



City of El Paso – City Plan Commission Staff Report

Case No: PZDS14-00022
Application Type Detailed Site Development Plan Review
CPC Hearing Date July 31, 2014
Staff Planner Arturo Rubio, 915-212-1613, rubioax@elpasotexas.gov

Location 1110 Sunland Park Drive
Legal Description A portion of Tract 2, Block 1, Upper Valley Surveys, City of El Paso, El Paso County, Texas

Acreage 4.682 acres
Rep District 8
Existing Use Vacant
Existing Zoning C-3/c (Commercial/conditions)
C/SC/SP/ZBA/LNC C: Ordinance No. 15891 dated September 7, 2004, and Amending Ordinance No. 017434 dated October 19, 2010 (see Attachments 5 and 6)

Request Detailed Site Plan Review per Ordinance No. 15891 dated September 7, 2004
Proposed Use Superstore (Neighborhood Market)

Property Owner EP Sunland, LLC
Representative Kimley-Horn and Associates, Inc.

SURROUNDING ZONING AND LAND USE

North: C-3/sc (Commercial/special contract)/Warehousing / R-3 (Residential)/Single-family dwellings
South: A-O (Apartment Office)/Office / C-1 (Commercial)/Office / New Mexico State Line
East: C-3/c/ (Commercial/conditions)/Vacant / R-3 (Residential)/Vacant / New Mexico State Line
West: R-4 (Residential)/Single-family dwellings / C-2 (Commercial)/Warehousing

THE PLAN FOR EL PASO DESIGNATION: G-3, Post-War (Northwest Plan Area)

Nearest Park: Pacific Park (3,421 feet)

Nearest School: Zach White Elementary (6,500 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 per Section 20.04.520, *Notice of the El Paso City Code*.

CASE HISTORY

On September 7, 2004, the City Council approved the rezoning of subject property from R-3 (Residential) to C-3 (Commercial) by Ordinance No. 15891 and imposed the following conditions:

1. Prior to the issuance of any building permits, a detailed site development plan shall be reviewed and approved per the El Paso Municipal Code (see Attachment 5).

The development is over 2 acres in size and does not qualify for Administrative Review per Section 20.04.150; City Plan Commission review and approval is therefore required. Condition #1 will be satisfied by the submittal and approval of the detailed site development plan application.

2. The following uses shall be prohibited: automotive repair garage, automobile, light heavy trucks, buses, motorcycles and boat sales, rental or service; trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; automobile or truck parts sales, travel trailer or mobile home parks; and Transportation Terminal Type A (see Attachment 5).

Condition #2 has been satisfied as none of the prohibited uses are proposed.

On October 19, 2010 the City Council approved an amendment to Condition #2 by Ordinance No. 017434 to remove the word “*storage*,” with the remainder of the conditions to remain in place (see Attachment 6). The amendment to Condition #2 has no impact on the proposed development.

APPLICATION DESCRIPTION

The request is for a Detailed Site Development Plan Review as required by a condition imposed by Ordinance No. 15891, dated September 7, 2004, and Amending Ordinance No. 017434, dated October 19, 2010. The detailed site development plan shows a new 41,980 sq. ft. superstore (Neighborhood Market). The development allows a maximum of 168 parking spaces and 9 bicycle parking spaces. The applicant is providing 168 parking spaces and 10 bicycle parking spaces. The required landscaping is 23,934 sq. ft. and the applicant is providing 35,900 sq. ft. The development complies with all other requirements of Section 20.04.150, Detailed Site Development Plan. Access is proposed from Emory Drive and Sunland Park Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **APPROVAL** of the detailed site development plan as it meets all the requirements of Section 20.04.150, Detailed Site Development Plan, and the conditions in Ordinance Nos. 15891 and Amending Ordinance 017434. The project complies with Plan El Paso Land Use Designation of G-3 Post War in the Northwest Plan Area.

ANALYSIS

20.04.140 When required.

Note: Detailed Site Development Plan review is required due to a rezoning condition imposed by Ordinance No. 15891 and Amending Ordinance No. 017434.

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 City Code requirements and the conditions imposed by rezoning and amending Ordinances, and therefore recommend approval.

Plan El Paso- Future Land Use Map Designation

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

G-3 Post War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. 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 accommodate establishments providing goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods within a planning area of the city. The regulations of the districts will permit intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

COMMENTS:

Planning Division – Transportation

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 and Permitting

No objections to proposed DSDP.

City Development Department - Landscaping Review

No comments received.

City Development Department - Land Development

Show storm-water runoff direction and respective pond location.

***Applicant has submitted all the requested information.**

Fire Department

No comments received.

