



City of El Paso – City Plan Commission Staff Report

Case No: PZDS14-00016
Application Type: Detailed Site Development Plan Review
CPC Hearing Date: June 19, 2014
Staff Planner: Michael McElroy, (915) 212-1612, mcelroyms@elpasotexas.gov
Location: 12302 Montana Avenue
Legal Description: Lot 1, Block 1, Hueco Commercial Unit 1, City of El Paso, El Paso County, Texas
Acreage: 10.85 acres
Rep District: 5
Current Zoning: C-4/c (Commercial/condition)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Yes; Condition (see attachment 4)
Request: Detailed Site Development Plan Review
Property Owner: River Oaks Properties, LTD
Representative: Georges Halloul

SURROUNDING ZONING AND LAND USE

North: C-4 (Commercial) / Vacant
South: P-R II (Planned Residential 2) / Single-Family Homes
East: County of El Paso / Cemetery
West: C-4/c (Commercial/contract) / Retail

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

NEAREST PARK: Tierra del Este #18 Park (2,099 feet)

NEAREST SCHOOL: El Dorado High School (3,434 feet)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association
Las Tierras Neighborhood Association

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.

APPLICATION BACKGROUND

In consideration for rezoning the property from R-3 (Residential) to C-4 (Commercial), a condition included in Ordinance 15023, dated January 29, 2002, requires the submission of a detailed site development plan to be approved by the City Plan Commission before the issuance of building permits and a 10' landscape where abutting residentially zoned property.

APPLICATION DESCRIPTION

The detailed site development plan shows a 472,938 sq. ft. commercial shopping center proposed to be developed in two phases. The development requires a minimum of 152 parking spaces and the applicant is providing 296 parking spaces and 15 bicycle spaces. The applicant will be required to provide additional parking lot trees for the excess parking at the building permits stage. Access to the subject property is proposed from Tierra Este Road and Montana Avenue.

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 to a condition imposed on the subject property.

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.

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 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.

The purpose of the C-4 (Regional Commercial District) district is intended to serve the entire City to permit heavy commercial uses characterized by automotive and light warehousing. 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 Division – Transportation

Recommend Approval.

General Note:

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.

City Development Department – City Development & Permitting

No objections to proposed detailed site plan. Applicant will need to provide and meet all typical dimensions for parking stalls and driveway aisles. Staff recommends better pedestrian and ADA connectivity within the shopping center.

City Development Department - Land Development

No objections.

Fire Department

Recommend “Approval” of “Detailed Site Plan Application” as presented.

*****NOTE *****

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”.

The Fire Planning Division has reviewed the submitted “Detailed Site Plan Application” as per requirements of the Zoning Code Section 20.04.160 Content of application and has determined that the submission DOES comply within the zoning regulations.

El Paso Water Utilities

We have reviewed the Detailed Site Development Plan above and provide the following comments:

1. EPWU does not object to this request.
2. The Owner/Developer will enter into a Development Agreement with the El Paso Water Utilities – Public Service Board (EPWU-PSB) to construct, 12-inch and an 8-inch diameter water mains and 12-inch diameter sanitary sewer main to provide service to this property. The Developer's utility contractor will install the required water and sanitary sewer mains which will be available for permanent service after EPWU-PSB issues a Letter of Final Acceptance of the facilities.

EPWU-PSB Comments

Water:

1. There is an existing twenty-four (24) inch diameter water transmission main that extends along Montana Avenue between Tierra Este Road and Rich Beem Boulevard. No service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
2. There is an existing sixteen (16) inch diameter water main that extends along Tierra Este Road between Montana Avenue and Tierra Arena Drive, no service connections are allowed to this main. At approximately 500 feet south of Montana Avenue there is an existing eight (8) inch diameter water stub-out originating from the described 16-inch diameter water main. The 8-inch diameter stub-out is aligned towards the east. All water main extension costs are the responsibility of the Owner/Developer.
3. A (12) inch diameter water main will need to be extended along the northern boundary of the Subject Property, paralleling Montana Avenue, within a proposed (20) foot easement. This main will connect to the (16) inch diameter water main described above. Water main extension cost are the responsibility of the Owner/Developer.

