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

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|---|---|
| **Case No:** | PZDS12-00010 |
| **Application Type** | Detailed Site Development Plan |
| **CPC Hearing Date** | November 15, 2012 |
| **Staff Planner** | Andrew Salloum 915-541-4633 salloumam@elpasotexas.gov |
| | |
| **Location** | South of Montana Avenue and East of Rich Beem Boulevard |
| **Legal Description** | A portion of Tract 12, Section 34, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, City of El Paso, El Paso County, Texas |
| **Acreage** | 20.39 acres |
| **Rep District** | 5 |
| **Existing Use** | Vacant |
| **Existing Zoning** | C-4/c (Commercial/condition) |
| **Request** | Detailed Site Development Plan review per Ordinance No. 15428 |
| **Proposed Use** | Movie Theater, Retail, and Office |
| | |
| **Property Owner** | Hueco Investments I, LTD |
| **Applicant** | Hueco Investments I, LTD |
| **Representative** | Conde, Inc. |

**SURROUNDING ZONING AND LAND USE**

**North**: C-4 (Commercial) / Mobile-Home Park and Vacant
**South:** S-D (Special Development) / Single-family dwellings and School
**East:** C-4/c (Commercial/condition) / Vacant
**West:** C-4/c (Commercial/condition) / Vacant

**PLAN EL PASO DESIGNATION:** G-4, Suburban (Walkable) (East Planning Area)
**Nearest Park:** Eastside Regional Park Park (1,665 feet)
**Nearest School:** Hurshel Antwine Elementary School (1,146 feet)

**NEIGHBORHOOD ASSOCIATIONS**

East Side Civic Neighborhood Association
Las Tierras Neighborhood Association

**NEIGHBORHOOD INPUT**

Notice of the public hearing not required on detailed site development plan per El Paso City Code.

**APPLICATION DESCRIPTION**

The applicant is requesting a Detailed Site Development Plan Review as required by Ordinance No. 15428, dated April 22, 2003, (see Attachment 4, page 10). The site plan shows a 53,665 sq. ft. movie theatre building, 23,265 sq. ft. office building, and 5 retail buildings (49,529 total sq. ft.). The development requires 979 parking spaces and applicant is providing 1,166 parking spaces and 49 bicycle parking spaces. Access to the subject property is proposed from Montana Avenue, Rich Beem Boulevard, and Tierra Rancho Street.

The following condition was imposed by Ordinance No. 15428, dated April 22, 2003, for a ten-foot (10') wide landscaped buffer on the subject property abutting the residential zoning districts.

The site plan complies with this condition.

**PLANNING DIVISION RECOMMENDATION**
Pending recommendation.

**Plan El Paso-Future Land Use Map Designation**
All applications for rezoning shall demonstrate compliance with the following criteria:

G-4 – Suburban: 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:**

**Planning Division - Transportation**
Comments:
1. The proposed 45ft. driveway exceeds maximum driveway width for commercial development.
2. The median cut along Rich Beem does not meet the minimum distance of 450 ft. required for median openings between an Arterial and a Local Street.
3. Provide driveway widths for the proposed driveways on Rich Beem and Tierra Rancho.
4. The proposed sign locations on Rich Beem and Montana do not comply with the sight visibility requirements as the proposed signs are 15 and 24 ft. in height directly adjacent to the driveway openings.
5. Directional handicap ramps are required at the intersection of Montana and Rich Beem as both streets are arterials.
6. Sidewalks shall continue across driveways. Sidewalks are not permitted to ramp down across driveways.

Recommendations:
1. Reduce the masonry wall height to 4t with openings in the wall along Tierra Rancho, such as hybrid masonry/wrought-iron combination wall separating the commercial development from the residential and school development south of the property to enhance the pedestrian realm.
2. Include street trees and additional drought tolerant plantings along Tierra Rancho to provide shade and physical separation from moving vehicles and the pedestrian sidewalk, as the proposed development is located within a walkable distance from the existing residential development to the south.
3. Widening the sidewalk along Tierra Rancho to between 6 and 8 ft. to enhance pedestrian safety to the development and encourage pedestrians to walk to the development.

