City of El Paso – City Plan Commission Staff Report

Case No:	PZDS15-00021
Application Type:	Detailed Site Development Plan Review
CPC Hearing Date:	November 19, 2015
Staff Planner:	Jeff Howell, (915) 212-1607, howelljb@elpasotexas.gov
Location:	14251 Edgemere Blvd.
Legal Description:	Lot 2, Block 4, Tierra Commercial Unit Nine, City of El Paso, El Paso County, Texas
Acreage:	1.50 acres
Rep District:	5
Current Zoning:	C-1/c (Commercial/condition)
Existing Use:	Vacant
C/SC/SP/ZBA/LNC:	Condition imposed by Ordinance No. 17284, dated March 9, 2010
Request:	Detailed Site Development Plan Review
Proposed Use:	Commercial and Daycare
Property Owner:	Azar Enterprises, Inc.
Representative:	Philo Wilke Partnership

SURROUNDING ZONING AND LAND USE
North: C-1/c (Commercial/condition) / Vacant
South: R-5 (Residential) / Single-family dwellings
East: C-1/c (Commercial/condition) / Vacant
West: C-4/c (Commercial/condition) / Vacant

PLAN EL PASO DESIGNATION: G-4, Suburban (Walkable) (East Planning Area)
NEAREST PARK: Tierra Del Este 50A Park (2,043 feet)
NEAREST SCHOOL: SSG Manuel R. Puentes Middle School (2,429 Feet)

NEIGHBORHOOD ASSOCIATIONS
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 March 9, 2010, City Council approved Ordinance No. 17284 (Attachment 5, pg. 9-11 of Staff Report), rezoning the subject property and imposing a condition as follows:

1. *Prior to the issuance of a building permit, a detailed site development plan review will be done in accordance with the El Paso City Code*

The present detailed site development plan review has been submitted to fulfill Condition #1.

APPLICATION DESCRIPTION
The detailed site development plan shows 3 commercial buildings totaling 18,150 sq. ft. on a currently vacant 1.50 acre parcel. The proposed use is a daycare center and commercial use. The development requires 53 parking spaces and the applicant proposes 59 parking spaces, including 4 ADA accessible

parking spaces and 3 bicycle parking spaces. Access to the subject property is proposed from Edgemere Boulevard.

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. Ordinance No. 17284 requires that a detailed site development plan be approved by the City Plan Commission.

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.

This detailed site development plan is not eligible for administrative approval due to the site plan containing three (3) buildings.

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-1 (Community Commercial) district is to provide compatible neighborhood convenience goods and services that serve day-to-day needs. It also permits locations for business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

COMMENTS:

Planning and Inspections Department - Planning Division – Transportation
No objections. All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

TXDOT
No comments received. Edgemere is not TXDOT right-of-way.

EPDOT:
No comments received

Planning and Inspections Department – Plan Review
No objections to proposed DSDP. At the time of application for building permit the project will need to comply with all applicable provisions of the IBC, TAS, and local municipal code.

Planning and Inspections Department - Land Development
No objections.

Planning and Inspections Department - Landscape
No objections.

Fire Department
Recommend Approval.

El Paso Water Utilities

The El Paso Water Utilities – Public Service Board (EPWU) does not object to this request.

EPWU-PSB Comments

Water

Along Edgemere Boulevard between Zaragoza Road and Tim Foster Street there is an existing twenty-four (24) inch diameter water transmission main. This main is not available for service, no service connections are allowed to this main as per the EPWU-PSB Rules and Regulations.

Along Edgemere Boulevard between Zaragoza Road and Tim Foster Street there is an existing twelve (12) inch diameter water main. This main is available for service.

Sanitary Sewer

Along Edgemere Boulevard between Zaragoza Road and Tim Foster Street there is an existing fifteen (15) inch diameter sanitary sewer main. As per EPWU-PSB Records, the average depth of this main fronting the subject Property is approximately twenty (20) vertical feet. A secondary main is required to provide service.

Sanitary sewer service can be made available by the following options:

A.Within the Tierra Commercial Unit Eleven subdivision, inside the 25-foot wide Drainage and PSB Easement there is an existing eight (8) inch diameter sanitary sewer main that discharges unto the described existing 15-inch diameter sanitary sewer main that extends along Edgemere Boulevard. This 8-inch diameter main is available for public main extensions towards Tierra Commercial Unit Nine. Easements will be required within Tierra Commercial Unit Nine, as well as within Tierra Commercial Unit Eleven.

