City of El Paso – City Plan Commission Staff Report

Case No:	PZDS15-00010
Application Type:	Detailed Site Development Plan Review
CPC Hearing Date:	June 18, 2015
Staff Planner:	Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
Location:	West of Resler Drive and North of Interstate 10
Legal Description:	Portion of Tract 3A, A.F. Miller Survey No. 210, City of El Paso, El Paso County, Texas
Acreage:	14.85 acres
Rep District:	8
Current Zoning:	C-3/sc (Commercial/special contract)
Existing Use:	Vacant
C/SC/SP/ZBA/LNC:	Special contract imposed by Ordinance No. 9198, dated October 27, 1987
Request:	Detailed Site Development Plan Review
Proposed Use:	Apartments
Property Owner:	Camino Real Investments 1, LTD
Representative:	Conde, Inc.

SURROUNDING ZONING AND LAND USE
North: C-3/sc (Commercial/special contract) / Vacant
South: C-4/sc (Commercial/special contract) / Vacant
East: R-3 (Residential) / Single-family dwellings
West: C-3/sc (Commercial/special contract) & C-4/sc (Commercial/special contract) / Vacant

PLAN EL PASO DESIGNATION: G-4 Suburban (Walkable) (Northwest Planning Area)
NEAREST PARK: J.P. Irwin J. Lambka Park (7,772 feet)
NEAREST SCHOOL: Coronado High School (5,709 feet)

NEIGHBORHOOD ASSOCIATIONS
Upper Mesa Hills Improvement Association
Upper Vallet Improvement Association
Coronado neighborhood Association
Save the Valley

NEIGHBORHOOD INPUT
Detailed Site Development Plan Review does not require public notification as per Section 20.04.520, *Notice* of the El Paso City Code.

CASE HISTORY
On October 27, 1987, City Council approved Ordinance No. 9198 (Attachment 5), rezoning the subject property and imposing conditions by a special contract as follows:

1. *Prior to the issuance of a building permit for any parcel, a subdivision plat must be filed of record for that particular parcel.*

Condition #1 is no longer applicable, as it is part of our current code.

2. *The maximum height of any buildings constructed on those portions of Parcel 3 and 5 which abut Sandcastle and Coronado Hills Subdivision, or any buildings constructed on Parcel 4, shall not be*

higher than the finished grade of these two subdivisions.

The proposed development complies with Condition #2.

3. *Prior to the issuance of a building permit for Parcels 3, 4, and 5, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.*

The present detailed site development plan review has been submitted to fulfill Condition #3.

4. *Any subdivision plat(s) approved for Parcel 5 (A-2) must provide for the dedication, improvement and extensuion of Alto Mesa Drive, to Resler Drive.*

Condition #4 is not applicable.

5. *The extension of Marcena Drive through parcel 5 is prohibited.*

Condition #5 is not applicable.

APPLICATION DESCRIPTION

The detailed site development plan shows 30 apartment buildings totaling 142,902 sq. ft. on a currently vacant 14.85 acre parcel. The proposed use is an apartment complex. The development requires 484 parking spaces and proposes 585 parking spaces, including 11 ADA accessible parking spaces and 24 bicycle parking spaces. Access to the subject property is proposed from Desert Pass Street.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan request as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan.

ANALYSIS

20.04.140 When required.

Except as stated herein, a detailed site development plan is required prior to development in a special purpose district or with a special permit application and may be required if a zoning condition exists on a particular piece of property. Detailed site development plans are not required for any projects for development in the Mixed Use District (RMU, GMU and IMU) or for any other projects other than those located in special purpose districts or as otherwise required herein.

A detailed site development plan review is required due a condition imposed on the subject property. Ordinance No. 9198 requires that a detailed site development plan be approved by the City Plan Commission and the El Paso City Council.

20.04.150 Procedure.

C. Administrative approval. Detailed site development plans meeting the following conditions shall be reviewed and approved by the zoning administrator:
   1. The site is two acres or less in size, and
   2. The site plan contains no more than two buildings, and
   3. The site plan complies with any zoning conditions and all city code provisions, to include the tables for uses and density and dimensional standards and;
   4. The city's department of transportation has no concerns with access or restriction of access to the site; and,
   5. The site plan complies with staff recommendations concerning the location of stormwater drainage structures and easements to include onsite ponding areas; the location and arrangement of structures, vehicular and pedestrian ways; open spaces and landscape planted areas. Staff recommendations shall not require that the site plan have landscaping

in excess of what is required under the city code or any zoning condition. If the zoning administrator does not approve an applicant's detailed site development plan, the applicant may appeal the decision to the city plan commission. The applicant must file the appeal with the zoning administrator within fifteen business days from the date of the zoning administrator's decision. The zoning administrator shall place the appeal on the city plan commission agenda to be heard by the commission within thirty business days from the date the appeal was received. The zoning administrator shall include the detailed site plan, the appeal, and a summary of the zoning administrator's reasons for disapproving the detailed site plan.