Notes:
1. The site is located along the Montana Rapid Transit System (RTS) Corridor. The location and arrangement of bus stops and bus turn in bays shall be coordinated with Sun Metro.
2. Access, modifications and improvements to Montana Avenue shall be coordinated and approved by TxDOT.
3. All proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall be constructed in compliance with the current ADA/TAS regulations and City Design Standards for construction.

**City Development Department - Plan Review**
No comments received.

**City Development Department - Landscaping Division**
Needs to see landscape calculation on the site plan

**City Development Department – Land Development**
No Objection.

Grading plan and permit shall be required.*
Storm Water Pollution Prevention Plan and/or permit required.*
Drainage plans must be approved by the City Development Dept. Land Development Section.*
Coordination with TXDOT. *

* This requirement will be applied at the time of development.

**Fire Department**
IFC 2009 Section 501.3; Construction documents for proposed fire apparatus access, location of fire lanes, security gates across fire apparatus access and construction documents and hydraulic calculations for fire hydrants systems shall be submitted to fire department for review and approval prior to construction Ensure prior to any construction that IFC 2009, section
503.1.1 Access shall allow the extension within 150 feet of all portions of any facility or building.
Section 503.2 Fire apparatus access roads shall be installed and arranged in accordance with section 503.2.1 Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, all weather surface.
Section 507.1 Required water supply; an approved water supply shall be provided on premises prior to any building construction, and locations of private hydrants.
907.1.1 Construction documents. Construction documents for fire alarm systems shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code, the International Building Code, and relevant laws, ordinances, rules and regulations, as determined by the fire code official.
907.1.2 Fire alarm shop drawings. Shop drawings for fire alarm systems shall be submitted for review and approval prior to system installation, and shall include, but not be limited to, all of the following: 1. A floor plan that indicates the use of all rooms. 2. Locations of alarm-initiating devices. 3. Locations of alarm notification appliances, including candela ratings for visible alarm notification appliances. 4. Location of fire alarm control unit, transponders and notification power supplies. 5. Annunciators. 6. Power connection. 7. Battery calculations. 8. Conductor type and sizes. 9. Voltage drop calculations. 10. Manufacturers' data sheets indicating model numbers and listing information for equipment, devices and materials. 11. Details of ceiling height and construction. 12. The interface of fire safety control functions. 13. Classification of the supervising station.
907.1.3 Equipment. Systems and components shall be listed and approved for the purpose for which they are installed.
907.2.12.2 System response. The activation of two or more smoke detectors, a single smoke detector equipped with an alarm verification feature, the automatic sprinkler system or other approved fire detection device shall automatically: 1. Cause illumination of the means of egress with light of not less than 1 foot-candle (11 lux) at the walking surface level; 2. Stop any conflicting or confusing sounds and visual distractions; 3. Activate an approved directional exit marking that will become apparent in an emergency; and 4. Activate a prerecorded message, audible throughout the special amusement building, instructing patrons to proceed to the nearest exit. Alarm signals used in conjunction with the prerecorded message shall produce a sound which is distinctive from other sounds used during normal operation.
907.2.12.3 Emergency voice/alarm communication system. An emergency voice/alarm communication system, which is also allowed to serve as a public address system, shall be installed in accordance with Section 907.6.2.2 and be audible throughout the entire building. 907.2.13.1.2 Duct smoke detection.

Duct smoke detectors complying with Section 907.4.1 shall be located as follows: 1. In the main return air and exhaust air plenum of each air-conditioning system having a capacity greater than 2,000 cubic feet per minute (cfm) (0.94 m3/s). Such detectors shall be located in a serviceable area downstream of the last duct inlet.

** Note, A more detailed reviewed will be done by fire plan review during the permitting process.

## Sun Metro

Sun Metro does not oppose this request. Recommends the construction of sidewalks to provide pedestrian accessibility to mass transit options.

## EPWU

We have reviewed the zoning change request described above and provide the following comments:

Water and sanitary sewer main extensions within the Property along the entire frontage of Montana Avenue will be required. The proposed thirty (30) foot wide Easement for the described water and sanitary sewer main extensions shall be for exclusive use of the El Paso Water Utilities – Public Service Board; the Easement shall be designated "PSB Easement".

