City of El Paso – City Plan Commission Staff Report
(REVISED)

Case No:	PZST16-00018 (Related to Rezoning Application PZRZ16-00023)
Application Type:	Special Permit and Detailed Site Development Plan
CPC Hearing Date:	August 11, 2016
Staff Planner:	Andrew Salloum, (915) 212-1643, salloumam@elpasotexas.gov
Location:	8725 Gateway South 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
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:	Special Use Permit to allow for a hotel in S-D (Special Development) zone district
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 27, 2016. The Planning Division has received one phone call in opposition to the special permit 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 a special permit and detailed site development plan approval to allow for the construction of a hotel in an S-D (Special Development) district. 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 rezoning application - PZRZ16-00023, requesting a rezoning of the subject property from R-4 (Residential) and A-O (Apartment/Office) to S-D (Special Development).

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends approval of the requests for special permit and detailed site development plan review for a hotel as it complies with Sections 20.04.260 and 20.04.320, Special Permit, 20.04.150, Detailed Site Development Plan, and the G-3 Post-war Plan El Paso designation and goals & policy in the Northeast Planning area.

ANALYSIS

Hotel is a permitted use in S-D (Special Development) zone district with an approved Special Permit and Detailed Site Development Plan as identified by the zone district use regulations.

20.04.260 Special permits generally

A. The City Council may by special permit after hearing and report by the city plan commission authorize the location of the uses subject to special permits identified in the district regulations.

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.

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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;
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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 all the requirements for a special permit.

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 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-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
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 proposed special permit.

Note:
At the time of submittal for building permits the project will need to comply with all applicable provisions of the IRC and local municipal code.

Planning and Inspections Department - Land Development
No objections to special permit and detailed site development plan review.

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.

TxDOT
The Site layout for the above mentioned development was presented to the AMC committee last Friday. The AMC decision was to request to have the existing driveway removed and place new curb and sidewalk. the committee also recommended to add a deceleration lane. Once this revision are made, please resubmit to this office. Along with the grading and drainage plan for review and approval. Only until these items are received and approved, TxDOT will execute the permit and will send the approval letter to the city so they can continue with their permitting process.

Fire Department
Recommend Approval.

Sun Metro
Sun Metro does not oppose this request.