Sun Metro

Sun Metro does not oppose this request; Recommends the construction of sidewalks to permit pedestrian access to mass transit opportunities; Rt. 20 provides services to bus stops at Sunland Park and Doniphan.

El Paso Water Utilities

EPWU does not object to this request.

EPWU-PSB Comments

Water:

There is an existing 12-inch diameter water main along Sunland Park Drive. Also, there is an existing 6-inch diameter water main along Emory Road that dead-ends approximately 500-feet south of the southern right-of-way line of Sunland Park Drive. These mains are available for service.

Sewer:

There is an existing 8-inch diameter sanitary sewer main along the north side of Sunland Park Drive fronting the subject subdivision. This sewer main is approximately 3.0 to 4.0 feet deep and is available for service.

General:

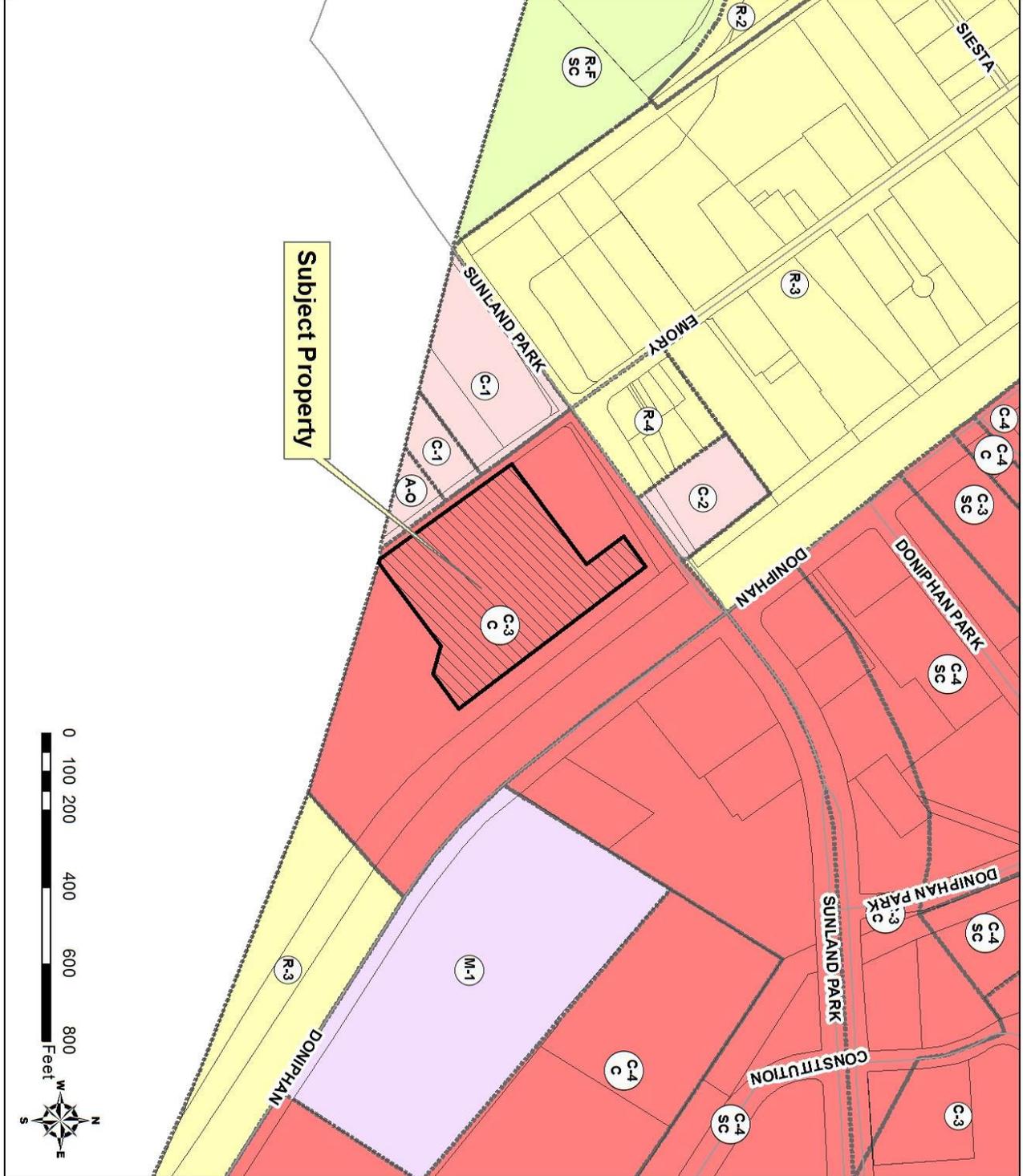
EPWU requires a new service application to serve the subject property. New service applications are available at 1154 Hawkins, 3rd Floor. The following items are required at the time of application: (1) hard copy of subdivision plat with street names and addresses; (2) finalized set of street improvement 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. 15891, dated September 7, 2004
6. Amending Ordinance No. 017434, dated October 19, 2010