EPWU-PSB Comments
Water:
A twelve (12) inch diameter water main extension will be required to be installed parallel to Montana Avenue along the entire frontage within a 30-foot wide easement within the subject Property. The easement shall be designated PSB Easement.
From the intersection of Montana Avenue and Rich Beem Boulevard, along Montana Avenue towards the east, there is an existing twenty-four (24) inch diameter water transmission main. This 24 inch diameter water transmission main is located along the northernmost portion of Montana Avenue. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
Along Rich Beem Boulevard between Montana Avenue and Tierra Rancho Street there is an existing twenty-four (24) inch diameter water transmission main. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
At the intersection of Montana Avenue and Rich Beem Boulevard there is an existing twelve (12) inch diameter water main stub-out aligned towards the east. This stub-out is aligned parallel and south of Montana Avenue. This stub-out originates from the above-described twenty-four (24) inch diameter water transmission main that runs along Rich Beem Boulevard.
Along Rich Beem Boulevard between Montana Avenue and Tierra Rancho Street there is an existing twelve (12) inch diameter water main.
At the intersection of Montana Avenue and Rich Beem Boulevard there is a second water main stub-out aligned towards the east. The size of this existing stub-out is twelve (12) inches in diameter. This stub-out is aligned parallel and south of Montana Avenue. This stub-out originates from the above-described 12-inch diameter water main that runs along Rich Beem Boulevard.
Along Tierra Rancho Street between Rich Beem Boulevard and Hueco Valley Street there is an existing eight (8) inch diameter water main.
Sanitary Sewer:
A twelve (12) inch diameter sanitary sewer main extension will be required to be installed parallel to Montana Avenue along the entire frontage within a 30-foot wide easement within the subject Property. The easement shall be designated PSB Easement.
Along Rich Beem Boulevard between Montana Avenue and Tierra Rancho Street there is an existing eighteen (18) inch diameter sanitary sewer transmission main. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
At the intersection of Montana Avenue and Rich Beem Boulevard there is an existing eight (8) inch diameter sanitary sewer main stub-out aligned towards the east. This stub-out is aligned parallel and

south of Montana Avenue. This sanitary sewer stub-out discharges unto the above-described 18-inch diameter sanitary sewer main that runs along Rich Beem Boulevard.
Along Tierra Rancho Street east of Rich Beem Boulevard there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 750 feet.
Along Tierra Rancho Street between Hueco Hill Drive and Hueco Valley Drive there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends at approximately 85 feet west of Hueco Valley Drive.
General
Montana Avenue is a Texas Department of Transportation (TxDOT) right-of-way. All proposed water and sanitary sewer work to be performed within Montana Avenue right-of-way requires written permission from TxDOT.
Easements will be required within the subject Property.
All easements dedicated for public water and/or sanitary sewer facilities are to comply with EPWU-PSB Easement Policy.
Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.
The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. 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.
No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.
The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.
Proposed surface improvements such as paving, landscaping, other types of low maintenance surfacing shall be reviewed for approval by EPWU-PSB.

Use of low maintenance easement surface improvements is required. The Owner of the property is responsible for maintenance of the easement surface; surface maintenance is not the responsibility of EPWU-PSB.
EPWU-PSB requests the Developer to refrain from constructing rock walls or any structure that will interfere with the access to the PSB easements.
EPWU-PSB requests the Developer to refrain from constructing signs within the PSB easements.
All proposed buildings shall comply with EPWU-PSB Easement Policy. Buildings shall be located 5 feet away from the easement line.
EPWU requires a new service application to initialize design of the water and sanitary sewer main extensions 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; (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