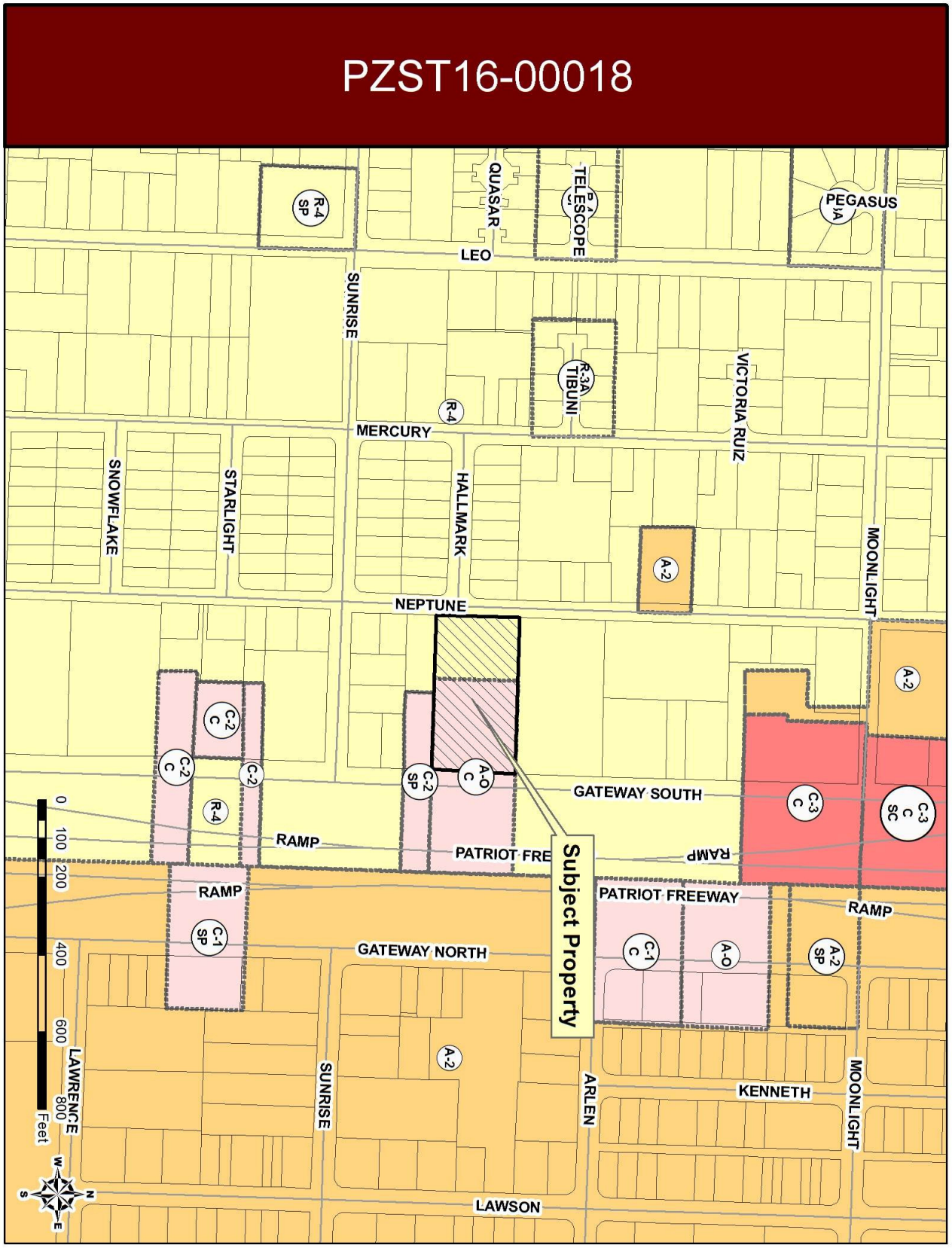
El Paso Water Utilities
1. EPWater does not object to this request.
Water:
2. There is an existing 12-inch diameter water main extending along Gateway South Boulevard. This water main is available for service.
3. There is an existing 8-inch diameter water