Sanitary Sewer:

1. There is an existing twenty-seven (27) inch diameter sanitary sewer main that extends along the centerline of Tierra Este Road. No service connections are allowed to this main. There is an existing twelve (12) inch diameter sanitary sewer stub-out located at approximately 40 feet south of Montana Avenue. There are two (2) additional eight (8) inch diameter sanitary sewer stub-outs. The stub-outs are located at approximately 455 feet and 830 feet respectively south of Montana Avenue.
2. A (12) inch diameter sanitary sewer main will need to be extended along the northern boundary of the Subject Property, parallel to Montana Avenue, within a proposed (8) foot easement. This main will connect to the (12) inch sanitary sewer stub-out described above. The sanitary sewer main extension costs are the responsibility of the Owner/Developer.

General:

1. Annexation fees are due at the time of new service application for individual water meters within the subject property.
2. Montana Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Montana Avenue right-of-way requires written permission from TxDOT.
3. EPWU-PSB exclusive easements will be required in order to accommodate water and sanitary sewer main extensions to serve the Property.
4. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.

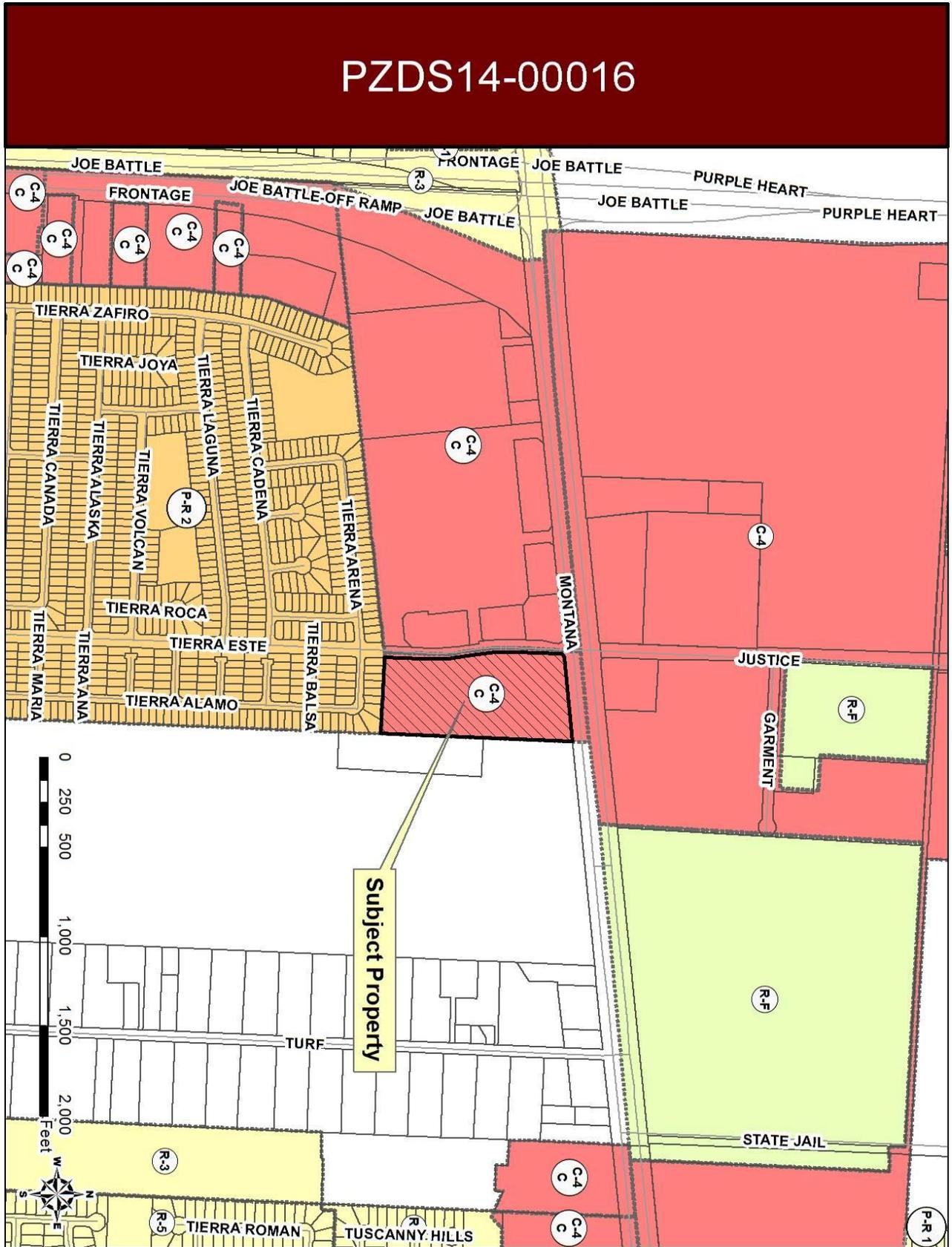
5. All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy. Buildings shall be located 5 feet away from the easement line. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easements 24 hours a day, seven (7) days a week.
6. 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.
7. EPWU requires a new service application to provide 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. Detailed Site Plan
4. Ordinance No. 15023

