# *City of El Paso – City Plan Commission Staff Report*

**Case No:** PZRZ16-00023 (Related to Special Permit Application PZST16-00018)
**Application Type:** Rezoning
**CPC Hearing Date:** August 11, 2016
**Staff Planner:** Andrew Salloum, 915-212-1643, salloumam@elpasotexas.gov

**Location:** 8725 South Gateway Boulevard
**Legal Description:** Tracts 233 and 234, Maps of Sunrise Acres, City of El Paso, El Paso County, Texas
**Acreage:** 2.00 acres
**Rep District:** 2
**Existing Zoning:** R-4 (Residential) and A-O/c (Apartment/Office/condition)
**Existing Use:** Vacant
**C/SC/SP/ZBA/LNC:** Condition: Ordinance No. 9766, dated July 18, 1989
**Request:** From R-4 (Residential) and A-O (Apartment/Office) to S-D (Special Development)
**Proposed Use:** Hotel

**Property Owner:** AKRH, LLC
**Representative:** SLI Engineering, Inc.

**SURROUNDING ZONING AND LAND USE**
**North**: R-4 (Residential) / Church
**South:** R-4 (Residential) / single-family dwelling; C-2/sp (Commercial/special permit) / Small contractor's yard
**East:** A-O (Apartment/Office) / U.S. 54, the Patriot Freeway; A-2 (Apartment) / Single-family dwellings, apartment complex, and U.S. 54, the Patriot Freeway
**West:** R-4 (Residential) / Single-family dwellings

**PLAN EL PASO DESIGNATION:** G-3, Post-War (Northeast Planning Area)
**NEAREST PARK:** Sunrise Park (2,065 feet)
**NEAREST SCHOOL:** Park Elementary School (4,825 feet)

**NEIGHBORHOOD ASSOCIATION**
Sunrise Neighborhood Association

**NEIGHBORHOOD INPUT**
Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on July 28, 2016. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

**CASE HSITORY**
On July 18 1989, the subject property was rezoned from R-4 (Residential) to A-O/c (Apartment-Office/condition) with the following conditions imposed by Ordinance No. 9766 (Attachment 6):

> *Prior to the issuance of a certificate of occupancy, the property owners must provide a fifteen foot (15') wide landscaped area across the entire front of the property, except where driveway openings are proposed. The required landscaped area shall consist of trees, shrubs, ground cover or a combination thereof.*

The condition has been satisfied as shown on detailed site development plan.

## APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from R-4 (Residential) and A-O (Apartment/Office) to S-D (Special Development) to allow for a hotel. A hotel use is not a permitted use in R-4 (Residential) district; it is a permitted use in S-D zone district with an approval of special permit (PZST16-00018) to include a detailed site development plan application. The request for rezoning is solely to allow for the hotel use as the applicant is not requesting any setback modifications. The subject property is 2.00 acres in size. The detailed site development plan shows a new 54,160 sq. ft. hotel, 45 feet 4 inches in height. The development requires a minimum of 72 parking spaces and the applicant is providing 127 parking spaces and 6 bicycle spaces. Parking exceeds the maximum, therefore additional trees shall be provided. The condition imposed on subject property requires a fifteen (15) foot wide landscaped area across the entire front of the property, which is shown on detailed site development plan as required. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is provided from South Gateway Boulevard and Neptune Drive. This case is related to the special permit application - PZST16-00018.

## PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from R-4 (Residential) to S-D (Special Development) with the following condition:

> *A 10' landscaped buffer with high-profile native trees of at least two-inch (2") caliper and ten (10') in height shall be placed at fifteen (15') on center along the property lines adjacent to the residential use or zone district. The landscaped buffer shall be irrigated and maintained by the property owner at all times and shall be installed prior to the issuance of any certificates of occupancy.*

The recommendation is based on compatibility with the surrounding properties zoned residential, apartment, and commercial districts and uses within the area of the subject property, and in compliance with the Plan El Paso land use designation G-3, Post-War and goals & policy in the Northeast Planning Area.

## Plan El Paso- Future Land Use Map Designation

All applications for rezoning 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 S-D (Special Development) district is to provide an opportunity for mixed-use projects, integrated in design, in certain older residential areas where there is a desire to permit a variety of nonresidential uses while maintaining the established residential appearance and landscaping of the area. The regulations of this district are designed to ensure compatibility with existing uses in the district; to permit the production, exhibit or sale of goods and the providing of services to the public in such older residential areas; to protect the traffic capacity of streets serving such older residential areas; to encourage flexibility by prescribing general performance standards for such older residential areas; and to protect the environment of adjacent areas. For the purpose of this district, older areas of the city shall be deemed those areas where development has existed for at least twenty-five years.

