



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

**Case No:** PZDS15-00018  
**Application Type:** Detailed Site Development Plan Review  
**CPC Hearing Date:** October 8, 2015  
**Staff Planner:** Adriana Martinez, 915-212-1611, MartinezAD@elpasotexas.gov  
**Location:** 3590 Zaragoza Rd.  
**Legal Description:** Portion of Lot 3, Block 1, Las Tiendas de Zaragoza, City of El Paso, El Paso County, Texas  
**Acreage:** 4.87  
**Rep District:** 5  
**Existing Zoning:** C-4/c (Commercial/condition)  
**Existing Use:** Vacant  
**C/SC/SP/ZBA/LNC:** Condition imposed by Ordinance No. 016386, dated June 27, 2006  
**Request:** Detailed Site Development Plan Review  
**Proposed Use:** Retail Development  
**Property Owner:** River Oaks Properties, LTD.  
**Representative:** Georges Halloul

### **SURROUNDING ZONING AND LAND USE**

**North:** C-3 (Commercial) / Vacant  
**South:** R-5 (Residential) / Single-family dwellings  
**East:** C-4/c (Commercial/condition) / Commercial  
**West:** C-4/c (Commercial/condition) / Vacant

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

**NEAREST PARK:** Tierra Del Este Park #44 (3,075 feet)

**NEAREST SCHOOL:** Rafael Hernando III Middle School (3,100 feet)

### **NEIGHBORHOOD ASSOCIATIONS**

Las Tierras Neighborhood Association  
Eastside Civic 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.

### **CASE HISTORY**

On October 27, 1987, City Council approved Ordinance No. 16386 dated June 27, 2006 (Attachment 5), rezoning the subject property and imposing conditions by a special contract as follows:

1. *That a detailed site development plan be reviewed and approved by the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits; and*

This condition is being satisfied through this Detailed Site Development Plan Review.

2. *That a twenty-five foot (25') wide landscape buffer with high profile native trees placed at ten feet*

*(10') on center, and if Mondale pine trees, fifteen feet (15') on center, be required along the property line abutting any residential zone prior to the issuance of any certificate of occupancy for this Parcel.*

The submitted Detailed Site Development Plan incorporates the landscape requirement.

### **APPLICATION DESCRIPTION**

This is detailed site development plan review for an 11.18 acre C-4/c (Commercial/condition) zoned vacant property. Detailed site development plan review is a requirement of the rezoning conditions imposed by Ordinance No. 016386, dated June 27, 2006. The detailed site development plan shows a new shopping center with retail shell buildings of 19,200, 4,008.5 and 4,008 square feet in size. The development requires 84 parking spaces and proposes 91, including 8 ADA accessible parking spaces, and 6 bicycle parking spaces. The development is subject to the landscape code requirements that were applicable prior to November 2011; therefore, it requires 15,937 sq. ft. and proposes 24,810 sq. ft. Access to the subject property is proposed from Zaragoza Road.

### **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.*

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.

*The Detailed Site Development Plan is not eligible for administrative approval because the subject property is more than 2 acres in size, requiring review by 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 (Commercial) district is to provide for locations for the most intensive commercial uses intended to serve the entire city. It is intended that the district regulations permit heavy commercial uses characterized by automotive and light warehousing. The regulations of the districts are intended to 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:**

##### **City Development Department – Land Development**

No objections

##### **City Development Department – Planning Division – Transportation**

No objections to Special Permit.

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.

**City Development Department – Building Permits & Inspections**

Recommend Approval of proposed DSDP. At the time of submittal for building permits, the project will need to comply with all applicable provisions of the IBC, TAS and local municipal code.

**Fire Department**

No objections

**City Development Department – Building Permits & Inspections - Landscape**

Recommend Approval of proposed DSDP. The project will need to comply with all applicable provisions of the landscape code in effect prior to November 2011

**Sun Metro**

Sun Metro does not oppose this request. Recommends the construction of sidewalks. Recommends coordination with Sun Metro on planning the construction of a future bus stop and its needed enhancements.

**Texas Department of Transportation (TxDOT)**

Not approved

Note:

Access and Grading and Drainage for this new development have not been approved. TxDOT met with River oaks and the SLI and requested a master plan for entire Zaragoza corridor and has not received such submittal. TXDOT informed SLI Engineering that a master plan for the each block of Zaragoza will then be required, and only the number of shared driveways meeting the Access Management policy will be approved. For this particular section of Zaragoza, the max number will be six. The proposed driveway will be the 4th which will leave approx. 1643 ft. for 2 more driveways towards Rich Beam. TxDOT requested SLI to review and discuss this with his client revise the submittal.

