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

Case No:	PZDS15-00019
Application Type:	Detailed Site Development Plan Review
CPC Hearing Date:	October 8, 2015
Staff Planner:	Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov
Location:	South of Americas Avenue and West of Alameda Avenue
Legal Description:	A portion of Tract 4A (k/n/a Tracts 4A and 4G, Block 51, Ysleta Grant Surveys, City of El Paso, El Paso County, Texas
Acreage:	7.64
Rep District:	6
Existing Zoning:	C-4/sc (Commercial/special contract)
Existing Use:	Vacant
C/SC/SP/ZBA/LNC:	Special Contract: Ordinance No. 4149 dated February 26, 1969
Request:	Detailed Site Development Plan Review per Ordinance No. 4149
Proposed Use:	Office warehouse
Property Owner:	Rogelio Dominguez Lucero
Applicant:	Wright & Dalbin Architects, Inc.
Representative:	Geoffrey Wright

SURROUNDING ZONING AND LAND USE

North: C-3/c/sc/ (Commercial/conditions/special contract) / Wal-Mart Supercenter and Loop 375
South: M-1/sc (Light Manufacturing/special contract) / Tractor Supply Company and vacant
East: M-1/sc (Light Manufacturing/special contract) / General warehouse
West: C-4/sc (Commercial/special contract) / Walgreen

PLAN EL PASO DESIGNATION: G-7, Industrial and/or Railyards (Mission Valley Planning Area)
NEAREST PARK: Pavo Real Park (3,659 feet)
NEAREST SCHOOL: Camino Real Middle (2,944 feet)

NEIGHBORHOOD ASSOCIATION

Mission Valley 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 February 26, 1969, the subject property was rezoned from R-F (Ranch and Farm) to M-1 (Light Manufacturing) with the following conditions imposed by Ordinance No. 4149 (Attachment 5):

> *No building permits will be issued until a subdivision map of the property has been approved and filed for record, and until complete and detailed site development plans have been submitted to and approved by the City Plan Commission of City of El Paso.*
>
> Condition #1 will be satisfied by this detailed site development plan application and the subdivision application is in-process.

On April 6, 1999, the subject property was rezoned from M-1/sc (Light Manufacturing/special contract) to C-4/sc (Commercial/special contract). The special contract conditions remained as originally imposed.

APPLICATION DESCRIPTION

The request is for a detailed site development plan review as required by Ordinance No. 4149 dated February 26, 1969. The detailed site development plan shows a new 12,000 sq. ft. office warehouse building, 24 ft. in height and two future 12,000 sq. ft. office warehouse buildings. The development requires a minimum of 21 parking spaces and the applicant is providing 52 parking spaces and 3 bicycle spaces. One tree for every five spaces in excess of the maximum parking requirement shall be required and shall be placed within the entire parking area to provide for even canopy coverage or along the parkway to create a visual buffer between the parking area and the street as shown on detailed site development plan. The development complies with the minimum landscape area requirements of Title 18.46. Access to the subject property is proposed from Americas Avenue and Ivey 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.

Note: 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 sited 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.

Note: the detailed site development plan review is not eligible for administrative approval, due to a condition imposed on the subject property which requires 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 it meets all requirements of 20.04.150, Detailed Site Development Plan, and is recommending approval.

Plan El Paso- Future Land Use Map Designation

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

G-7 Industrial and/or Railyards: This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso's economy; however, when an industrial use becomes obsolete, there can be potential for mixed-use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mixed-use communities if the rail yards were moved out of town.

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:

Planning and Inspections Department - Planning Division - Transportation

No objections to the detailed site development plan.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

Texas Department of Transportation
Require to submit grading and drainage plan for review and approval. Once these plans are approved, TxDOT will execute the driveway permit.

> Note: The applicant will need to coordinate with TXDOT on the access permit, any changes to the access layout present here will require a modification to detailed site development plan reviewed and approved by the Zoning Administrator as requested by TXDOT.

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

Planning and Inspections Department – Landscaping Division
Recommend approval of DSDP. At the time of submittal ALL parcels will need to comply with title 18.46 of the Municipal Code. As currently shown the Landscape calculations are only provided for one parcel.

Planning and Inspections Department – Land Development
No objections.

Fire Department
Development does not adversely affect the Fire Department.