## Plan El Paso - Goals & Policies

Goal 2.2: The City of El Paso should change its growth pattern away from homogeneous land uses and return to a pattern of compact well-connected mixed-use neighborhoods.

Policy 2.2.5: The design of new neighborhoods and additions to existing neighborhoods should strive for a balance of housing, jobs, shopping, recreation, and civic uses to avoid unnecessary travel and reduce infrastructure and public services costs.

**COMMENTS:**

**Planning and Inspections Department - Planning Division - Transportation**
TIA is not required.

No objections to the special permit and detailed site development plan.
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.

**Planning and Inspections Department – Building and Development Permitting**
No objections to rezoning.

**Planning and Inspections Department - Land Development**
No objections to rezoning.

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.

**Street and Maintenance Department**
The development proposed an 85 room hotel; they generate less than 100 trips. TIA is not required.

**Fire Department**
No objections to rezoning.

**Sun Metro**
Sun Metro does not oppose this request.

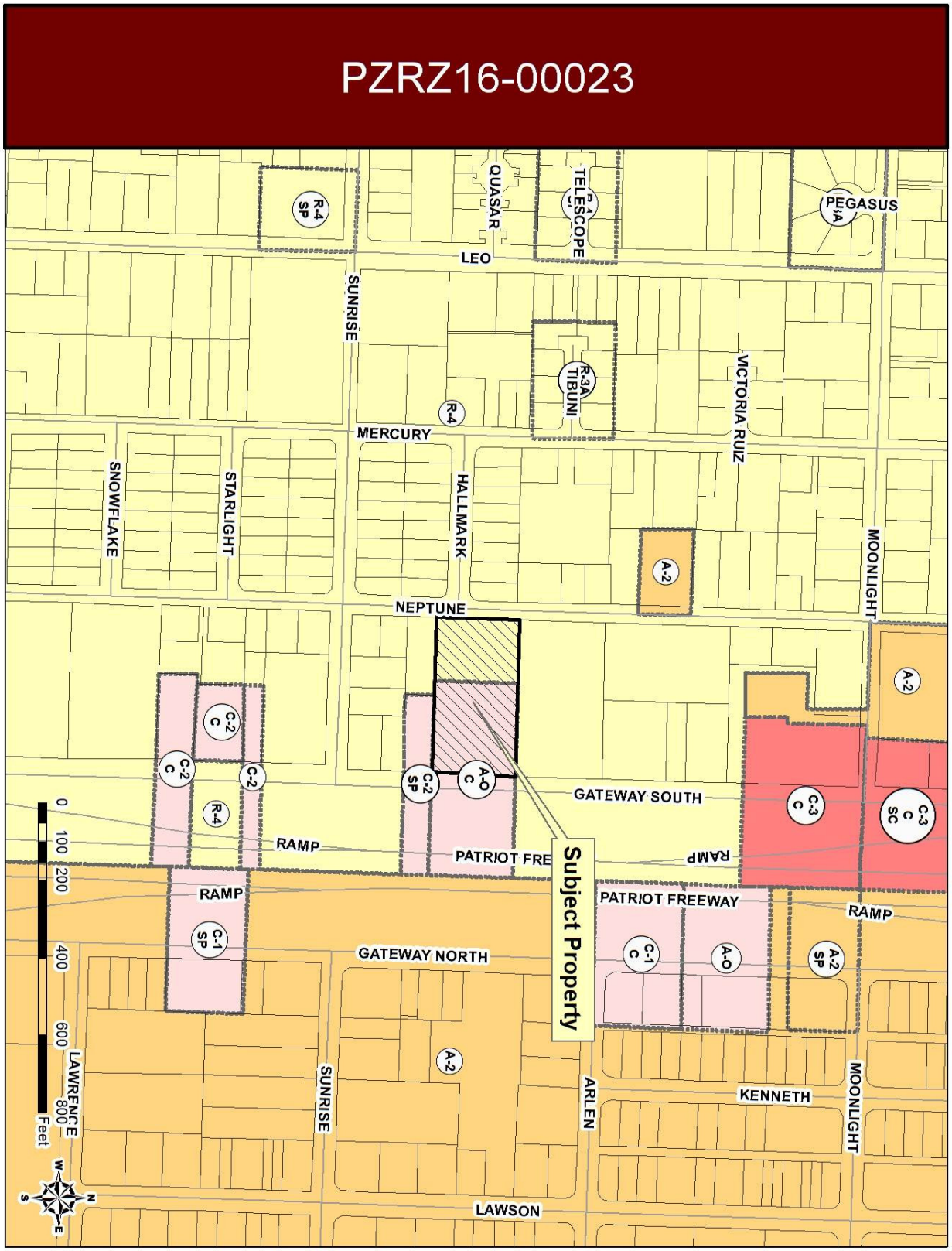
**El Paso Water Utilities**
1. EPWater does not object to this request.
Water:
2. There is an existing 12-inch diameter water main extending along Gateway South Boulevard. This water main is available for service.
3. There is an existing 8-inch diameter water main extending along Neptune Street. This main reduces to a 6" diameter main south of Hallmark Court. This water main is available for service.
4. EPWater records indicate (1) ¾" service meter (Non-Active) on the property with 8725 Gateway South Boulevard as the service address.
5. Previous water pressure from fire hydrant #9104 located at 8747 Gateway South Boulevard and 810' S of Moonlight Drive, has yielded a static pressure of 86 psi, a residual pressure of 82 psi, and a discharge of 1,186 gallons per minute.
6. The owner should, for his own protection and at his own expense shall 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 water pressure regulator device.
Sanitary Sewer:
7. There is an existing 8-inch diameter sanitary sewer main Neptune Street. This main is available for service.
General:
8.Gateway South Boulevard is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Gateway South Boulevard right-of-way requires written permission from TxDOT.
9. EPWater requires a new service application to provide additional services 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 EPWater 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:**