B.A sanitary sewer main extension along the entire frontage of the Property to discharge unto an existing manhole pertaining to the described fifteen (15) inch diameter main that extends along Edgemere Boulevard. This manhole is located at approximately 830 feet west of Tim Foster Street.

General

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 water, sanitary sewer facilities, appurtenances, and meters within easements 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.

If the City of El Paso Fire Department requires additional public fire hydrants within public right-of-way and/or an on-site fire protection system within the private property, the property owner is responsible for all costs incurred to extend, relocate and construct water mains and appurtenances to provide this service.

The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

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.

Texas Gas

TGS will require an easement that will be coordinated at the time of the service request application.

Note: Applicant will be required to submit DSP Administrative Modification prior to submittal of building permits and issuance of certificates of occupancy.

El Paso Water Utilities-Stormwater Division

We have reviewed the property described above and have no objections; accommodations for stormwater were addressed under Tierra Commercial unit 9.

Sun Metro

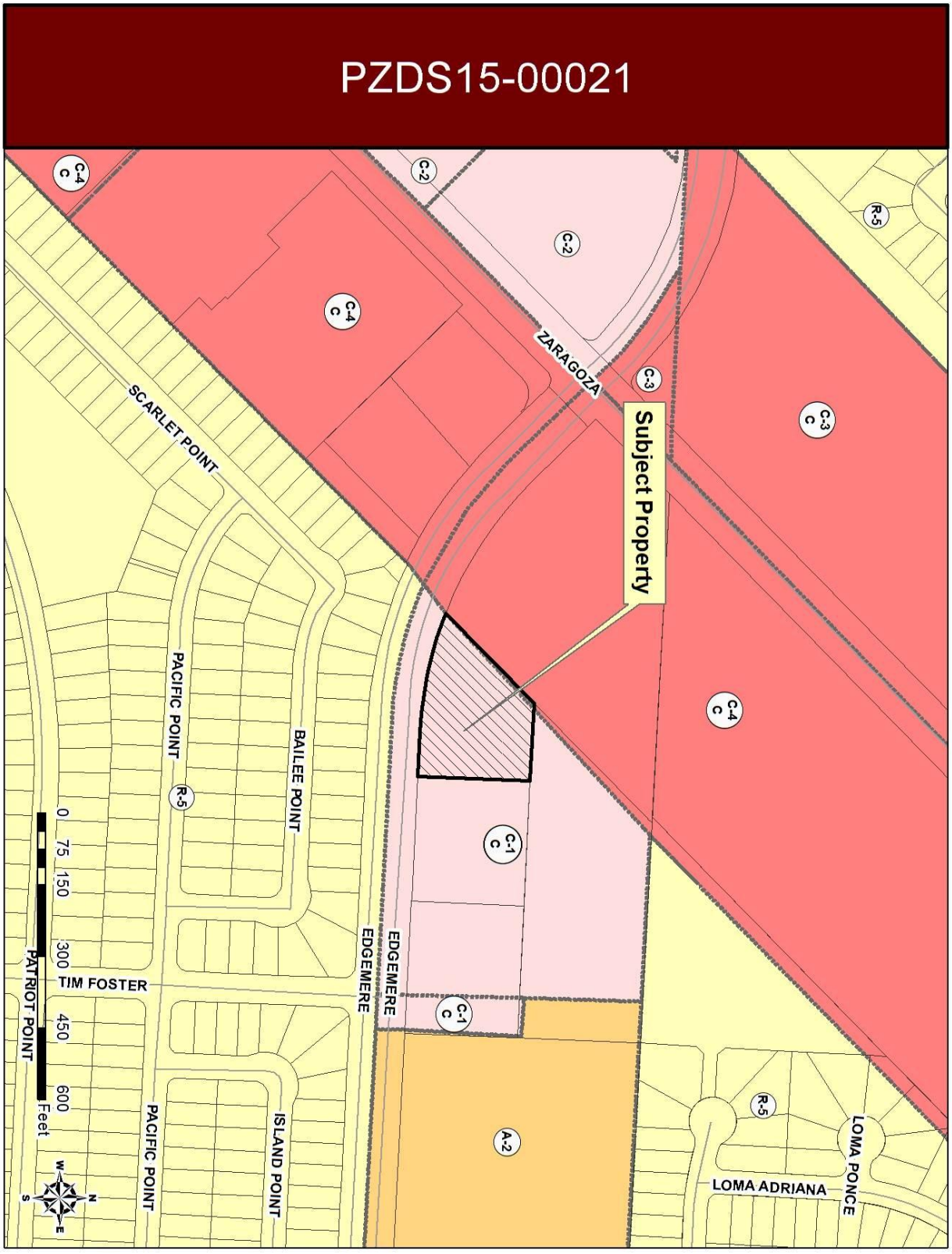
Sun Metro does not oppose this request. Recommend construction of sidewalks.