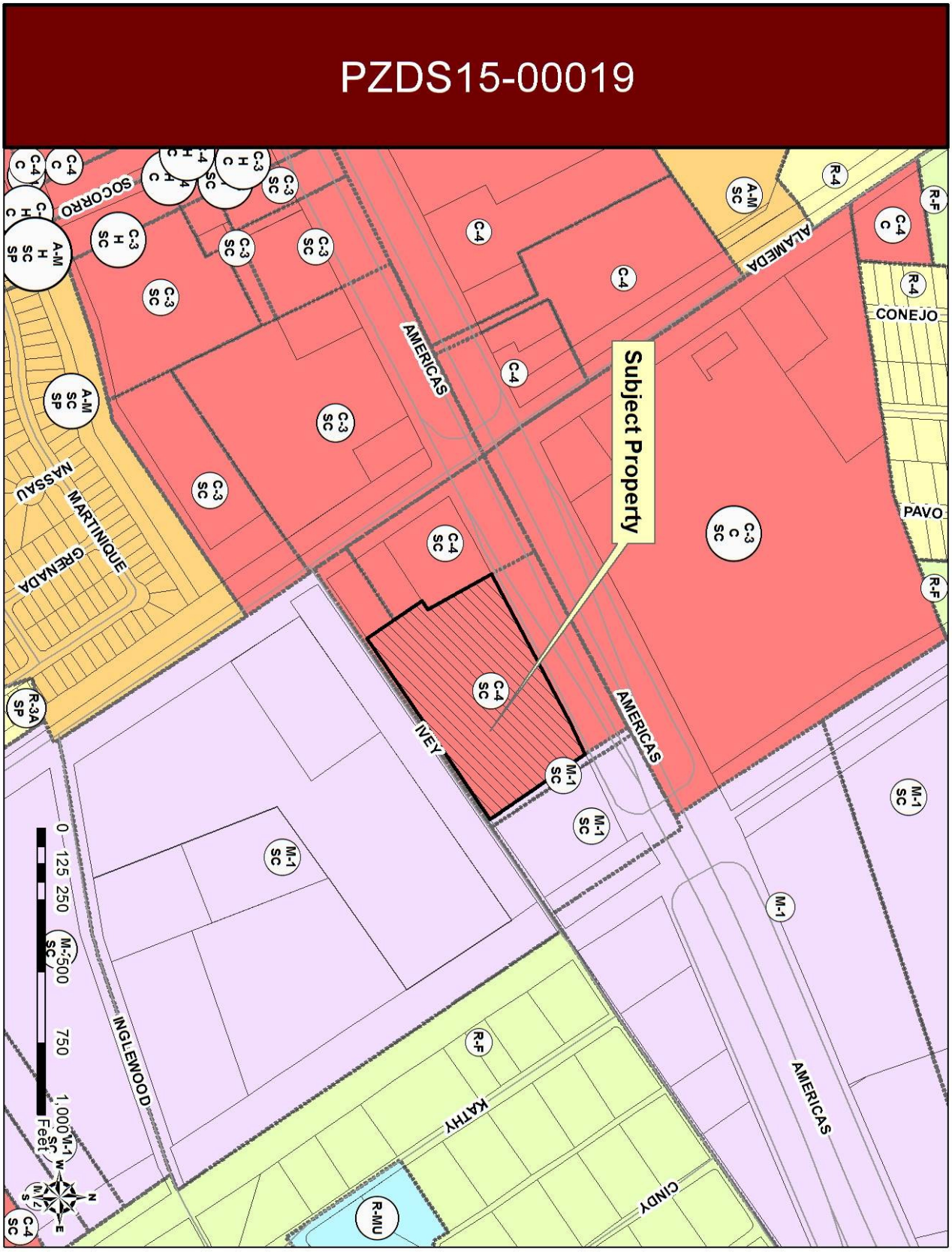
Sun Metro
Sun Metro does not oppose this request. Rt. 60 has a bus stop approximately 591 ft. Southwest of the subject property.