main extending along Neptune Street. This main 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.

Attachments:

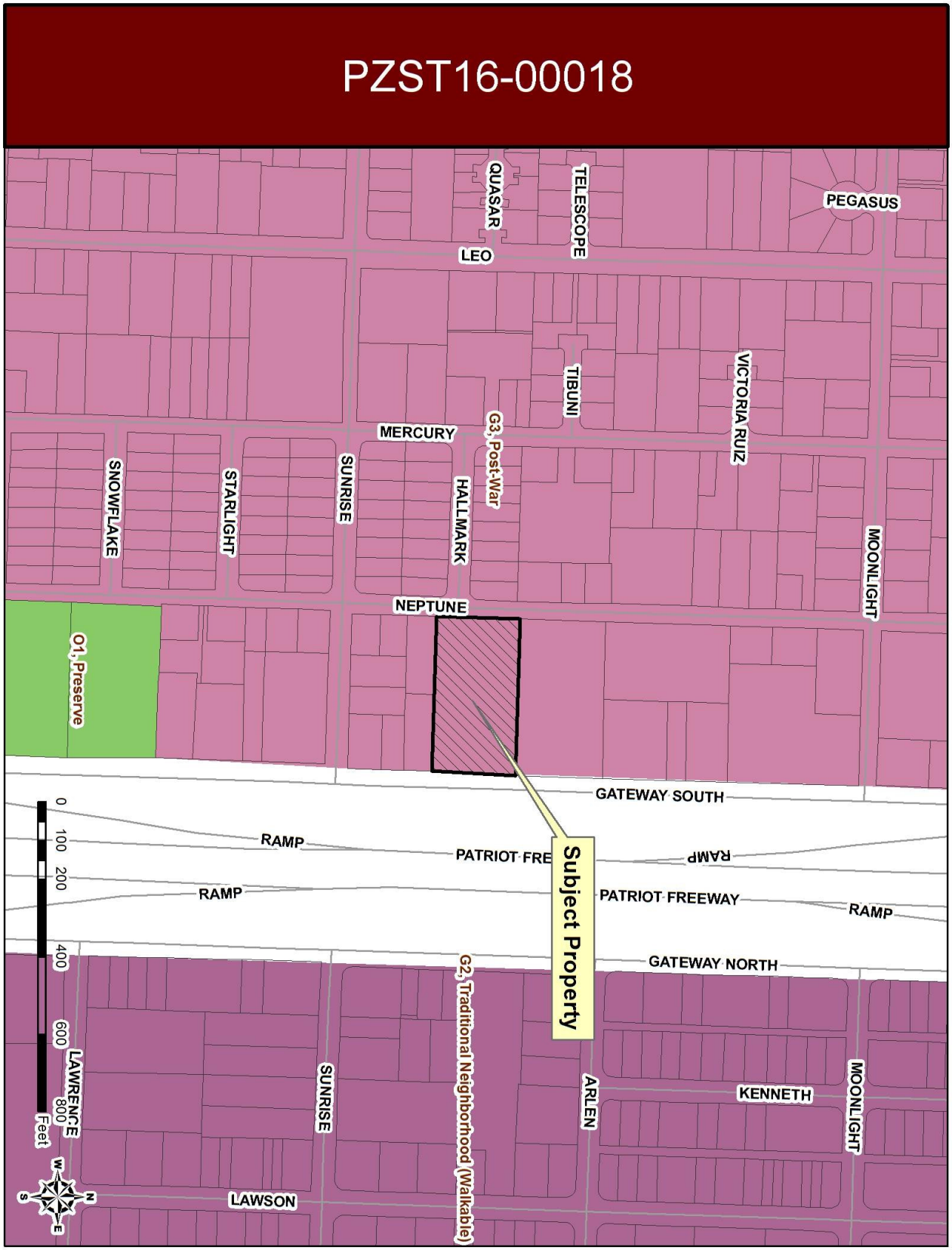
1. Zoning Map
2. Aerial Map
3. Future Land Use Map
4. Detailed Site Development Plan
5. Elevation
6. Ordinance No. 9766, dated July 18, 1989

