



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

**Case No:** SUSU14-00122 Montana Hotel  
**Application Type:** Major Combination (Reconsideration)  
**CPC Hearing Date:** November 19, 2015

**Staff Planner:** Alfredo Austin, (915) 212-1604, austinaj@elpasotexas.gov  
**Location:** South of Montana and East of Mescalero  
**Acreage:** 1.56  
**Rep District:** 3

**Existing Use:** Commercial  
**Existing Zoning:** C-4 (Commercial)  
**Proposed Zoning:** C-4 (Commercial)

**Nearest Park:** Normandy Park (0.31 miles)  
**Nearest School:** Hughey Elementary (0.17 miles)  
**Park Fees Required:** \$1,570.00  
**Impact Fee Area:** This property is not located in an Impact Fee Service Area.  
**Property Owner:** East VH El Paso, LLC  
**Applicant:** East VH El Paso, LLC  
**Representative:** Sitework Engineering

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

**North:** C-4 (Commercial)/ Commercial development  
**South:** C-4 (Commercial)/ Commercial development  
**East:** C-4 (Commercial)/ Commercial development  
**West:** C-4 (Commercial)/ Commercial development

**PLAN EL PASO DESIGNATION:** G4, Suburban (Walkable)

### **APPLICATION DESCRIPTION**

The applicant proposes to subdivide approximately 1.56 acres of land for a commercial lot. Access to the subdivision will be from Mescalero Drive and Montana Avenue. This subdivision is being reviewed under the current subdivision code.

In accordance with Section 19.48, the applicant has submitted a request to waive ROW improvements along Montana Avenue and Mescalero Drive. Montana Drive is TXDOT ROW designated as a major arterial in the Major Thoroughfare Plan, requiring 100' of ROW including 5' parkway and 5' sidewalk. Montana currently features approximately 7' sidewalk and no parkway. Mescalero Drive is designated as a collector requiring 70' of ROW including 50' of pavement, 5' parkway and 5' sidewalk. Currently Mescalero Drive consists of approximately 40' of pavement. The applicant is proposing a 10' parkway and 5' sidewalk.

## **CASE HISTORY and REQUEST**

The City Plan Commission at its regular meeting of January 8, 2015, voted to recommend approval of Montana Hotel on a Major Combination Subdivision basis. This application was approved with improvement plans showing an addition of 5' of pavement on Mescalero Drive in order to comply with standards for a collector street.

This reconsideration comes as a result of pedestrian and ADA safety concerns raised by the Streets and Maintenance Department on reference to the proposed 5' of additional pavement. The applicant has submitted a ROW improvement waiver request for the additional pavement requirement.

## **DEVELOPMENT COORDINATING COMMITTEE**

The Development Coordinating Committee recommends **approval** of the waiver request and **approval** of Montana Hotel Subdivision on a Major Combination basis, subject to the following comments:

### **Planning & Inspections Department - Planning Division**

Staff recommends **approval** of the waiver request and **approval** of Montana Hotel Subdivision on a Major Combination basis.

### **Planning & Inspections Department - Land Development**

We have reviewed subject plats and recommend **Approval**.

The Developer/Engineer shall address the following comments.

1. Provide continuous sidewalks along Montana and Mescalero Drive ROWs abutting property line limits in compliance with (Section 6 of the DSC).
2. Sidewalk ramps and crossings must be in compliance with ADA and TAS requirements.
3. Coordinate proposed improvements with TXDOT.
4. Existing driveway off Montana is not shown on the preliminary plat.
5. Dimension widths and radii for driveways.
6. If the property is redeveloped, the owner may need to retain some of the stormwater runoff and provide an acceptable Drainage Plan in accordance with Section 19.01.050 of the current City Ordinance.

### **Street and Maintenance Department**

That the Roadway not to be extended the proposed 5 feet. The proposal will create a bottleneck effect which will constrain the pedestrian pathway due to the existing pedestrian bridge which in turn will impact ADA compliance. There are no details currently on the Plans addressing ADA improvements.