ATTACHMENT 1: ZONING MAP

PZDS14-00022

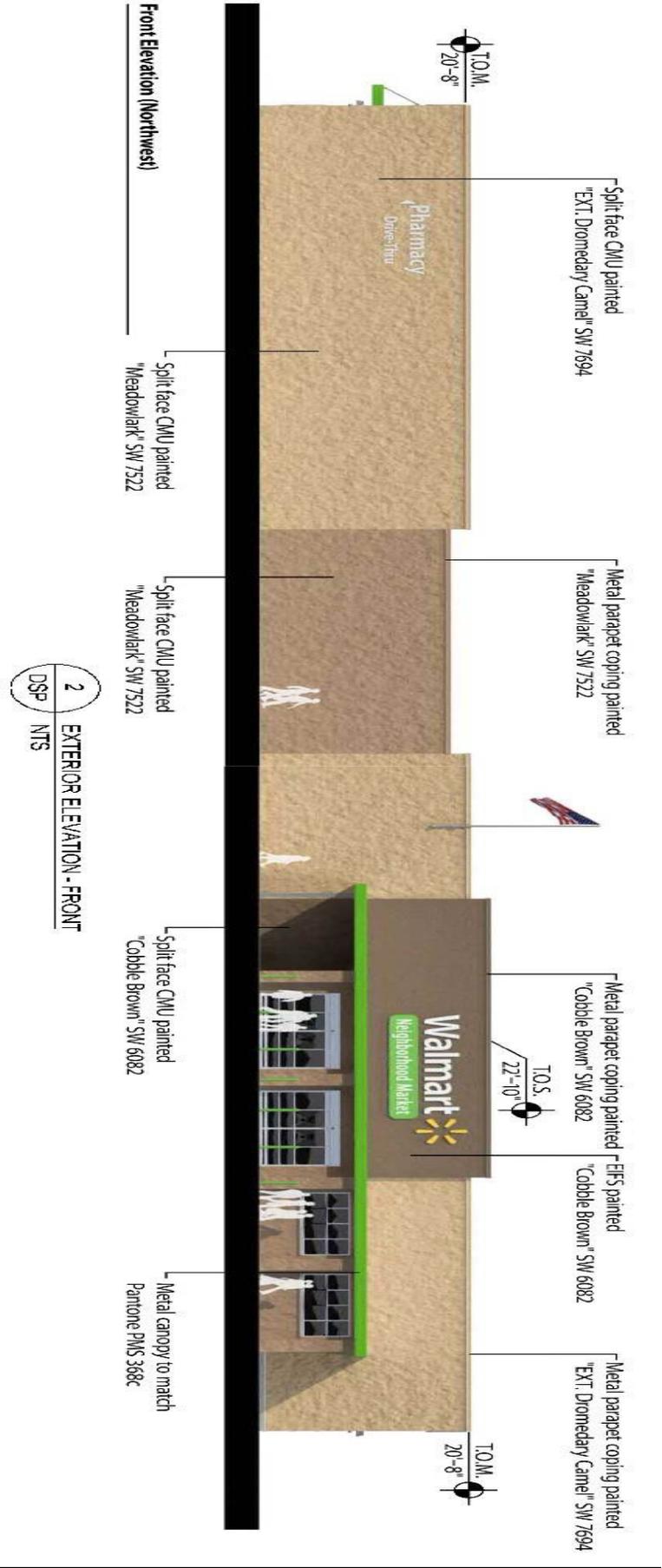


ATTACHMENT 2: AERIAL MAP

PZDS14-00022



ATTACHMENT 4: ELEVATIONS



ATTACHMENT 5: Ordinance 15891 dated September 7, 2004

580

ORDINANCE NO. 15891

AN ORDINANCE CHANGING THE ZONING OF TRACT 2, BLOCK 1, UPPER VALLEY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (SUNLAND PARK DRIVE SOUTH OF DONIPHAN DRIVE) FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL) AND IMPOSING CERTAIN CONDITIONS. THE PENALTY BEING AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

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

That the zoning of *Tract 2, Block 1, Upper Valley Surveys, El Paso, El Paso County, Texas*, be changed **from R-3 (Residential) to C-3 (Commercial)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly; and

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

1. *Prior to the issuance of any building permits, a detailed site plan shall be reviewed and approved per the El Paso Municipal Code.*
2. *The following uses shall be prohibited: automotive repair garage; automobile, light and heavy trucks, buses, motorcycles and boats sales, storage, rental or service; trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; automobile or truck parts sales, travel trailer or mobile home parks; and Transportation Terminal Type A.*

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 benefitted thereby, and without affecting the validity of this ordinance.