This detailed site development plan is not eligible for administrative approval as the condition requires approval by the City Plan Commission and the El Paso City Council.

D. City plan commission approval. Pursuant to this Code, the city plan commission, in addition to the powers and duties identified in this chapter, shall have final authority on approval of all other detailed site development plans, unless a zoning condition, contract provision, other city code provision or state law require the detailed site development plan to be approved by city council.

1. The planning division shall make its recommendations to the city plan commission within thirty days after a complete application is submitted.
2. The city plan commission shall hold a public hearing at its regular meeting that is within thirty days from receipt of department recommendations.
3. The commission shall consider the following information when approving a proposed detailed site development plan: the boundaries of the tract proposed for development; location and arrangement of structures; determine if the use conforms to applicable zoning regulations, determine if historic landmark commission approval has been granted for architectural design of all structures if located in a historic district and the design conforms to such approval; location of utility rights-of-way and easements and stormwater drainage; vehicular and pedestrian ways; on-site parking areas; location of open spaces and landscape planted areas.
4. In no instance shall the city plan commission have authority to vary the yard standards applicable to the district.
5. The city plan commission shall approve the plan if it complies with all applicable code provisions.

Planning Staff has reviewed the detailed site development plan and recommends approval as it meets all of the requirements.

Plan El Paso- Future Land Use Map Designation

All applications for detailed site plan review shall demonstrate compliance with the following criteria:

G-4 – Suburban (Walkable): This sector applies to modern singleuse 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.

The purpose of the C-3 (Community Commercial) district is to provide commercial uses intended to provide goods or render services which are used in support of the community's trade and service establishments and serving multi-neighborhoods. Permits 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. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Planning and Inspections Department – Plan Review
No objections to proposed DSDP. Upon submittal construction documents will need to comply with all applicable provisions of the IBC, TAS and local building and landscape code.

Planning and Inspections Department - Land Development
No objections.

Planning and Inspections Department - Landscape
Recommenda approval

Fire Department
Recommend Approval. Please note that Fire Hydrants and Fire Protection Systems are not reviewed at this time.

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

The Owner/Developer of Desert Pass Unit 1 has entered into a Development Agreement with the El Paso Water Utilities – Public Service Board (EPWU-PSB) to construct an 8-inch diameter water main along Desert Pass St. and an 8-inch diameter sewer main along a portion of Desert Pass St., south of the 20-ft drainage easement. These mains will be available for service after EPWU issues final acceptance.

Water:

1. An 8-inch diameter water main is being constructed along Desert Pass Street approximately10-ft east from the center line of the right-of-way, under Desert Pass Unit 1 Development Agreement. The main will be available for service after EPWU issues final acceptance.

2. The subdivision is anticipated to be located within an intermediate pressure zone. Pressure reducing and pressure relief valves will be required within the water distribution system. In addition, private water pressure regulating devices will be required at the discharge side of each water meter. The Owner/Developer shall include in the sale of contract documents that the lot buyer shall acquire ownership of the above-described water pressure regulating devices to be located at the discharge side of the water meters.

Sewer:

1. There is an existing 12/15-inch diameter sanitary sewer main located within the existing 30-foot wide PSB Easement that extends along a portion of the proposed Desert Pass Drive. This main is available for service.

2. An 8-inch diameter sanitary sewer main is being constructed along Desert Pass Street under Desert Pass Unit 1 Development Agreement. Said main extends 860 feet south of a manhole located approximately 1746-ft south of Gem Street and is located approximately 5-ft west from the center line of the right-of-way. The line will be available for service after EPWU issues final acceptance.