El Paso Water Utilities
1. EPWU-PSB does not object to this request.
Water:
2. There is an existing 48-inch diameter water transmission main that extends along Ivey Road fronting the subject property. No direct service connections are allowed to this transmission main as per the El Paso Water Utilities- Public Service Board Rules and Regulations.
3. There is an existing 8-inch diameter water main along Ivey Road fronting the subject property. This water main is available for service.
4. There is an existing 8-inch diameter water main that extends along the 20-foot PSB easement located within the proposed Lot 1. This water main is available for service to the proposed Lot 1, Pumas Subdivision.
Sanitary Sewer:
5. There are no sanitary sewer mains along Ivey Road nor Americas Avenue. A sanitary sewer main extension is required along Ivey Road to connect to an existing 8-inch diameter sewer main located approximately 40-feet east of and parallel to Alameda Avenue.
General:
6. All easements dedicated for public water and sanitary sewer facilities shall comply with the EPWU-PSB Easement Policy. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters within the easement 24 hours a day, seven (7) days a week.
7. 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

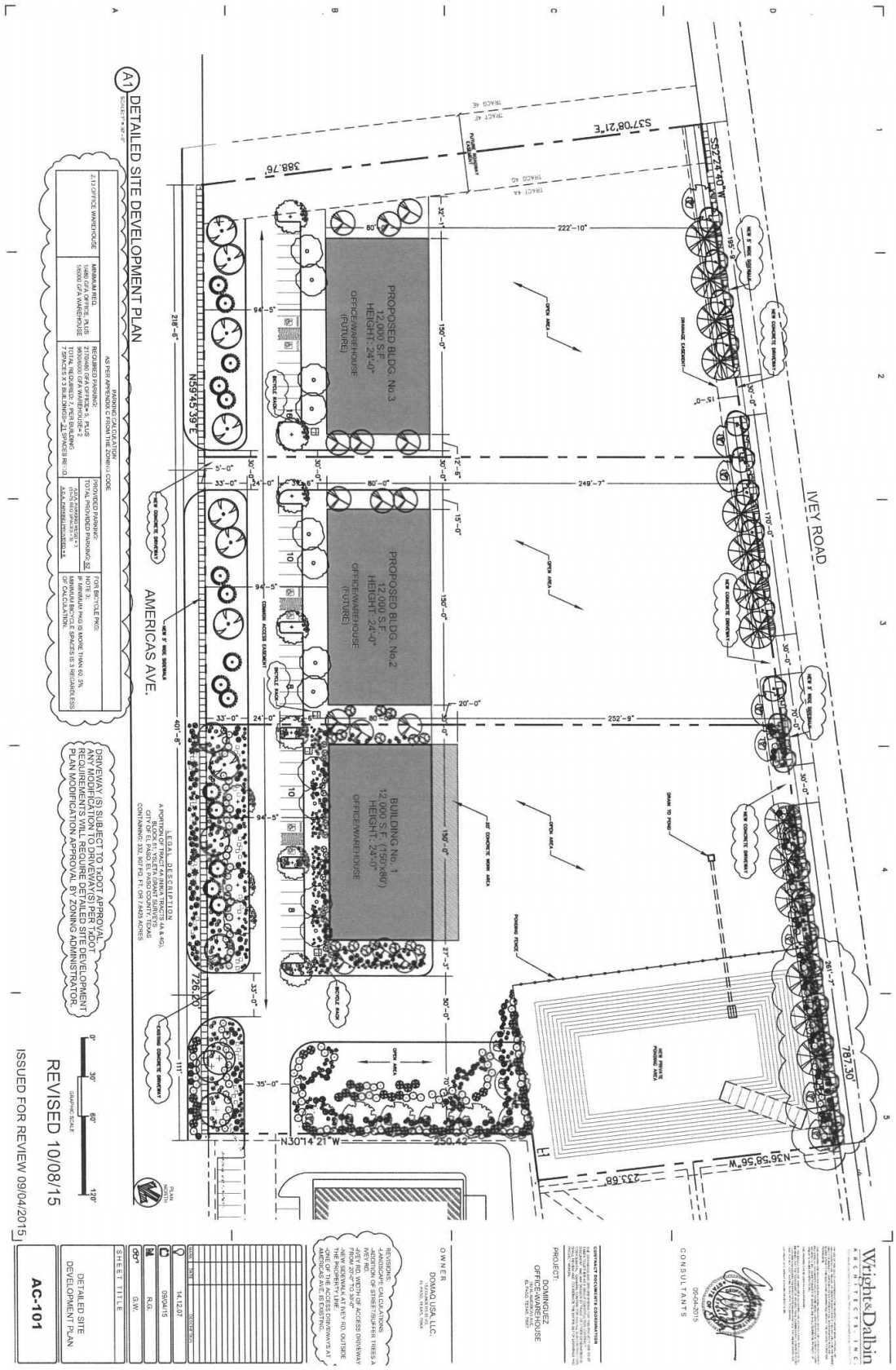
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 4149, dated February 26, 1969