Note: Comments were addressed. Site plan includes sidewalks.

Attachments

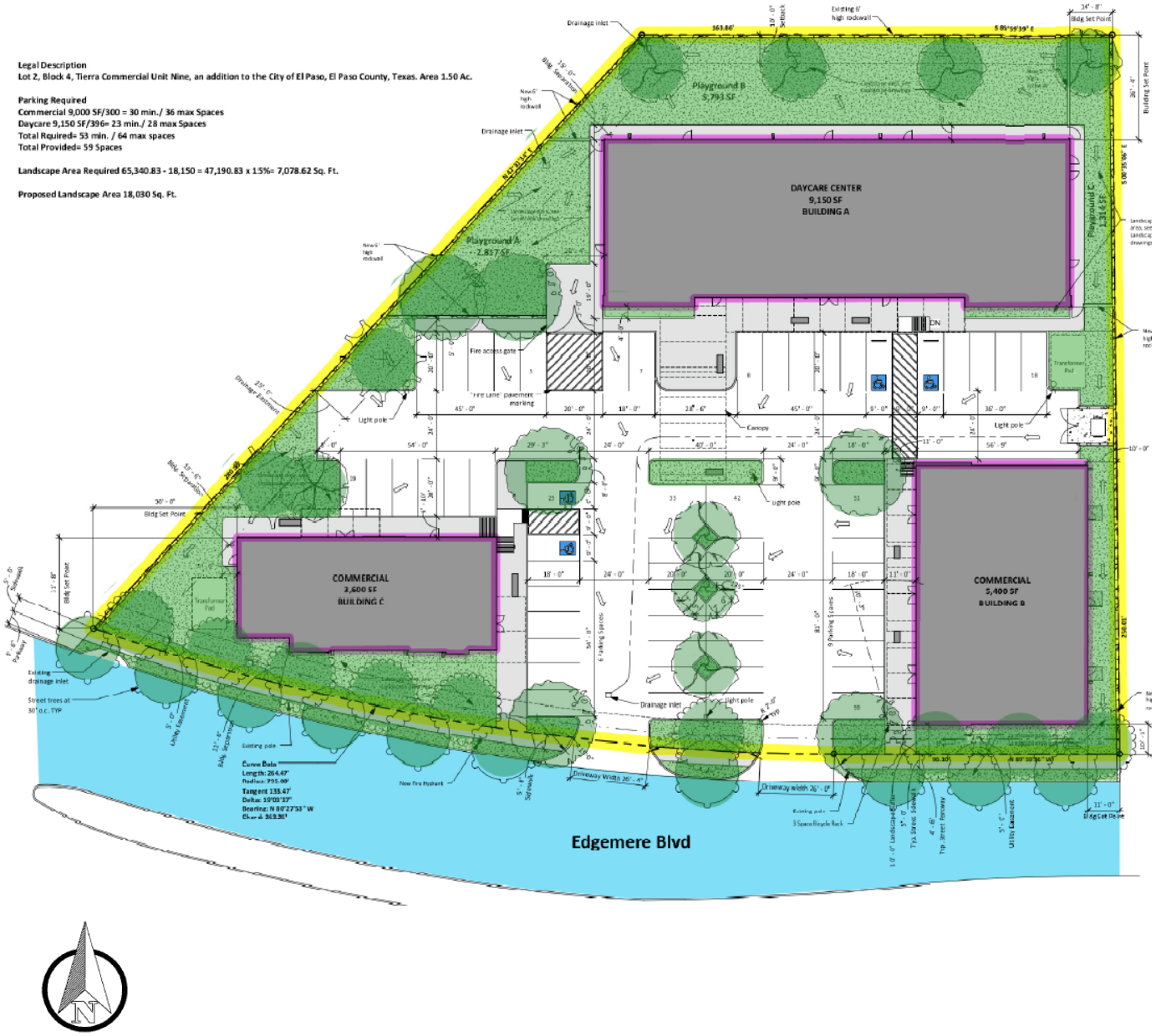
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Ordinance No. 17284