ATTACHMENT 1: ZONING MAP

PZDS14-00016



ATTACHMENT 2: AERIAL MAP

PZDS14-00016



ATTACHMENT 4: ORDINANCE NO. 15023

ORDINANCE NO. 15023

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 33 AND ALL OF TRACTS 1 AND 1A, SECTION 40, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (EAST OF LOOP 375 AND SOUTH OF MONTANA AVENUE) AS FOLLOWS: PARCEL 1, FROM R-3 (RESIDENTIAL) TO C-4/C (COMMERCIAL/CONDITIONS); PARCEL 2, FROM R-3 (RESIDENTIAL) TO PR-II (PLANNED RESIDENTIAL); PARCEL 3, FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL); PARCEL 4, FROM R-3 (RESIDENTIAL) TO C-3/C (COMMERCIAL/CONDITIONS); AND PARCEL 5, FROM R-3 (RESIDENTIAL) TO R-3A (RESIDENTIAL), AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of a portion of Section 33 and all of Tracts 1 and 1A, Section 40, Block 79, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A", be changed as follows:

Parcel 1(144.587 Acres):	from R-3 (Residential) to C-4/c (Commercial/conditions)
Parcel 2 (121.717 Acres):	from R-3 (Residential) to PR-II (Planned Residential)
Parcel 3 (247.900 Acres):	from R-3 (Residential) to R-5 (Residential)
Parcel 4 (26.063 Acres):	from R-3 (Residential) to C-3/c (Commercial/conditions)
Parcel 5 (280.682 Acres):	from R-3 (Residential) to R-3A (Residential)

within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

That Parcel 1 and Parcel 4 be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-3 (Residential) in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

Parcel 1

1. Prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved by the City Plan Commission.
2. A ten (10) foot landscaped buffer to include evergreen trees placed at 15 feet on center shall be required between the C-4 parcel and the abutting residential parcels.

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ORDINANCE NO. _____

Zoning Case No. ZC-01061

ATTACHMENT 4: ORDINANCE NO. 15023 (CONTINUED)

Parcel 4 - the following C-3 uses are prohibited:

1. Automobile, light truck, bus, motorcycle & boat sales, storage, rental and service
2. Hotels, motels or motor lodge
3. Transportation terminal
4. Trailer, mobile home, travel trailer & recreational vehicle sales, display & repair
5. Travel trailer & mobile home parks

These conditions run with the land, are a charge and servitude thereon, and bind the current property owner and any successors in title. The City may enforce these conditions by injunction, by rescission of the zoning which is made appropriate as a result of these conditions, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the above conditions in its discretion without the consent of any third person who may be benefited thereby, and without affecting the validity of this ordinance.

PASSED AND APPROVED this 29th day of **January, 2002.**

THE CITY OF EL PASO



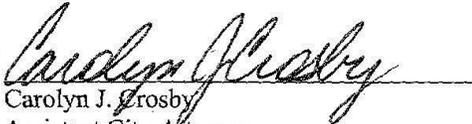
Raymond C. Caballero
Mayor

ATTEST:



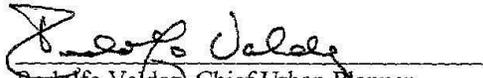
Carole Hunter
City Clerk

APPROVED AS TO FORM:



Carolyn J. Grosby
Assistant City Attorney

APPROVED AS TO CONTENT:

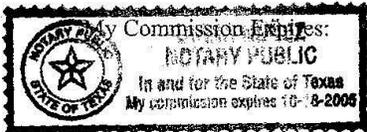


Rodolfo Valdez, Chief Urban Planner
Dept. of Planning, Research & Development

Acknowledgment

THE STATE OF TEXAS }
 }
COUNTY OF EL PASO }

This instrument is acknowledged before me on this 4th day of February, 2002 by RAYMOND C. CABALLERO as Mayor of THE CITY OF EL PASO.



Diana Nunez
Notary Public, State of Texas
Notary's Printed or Typed Name:
Diana Nunez

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ORDINANCE NO. _____

Zoning Case No. ZC-01061