Therefore, Grading and Drainage plan is not approved and proposed driveway is not approved either.

The applicant/developer and TxDOT will be required to coordinate on the proposed development.

**El Paso Water Utilities**

1. EPWU-PSB does not object to this request.
2. EPWU has coordinated with the Developer of the property on the means of providing service. Water and sanitary sewer service will be provided by on-site extensions within dedicated EPWU-PSB easements. Easements will be dedicated by a separate instrument.
3. All water and sanitary sewer main extension costs are the responsibility of the Owner/Developer.

**Water:**

There is an existing 12-inch diameter water main extending along an EPWU Easement ending at the north east corner of the property. This main is available for service.

**Sanitary Sewer:**

There is an existing 8-inch diameter sanitary sewer main extending along an EPWU Easement ending at the north east corner of the property. This main is available for service

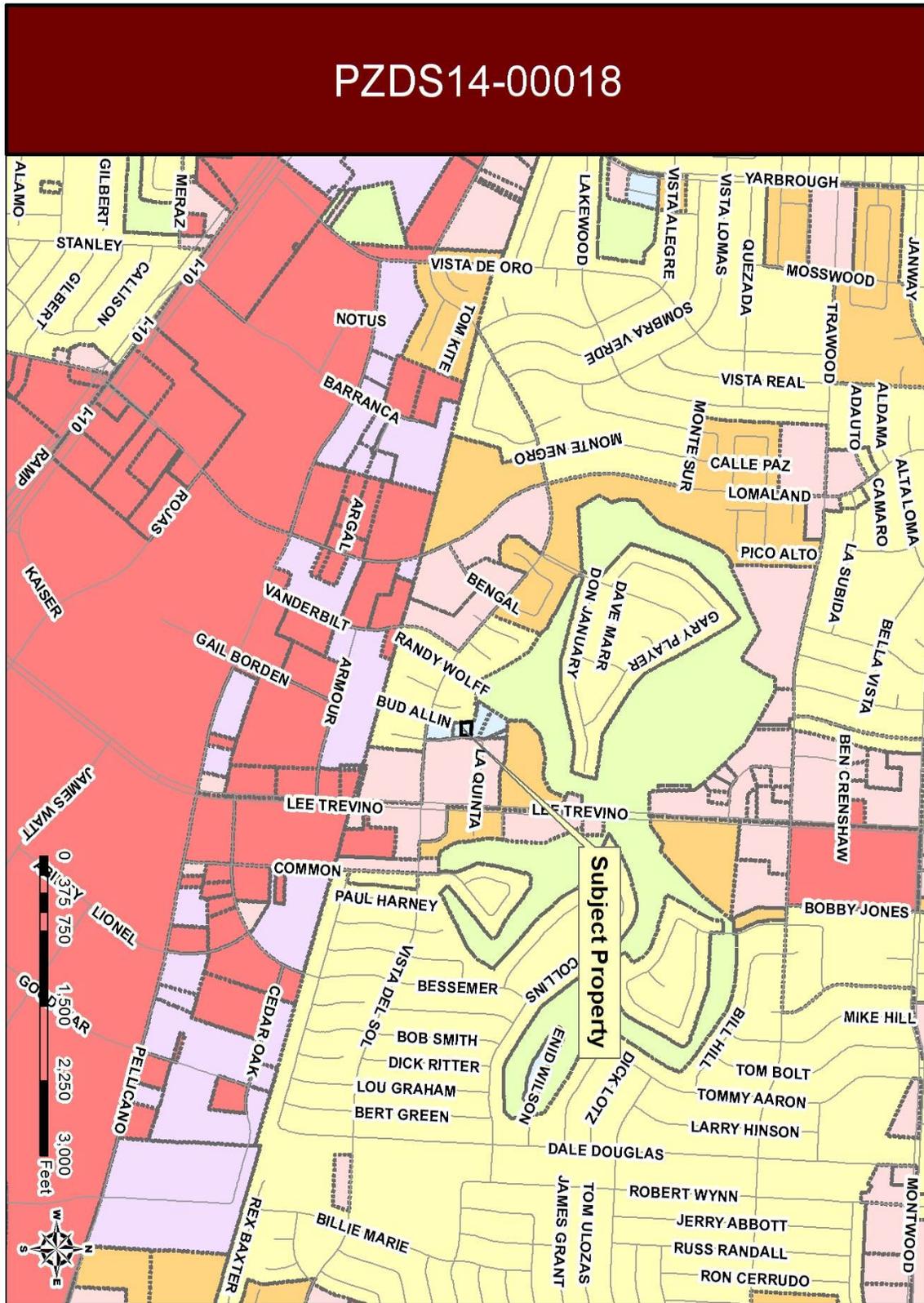
**General:**

EPWU-PSB requires a new service application to serve the subdivision. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (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. 016386 dated June 27, 2006
6. Vesting Letter

