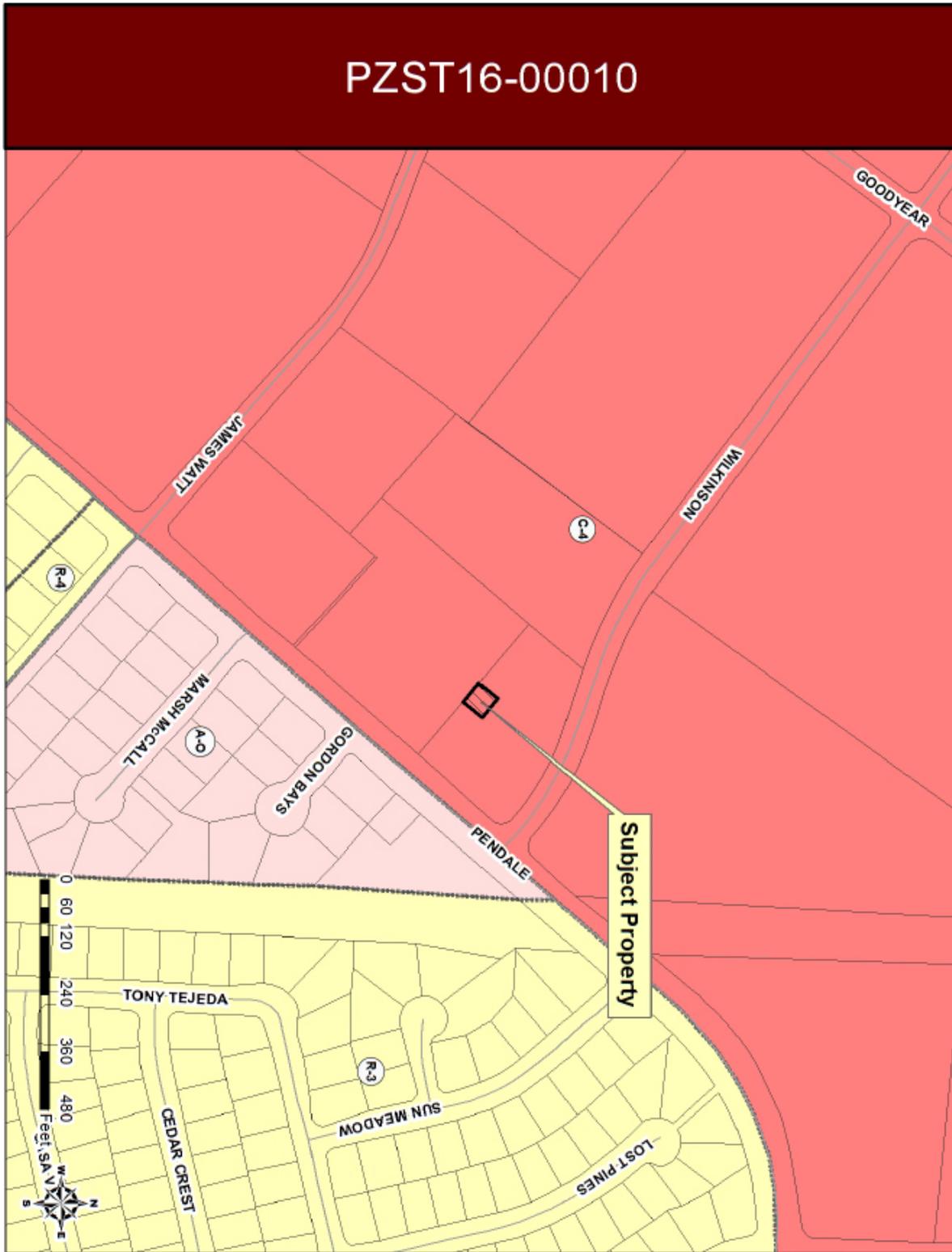
9. EPWU requires a new service application to provide additional service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage 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. ½ mile Map
4. Detailed Site Development Plan
5. Elevations
6. Photo Simulation