### **Parks and Recreation Department**

We have reviewed **Montana Hotel Subdivision**, a major combination plat map and offer Developer / Engineer the following comments:

Please note that this subdivision is zoned "C-4" meeting the requirements for Non-residential uses as well as for Multi-family dwellings use with a minimum lot area of 750 sq. ft. per

dwelling however, applicant has submitted preliminary covenants restricting the use to general commercial (Non-residential) purposes only and prohibiting all residential uses therefore, "Park fees" will be assessed as follows:

1. **If** gross density waiver is granted by the Planning Department or designee and a copy of the final recorded covenants is provided restricting all residential uses, then applicant shall be required to pay "Park fees" in the amount of **\$1,570.00** based on Non-residential subdivision requirements calculated as follows:

Non-residential acreage 1.57 (rounded to two decimals) @ \$1,000.00 per acre =  
**\$1,570.00**

Please allocate generated funds under Park Zone: **C-5**

Nearest Parks: **Normandy Park**

**If** density/acreage is increased /decreased or the property zoning /use changes, then "Park /fees" will be re-assessed based on applicable conditions.

### **El Paso Water Utilities**

1. El Paso Water Utilities (EPWU) does not object to this request.
2. 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.

#### **Water:**

3. There is an existing 12-inch diameter water main extending along Mescalero Drive that is available for service, the water main is located approximately 16.5 feet east from the center line of the right-of-way.
4. There is an existing 12-inch diameter water main extending along Montana Avenue, the water main is located approximately 65-ft north from northern subject property line.
5. EPWU records indicate a 2-inch water meter serving the subject property. The service address for this meter is 6300 Montana Avenue.

#### **Sanitary Sewer:**

6. There is an existing 8-inch diameter sanitary sewer main extending along Mescalero Drive that is available for service, the sewer main is located approximately 3-ft west from the center line of the right-of-way.
7. There is an existing 10-inch diameter sanitary sewer main extending along Montana Avenue. The sewer main is located approximately 33-ft south from the center line of the right-of-way. This main has limited excess capacity and it is not available for service.

#### **General:**

8. Water service to the subject Property can be provided by the water system mentioned above, however, the EPWU's sanitary sewer system that extends along Montana Avenue has limited excess capacity. An analysis of the sanitary sewer system downstream of the subject Property must be conducted prior to EPWU to committing to provide sanitary sewer service. The EPWU needs the projected water demand and sanitary sewer flows to conduct the analysis. Please forward this information to EPWU as soon as possible.
9. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant 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.

**EPDOT**

Traffic impact analysis is not required based on the use being proposed.

**El Paso Fire Department**

No comments received.

**911**

No comments received.

**El Paso Electric Company**

No comments received.

**El Paso Independent School District**

No comments received.

**Additional Requirements and General Comments:**

1. Submit to the Planning & Inspections Department – Planning Division the following prior to recording of the subdivision.
  - a. Current certified tax certificate(s)
  - b. Current proof of ownership
  - c. Release of access document, if applicable
  - d. Set of restrictive covenants, if applicable
2. Every subdivision shall provide for postal delivery service. The subdivider shall coordinate the installation and construction with the United States Postal Service in determining the type of delivery service for the proposed subdivision. In all cases, the type and location of delivery service shall be subject to the approval of the United States Postal Service.