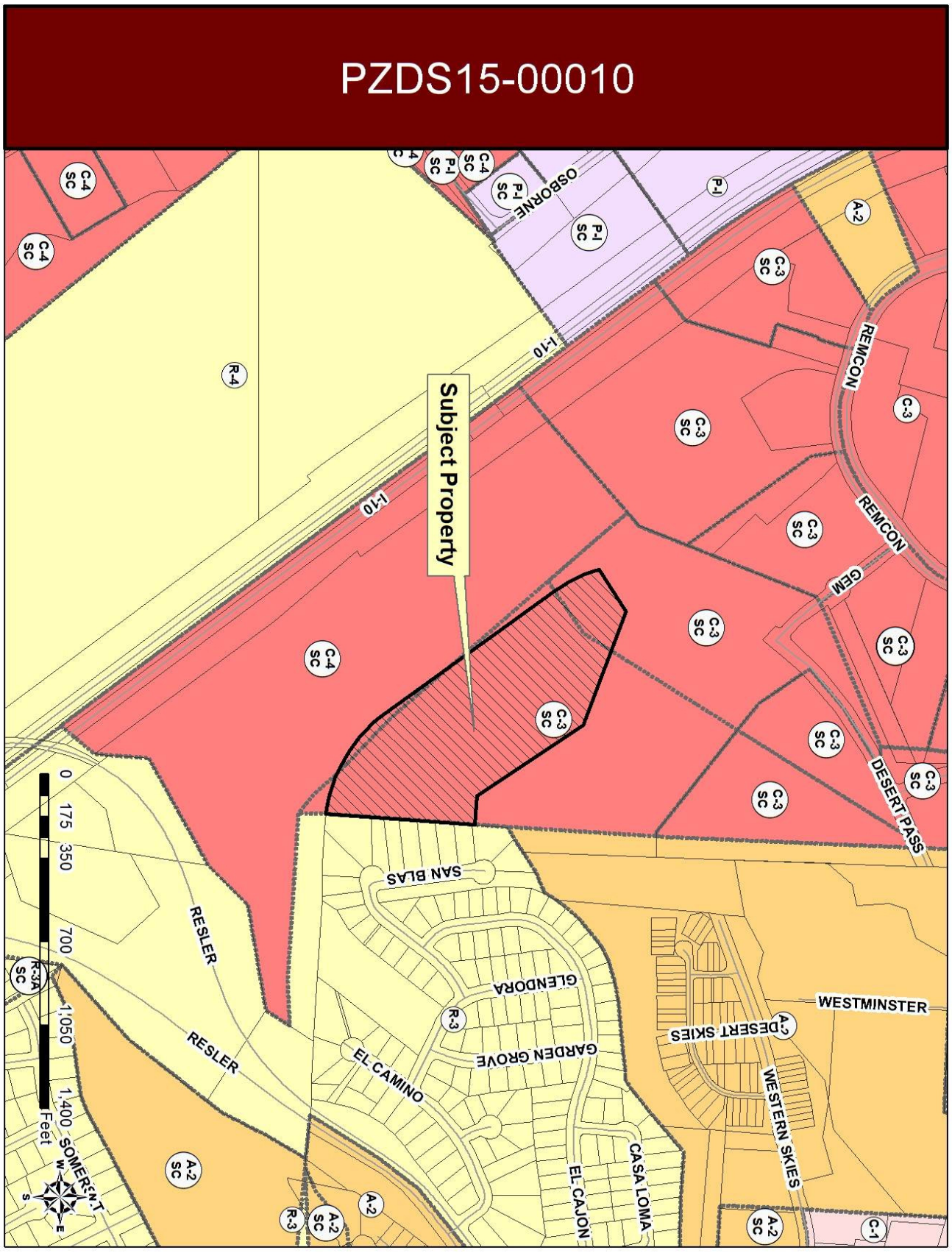
General:

1. During the site improvement work, the Owner/Developer shall safeguard the existing sanitary sewer main and appurtenant structures. The Owner/Developer shall minimize changes in grade above or near the vicinity of the existing PSB facilities and is responsible for the cost of setting appurtenant structures to final grade.
2. EPWU requires a new service application 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 with street names and addresses; (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. Elevations
5. Ordinance No. 9198

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN

ATTACHMENT 4: ELEVATIONS

Typical Front Elevation

NTS

Typical Rear Elevation

NTS

ATTACHMENT 5: ORDINANCE NO. 9198

87-5313

009198

AN ORDINANCE CHANGING THE ZONING OF PORTIONS OF A.F. MILLER SURVEYS NO. 210 AND 213; A PORTION OF J.F. DRISCOLL SURVEY NO. 372; AND A PORTION OF C.A. ENGELFRUEND SURVEY NO. 112. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO CITY CODE.