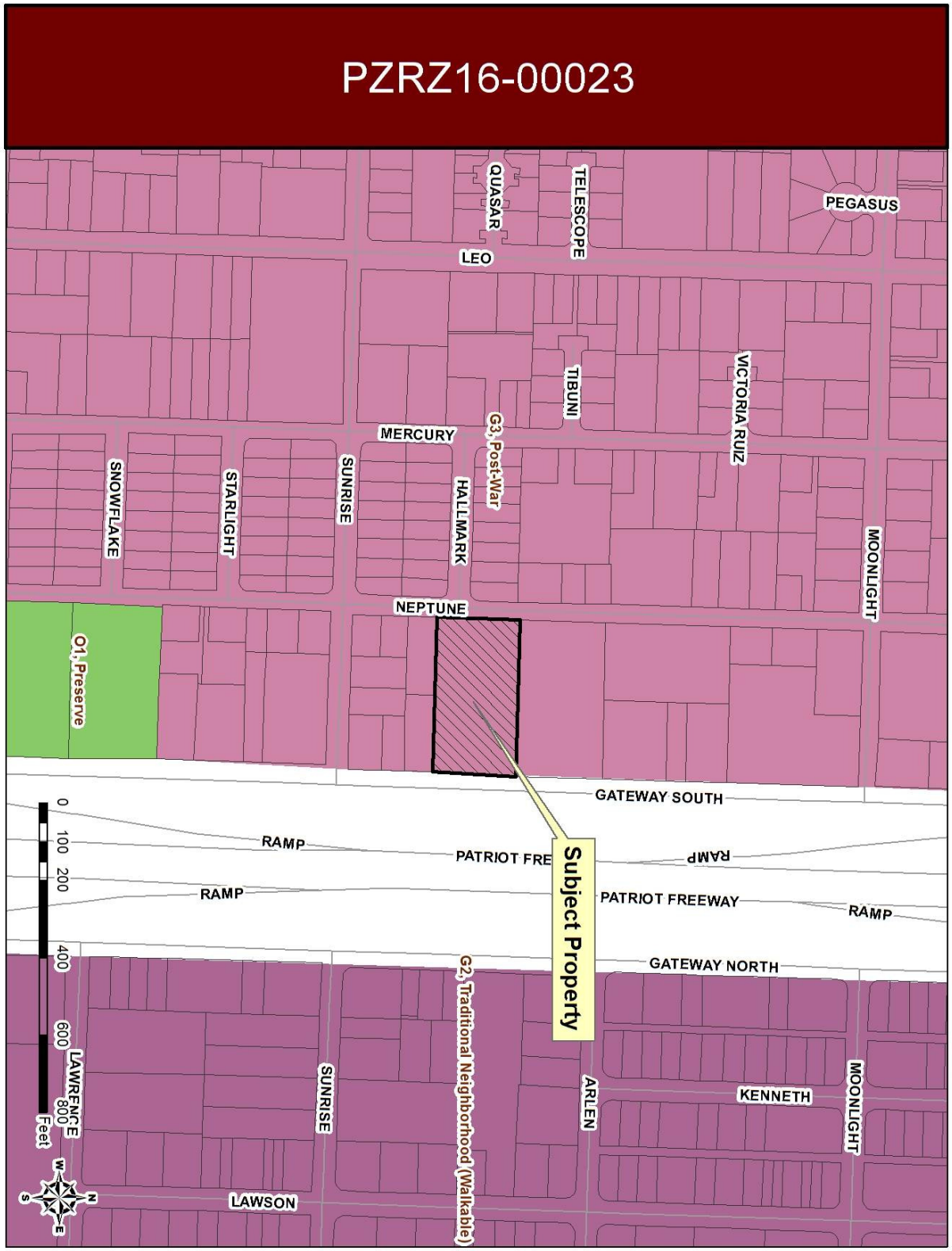
1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Elevation
6. Ordinance No. 9766, dated July 18, 1989