## CITY PLAN COMMISSION OPTIONS

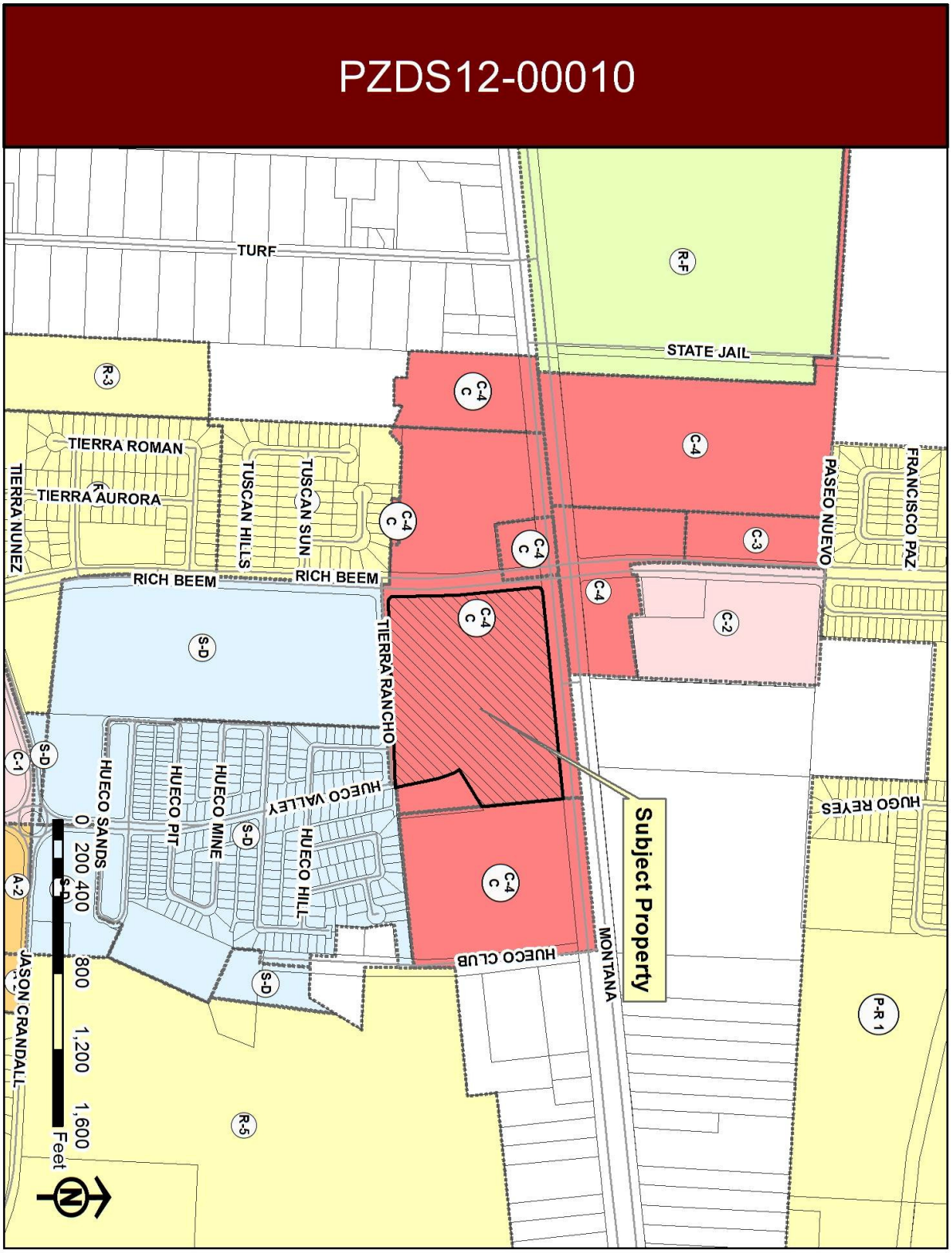
The City Plan Commission may consider the following options and additional options that it identifies when reviewing the detailed site development plan application:

1. Recommend approval of the application finding that the detailed site development plan is in conformance with the review criteria of Plan El Paso as reflected in CPC report or other criteria that the CPC identifies from the Plan

2. Recommend approval of the application with modifications to bring the detailed site development plan into conformance with the review criteria in Plan El Paso as reflected in CPC report or other criteria from the Plan as identified by the CPC.
3. Deny the application finding that the detailed site development plan does not conform to the review criteria in Plan El Paso as reflected in CPC report or other criteria identified from the Plan by the CPC.