ATTACHMENT 1: LOCATION MAP

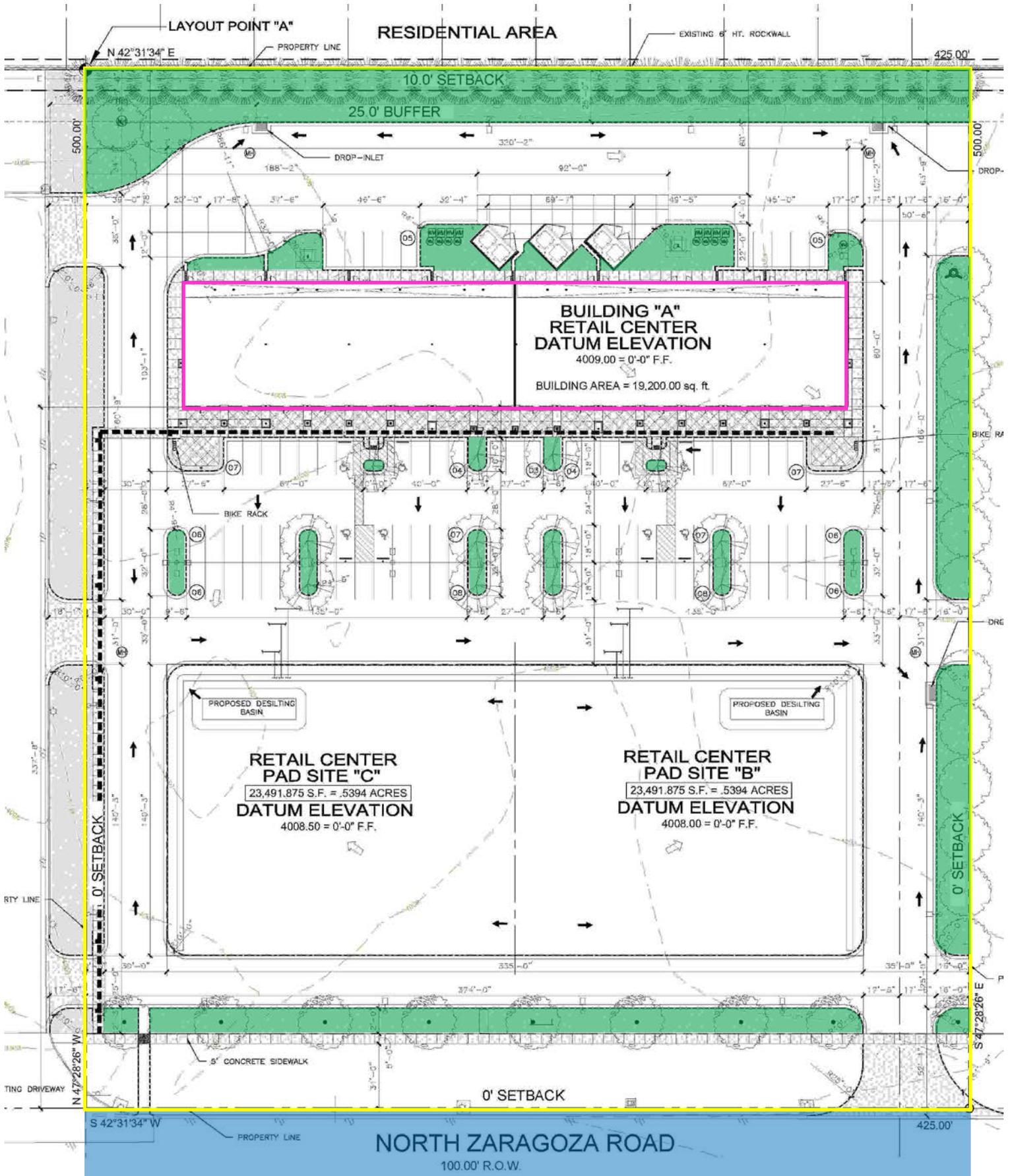


ATTACHMENT 2: AERIAL MAP

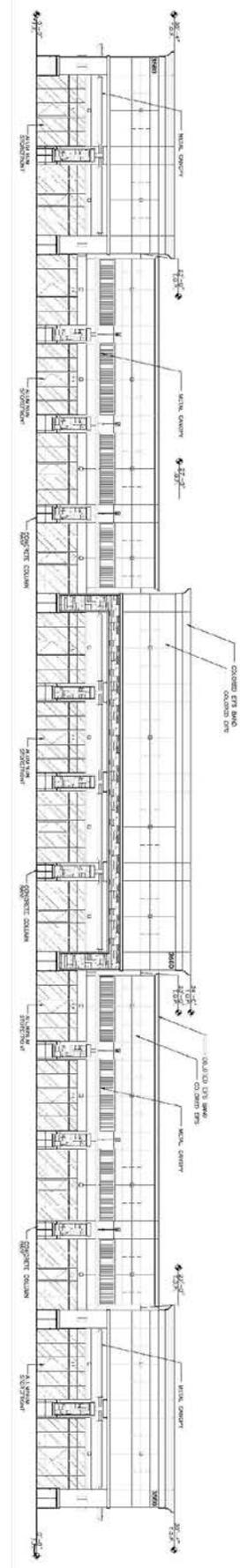
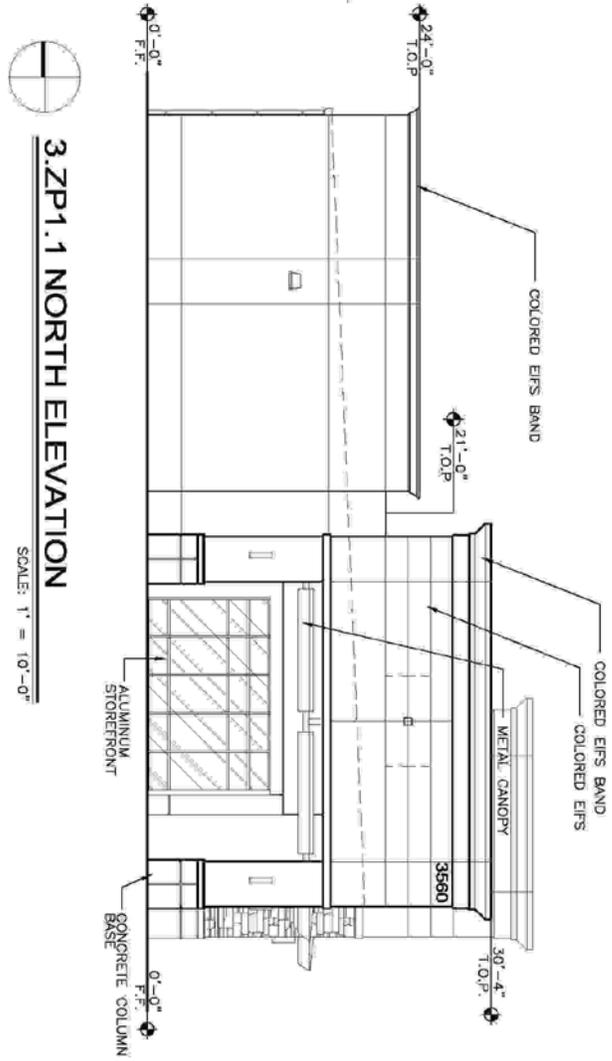
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ATTACHMENT 3: DETAILED SITE DEVELOPMENT



ATTACHMENT 4: ELEVATIONS



11

ORDINANCE NO. 016386

AN ORDINANCE CHANGING THE ZONING OF THE FOLLOWING REAL PROPERTY DESCRIBED AS: PARCEL 1: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-5 (RESIDENTIAL); PARCEL 2: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4 (COMMERCIAL) AND IMPOSING CONDITIONS; PARCEL 3: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-2 (COMMERCIAL) AND IMPOSING CONDITIONS; PARCEL 4: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-5 (RESIDENTIAL); PARCEL 5: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-2 (COMMERCIAL) AND IMPOSING CONDITIONS; PARCEL 6: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-2 (COMMERCIAL) AND IMPOSING CONDITIONS; PARCEL 7: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO A-2 (APARTMENT); PARCEL 8: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO R-5 (RESIDENTIAL); PARCEL 9: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4 (COMMERCIAL) AND IMPOSING CONDITIONS; PARCEL 10: A PORTION OF SECTIONS 35, 26, 27, 38, 39, 46 AND 47, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM R-F (RANCH AND FARM) TO C-4 (COMMERCIAL) AND IMPOSING CONDITIONS. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO CITY CODE.