ATTACHMENT 1: ZONING MAP

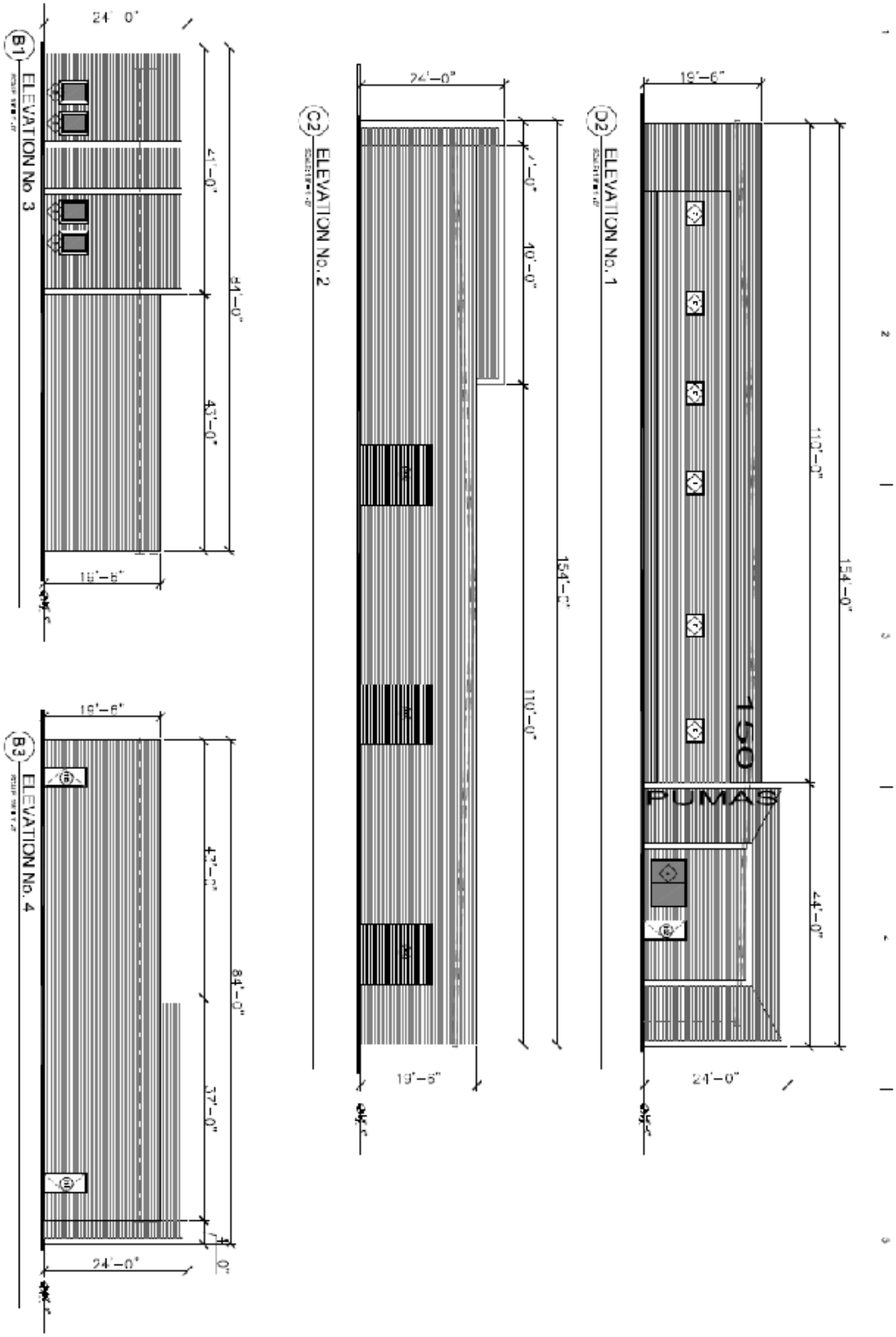


ATTACHMENT 2: AERIAL MAP

ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS



Nell

4149

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4A, BLOCK 81, TELETA GRANT, THE PENALTY BEING AS PROVIDED IN SECTION 28-10 OF THE EL PASO CITY CODE

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

That the zoning of the following described portion of Tract 4A, Block 81, Teleta Grant, be changed to M-1 within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

Parcel 1:

Beginning at a point, said point being the point of intersection of the northeasterly right of way line of U. S. Highway 80, and the southerly right of way line of Loop 375, said point being the point of beginning of the tract being described:

Thence North 59° 46' 26" East a distance of 1273.32 feet to a point;

Thence South 37° 07' 34" East a distance of 392.63 feet to a point;

Thence South 52° 23' 26" West a distance of 1265.67 feet to a point;

Thence North 36° 57' 34" West a distance of 356.22 feet to the point of beginning, containing 13.777 acres of land, more or less.