## ATTACHMENT 1: ZONING MAP

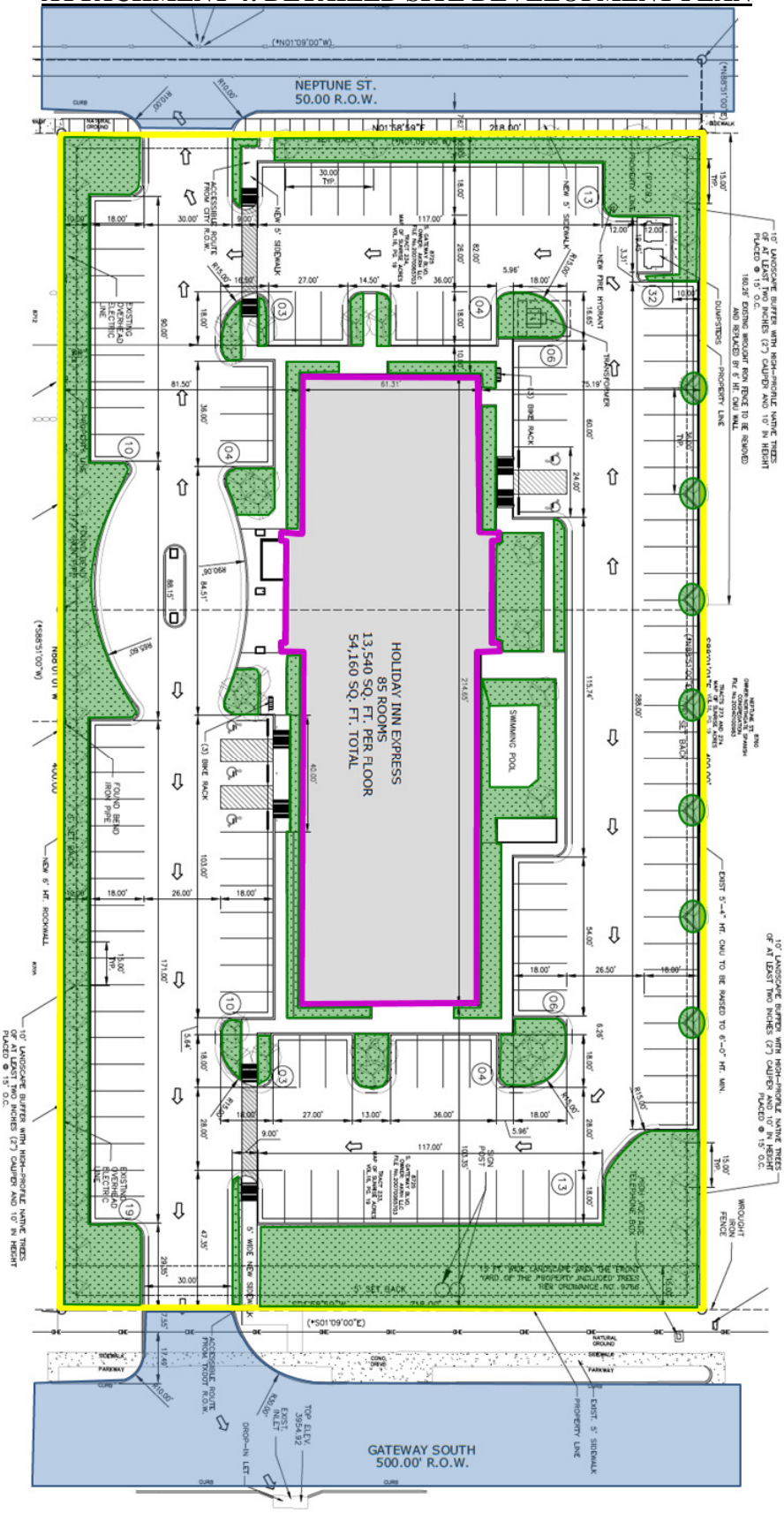


## ATTACHMENT 2: AERIAL MAP

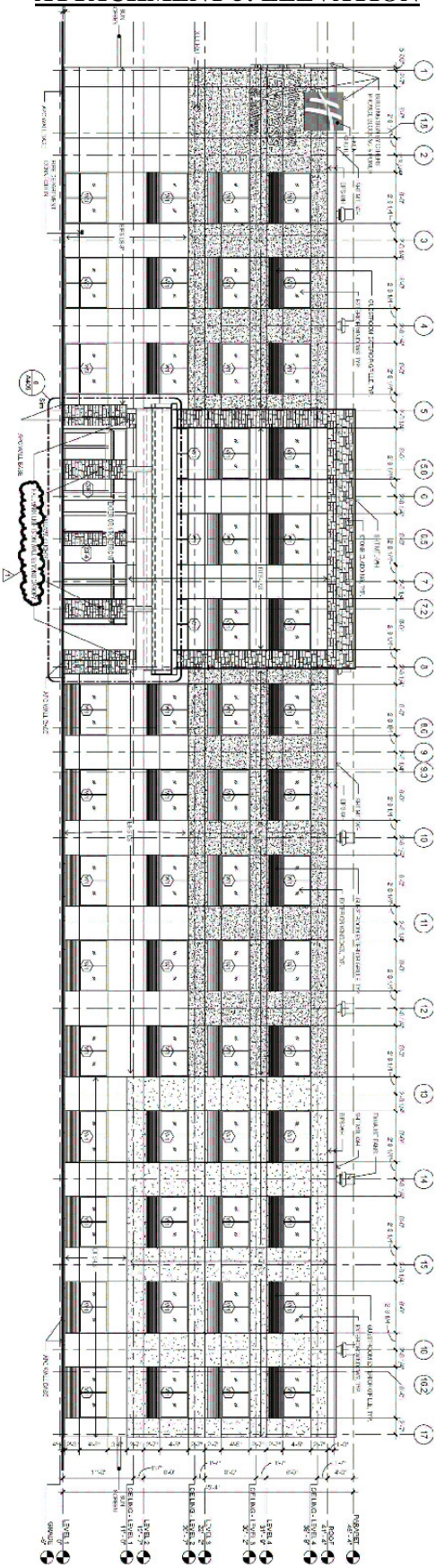
## ATTACHMENT 3: FUTURE LAND USE MAP



# ATTACHMENT 4: DETAILED SITE DEVELOPMENT PLAN



# ATTACHMENT 5: ELEVATION



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AN ORDINANCE CHANGING THE ZONING OF ALL OF LOT 233 AND THE EAST 38 FEET OF LOT 234, SUNRISE ACRES AND IMPOSING CERTAIN CONDITIONS. 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 all of Lot 233 and the East 38 feet of Lot 234, Sunrise Acres, be changed from R-4 (Residential) to A-O (Apartment/Office), 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 condition which is necessitated by and attributable to the increased intensity of use generated by the change of zoning from R-4 (Residential) to A-O (Apartment/Office), in order to protect the health, safety and welfare of adjacent property owners and the residents of the city:

**Prior to the issuance of a certificate of occupancy, the property owners must provide a fifteen foot (15') wide landscaped area across the entire front of the property, except where driveway openings are proposed. The required landscaped area shall consist of trees, shrubs, ground cover or a combination thereof.**

This condition runs with the land, is a charge and servitude thereon, and binds the current property owner and any successors in title. The City may enforce this condition by injunction, by rescission of the zoning which is made appropriate as a result of this condition, or by any other legal or equitable remedy. The City Council of the City of El Paso may amend or release the



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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 of this ordinance.

PASSED AND APPROVED THIS 18th day of July, 1989.

THE CITY OF EL PASO

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 is acknowledged before me on this 25th day of July, 1989, by SUZANNE S. AZAR, as Mayor of the CITY OF EL PASO.

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

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