ATTACHMENT 1

PZST16-00010



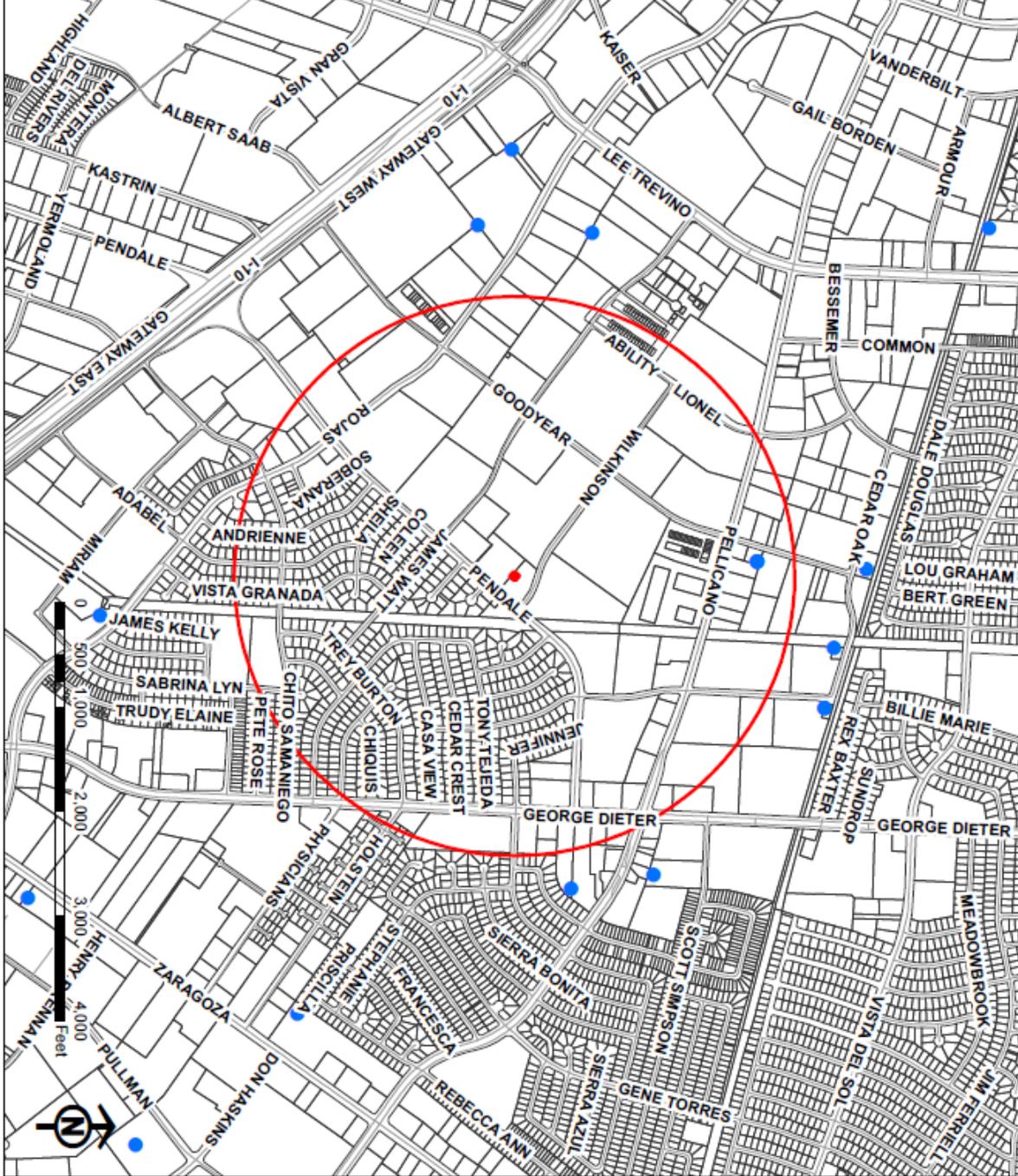
ATTACHMENT 2

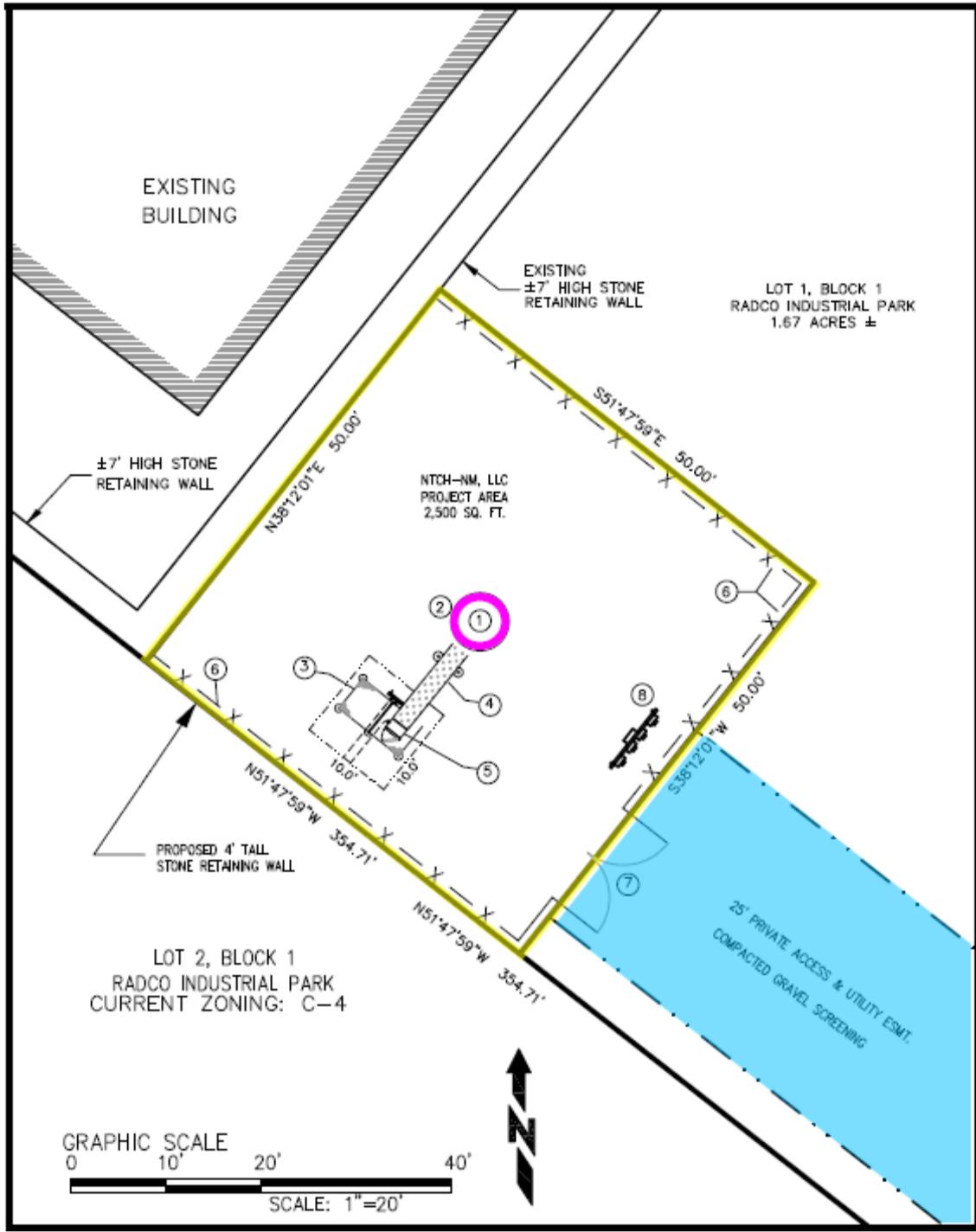
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ATTACHMENT 3

PZST16-00010





ATTACHMENT 6

FROM EAST PRE-CONSTRUCTION



FROM EAST POST-CONSTRUCTION



FROM NORTH PRE-CONSTRUCTION



FROM NORTH POST-CONSTRUCTION



FROM NORTHEAST PRE-CONSTRUCTION



FROM NORTHEAST POST-CONSTRUCTION



FROM SOUTH PRE-CONSTRUCTION



FROM SOUTH POST-CONSTRUCTION



FROM SOUTH PRE-CONSTRUCTION



FROM SOUTH POST-CONSTRUCTION