Parcel 2

Beginning at a point, said point being the point of intersection of the northeasterly right of way line of U. S. Highway 80, and the southerly right of way line of Loop 375 North 59° 46' 26" East a distance of 1273.32 feet to the point of beginning of the parcel being described:

Thence continuing along the said southerly line North 59° 46' 26" East a distance of 28.06 feet;

Thence South 37° 07' 34" East a distance of 301.31 feet to a point;

Thence South 52° 23' 26" West a distance of 97.43 feet to a point;

Thence North 37° 07' 34" West a distance of 392.63 feet to the point of beginning, containing 0.777 acres of land, more or less.

PASSED AND APPROVED this 27th day of February, 1969.

122.3/26 ← Wrong case M. Douglas 8-21-90

J. H. Williams
Mayor

ATTEST:

R. H. Gabel
City Clerk

4149

contract

4149

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4A, BLOCK 51, YSLETA GRANT, THE PENALTY BEING AS PROVIDED IN SECTION 25-10 OF THE EL PASO CITY CODE

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

That the zoning of the following described portion of Tract 4A, Block 51, Ysleta Grant, be changed to M-1 within the meaning of the Zoning Ordinance, and the zoning map of the City be revised accordingly:

Parcel 1

Beginning at a point, said point being the point of intersection of the northeasterly right of way line of U. S. Highway 80, and the southerly right of way line of Loop 375, said point being the point of beginning of the tract being described:

Thence North 59° 46' 26" East a distance of 1273.32 feet to a point;

Thence South 37° 07' 34" East a distance of 392.63 feet to a point;

Thence South 52° 23' 26" West a distance of 1265.67 feet to a point;

Thence North 36° 57' 34" West a distance of 556.28 feet to the point of beginning, containing 13.777 acres of land, more or less.

Parcel 2

Beginning at a point, said point being the point of intersection of the northeasterly right of way line of U. S. Highway 80, and the southerly right of way line of Loop 375 North 59° 46' 26" East a distance of 1273.32 feet to the point of beginning of the parcel being described;

Thence continuing along the said southerly line North 56° 46' 26" East a distance of 88.06 feet;

Thence South 37° 07' 34" East a distance of 381.31 feet to a point;

Thence South 52° 23' 26" West a distance of 87.43 feet to a point;

Thence North 37° 07' 34" West a distance of 392.63 feet to the point of beginning, containing 0.777 acres of land, more or less.

PASSED AND APPROVED this 27th day of February, 1969.

Mayor

Verified counter - ok original - ok control - ok 4-10-69

ATTEST:

R. H. Gabel

City Clerk

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISED:

3-14

3-17

3-17

122.3126 - Contract -

Sheet 40-41

4149

David Garcia Jr

RESOLUTION

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

That the Mayor be authorized to sign a contract with Tony Apodaca and wife, Dorothy Apodaca, Helen Shaw, joined by her husband Robert L. Shaw (holders of a mortgage lien on Parcel 1) and Surety Savings and Loan Association, a corporation (holder of a mortgage lien on Parcel 2), placing certain restrictions on property rezoned by Ordinance No. 4149.

ADOPTED this 27th day of February, 1969.

J. H. Williams
Mayor

ATTEST:

R. H. Habel
City Clerk

CONTRACT

This contract, made this 26th day of February, 1969, by and between Tony Apodaca and wife, Dorothy Apodaca, Helen Skov, joined by her husband, Robert L. Skov (holders of a mortgage lien on Parcel 1) and Surety Savings and Loan Association, a corporation (holder of a mortgage lien on Parcel 2), First Parties, and the City of El Paso, Second Party, witnesseth:

Application has been made to the City of El Paso for rezoning of the following described portions of Tract 4A, Block 51, Yeleta Grant, El Paso County, Texas, more particularly described as follows:

Parcel 1

Beginning at a point, said point being the point of intersection of the northeasterly right of way line of U. S. Highway 80, and the southerly right of way line of Loop 375, said point being the point of beginning of the tract being described;

Thence North 59° 46' 26" East a distance of 1273.32 feet to a point;

Thence South 37° 07' 34" East a distance of 392.63 feet to a point;

Thence South 52° 23' 26" West a distance of 1265.67 feet to a point;

Thence North 36° 57' 34" West a distance of 556.28 feet to the point of beginning, containing 13.777 acres of land, more or less.