(signatures on the following page)

3199/Planning/7/ORD-ZonChange SunlandPark Doniphan MW

1

9/9/2004

ORDINANCE NO. 15891

Zoning Case No. ZON04-00090

PASSED AND APPROVED this 7th day of September, 2004.

THE CITY OF EL PASO

[Signature]
Joe Wardy, Mayor

ATTEST:

[Signature]
Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:

[Signature]
Fred Lopez, Zoning Coordinator
Planning, Research & Development

[Signature]
FOR: Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:

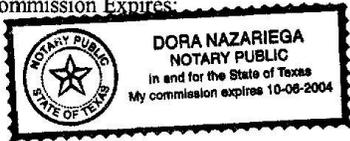
[Signature]
Matt Watson, Assistant City Attorney

Acknowledgment

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 15th day of September, 2004,
by JOE WARDY as MAYOR of THE CITY OF EL PASO.

My Commission Expires:



[Signature]
Notary Public, State of Texas
Notary's Printed or Typed Name:
Dora Nazariega

3199/Planning/7/ORD-ZonChange SunlandPark Doniphan MW

2

9/9/2004

ORDINANCE NO. 15891

Zoning Case No. ZON04-00090

9E
151/3

ORDINANCE NO. 017434

AN ORDINANCE AMENDING A CONDITION PLACED ON PROPERTY BY ORDINANCE NO. 15891 WHICH CHANGED THE ZONING OF TRACT 2 BLOCK 1, UPPER VALLEY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, AND IMPOSED CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, the zoning of the property described as *Tract 2, Block 1, Upper Valley Surveys, City of El Paso, El Paso County, Texas*, was changed by Ordinance No. 15891, approved by City Council on September 7, 2004; and,

WHEREAS, the rezoning was subject to the following two zoning conditions on Tract 2, Block 1, Upper Valley Surveys, City of El Paso, El Paso County, Texas:

1. Prior to the issuance of any building permits, a detailed site plan shall be reviewed and approved per the El Paso Municipal Code.

2. That the following uses shall be prohibited: automotive repair garage; automobile, light and heavy trucks, buses, motorcycles and boat sales, storage, rental or service; trailer, mobile home, travel trailer and recreational vehicle sales, display and repair; automobile or truck parts sales, travel trailer or mobile home parks; and Transportation Terminal Type A (see attachment 4); and,

WHEREAS, placement of such conditions were necessitated by and attributable to the increased intensity of use generated by the change of zoning; and,

WHEREAS, the owner (applicant) submitted an application requesting the removal of a portion of the condition on the above described property; and

WHEREAS, a public hearing regarding amendment of the condition was held before the City Plan Commission, and the Commission recommended approval of the amendment of the condition; and,

WHEREAS, the City Council of the City of El Paso has determined that the amendment of a portion of the above condition will protect the best interest, health, safety and welfare of the public in general.

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

1. That zoning condition No. 2 imposed by Ordinance No. 15891 dated September 7, 2004 be amended by removing the word "storage"; and,

CITY CLERK'S OFFICE 10 OCT 25 PM 3:

ORDINANCE NO. 017434

ZON10-00052

#58921/Planning/ORD/ZON10-00052/Zoning Condition Release-Amendment

Document Author: LCUE

2. Except as herein amended, Ordinance No. 15891, approved by City Council on September 7, 2004, shall remain in full force and effect.

PASSED AND APPROVED this 19th day of October, 2010.

THE CITY OF EL PASO



John F. Cook
John F. Cook
Mayor

Richarda Duffy Mohnsen
Richarda Duffy Mohnsen
City Clerk

RECORDED

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Lupe Cuellar
Lupe Cuellar
Assistant City Attorney

Mathew S. McElroy
Mathew S. McElroy, Deputy Director
Planning and Economic Development
Department

CITY CLERK'S OFFICE 10 OCT 25 PM 3:10

ORDINANCE NO. 017434

#58921/Planning/ORD/ZON10-00052/Zoning Condition Release-Amendment

CITY CLERK'S OFFICE
3 Civic Center Plaza
El Paso, TX 79901
Document # 017434