ATTACHMENT 1: ZONING MAP

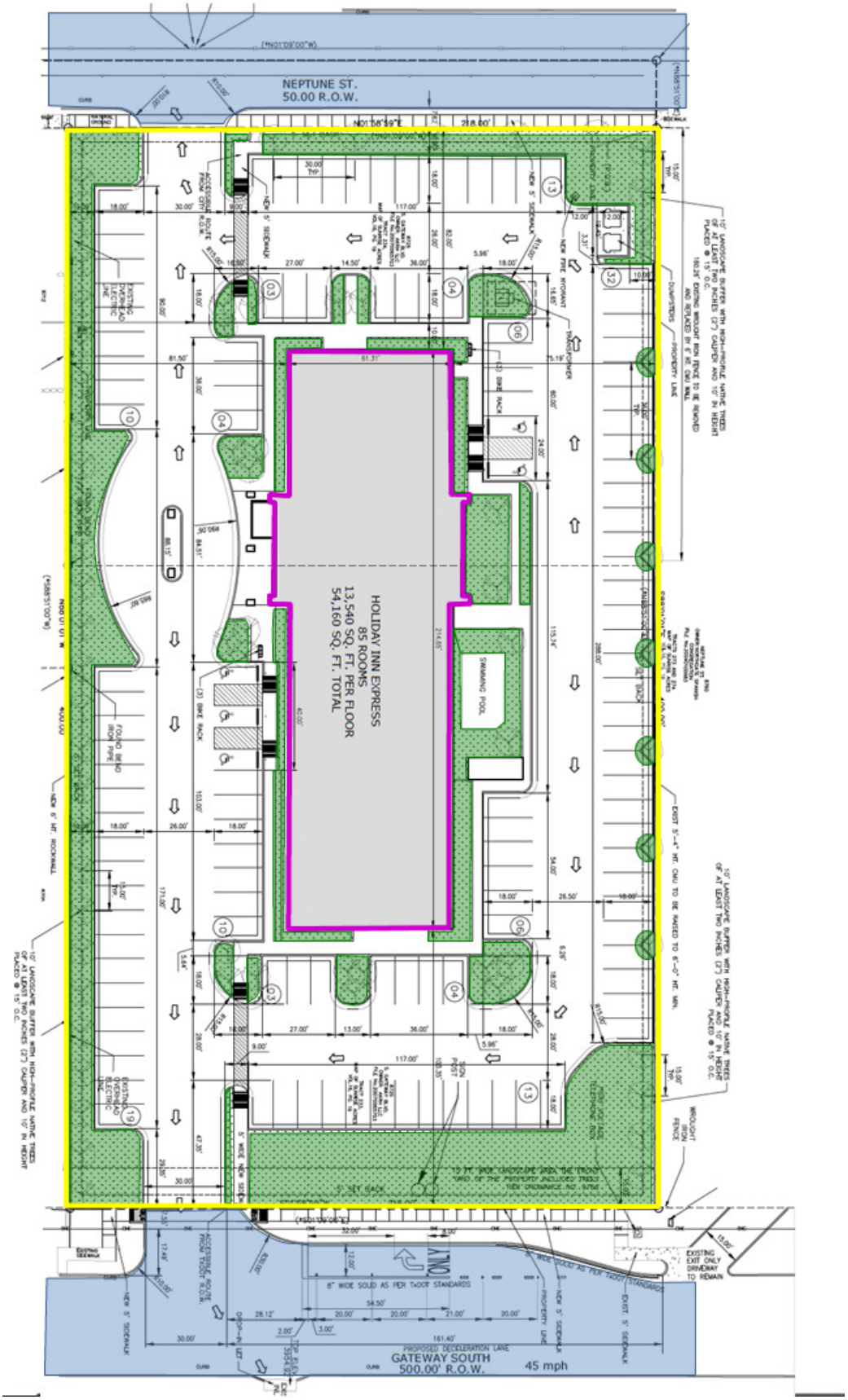


ATTACHMENT 2: AERIAL MAP

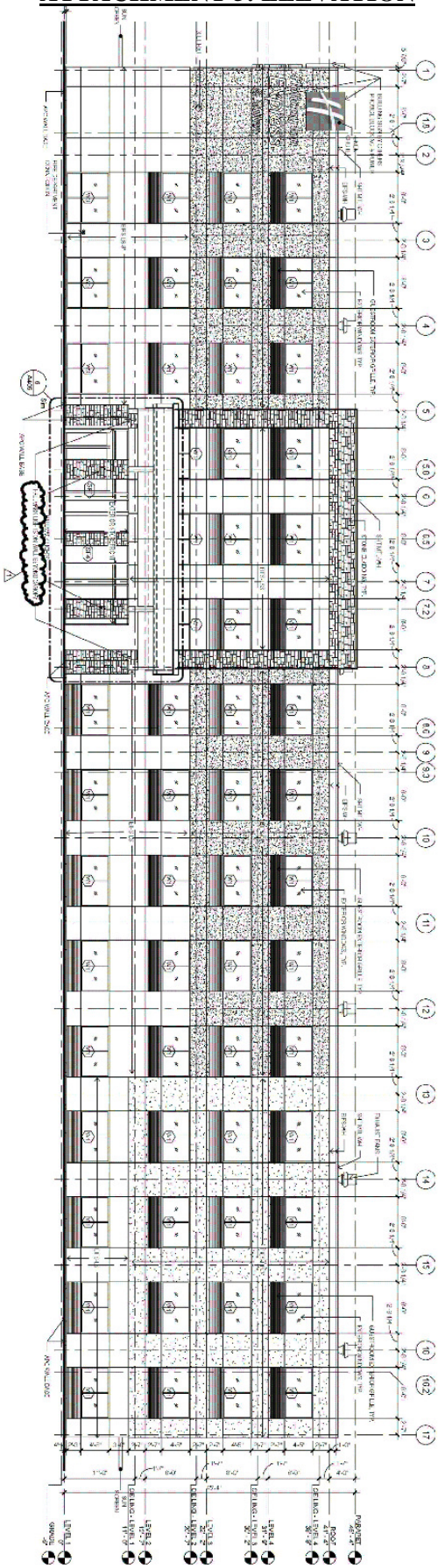
ATTACHMENT 3: FUTURE LAND USE MAP



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

ZNG8:5459.89
6/20/89

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