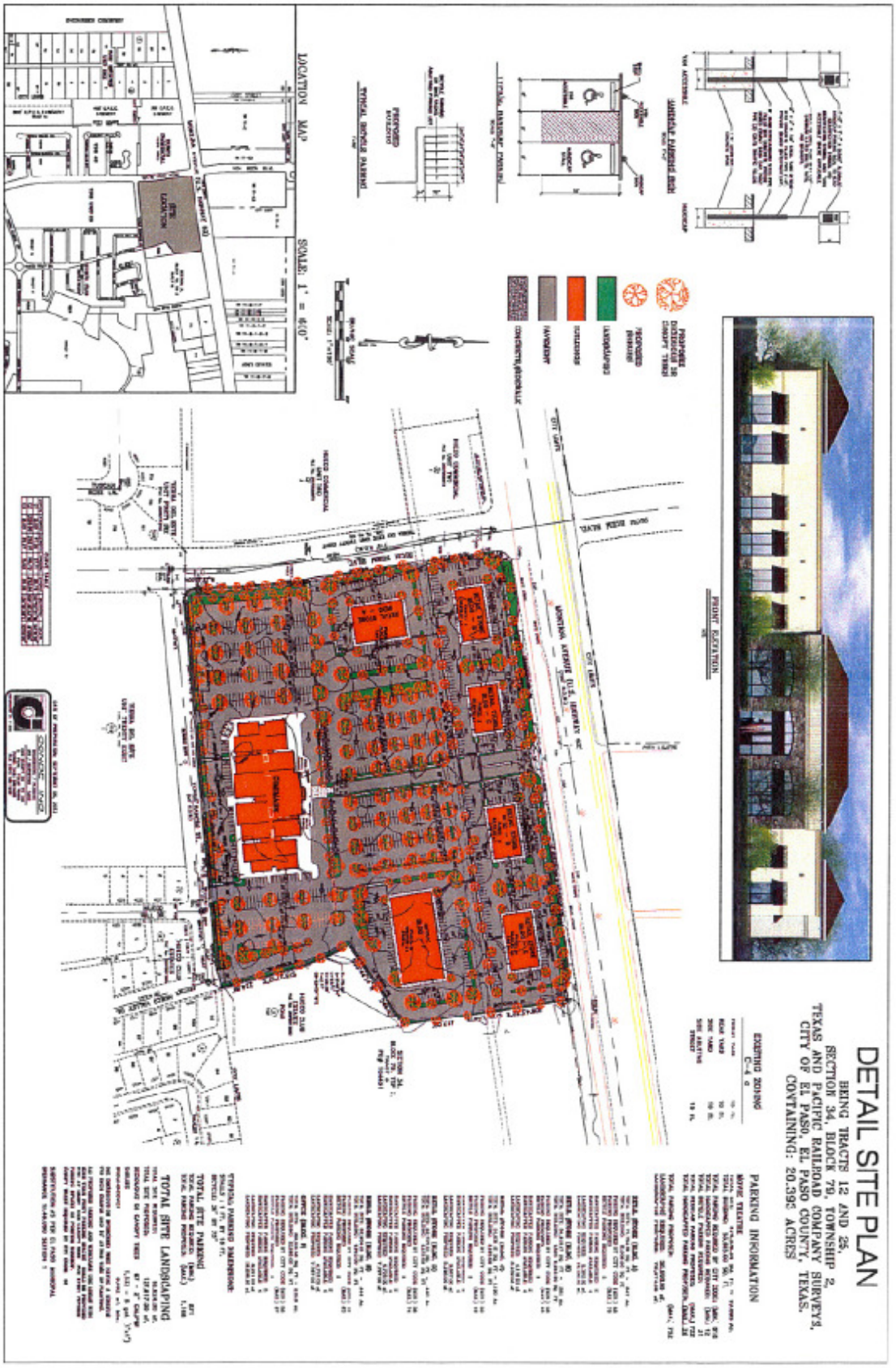
**Attachments**
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan and Elevations
4. Zoning Condition Ordinance No. 15428, dated April 22, 2003

ATTACHMENT 1: ZONING MAP



ATTACHMENT 2: AERIAL MAP

# ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



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ORDINANCE NO. 15428

**AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTIONS 34, 35, 38, 39 AND 46, BLOCK 79, TOWNSHIP 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS (SOUTH OF MONTANA AVENUE AND WEST OF ZARAGOZA ROAD) AS FOLLOWS: PARCEL 1, FROM R-3 (RESIDENTIAL) TO C-4/C (COMMERCIAL/CONDITIONS) AND IMPOSING CERTAIN CONDITIONS; PARCEL 2, FROM R-3 (RESIDENTIAL) TO S-D (SPECIAL DEVELOPMENT); PARCEL 3, FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL); PARCEL 4, FROM R-3 (RESIDENTIAL) TO C-1 (COMMERCIAL); PARCEL 5, FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL); PARCEL 6, FROM R-3 (RESIDENTIAL) TO R-5 (RESIDENTIAL); PARCEL 7, FROM R-3 (RESIDENTIAL) TO C-3/C (COMMERCIAL/CONDITIONS) AND IMPOSING CERTAIN CONDITIONS; PARCEL 8, FROM R-3 (RESIDENTIAL) TO C-2 (COMMERCIAL); PARCEL 9, FROM R-3 (RESIDENTIAL) TO C-3/C (COMMERCIAL/CONDITIONS) AND IMPOSING CERTAIN CONDITIONS; AND PARCEL 10, FROM R-3 (RESIDENTIAL) TO C-3 (COMMERCIAL). THE PENALTY IS AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