**Attachments**

1. Location map
2. Aerial map
3. Preliminary plat
4. Final Plat
5. Waiver request
6. Application

ATTACHMENT 1

**MONTANA HOTEL**



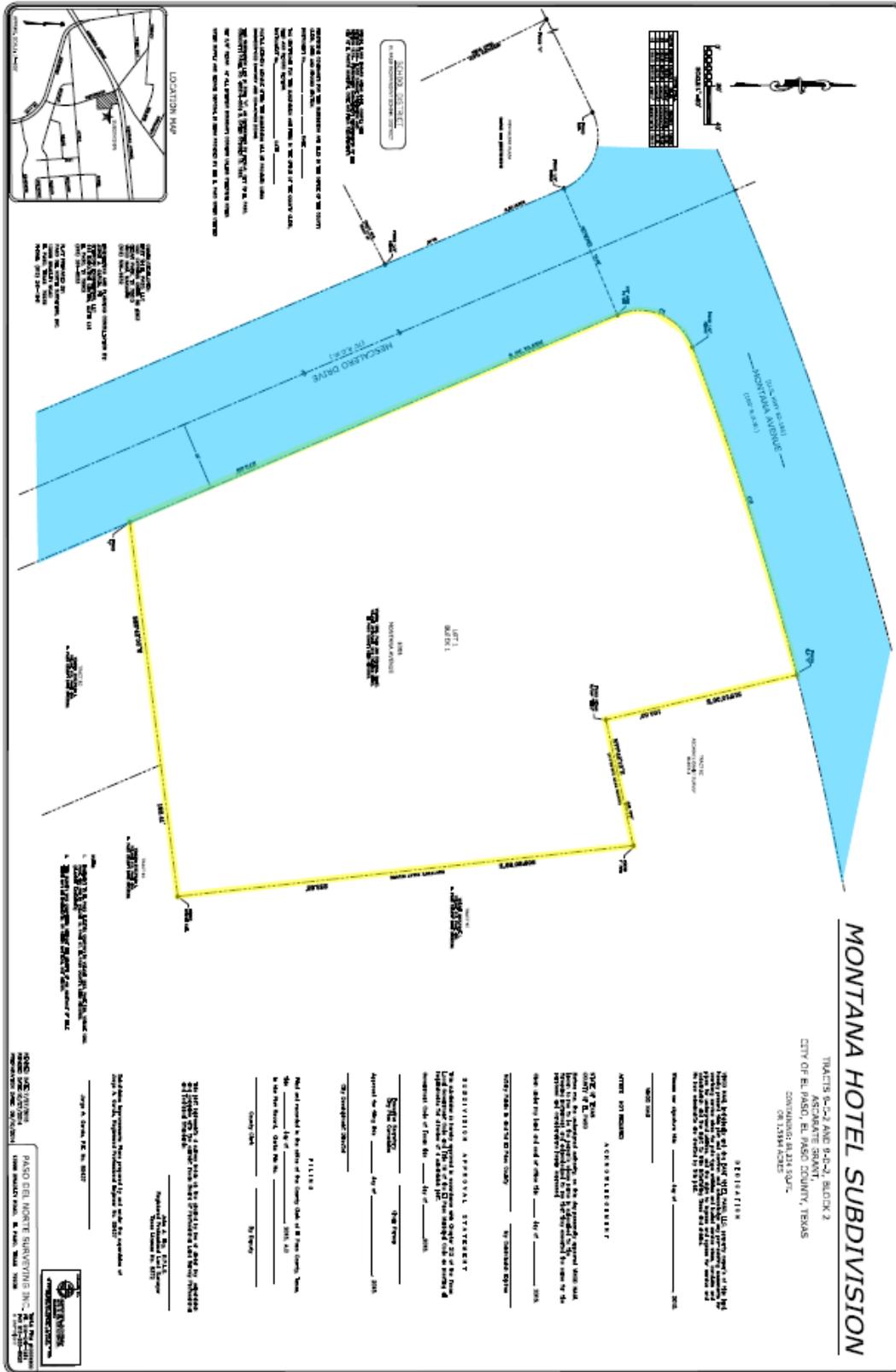
ATTACHMENT 2

**MONTANA HOTEL**





**ATTACHMENT 4**



**MONTANA HOTEL SUBDIVISION**

TRACTS 2, 3, 4 AND 5, BLOCK 2  
 ASSOCIATE SUBDIVISION  
 CITY OF EL PASO, EL PASO COUNTY, TEXAS  
 CONTAINING 5.211 ACRES  
 OR 1.584 ACRES

**RESIDENCES**

THIS PLAN IS MADE BY THE SURVEYOR, AND THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEY. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE SURVEY FOR ANY OTHER PURPOSES. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACCURACY OF THE SURVEY. THE SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE SURVEY FOR ANY OTHER PURPOSES.

APPROVED BY THE CITY OF EL PASO, TEXAS, ON \_\_\_\_\_ AT \_\_\_\_\_

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APPROVED BY THE STATE OF TEXAS, ON \_\_\_\_\_ AT \_\_\_\_\_

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APPROVED BY THE CITY OF EL PASO, TEXAS, ON \_\_\_\_\_ AT \_\_\_\_\_

**PASO DEL NORTE SURVEYING, INC.**  
 10000 W. LOOP WEST, SUITE 100, EL PASO, TEXAS 79906  
 TEL: 972.768.1111 FAX: 972.768.1112  
 WWW.PASODELNORTE.COM

**ATTACHMENT 5**



October 19, 2015

**SENT VIA EMAIL**

**Mr. Alfredo Austin**  
**CITY OF EL PASO – Planning Department**  
811 Texas Street  
El Paso, TX, 79901

**PROJ: MONTANA HOTEL SUBDIVISION**  
**RE: REQUEST OF STREET IMPROVEMENTS WAIVER**

Dear Alfredo Austin,

On behalf of the Owner, and according to Title 19.10.050 of the Municipal Code, we are submitting this petition to waive the street improvements on Montana Avenue and Mescalero Drive as indicated on your 5-day review comments letter.

We are hereby seeking relief from the current street sidewalk and landscaped parkway requirements on Montana Ave.

We are seeking relief of the current street section for Mescalero, which includes a wider pavement section and narrower landscaped parkway.