Parcel 2

Beginning at a point, said point being the point of intersection of the northeasterly right of way line of U. S. Highway 80, and the southerly right of way line of Loop 375 North 59° 46' 26" East a distance of 1273.32 feet to the point of beginning of the parcel being described;

Thence continuing along the said southerly line North 56° 46' 26" East a distance of 88.86 feet;

Thence South 37° 07' 34" East a distance of 381.31 feet to a point;

Thence South 52° 23' 26" West a distance of 87.43 feet to a point;

Thence North 37° 07' 34" West a distance of 392.63 feet to the point of beginning, containing 0.777 acres of land, more or less.

In order to remove certain objections to such rezoning First Parties covenant that if the property is rezoned to M-1 within the meaning of the Zoning Ordinance, no building permits will be issued until a subdivision map of the property has been approved and filed for record, and until complete and detailed site development plans have been submitted to and approved by the City Plan Commission of the City of El Paso.

This agreement is a restriction, condition and covenant running with the land and a charge and servitude thereon, and shall bind First Parties and their successors in title. Any future conveyance of the land shall contain this restriction, condition and covenant and shall embody this agreement by express reference.

The City may enforce this agreement by injunction or any other legal or equitable remedy. The City Council of the City of El Paso may release the above restrictions, conditions and covenants in its discretion without the consent of any third person who may be benefited thereby.

Witness the following signatures and seal:

Tony Apodaca

Dorothy Apodaca

Robert L. Shov

Helen Shov

THE CITY OF EL PASO

by Judson F. Williams
Mayor

ATTEST:

City Clerk

SURETY SAVINGS AND LOAN ASSOCIATION,
a corporation

by
Vice President

ATTEST:

Assistant Secretary

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THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared TONY APODACA, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 26th day of February, 1969.

Betty Jean Reid
Notary Public in and for El Paso County, Texas.

BETTY JEAN REID, Notary Public
in and for El Paso County, Texas
My commission expires June 1, 1969

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared DOROTHY APODACA, wife of TONY APODACA, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said DOROTHY APODACA acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and official seal this 26th day of February, 1969.

Betty Jean Reid
Notary Public in and for El Paso County, Texas.

BETTY JEAN REID, Notary Public
in and for El Paso County, Texas
My commission expires June 1, 1969

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared ROBERT L. SKOV, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and official seal this 26th day of February, 1969.

Betty Jean Reid
Notary Public in and for El Paso County, Texas.

BETTY JEAN REID, Notary Public
in and for El Paso County, Texas
My commission expires June 1, 1969

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THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared HELEN SKOV, wife of ROBERT L. SKOV, known to me to be the person whose name is subscribed to the foregoing instrument, and having been examined by me privily and apart from her husband, and having the same fully explained to her, she, the said HELEN SKOV acknowledged such instrument to be her act and deed and declared that she had willingly signed the same for the purposes and consideration therein expressed, and that she did not wish to retract it.

Given under my hand and official seal this 26th day of February 1969.

Betty Jean Reid
Notary Public in and for El Paso County, Texas.

BETTY JEAN REID, Notary Public
In and for El Paso County, Texas
My commission expires June 1, 1969

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared JUDSON F. WILLIAMS, Mayor of the City of El Paso, known to me to be the person and officer whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that he had executed the same for the purposes and consideration and in the capacity therein expressed, and as the act and deed of the City of El Paso.

Given under my hand and official seal this 27th day of February, 1969.

Mary Lou Enriquez
Notary Public in and for El Paso County, Texas.

MARY LOU ENRIQUEZ, Notary Public
In and for El Paso County, Texas
My commission expires June 1, 1969

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THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

Before me, the undersigned authority, on this day personally appeared R. T. Demosey Vice-President of SURETY SAVINGS AND LOAN ASSOCIATION, a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged before me in my county aforesaid that the same was the act of said corporation, and that he executed the same as the act of such corporation for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and official seal this 25th day of February, 1969.

Notary Public in and for El Paso County, Texas.

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