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

That the zoning of the following property be changed as described below within the meaning of the zoning ordinance and that the zoning map of the City of El Paso be revised accordingly:

Doc#22629/Planning/ZON06-00052

016386

ORDINANCE NO. \_\_\_\_\_

JUN 27 2006  
 10:16 AM  
 ZON06-00052  
 10:16 AM

**Parcel 9:** A portion of Sections 35, 26, 27, 38, 39, 46 and 47, Block 79, Township 2, Texas and Pacific Railroad Company Surveys El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "I", incorporated by reference, from **R-F (Ranch and Farm) to C-4 (Commercial)**; and,

Further, that the property described as Parcel 9, be subject to the following conditions, which is necessitated by and attributable to the increased intensity of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

"1. That a detailed site development plan be reviewed and approved per the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits; and,

2. That a twenty-five foot (25') wide landscape buffer with high profile native trees placed at ten feet (10') on center, and if Mondale pine trees, fifteen feet (15') on center, be required along the property line abutting any residential zone prior to the issuance of any certificate of occupancy for this Parcel."

**Parcel 10:** A portion of Sections 35, 26, 27, 38, 39, 46 and 47, Block 79, Township 2, Texas and Pacific Railroad Company Surveys El Paso, El Paso County Texas, and as more particularly described by metes and bounds on the attached Exhibit "J", incorporated by reference, from **R-F (Ranch and Farm) to C-4 (Commercial)**; and,

Further, that the property described as Parcel 10, be subject to the following condition, which is necessitated by and attributable to the increased intensity of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and the residents of this City:

"1. That a detailed site development plan be reviewed and approved per the El Paso City Code in effect at the time of submittal of the application for detailed site development plan review, prior to the issuance of any building permits"

PASSED AND APPROVED this 27<sup>th</sup> day of June, 2006.

THE CITY OF EL PASO

  
John F. Cook  
Mayor

ATTEST:

  
Richarda Duffy Momsen  
City Clerk

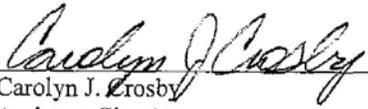
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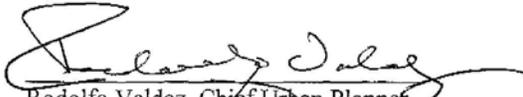
ORDINANCE NO. 016386

ZON06-00052

APPROVED AS TO FORM:

  
Carolyn J. Crosby  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
Rodolfo Valdez, Chief Urban Planner  
Development Services Department

Doc#22629/Planning/ZON06-00052

**016386**

5

ORDINANCE NO. \_\_\_\_\_

**ZON06-00052**

*Dedicated to Outstanding Customer Service for a Better Community*

**SERVICE SOLUTIONS SUCCESS**

**CITY DEVELOPMENT DEPARTMENT**

Oct. 24, 2013

Georges Halloul, P.E.  
SLI Engineering, Inc.  
6600 Westwind Drive  
El Paso, Texas 79912

Re: Lot 1, Block 3, Tierra Commercial Unit 3 - Vesting Petition

Dear Mr. Halloul,

In accordance with Title 1.04.070.C of the El Paso City Code, you are hereby informed that the vested rights petition dated 10/23/13 for the proposed commercial development has been granted. The property is subject to the landscape code requirements that were applicable prior to November 2011.

The determination is based on the information provided in your request. The plat was recorded July 18, 2008. Documentation showing continuous progress toward development of the property has been provided. Please feel free to contact me if you need further assistance.

Sincerely,



Carlos Gallinar, AICP, CNU-A  
Deputy Director -- Planning



2010

Two Civic Center Plaza  
El Paso, TX 79901  
(915) 541-4000



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City Council

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Susie Byrd

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Emma Acosta

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