ATTACHMENT 1: ZONING MAP

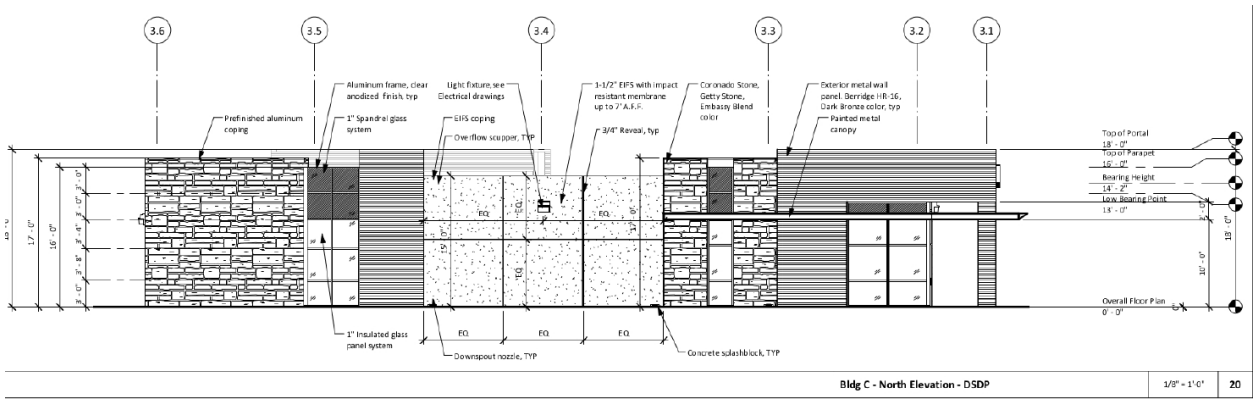


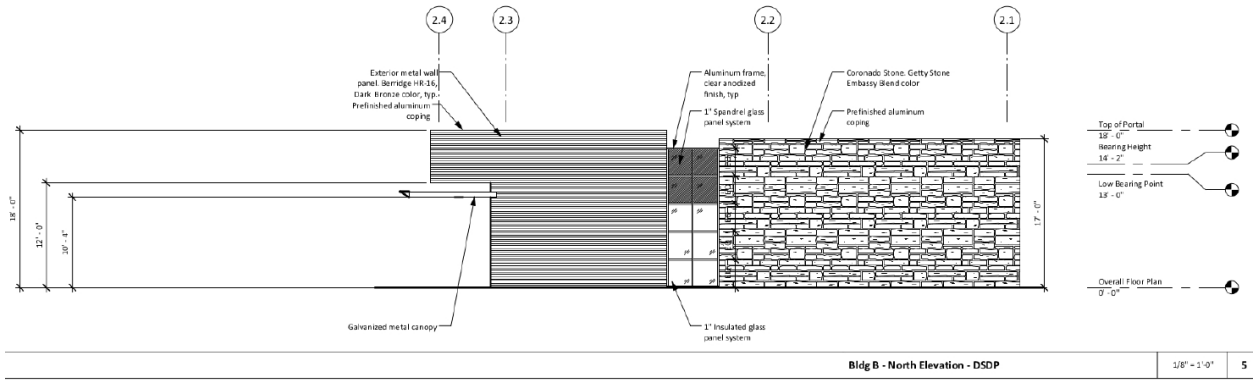
ATTACHMENT 2: AERIAL MAP

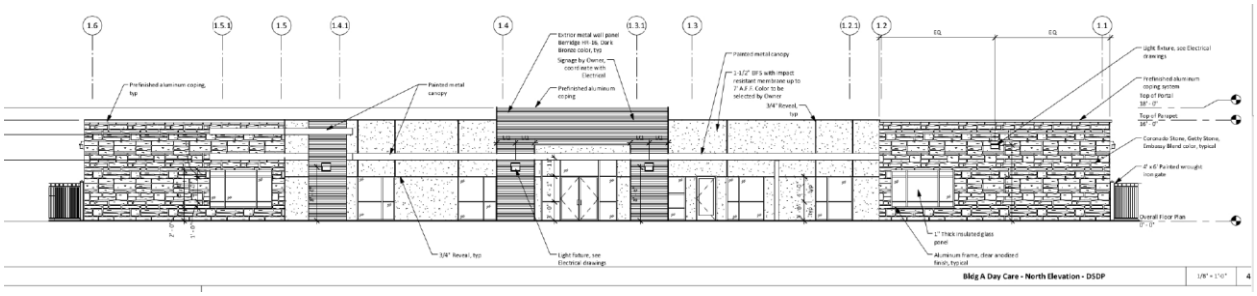
ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS







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ORDINANCE NO. 017284

AN ORDINANCE CHANGING THE ZONING OF A PORTION OF TRACT 4B, SECTION 38, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILWAY COMPANY SURVEYS, CITY OF EL PASO, EL PASO COUNTY, TEXAS, FROM A-2 (APARTMENT) TO C-1/C (COMMERCIAL/CONDITION), AND IMPOSING A CONDITION. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 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 *a portion of Tract 4B, Section 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas,* and as more particularly described by metes and bounds on the attached Exhibit "A", incorporated by reference, be changed from **A-2 (Apartment)** to **C-1/c (Commercial/Condition)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density 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:

Prior to issuance of building permit, a detailed site development plan review will be done in accordance with the El Paso City Code.

PASSED AND APPROVED this 9th **day of** March **2010**

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew McElroy, Deputy Director
Development Services Department
Planning Division

Document #51438 v1 - Planning/ORD/ZON09-00041/ Rezoning
ORDINANCE NO. 017284

Author: LCUE
ZON09-00041

CITY CLERK DEPT.

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EXHIBIT "A"

Being a portion of Tract 4B,
Section 38, Block 79, Township 2,
Texas and Pacific Railway Company Surveys,
City of El Paso, El Paso County, Texas
Prepared For: Southwest Land Development Services Inc.
July 27, 2009
(Parcel 1 A-2 to C-1)

METES AND BOUNDS DESCRIPTION

Description of a parcel of land being a portion of Tract 4B, Section 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, and being more particularly described by metes and bounds as follows:

Commencing for reference at an existing city monument at the centerline intersection of Edgemere Blvd. and Tim Foster St., Thence North 16°01'31" West a distance of 57.23 feet to a point on the northerly right of way line of Edgemere Blvd. for The "TRUE POINT OF BEGINNING"

Thence along said right of way line North 89°59'39" West a distance of 547.60 feet to a point of curve;

Thence 264.47 feet along the arc of a curve to the right which has a radius of 795.00 feet a central angle of 19°03'37" a chord which bears North 80°27'51" West a distance of 263.25 feet to a point;

Thence leaving said right of way line North 42°31'34" East a distance of 619.25 feet to a point on the line between sections 35 and 38, Block 79, Township 2, Texas and Pacific Railway Company Surveys;

Thence along said line North 89°59'07" East a distance of 383.54 feet to a point;

Thence leaving said line South 00°35'06" East a distance of 500.16 feet to "TRUE POINT OF BEGINNING" and containing 6.958 acres of land more or less.

Not a ground survey, bearings basis is True north for a Transverse Mercator surface projection as determined by GPS methods centered near this site.

Ron R. Conde
R.P.L.S. No. 5152
Job no: 609-83

STATE OF TEXAS
REGISTERED
RONALD ROBERT CONDE
5152
PROFESSIONAL
LAND SURVEYOR

1-26-09

CONDE, INC.
ENGINEERING / LAND SURVEYING / PLANNING
1790 LEE TREVINO SUITE 400 / EL PASO, TEXAS 79936 / (915) 592-0283

017284

Doc# 20100017730
#Pages 3 #NFPages 1
03/30/2010 8:52:14 AM
Filed & Recorded in
Official Records of
El Paso County
Delia Briones
County Clerk
Fees $24.00

I hereby certify that this instrument was filed on the date and time stamped hereon by me and was duly recorded by document number in the Official Public Records of Real Property in El Paso County.

EL PASO COUNTY, TEXAS

SCANNED

Please return to Drawer 151
CITY CLERK'S OFFICE
2 Civic Center Plaza
El Paso, TX 79901-1196