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

That the zoning of *a portion of Sections 34, 35, 38, 39 and 46, Block 79, Township 2, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas,* as more particularly described by metes and bounds in the attached Exhibit "A", be changed, within the meaning of the zoning ordinance, as follows:

| | |
|---|---|
| Parcel 1 (36.243 acres): | from R-3 (Residential) to C-4/c (Commercial/conditions); |
| Parcel 2 (89.764 acres): | from R-3 (Residential) to S-D (Special Development); |
| Parcel 3 (74.835 acres): | from R-3 (Residential) to R-5 (Residential); |
| Parcel 4 (51.401 acres): | from R-3 (Residential) to C-1 (Commercial;) |
| Parcel 5 (204.043 acres) | from R-3 (Residential) to R-5 (Residential); |
| Parcel 6 (480.867 acres) | from R-3 (Residential) to R-5 (Residential); |
| Parcel 7 (14.738 acres): | from R-3 (Residential) to C-3/c (Commercial/conditions); |
| Parcel 8 (7.364 acres): | from R-3 (Residential) to C-2 (Commercial); |
| Parcel 9 (39.865 acres): | from R-3 (Residential) to C-3/c (Commercial/conditions); and |
| Parcel 10 (20.138 acres): | from R-3 (Residential) to C-3 (Commercial); |

and that the zoning map of the City of El Paso be revised accordingly; and

That Parcels 1, 7, and 9 be subject to the following conditions which are necessitated by and attributable to the increased intensity of use generated by the change of zoning **from R-3 (Residential) to C-3/c and C-4/c (Commercial/conditions)** in order to protect the health, safety and welfare of adjacent property owners and the residents of this city:

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ORDINANCE NO. 15428 **Zoning Case No. ZC-02058**

Parcel 1

1. A ten-foot (10') wide landscaped buffer to include, but not be limited to, evergreen trees placed at 15 foot intervals on center along the property line where abutting residential zoning districts. This requirement shall be in addition to the requirements of the Landscaping Ordinance of the El Paso Municipal Code.
2. Prior to the issuance of any building permits, a detailed site plan shall be reviewed and approved by the City Plan Commission.

Parcel 7

A ten-foot (10') wide landscaped buffer to include, but not be limited to, evergreen trees placed at 15 foot intervals on center along the property line where abutting residential zoning districts. This requirement shall be in addition to the requirements of the Landscaping Ordinance of the El Paso Municipal Code.

Parcel 9

A ten-foot (10') wide landscaped buffer to include, but not be limited to, evergreen trees placed at 15 foot intervals on center along the property line where abutting residential zoning districts. This requirement shall be in addition to the requirements of the Landscaping Ordinance of the El Paso Municipal Code.

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.

**PASSED AND APPROVED** this **22nd** day of **April, 2003**.

THE CITY OF EL PASO

Raymond C. Caballero
Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

(Signatures continued on following page)

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**ORDINANCE NO.** 15428 **Zoning Case No. ZC-02058**

APPROVED AS TO FORM:

Matt Watson
Assistant City Attorney

APPROVED AS TO CONTENT:

Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

Acknowledgment

THE STATE OF TEXAS )
)
COUNTY OF EL PASO )

This instrument is acknowledged before me on this 22nd day of April, 2003, by RAYMOND C. CABALLERO as Mayor of **THE CITY OF EL PASO**.

My Commission Expires:

CECILIA FLORES
NOTARY PUBLIC
In and for the State of Texas
My commission expires 10-06-2006

Notary Public, State of Texas
Notary's Printed or Typed Name:

MW:pmc\#90689\ZON/PLA\Y6

**ORDINANCE NO.** 15428

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3/28/2003

**Zoning Case No. ZC-02058**