We believe that +50% of the lots within a quarter mile of the proposed development have already been developed and the existing street improvement is in character with the neighborhood.

We understand Montana Avenue and Mescalero Drive is not compliant with the current City Code standards; however, we believe that granting the waiver will not be detrimental to the public health, safety or welfare, or injurious to other property within the area.

Sincerely,  
*SiteWork Engineering, LLC*

A handwritten signature in black ink, appearing to read "Jorge A. Garcia", is written over a horizontal line.

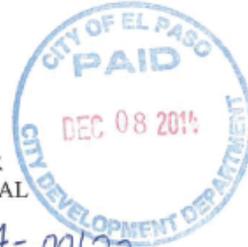
Jorge A. Garcia, PE  
Project Engineer/Owner Representative

Cc Mr. Nelson Ortiz – COEP  
Mr. Justin Mabey – East Avenue Development

Waiver of Improvements.doc

444 EXECUTIVE CENTER, SUITE 134 • EL PASO, TX • 79902  
PHONE: (915) 351-8033 • FAX: (915) 351-8055  
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**ATTACHMENT 6**



CITY PLAN COMMISSION APPLICATION FOR  
MAJOR COMBINATION SUBDIVISION APPROVAL

DATE: 12/8/2014 FILE NO. SUSU14-00122  
SUBDIVISION NAME: MONTANA HOTEL

1. Legal description for the area included on this plat (Tract, Block, Grant, etc.)  
TRACTS 9 C 2 & 9 D 2, BLOCK 2, ASCARATE GRANT.

2. Property Land Uses:

	<u>ACRES</u>	<u>SITES</u>		<u>ACRES</u>	<u>SITES</u>
Single-family	_____	_____	Office	_____	_____
Duplex	_____	_____	Street & Alley	_____	_____
Apartment	_____	_____	Ponding & Drainage	_____	_____
Mobile Home	_____	_____	Institutional	_____	_____
P.U.D.	_____	_____	Other (specify below)	_____	_____
Park	_____	_____	_____	_____	_____
School	_____	_____	_____	_____	_____
Commercial	<u>1.56</u>	<u>1</u>	Total No. Sites	_____	<u>1</u>
Industrial	_____	_____	Total (Gross) Acreage	<u>1.56</u>	_____

3. What is existing zoning of the above described property? CA Proposed zoning? CA

4. Will the residential sites, as proposed, permit development in full compliance with all zoning requirements of the existing residential zone(s)? Yes \_\_\_\_\_ No \_\_\_\_\_ N/A

5. What type of utility easements are proposed: Underground \_\_\_\_\_ Overhead \_\_\_\_\_ Combination of Both N/A

6. What type of drainage is proposed? (If applicable, list more than one)  
SURFACE DRAIN TO FRONT STREET

7. Are special public improvements proposed in connection with development? Yes X No \_\_\_\_\_

8. Is a modification or exception of any portion of the Subdivision Ordinance proposed? Yes \_\_\_\_\_ No X  
If answer is "Yes", please explain the nature of the modification or exception \_\_\_\_\_

9. Remarks and/or explanation of special circumstances: \_\_\_\_\_

10. Improvement Plans submitted? Yes X No \_\_\_\_\_

11. Will the proposed subdivision require the city to review and decide whether this application is subject to the standards in effect prior to the effective date of the current applicable standards? Yes \_\_\_\_\_ No X

If yes, please submit a vested rights petition in accordance with Title I (General Provisions) Chapter 1.04 - Vested Rights

City Development Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4024

12. Owner of record FRANCIS E; MARIE KHOURY  
6308 MONTANA AVE, EL PASO TX  
(Name & Address) (Zip) (Phone)

13. Developer \_\_\_\_\_  
(Name & Address) (Zip) (Phone)

14. Engineer SITENWORK ENGINEERING LLC  
444 EXECUTIVE CTR STE 134, ELP 79902 351-8033  
(Name & Address) (Zip) (Phone)

Refer to Schedule C for  
current fee.

OWNER SIGNATURE: \_\_\_\_\_  
REPRESENTATIVE: \_\_\_\_\_

jgarcia@siteworkengineering.com

NOTE: SUBMITTAL OF AN APPLICATION DOES NOT CONSTITUTE ACCEPTANCE FOR PROCESSING UNTIL THE PLANNING DEPARTMENT REVIEWS THE APPLICATION FOR ACCURACY AND COMPLETENESS.

City Development Department  
811 Texas | P.O. Box 1890 | El Paso, Texas 79950-1890 | (915) 541-4024