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

That the zoning of portions of A.F. Miller Surveys No. 210 and 213; a portion of J.F. Driscoll Survey No. 372; and a portion of C.A. Engelfruend Survey No. 112, as more particularly described by metes and bounds in the attached Exhibit "A", be changed as follows:

Parcel No. 1: R-3 (Residential) to C-3 (Commercial)
Parcel No. 2: R-3 (Residential) to A-O (Apartment/Office)
Parcel No. 3: R-3 (Residential) to A-2 (Apartment)
Parcel No. 4: R-3 (Residential) to C-4 (Commercial)
Parcel No. 5: R-3 (Residential) to A-2 (Apartment)
Parcel No. 6: R-3 (Residential) to R-3A (Residential)

within the meaning of the zoning ordinance, subject to a special contract placing certain restrictions, conditions and covenants on the property, and that the zoning map of the City of El Paso be revised accordingly.

PASSED AND APPROVED this 27th day of October, 1987.

Jonathan W. Rogers
Mayor

ATTEST:
Carole Hunter
City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISED:
7-25-89 [illegible]
7-25-89 ORIGINAL
7-25-89 Bldg.
7-25-89 CONTROL
R. Gonzales

APPROVED AS TO FORM:
C. Gibson
Assistant City Attorney

APPROVED AS TO CONTENT:
Ray Gilyard
Department of Planning, Research and Development

ZNG3:5313.87

I certify that the zoning map has been revised to reflect the amendment of ordinance 09198
009198 By: R. Gonzales Date: 7-25-89

RECEIVED
MAY 22 1989
ZONING DEPT.
LAND DEVELOPMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

CONTRACT

THIS CONTRACT made this 9th day of May, 1989, by and between INTERNATIONAL CITY DEVELOPERS, INC., First Party, and the CITY OF EL PASO, Second Party, witnesseth:

Application has been made to the City of El Paso for the rezoning of portions of A.F. Miller Surveys No. 210 and 213; a portion of J.F. Driscoll Survey No. 372; and a portion of C.A. Engelfruend Survey No. 112, City and County of El Paso, Texas, which is more particularly described by metes and bounds in the attached Exhibit "A" which is made a part hereof by reference. To remove certain objections to such rezoning, First Party covenants that if the property is rezoned as follows:

Parcel No. 1: R-3 (Residential) to C-3 (Commercial)
Parcel No. 2: R-3 (Residential) to A-O (Apartment/Office)
Parcel No. 3: R-3 (Residential) to A-2 (Apartment)
Parcel No. 4: R-3 (Residential) to C-4 (Commercial)
Parcel No. 5: R-3 (Residential) to A-2 (Apartment)
Parcel No. 6: R-3 (Residential) to R-3A (Residential)

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. Prior to the issuance of a building permit for any parcel, a subdivision plat must be filed of record for that particular parcel.

2. The maximum height of any buildings constructed on those portions of Parcels 3 and 5 which abut Sandcastle and Coronado Hills Subdivisions, or any buildings constructed on Parcel 4, shall not be higher than the finished grade of these two subdivisions.

1

3. Prior to the issuance of a building permit for Parcels 3, 4 and 5, a detailed site development plan must be approved by the City Plan Commission and the Mayor and City Council.

4. Any subdivision plat(s) approved for Parcel 5 (A-2) must provide for the dedication, improvement and extension of Alto Mesa Drive, to Resler Drive.

5. The extension of Marcena Drive through Parcel 5 is prohibited.

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

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity or necessitating the amendment of the ordinance passed by the City Council embodying this change of zoning and subject to this contract.

WITNESS THE FOLLOWING SIGNATURES AND SEALS:

SIGNATURES CONTINUE ON NEXT PAGE

FIRST PARTY:
INTERNATIONAL CITY DEVELOPERS, INC.

By _____

Title Vice-Pres

ATTEST:

N/A
Secretary

SECOND PARTY:
THE CITY OF EL PASO

By _____
Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

Assistant City Attorney

APPROVED AS TO CONTENT:

Department of Planning,
Research and Development

ACKNOWLEDGEMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

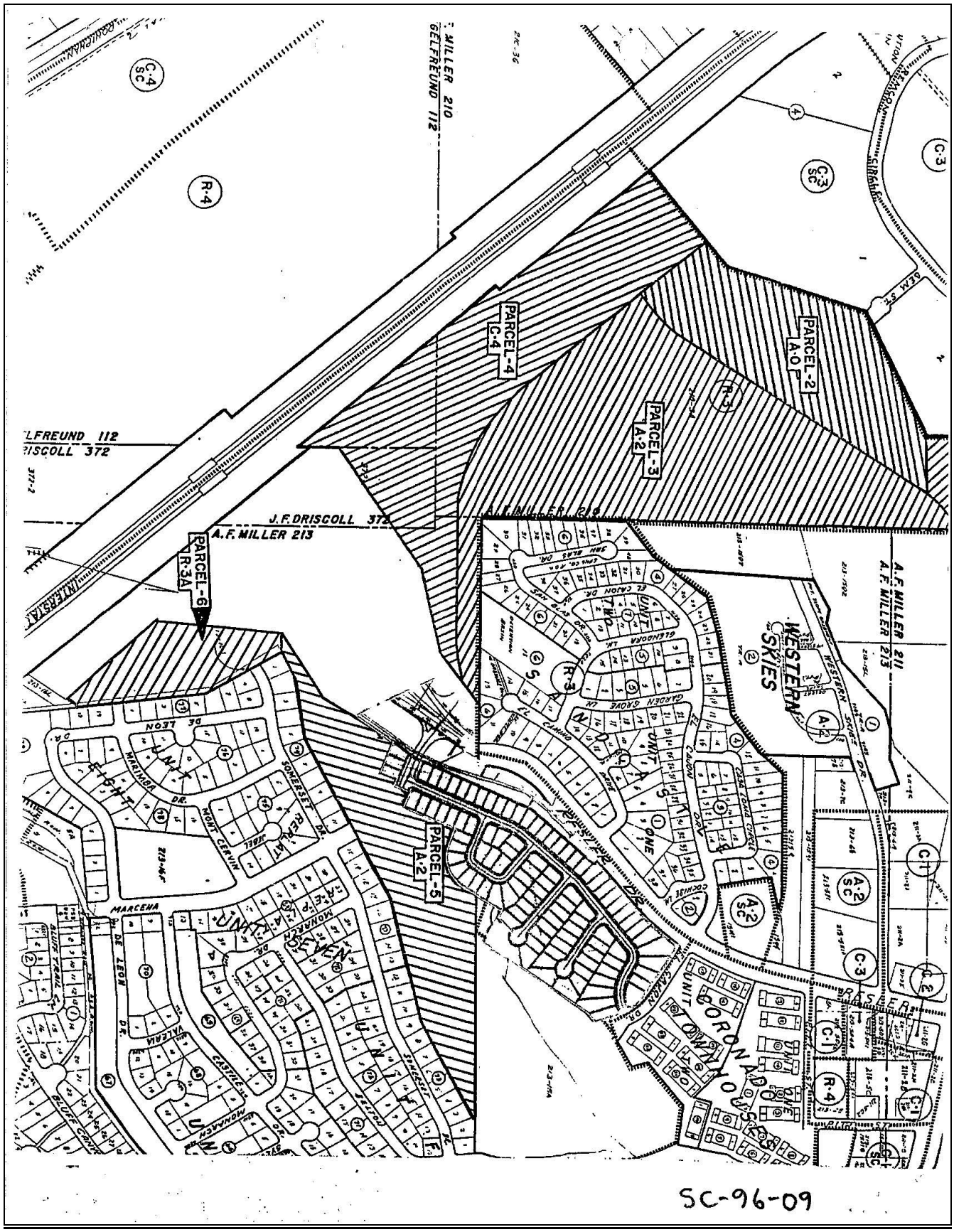
This instrument was acknowledged before me on this 11th day of May, 1989, by John C. Foster as Vice-President on behalf of INTERNATIONAL CITY DEVELOPERS, INC.

GLORIA T. ALVARADO
Notary Public
STATE OF TEXAS
My Comm. Exp. 4/6/91

My Commission Expires:

Notary Public, State of Texas
Notary's Printed or Typed Name: Gloria T. Alvarado

ACKNOWLEDGEMENTS CONTINUE ON NEXT PAGE


PARCEL-4
C-4
PARCEL-2
A-0
PARCEL-3
A-2
PARCEL-6
R-3A
PARCEL-5
A-2
A.F. MILLER 213
J.F. DRISCOLL 372
A.F. MILLER 210
GELFREUND 112
A.F. MILLER 211
A.F. MILLER 213
WESTERN SKIES
UNIT TWO
UNIT ONE
UNIT SEVEN
UNIT EIGHT
CORONADO HOUSE
DE LEON
MARIMBA DR.
MONT CERVIN
SOMERSET DR.
MARCENA
DE LEON DR.
BLUFF TRAIL
BLUFF COVE
YALEAM
CASTILE PL.
MONARCH
SPENCER ST.
GEORGIA
CAMINO
CADIZ
CORAL CIRCLE
COCHISE LN.
GARDEN GROVE LN.
GLENDORA LN.
EL CHARO DR.
SAN BLAS CT.
R-4
C-3
C-1
A-2
R-3
SC-96-09